



**For Fiscal Year 2002-2003**  
*September 30, 2003*

*James V. Crosby, Jr., Secretary*  
*Florida Department of Corrections*

*Jeb Bush*  
*Governor*

## **Executive Summary**

### **Agency Background**

As the nation's third-largest prison system, the Florida Department of Corrections fulfills a primary responsibility for public safety in Florida. Through a network of 56 major prisons and 65 work camps and community-based facilities, the department manages incarceration and care for more than 78,000 inmates. An additional 153,000 felony offenders are supervised through 171 probation offices statewide. The agency's 25,000 staff carry out this public safety mandate 24 hours a day, 365 days a year. The agency's annual operating budget is \$1.6 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 2002-03.

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 an annual report of activities during the preceding fiscal year to the agency head.

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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## Introduction

### Organization/Duties

The Office of the Inspector General and its two bureaus, State Investigations and Internal Audit, perform the following functions:

1. Conduct investigations, audits, and reviews relating to the staff, programs, contracts and operations of the department.
2. Inform the Secretary of fraud, abuse, and deficiencies relating to programs and operations administered by the department; recommend corrective action; and report on progress made in implementing corrective action.
3. Advise in the development of performance measures and standards for the evaluation of agency programs.
4. Operate the contraband interdiction and inmate drug testing programs.
5. Coordinate department activities required by the Whistle-blower's Act and "Get Lean Hot-Line" program.
6. Provide effective coordination and cooperation with the Auditor General, OPPAGA, and the Florida Department of Law Enforcement.
7. As a member of the Governor's Council on Integrity and Efficiency (GCIE), share ideas with other inspectors general for improving the IG function and coordinating activities that cross agency lines.

### Mission Statement

To provide the department with an independent review, audit, or investigation of department operations and programs, thereby improving the accountability, efficiency and effectiveness of those activities.

### Specific Areas of Responsibility

To meet the growing needs of a rapidly expanding Department of Corrections, the Office of the Inspector General has had to maximize the efficient use of its resources by addressing those matters of greatest concern and vulnerability to fraud and abuse. Specific functions and the benefits they provide are as follows:

1. Manage a statewide computerized management information network and coordinate this activity with designated key managers.
  - Provide a daily incident/event reporting system from all areas of the department, enabling early identification of problems and timely allocation of investigative resources.
  - Collect statewide data for use by key correctional managers in developing strategies to address problems.
  - Provide for the systematic and coordinated flow of information to the Public Information Office regarding issues of importance to the public and the department.
  - Provide leadership in the department's effort to maintain a strong, formal, cooperative working relationship with the Department of Law Enforcement and other law enforcement and

investigative agencies.

2. Conduct criminal and administrative investigations in state correctional facilities.
  - Conduct criminal investigations of felonies in state correctional facilities and to coordinate those activities with other law enforcement and investigative agencies including prosecution through State Attorneys offices.
  - Conduct administrative investigations into improper practices, misconduct on the part of staff and/or offenders in state correctional facilities, and coordinating these investigations with appropriate departmental staff.
  - Provide for timely intervention in areas of identified concern to reduce the potential for escalation of situations such as staff disputes and inmate escapes.
3. Assist the Office of Institutions in providing a safer environment for employees, inmates, and visitors by deterring the introduction of contraband at state correctional facilities.
  - Maintain an automated tracking system for contraband seized within state correctional facilities.
  - Conduct unannounced interdiction operations.
  - Review contraband control procedures at state correctional facilities for compliance with department policy and procedure.
4. Assume internal audit responsibility for reviewing the efficiency and effectiveness of management controls and programs to assess compliance with department procedures and deter fraud and abuse.
  - Conduct compliance audits in accordance with professional standards.
  - Evaluate the effectiveness of FDC's management of contracts, report findings and recommend steps to correct deficiencies.
  - Assist with investigations involving fraud, waste, or misappropriation of funds.
  - Serve as the department's liaison with the Office of the Auditor General and the Office of Program Policy Analysis and Government Accountability on all audits and performance reviews completed by those offices.



## Bureau of State Investigations

The Bureau of State Investigations is responsible for conducting criminal, administrative and internal affairs investigations. The Bureau also coordinates the agency's Get Lean Hot-Line activity, inmate drug testing program, "Prison Tips" program, and serves as the final reviewing authority for all "Use-of-Force" incidents.

