

**STATE OF FLORIDA
DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL**

TO: Walter A. McNeil, Secretary
FROM: Gene Hatcher, Inspector General
DATE: Sept. 30, 2010
SUBJECT: IG Annual Report 2009-10

Attached please find the Inspector General's Annual Report for fiscal year 2009-10, due to your office by September 30, pursuant to Chapter 20.055(7), Florida Statutes.

Please let me know if I can be of further assistance.



Gene Hatcher
Inspector General
Department of Corrections

Attachment

Cc: Chief Inspector General, Executive Office of the Governor

Florida Department of Corrections



Office of the Inspector General

ANNUAL REPORT
FISCAL YEAR
2009-2010

SEPTEMBER 30, 2010

Executive Summary

Agency Background

As the nation's third-largest prison system, the Florida Department of Corrections fulfills a primary role in enhancing the safety of more than 18 million Florida residents. Through a network of 62 major prisons and 82 road prisons, work camps and community-based facilities, the Department manages incarceration and care for more than 102,000 inmates. It also supervises more than 152,000 felony offenders through 156 probation offices statewide. The agency's 28,000 employees carry out this public safety mandate 24 hours a day, 365 days a year, on an annual budget of \$2.4 billion.

Purpose of the Annual Report

This report, required by the Inspector General Act of 1994, summarizes the activities and accomplishments of the Florida Department of Corrections, Office of the Inspector General, during fiscal year 2009-10.

Section 20.055, Florida Statutes, defines the duties and responsibilities of each Inspector General with respect to the state agency in which the office exists. The statute requires that the Inspector General submit to the agency head no later than September 30 an annual report of activities during the preceding fiscal year.

This report provides departmental staff and other interested parties with an overview of the Office of the Inspector General's activities related to its mission as defined by Florida Law.

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Organization/Duties

The Office of the Inspector General and its three sections, State Investigations, Special Operations and Internal Audit, perform the following functions:

1. Conduct criminal and administrative investigations, audits, and reviews relating to department operations, contracts, staff, inmates, visitors and volunteers.
2. Identify instances of fraud, abuse, and other deficiencies relating to department programs and operations; inform the Secretary of those conditions; recommend corrective action; and report on progress made in correcting deficiencies.
3. Advise in the development of performance measures and standards for the evaluation of agency programs.
4. Operate contraband interdiction and inmate drug testing programs.
5. Coordinate department activities required by the Florida Whistle-blower's Act.
6. Coordinate audit and investigative efforts, and facilitate cooperation with external agencies including the Auditor General, OPPAGA, and the Florida Department of Law Enforcement.
7. Provide critical intelligence information to law enforcement agencies across the state and nation through the FDLE Fusion Center network.
8. Work closely with other law enforcement agencies and state's attorneys' offices to ensure timely prosecution of criminal cases.

Vision: To utilize effective and innovative correctional strategies that make Florida's Department of Corrections the best in the world.

Mission: Provide leadership in the promotion of accountability and integrity of the correctional system.

Goals: Add value to the organization by:

1. Surveying stakeholders - senior management and others - to determine expectations and needs;
2. Identifying statewide risks and threats;
3. Providing timely and pertinent information to decision makers; and
4. Assessing internal controls and facilitating improvements to help assure the successful implementation of management's goals.
5. Conducting investigations and audits that are complete, timely and accurate reflections of truth.

Specific Areas of Responsibility

To meet the growing needs of a rapidly expanding Department of Corrections, the Office of the Inspector General (OIG) has maximized the efficient use of limited resources by addressing those matters of greatest concern and vulnerability to fraud and abuse. Primary services provided by the OIG include the following:

1. OIG facilitates an automated “management information network” that keeps designated key managers informed of events as they occur at correctional facilities throughout the state. This information network:
 - Provides an incident/event reporting system for all areas of the department, enabling early identification of problems and timely allocation of investigative and corrective resources.
 - Collects statewide data for use by key correctional managers in developing strategies to address areas of concern.
 - Provides timely flow of information to management and, through the Public Information Office, to the public.
 - Leads the department's effort to maintain cooperative working relationships with the Department of Law Enforcement and other state and federal law enforcement and investigative agencies.

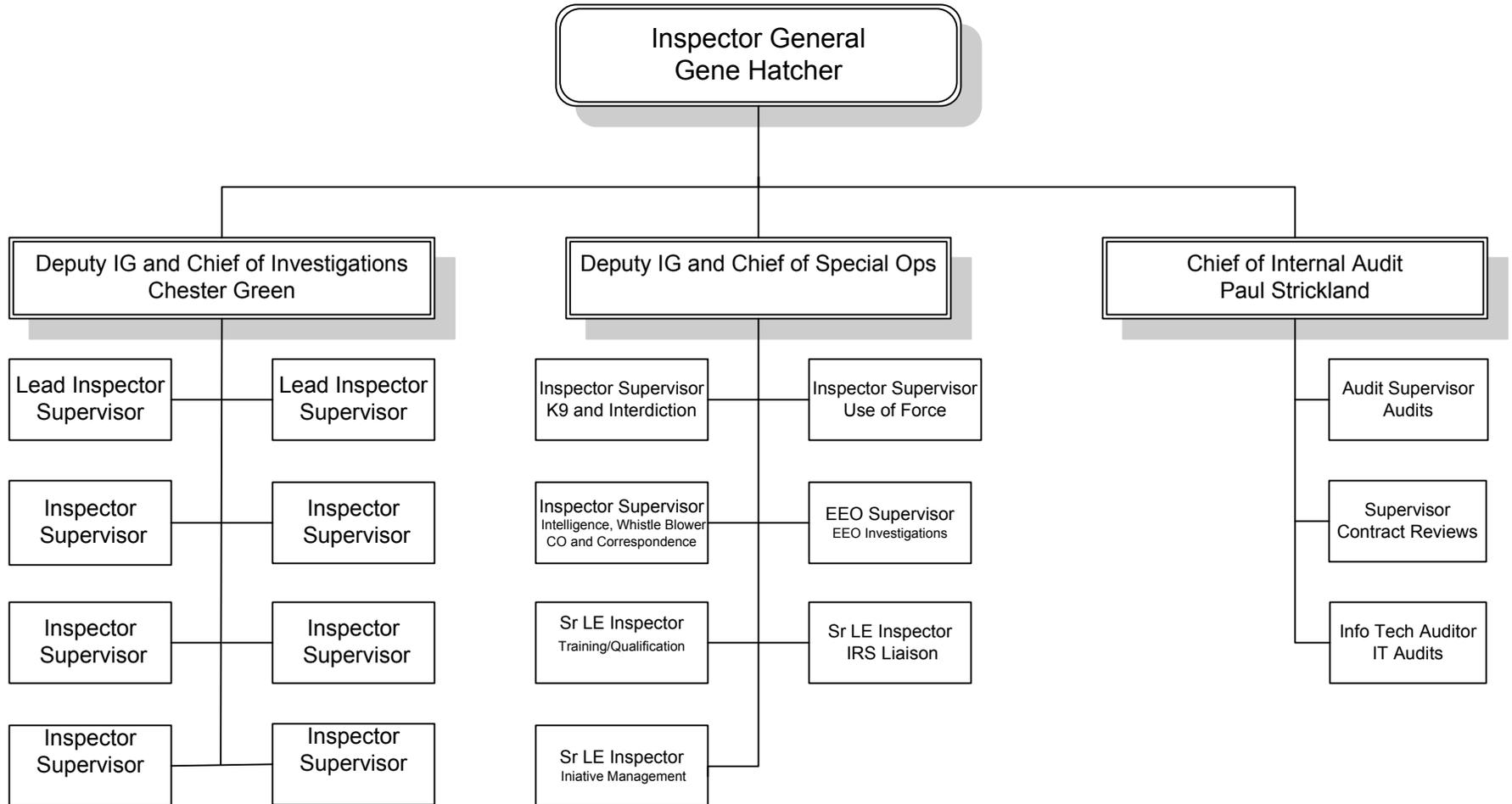
2. OIG certified law enforcement and correctional inspectors conduct criminal and administrative investigations inside state correctional facilities. Inspectors:
 - Conduct criminal investigations of felonies in state correctional facilities and coordinate those activities with other law enforcement and investigative agencies including prosecution through State Attorneys offices.
 - Conduct administrative investigations into allegations of misconduct by staff and/or offenders in state correctional facilities, and coordinate these investigations with appropriate departmental staff.