### 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 2002-03 fiscal year, 19,753 incidents were reported to the Inspector General's Office. Those incidents were classified in the following categories:

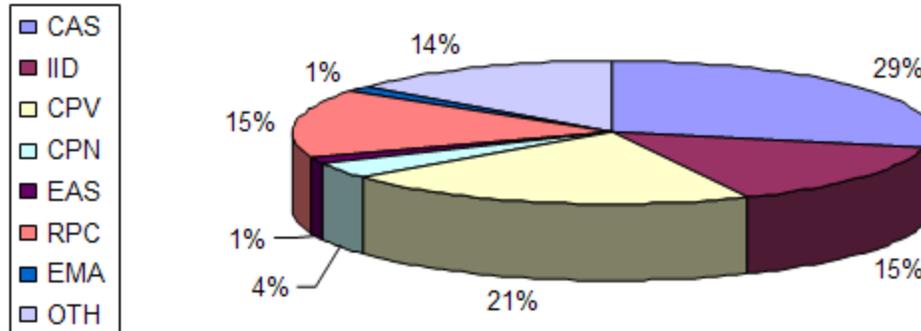
Legend	Classification of Incident	Number
<b>CAS</b>	Complaints Against Staff	5,578
<b>IID</b>	Inmate Injuries or Death	2,942
<b>CPV</b>	Crimes vs. Persons (Violent)	4,116
<b>CPN</b>	Crimes vs. Persons - Property (Non-Violent)	783
<b>EAS</b>	Escape / Attempted Escape	235
<b>RPC</b>	Recovery/Possession of Contraband	3,040
<b>EMA</b>	Employee Arrests	276
<b>OTH</b>	Other	2,733
<b>TOTAL</b>		<b>19,753</b>

Of these 19,753 incidents, 3,303 official investigations were assigned as indicated by the chart below.

Field Office	Senior Inspectors	Institutional Inspectors	Total
<b>Tallahassee</b>	188	643	831
<b>Gainesville</b>	338	655	993
<b>Orlando</b>	293	387	680
<b>Tampa</b>	347	452	799
<b>TOTAL</b>	<b>1,166</b>	<b>2,137</b>	<b>3,303</b>

Of the 3,303 investigations assigned, 377 were forwarded to State Attorney's Offices throughout Florida for possible criminal prosecution.

### Classification of Incidents FY 2002-2003



### Investigation Highlights

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

- Complaints against staff, including improper conduct, alleged excessive use of force, and staff/offender relationships. (29%)
- Crimes vs. Persons, including battery on a law enforcement officer, battery on another inmate, sexual battery, and possession of a weapon. (21%)
- Inmate injuries or Deaths, which included suicide, suicide attempts, homicides, natural deaths, accidental deaths and injuries. (15%)
- Recovery and possession of contraband. (15%)

### Get Lean Hot-Line

The Bureau coordinates department responses to suggestions and complaints received via the Comptroller's Get Lean Hot-Line. During the fiscal year 2002-2003, the Bureau received 48 "Hot-Line" complaints. Of those, 29 involved complaints against department staff, 14 were suggestions for cost savings, and 5 involved agency policy.

### Inmate Drug Testing Unit

The Bureau's Inmate Drug Testing Unit administers the inmate random drug-testing program in which a statistically valid sample of the inmate population is selected and tested for illegal substances each month through a computerized random selection system. In addition to random drug tests, the program also includes "for cause" testing of any inmate based on reasonable suspicion of involvement with drugs or alcohol. The role of testing, as an integral part of effective abuse treatment programs has been recognized as highly effective in identifying those who have substance abuse problems, getting them into treatment and monitoring them during the treatment process.

<b>Inmate Drug Tests FY 2002-2003:</b>						
<b>Reason for Test</b>	<b>Total Selected</b>	<b>Not Tested</b>	<b>Valid Tests</b>	<b>Negative Tests</b>	<b>Positive Tests</b>	<b>Percent Positive</b>
Random	45,424	3,193	42,231	41,448	783	1.7%
For Cause	7,296	205	7,091	5,549	1,542	21.1%
Drug Treatment Program	27,280	1,107	26,173	26,116	57	0.2%
<b>TOTAL</b>	<b>80,000</b>	<b>4,505</b>	<b>75,495</b>	<b>73,113</b>	<b>2,382</b>	<b>3.0%</b>

## **Prison Tips**

The Bureau oversees the "Prison Tips" program. The goal of the program is to garner valuable criminal intelligence on unsolved and ongoing criminal activity, both inside and outside the department, from inmates, probationers, and other persons who may have knowledge of this type of activity. The "Prison Tips" program offers an anonymous method to provide this information.