Organization/Duties

3. OIG Intelligence Unit and Contraband Interdiction teams assist the Office of Institutions in providing a safe environment for employees, inmates, and visitors by deterring the introduction of weapons, cell phones, narcotics and other contraband into correctional facilities. Interdiction teams:
 - Conduct unannounced interdiction operations in both state and private correctional facilities.
 - Review contraband control procedures at state correctional facilities for compliance with department policy and procedure.

4. OIG auditors assess the efficiency and effectiveness of agency programs and associated controls, measure compliance with laws and procedures, and serve to deter waste, fraud and abuse of agency resources. Audit staff:
 - Conducts compliance and performance audits in accordance with professional auditing standards.
 - Evaluates the effectiveness of the Department's management of contracts, reports findings, and recommends actions to correct deficiencies.
 - Assists inspectors with investigations involving fraud, waste, or misappropriation of funds.
 - Serves as the department's liaison with the Office of the Auditor General and the Office of Program Policy Analysis and Government Accountability on audits and performance reviews completed by those offices.
 - Conducts contract management reviews which enhance accountability and oversight over the department's contracts for goods and services.

Office of the Inspector General



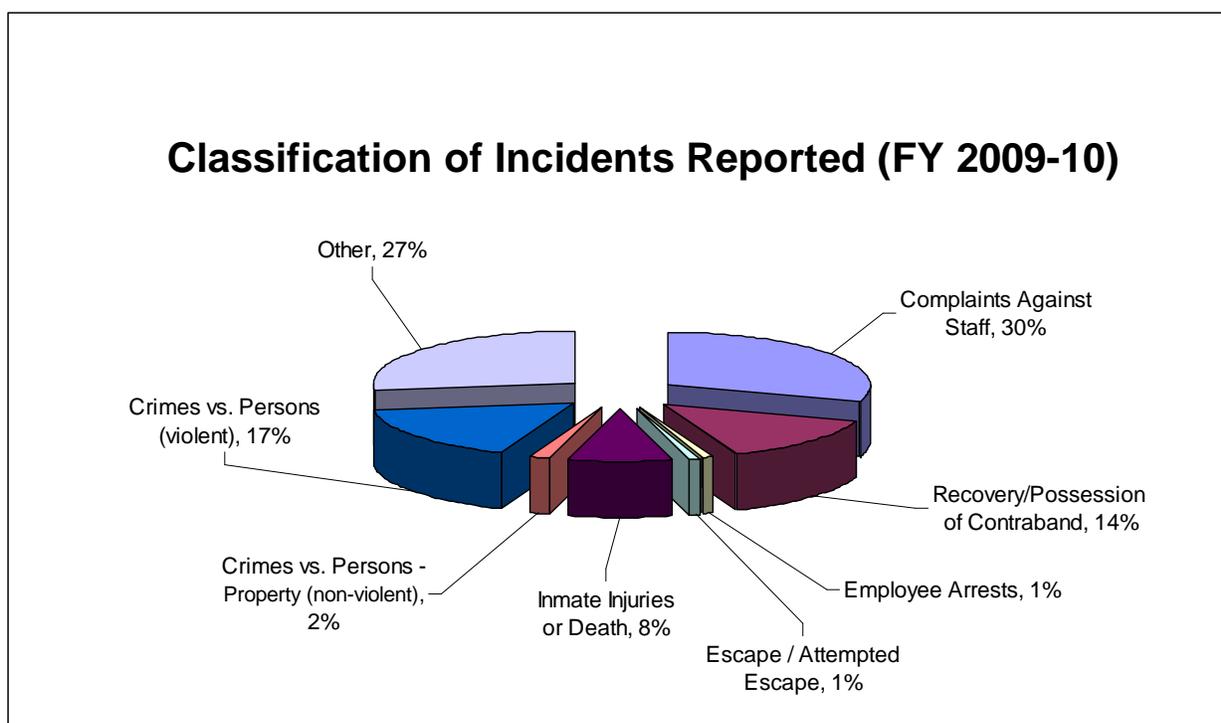
Bureau of State Investigations

The Bureau of State Investigations is responsible for conducting criminal, administrative and internal affairs investigations.