The system utilizes a special number where "TIPS" can be dialed from all inmate phones located inside all department facilities, as well as, 1-866-599-1778, which can be called from phones outside the facilities. All calls are on a secured line that will go directly into a system monitored by the Office of the Inspector General. Criminal intelligence that is gathered will be disseminated to the law enforcement agency having jurisdiction over the crime.

Individuals calling have the option of establishing a voice mailbox, which can be accessed by a randomly generated pass code, to receive information back from the Inspector General's Office on the status of the information they provided. This will also provide a mechanism to stay in contact with the individual should they be eligible for a monetary reward offered by law enforcement.

Posters and brochures have been distributed to all department facilities and probation offices explaining how this system works.

## **Use of Force**

The Use of Force Unit was established in August of 1999 and is staffed by an Inspector Supervisor and a Senior Inspector. The mission of the unit is to review all incidents of physical force at state correctional facilities and ensure compliance with established rules, procedures and statutes.

To accomplish this, the unit conducts an independent review and evaluation of all force incidents upon receipt of the required reports, associated documents and videotapes from each correctional facility or office. Use-of-force reports or videotapes that reveal possible procedural violations, inmate abuse, excessive/improper/unauthorized force, or battery by correctional employees are referred to the Bureau of State Investigations and an internal investigation is conducted. During this reporting period, 317 use-of-force incidents have been referred for further investigation.

The Use of Force Database has been enhanced to provide automatic notification to management of pertinent information regarding employee involvement in use-of-force incidents. Improvement to the database also allows the designation of major or minor use-of-force incidents based on standardized criteria, and the ability to provide ad hoc reports as necessary. Use-of-force incidents are classified as major incidents whenever chemical agent CS or the ERD is used, and/or whenever outside medical treatment is required for employees or inmates as a result of the incident of force.

The following chart categorizes all incidents reported to the Use of Force Unit from July 1, 2002 through June 30, 2003:

<b>Classification</b>	<b>Reason Force Was Used</b>	<b>Number</b>
<b>27A</b>	Self Defense	425
<b>27B</b>	Escape/Recapture	5
<b>27C</b>	Prevent Escape During Transport	1
<b>27D</b>	Prevent Property Damage	9
<b>27E</b>	Quell A Disturbance	1,446
<b>27F</b>	Physical Resistance to a Lawful Command	1,421
<b>27G</b>	Prevent Suicide	129
<b>27H</b>	Restrain Inmate for Medical Treatment	126
<b>27I</b>	Cell Extraction	93
<b>TOTAL</b>		<b>3,655</b>



## Bureau of Internal Audit

### Mission

The mission of the Bureau of Internal Audit is to assist the Secretary and other agency managers in discharging their oversight and operational responsibilities through independent audits and consultations. These audits and consultations are designed to evaluate and promote internal controls and to provide assurance that: (1) agency goals are met; (2) resources are used in accordance with applicable laws and policies; (3) resources are safeguarded against waste, fraud, and misuse; and (4) reliable data is collected and reported to management.

### Goals

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

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

### Bureau Organization and Responsibilities

The Bureau of Internal Audit is administered by the Chief Internal Auditor who reports to the agency's Inspector General. The Bureau employs eight professional auditors with oversight from the Bureau Chief who functions as the Director of Auditing. Staff includes one Certified Public Accountant, two Certified Internal Auditors, and a Certified Fraud Examiner.

The Bureau conducts financial, compliance, information technology, and performance audits per Section 20.055 Florida Statutes. These audits are conducted in accordance with the current Standards for the Professional Practice of Internal Auditing published by the Institute of Internal Auditors.

### Selected Bureau Reports With System-Wide Impact

The Bureau views its audit mandate as an opportunity to identify deficiencies and serve as a catalyst for correcting them. Attention is focused both on issues that are site specific and those with a broader impact. Bureau audits which had statewide impact during the last fiscal year included:

- **Audit of Pride Inc. Leasing of Department Facilities**

We identified deficiencies in the Department's management of property leases to Pride Inc. and related billing and collection efforts. These issues, combined with PRIDE's failure to promptly pay its obligations to the Department, resulted in an unpaid balance of \$816,996 for utilities and officer's salaries as of June 30, 2002. Sixty-eight percent (68%) of this amount had gone unpaid for more than six months.

We found the Department failed to provide adequate monitoring and follow-up to ensure collection of monies from PRIDE; PRIDE was not promptly invoiced for some utility and officer salaries; no individual had been designated as contract/lease manager responsible for monitoring the PRIDE lease agreements; lease agreements lacked specific language identifying the utilities and other fees to be invoiced to PRIDE; and accounts receivable transactions were not accurately/timely posted to FLAIR.