Investigations

When completed, criminal investigations are referred to the appropriate State Attorney's Office for prosecution. Administrative and internal affairs investigations are referred to management for appropriate follow-up action.

During the 2009-10 fiscal year, 39,331 incidents were reported to the Inspector General's Office. Those incidents were classified in the following categories:



Investigation Highlights

As illustrated by the "Classification of Incident" chart above, the majority of reported incidents involved:

- Complaints against staff, which include improper conduct, alleged excessive force, and staff/offender relationships. (30%)

Bureau of State Investigations

- Crimes vs. persons (violent), which include battery on a law enforcement officer, battery on another inmate, sexual battery, and possession of a weapon. (17%)
- Possession/recovery of contraband. (14%)
- Inmate injuries or deaths, including suicide, suicide attempts, homicides, natural deaths, accidental deaths and injuries. (8%)

Classification of Incident	Number
Complaints Against Staff	11,768
Recovery/Possession of Contraband	5,603
Employee Arrests	354
Escape / Attempted Escape	322
Inmate Injuries or Death	3,269
Crimes vs. Persons - Property (Non-Violent)	665
Crimes vs. Persons (Violent)	6,806
Other	10,544
Total	39,331

Of these 39,331 incidents, 3,928 official investigations were assigned as indicated by the chart below.

Field Office	Senior Inspectors	Institutional Inspectors	Total
Region I	202	361	563
Region II	577	842	1,419
Region III	278	323	601
Region IV	601	744	1,345
TOTAL	1,658	2,270	3,928

Special Operations Section

The Special Operations Section coordinates the agency's inmate drug testing program, contraband interdiction/narcotic canine unit, intelligence unit, "Prison Tips" hotline, and serves as the final reviewing authority for all "use-of-force" incidents.

Use of Force Unit

Established in 1999, the Use of Force Unit is charged with reviewing all incidents of physical force at state correctional facilities to ensure compliance with established rules, procedures and statutes.

To accomplish this mission, the unit independently reviews and evaluates all force incident reports, associated documents and videotapes as required from each correctional facility or office. Evidence indicating possible procedural violations, inmate abuse, excessive/ improper/ unauthorized force, or battery by staff is referred to the Bureau of State Investigations and an internal investigation is conducted.

The use-of-force database has been enhanced to automatically notify management of employee involvement in multiple use-of-force incidents. Uses-of-force are classified as major incidents whenever weapons, the chemical agent CS or Electronic Restraint Devices are used; when force is used in a cell extraction; or when outside medical treatment is required for employees or inmates as a result of the use of force. Other physical contact with inmates to include use of the chemical agent OC, is classified as minor. This chart shows all incidents reported to the Use of Force Unit in FY2009-10:

Classification	Reason Force Was Used	Number
27A	Self Defense	768
27B	Escape/Recapture	2
27C	Prevent Escape During Transport	1
27D	Prevent Property Damage	25
27E	Quell a Disturbance	1,862
27F	Physical Resistance to a Lawful Command	2,094
27G	Prevent Suicide	685
27H	Restrain Inmate for Medical Treatment	53
27I	Cell Extraction	244
27J	Mental Health Restraint	434
27K	Probation & Parole Handcuffing	0
27O	Other	43
TOTAL		6,212

Corrections Intelligence Unit

The Corrections Intelligence Unit collects, analyzes, and disseminates data and investigative information in support of the Bureau of State Investigations and institutional security staff. It also researches data related to Homeland Security issues and works closely with other local, state, and federal law enforcement agencies. It has generated multiple intelligence reports that were shared at the national level, including “Classified” level reporting. Two unit members are FDLE-certified crime analysts.