Management concurred with our findings. The implementation of recommendations contained in our report should improve internal controls over the accounts receivable process and management of the PRIDE leases, resulting in more timely payment of monies owed DC.

- **Audit of MCI WorldCom Inmate Phone Contract**

The telephone call data we examined did not suggest that MCI had overcharged inmate families under the current contract. However, MCI failed to provide sufficient data in a format needed to identify the specific types of calls placed. Without this data, we were unable to provide complete assurance that all calls were within limits prescribed by the contract and regulatory agencies.

We found that MCI provides insufficient data to facilitate regular detailed reviews of the accuracy of commissions paid and the rates charged to inmate families; penalties of \$415,000 were not assessed for MCI's late payment of commissions; and the project proposal opening was poorly documented.

Although management did not concur with all of our recommendations, they took appropriate action to improve controls over the contract. We believe management assumed an unnecessary risk by relying on the current data obtained from MCI to facilitate detailed reviews of accurate commissions paid and rates charged to inmate families.

### Summary of Audits Completed

During FY 2002-2003, the Financial and Compliance Section completed 14 audits and 20 reviews. The audit reports issued during FY 2002-2003 are summarized in the chart below:

FY 2002-03 Internal Audit Reports		
Audit Number	Project Title	Report Issue Date
22018	BLM, Inc. Technology Maintenance Contract	08/26/02
A03001	Marianna Service Center - Operational Audit	02/04/03
A03004	PRIDE - Accounts Receivable	02/17/03
A03005	Martin CI - Operational Audit	01/31/03
A03006	Jefferson CI - Operational Audit	01/31/03
A03007	Wakulla CI - Operational Audit	01/31/03
A03008	Walton CI - Operational Audit	01/31/03
A03009	Madison CI - Operational Audit	01/31/03
A03012	Orlando Service Center - Operational Audit	04/04/03
A03034	Lake City Service Center - Operational Audit	06/11/03
A03042	MCI WorldCom - Inmate Phone Contract	05/21/03
A03043	Ft. Lauderdale Service Center - Operational Audit	04/08/03
A03044	Inmate Gratuity Fund	06/12/03
A03048	Marianna Service Center - Travel Claims	06/24/03

## Contract Systems Analysis Section

This Section was established in July 2001 to enhance accountability over contracting due to the increased privatization of functions in the Department of Corrections. The section's five employees were responsible for reviewing the Department's contracting activities and the performance of both the contractor and the contract manager. During its two years of existence, staff focused much of their efforts on evaluating the agency's two largest contracts - food service and health services - due to their monetary value and impact on agency operations. The Section was dissolved in June 2003 and its responsibilities were transferred to the Bureau of Purchasing.

### Summary of Contract Assessments Completed

During FY 2002-2003, the Contract Systems Analysis Section completed 12 evaluations of various contracts. The following table lists the reports issued by this section for FY 2002-2003:

FY 2002-2003		
CONTRACT ASSESSMENT #	CONTRACT TITLE	REPORT ISSUE DATE
22518	Terry Yon and Associates Follow-up	09/25/02
M03002	Santa Rosa CI - Food Service	08/09/02
M03003	Lab Corp of America	01/08/03
M03013	Everglades CI - Food Service	12/13/02
M03017	Gulf CI - Food Service	12/16/02
M03029	Wexford Health Care - Phase I	11/04/02
M03032	Santa Rosa CI - Food Service - Follow-up	12/03/02
M03036	Wexford Health Care - Phase II	03/14/03
M03045	Wexford Health Care - Phase III	05/21/03
M03051	NCRI Follow-up	06/23/03
M03052	Gulf CI - Food Service	05/30/03
M03055	CFRC	06/23/03



## Other Activities

### **Governor's Council on Integrity and Efficiency**

The Inspector General is an active member and attends the regularly scheduled meetings of Florida's inspectors general. Open communication among the IG's and the Chief Inspector General continues to enhance the effectiveness of the IG community.

### **Professional Audit Organizations**

The Bureau of Internal Audit participates in several professional organizations, including the Audit Director's Roundtable, [Institute of Internal Auditors](#), [Florida Audit Forum](#), [Association of Certified Fraud Examiners](#), and the American Association of Certified Public Accountants. These organizations promote progress and professionalism in the field through sharing of ideas and best practices.

### **Investigators' Roundtable**

The Investigators' Roundtable brings together directors of investigative units of the Inspector Generals' offices for each agency to identify best practices and discuss common issues. These meetings promote progress through the sharing of ideas and best practices among state agencies.