The Unit represents the Department of Corrections at the Florida FUSION Center, a statewide collaborative intelligence project focused on Homeland Security. It also serves as primary point of contact for the Corrections Intelligence Initiative, a joint FBI project designed to deter radicalization of prison inmates and to detect domestic security threats among the prison population.

Contraband Interdiction/Narcotic Canine Unit

Contraband Interdiction provides a safer environment for employees, inmates and visitors at state correctional facilities by detecting and discouraging the introduction of contraband including weapons, cell phones and narcotics. Interdiction staff conducts unannounced contraband searches with assistance from certified Narcotic Canine Teams. During the often two-day-long interdictions, employees, visitors, volunteers, inmates, vehicles and facility grounds are searched for contraband. Individuals also are subject to inspection using a chemical detection device which employs advanced “Ion Mobility Spectrometry” technology to detect traces of illegal drugs. Random interdiction operations and canine sweeps are conducted at all agency facilities.

Earlier this year, the Department doubled the number of staff and canines used to combat illegal drug use in prisons. The Inspector General’s office now operates 20 full-time canine teams with specially equipped vehicles, located strategically around the state. The teams participate in interdiction and search operations at prisons and other facilities statewide. The canine teams also work closely with institutional inspectors and provide investigative support.

The following chart summarizes arrests and seizures generated by the Inspector General’s canine teams and interdiction operations during Fiscal Year 2009-10.

Special Operations Section

Interdiction/Canine Team Operations	FY 2009-10
Arrests:	
Employees	31
Visitors	41
Inmates	6
Contraband Seized:	
Alcohol (gallons)	
commercial	16
homemade	13
Drugs (grams)	
marijuana	4,160
cocaine	637
other	10
prescription drugs (each)	262
Weapons, Cell Phones, Money	
firearms (in vehicles on state property)	25
ammunition (rounds, in vehicles)	1,321
knives/sharps (entering or inside institution)	34
cell phones or parts/accessories	194
cash (excessive or contraband)	\$16,725
Ion Scans (drug screening tests):	
employees	1,938
visitors	2,327
inmates	586
total scans conducted	4,851

Special Operations Section

Inmate Drug Testing Program

The Inspector General's Inmate Drug Testing Unit manages inmate selection, testing procedures, and results analysis for almost 120,000 inmate drug tests conducted annually. The unit also orders testing supplies and ensures that officers who conduct the tests are properly trained and certified. The tests play a key role in detecting and deterring the use of illegal drugs in prison. The results analysis helps guide effective deployment of other anti-drug resources such as IG contraband interdiction and narcotic canine teams. This chart summarizes drug test results for Fiscal Year 2009-10:

Inmate Drug Tests Conducted during FY 2009-10						
Reason for Test	Total Selected	Not Tested	Valid Tests	Negative Tests	Positive Tests	Percent Positive
Random	75,410	1,041	73,741	72,360	1,381	1.87%
For Cause	5,985	21	5,631	4,509	1,122	19.93%
Drug Treatment Program	39,143	340	38,745	38,656	89	0.23%
TOTAL	120,538	1,402	118,117	115,525	2,592	2.19%

Prison TIPS

The Bureau oversees the prison "TIPS" line, which received over 6,500 calls during the last fiscal year. Phone calls made to the "TIPS" line are reviewed daily and the information provided is used to collect criminal intelligence on unsolved or ongoing criminal activity, both inside and outside of the Department. Inmates, probationers or any other callers who may have knowledge of this type of activity can use "TIPS" as an anonymous method to provide this information.

The "TIPS" line can be accessed from inmate phones within all department facilities, or by a toll-free number (**1-866-246-4412**) from phones outside the facilities. Calls are monitored by the Office of the Inspector General. Information provided by callers is reviewed and forwarded to appropriate Department staff or the law enforcement agency having jurisdiction over the reported activity.

Callers have the option of establishing a voice mailbox, accessed by a unique pass code, to receive feedback from the Inspector General's Office on the status of the information they provide. This also provides a secure mechanism for communicating with the individual if they become eligible for a cash reward offered by law enforcement.

Bureau of Internal Audit

Mission

The mission of the Bureau of Internal Audit is to support the Secretary and the Department by ensuring that: (1) agency goals are met; (2) agency resources are used consistent with laws, regulations, and policies; (3) resources are safeguarded against waste, loss, and misuse; and (4) reliable data is obtained, maintained, and fully disclosed.

Goals

The Bureau's primary purpose is to take a proactive approach in meeting our agency's needs and protecting its resources. Toward that end, we have four key goals:

- Provide quality audits, reviews, studies, and investigations
- Report results to management in a timely manner
- Use agency resources efficiently; and
- Provide adequate audit/review coverage to mitigate risks.

Bureau Organization and Responsibilities

The Bureau of Internal Audit comprises three sections: Audit, Information Technology and Contract Review. These sections report to the Bureau Chief, a Certified Internal Auditor who functions as the Director of Auditing. The Bureau conducts compliance, performance and information technology audits and contract reviews per Section 20.055 Florida Statutes. Audits are conducted in accordance with the current *International Standards for the Professional Practice of Internal Auditing* published by the Institute of Internal Auditors.

Compliance/Performance Audit Section

This Audit Section employs an audit supervisor and six auditors. Staff includes two Certified Government Audit Professionals (CGAPs), a Certified Public Accountant (CPA) and a Certified Fraud Examiner (CFE).

Information Technology Audit Section

This audit section is staffed by a Certified Information Systems Auditor (CISA), who conducts IT audits/reviews and provides technical and analytical support for audits, contract reviews and investigations.

During FY 2009-10, the Audit Section completed 9 audits, 11 follow-up audits and 11 reviews. The reports are listed on the following chart:

Bureau of Internal Audit

Report Number	FY 2009-10 Audit Reports and Reviews	Report Issue Date
R09029	Glades CI Investigation	7/1/09
A08022	Audit of Inmate Trust Fund at DC Work Release Centers	7/8/09
R09028	Review of Perkins Grant Expenses	7/9/09
A09012	Audit of Offender Intake, Orientation, and Classification	7/16/09
A09027F	Prison Inmate Health Care – OPPAGA 09-07	7/16/09
R09026	Mental Health Services ITN	7/16/09
R09030	Error in Calculation of Out Time	7/23/09
R10004	Review of Inmate Trust Account	8/19/09
A10002F	Follow-up of DC Real Property Lease Program Audit	9/3/09
A09013	Audit of Information Technology Help Desk	9/4/09
A09023F	Follow-up of DC Purchasing Card Program	9/16/09
R10013	Inmate George Rivera Complaint	10/1/09
A10006F	Follow-up of PRIDE-Accounts Receivables Audit	10/12/09
R10014	Review of Donations to Corrections Foundation	10/14/09
A10011F	Follow-up of Inmate Random Drug Testing Program Audit	10/26/09
A10012F	Follow-up of Specialty Underwriters, LLC	11/10/09
A10001	Inmate Release Gratuity Fund - Region I	1/11/10
A10005	Inmate Release Gratuity Fund - Region II	1/13/10
A10007	Inmate Release Gratuity Fund - Region III	1/13/10
A09019	Security Threat Management Program Audit	1/20/10
A09024	Audit of Inmate Visitation	1/29/10
R10019	Review of OIG Investigative Case Files	2/4/10
R10016	Review of Lowell CI Nursing Utilization	2/12/10
R10023	UCI - Employee Benefit Trust Fund Review	3/5/10
A10022F	Audit Follow-up of Extradition Services Contract #C2355	5/7/10
A10003	Audit of Pharmacy Inventory Control	5/21/10
A10024F	Follow-up of Inmate Trust Fund at Work Release Centers	5/21/10
A10025F	Faith and Character-Based Prisons – OPPAGA 09-38	5/21/10
R10028	Review of Vouchers for Reimbursement	5/28/10
A10017F	Follow-up of Shisa, Inc. Contracts #C2228 and #C2203	6/14/10
A10031F	Maximize Use of Best Practices – OPPAGA 09-44	6/22/10

Bureau of Internal Audit

Contract Management Review Section

The Contract Management Review (CMR) Section employs an audit supervisor and two auditors. Staff includes a Certified Internal Auditor (CIA). The four reviews and two follow-ups completed in FY2009-10 focused on contracts for temporary medical staffing, operation of re-entry facilities and electronic monitoring of offenders. Weaknesses identified and referred for management action included failure to complete background checks, under-assessment of liquidated damages, and conflicting contract language.

FY 2009-10 Contract Management Reviews		
Report Number	Project Title	Issue Date
CMR 09-008	Bridges of America--Broward County	8/19/2009
CMR 10-001F	Follow-up: TCC 100-Hour Transition	9/14/2009
CMR 09-009	LocumTenens.com	10/10/2009
CMR 10-002F	Follow-up: DACCO-Tampa	10/23/2009
CMR 09-007	MHM Solutions	6/14/2010
CMR 10-006	Pro Tech Monitoring	6/28/2010

Selected Bureau Reports with System-Wide Impact

The Bureau views its audit/contract review mandate as an opportunity not only to report deficiencies, but also to identify areas that are well designed and meet management's goals. Reports with statewide impact conducted by the Bureau in FY 2009-10 included:

Audit of Inmate Trust Fund at DC Work Release Centers (WRCs)

During our audit of selected files and inmate bank records we found the following controls were in place and working as intended:

- a Personalized Program Plan was on file;
- subsistence, court ordered payments and savings were calculated correctly;
- weekly draw requests contained signatures for receipt of funds;
- re-deposits were traced back to the inmate trust fund account;
- special withdrawals contained a documented request on file; *and*
- trust fund accounts for select end-of-sentence inmates were disbursed by the Bureau of Finance and Accounting in a timely manner.

Bureau of Internal Audit

However, our audit identified three internal control weaknesses that warranted management's attention and allowed us to recommend better internal controls needed to safeguard inmate funds:

Finding 1: There was no independent verification of inmate funds receipted to those entered in the Inmate Trust Fund System.

Finding 2: The Bureau of Inmate Transition did not have a procedure manual for handling the inmate trust fund at DC WRCs.

Finding 3: Comdata cards/Comchek drafts were used for payment to inmates at the WPB/Atlantic and Ft. Pierce WRCs without adequate controls to safeguard inmate funds.

Audit of Inmate Visitation

We determined that the Office of Institutions and Re-Entry had implemented internal controls over inmate visitation; however, the findings listed below warranted management's attention in order to enhance controls and ensure that established DC procedures are followed:

Finding 1: Work Release Centers allowed visitors to bring items to inmates which are not permissible in accordance with Chapter 33-601.725, F.A.C, including cash, clothing and tools.

Finding 2: Rules for visiting inmates were not displayed in a manner that allows visitors to review them prior to the institutional visitation entry process.

Finding 3: The Office of Institutions and Re-Entry did not have a process to periodically review visitors to ensure they continue to meet the eligibility criteria for visitation privileges.

Finding 4: The form DC6-111A - Request for Visiting Privileges and DC6-111D - Visitor Screening Matrix, which is used to complete the approval process for visitors, did not require a date and signature of the approving officer.

Audit of Pharmacy Inventory Control

We found physical and internal controls in place to safeguard pharmacy inventories. These controls included proper segregation of duties in the ordering, receiving, and recording processes. We found no errors with the inventory of controlled substances at DC's four cluster pharmacies. However, we reported one finding that warranted management's attention in order to improve pharmacy inventory control:

Finding: Physical counts disclosed that inventory balances of non-controlled drugs were not always accurate.

Contract Review of LocumTenens.Com Contract #C2469

LocumTenens.com (LTC) is a medical recruiting firm which supplies contract physicians and nurse practitioners. We determined that contract staff had professional licenses and credentials as required; and that invoices were paid accurately and timely. However, we identified four deficiencies that warranted management's attention in order to improve accountability over the contract.

Finding 1: The Office of Health Services did not monitor LTC's compliance performance measures for service delivery.

Finding 2: The Office of Health Services failed to ensure LTC contract staff met Tuberculosis (TB) testing/screening requirements.

Finding 3: Background checks were not always completed as required by the contract or DC Procedure 205.013.

Finding 4: Contract staff did not always receive New Employee Orientation Training as required by DC Procedure 209.101.