

Bryant Miller Olive

original notification
via fax 11/12/13 RAO

Attorneys at Law
SunTrust International Center
1 S.E. 3rd Avenue
Suite 2200
Miami, FL 33131
Tel 305.374.7349
Fax 305.374.0895
www.bmolaw.com

November 11, 2013

VIA EMAIL AND FEDERAL EXPRESS

Brian Donaldson
Chief of Investigations
Department of Juvenile Justice
Office of the Inspector General
Bureau of Investigations
Knight Building
2737 Centerview Drive
Tallahassee, FL 32399-3100

RE: *Report of Investigation*
IG # 12-0017
CCC # 2012-00725

Dear Mr. Donaldson:

Please be advised that this firm represents the interests of Youth Services International, Inc.; James Slattery and Chris Slattery (collectively referred to herein as "Respondents") in connection with the above-referenced investigation.

Respondents take all investigations and complaints, of any nature, very seriously. Accordingly, Respondents are continuing to work collaboratively to ensure a full, fair and complete investigation.

The purpose of this correspondence is to correct the designation of Chris Slattery as a subject to witness in the Draft Report ("Report"). Specifically, Slattery is not "Facility/Program Staff" as that term is defined by Florida Administrative Code § 63F-11.002(8). Mr. Slattery does not manage, supervise or provide direct care or other services to department youths. See Florida Administrative Code § 63F-11.002(8). Therefore, Mr. Slattery should only be a witness and not a subject. In fact, as is more fully detailed below, the former Youth Services employees, Warren Augustin, A. Williams, Brown, Smith, J. Williams, and Blair, all qualify as "Facility/Program Staff". Accordingly, as each of these individuals had reporting duties, they should each be listed as subjects and not witnesses. To that end, listing Mr. Slattery as a "Subject" instead of a witness is inappropriate.

Additionally, Respondents address the following areas of concern with the current Report:

1. Michael Hoffman is not a fact witness and is biased based on his prior and current litigation against Respondents.

Exhibit 16

2. The Report fails to identify what, if any, weight was given to the statement from Craig Ferguson.
3. The Statements from ¹ and Jorin Williams are biased given the pending litigation filed by against Respondents.
4. The interview of Kamel Warren does not identify those questions which Mr. Warren refused to answer. Further, Kamel Warren's statement is biased given his termination from Youth Services International, Inc. and his now dismissed EEOC claim. Moreover, Mr. Warren, as well as all other former employees listed in the Report, should all have reported the incidents they claim they either heard about or witnessed.
5. The document attached as Exhibit 11 is not an affidavit and therefore should not be relied upon in the Report.

Michael Hoffman's Witness Statement

Michael Hoffman is not a fact witness in this matter. The Witness Statement of Mr. Hoffman is inappropriate in that he has no personal knowledge of any of the events giving rise this investigation. Mr. Hoffman's only basis for knowledge is what he has been told by his clients and/or other potential witnesses. Accordingly, his inclusion in this matter as a witness is inappropriate.

Further, Mr. Hoffman is biased for several reasons. First, Mr. Hoffman stands to gain financially based on pending matters against Respondents. Mr. Hoffman, and his client D.M. Inc., currently have a lawsuit pending against Respondents styled as *D.M. Inc. v. Youth Services, Intl., Inc., et al*, Case No. 13-cv-62232-WJZ, United States District Court Southern District of Florida ("Federal Lawsuit"). This lawsuit, which Respondents intend to vigorously defend against, is a replica of an already dismissed lawsuit which was styled as *D.M. Inc. v. Youth Services Intl., Inc., et al*, Case No. 12-028492-08, In the Circuit Court of the Seventeenth Judicial Circuit In And For Broward County, Florida ("State Court Lawsuit"). The State Court Lawsuit was dismissed on May 28, 2013. A copy of the Order Dismissing Plaintiff's Complaint Without Leave to Amend is attached as Exhibit A. Additionally, as part of the proceedings, on May 20, 2013, Mr. Hoffman was sanctioned by the Court. A copy of the May 20, 2013 Order sanctioning Mr. Hoffman is attached as Exhibit B. Therein, it is detailed as to the length of time Mr. Hoffman had to amend the State Court Lawsuit. Mr. Hoffman failed in his obligation. It is clear that Mr. Hoffman was awaiting this Draft Investigation Report, of which he is a direct participant, to help bolster his lawsuit. To that end, he is unquestionably biased.

Second, Mr. Hoffman makes baseless claims against Ferguson, and then attempts to tie them to Respondents. Specifically, Mr. Hoffman alleges in his statement that Ferguson is a

¹ is not specifically mention in the Report. Respondents, however, presume that the interview of the unnamed youth in which Mr. Hoffman participated over the phone as the youth's attorney is that of (Respondents are using only initials to protect the identity of the youth). is currently represented by Mr. Hoffman and currently has a lawsuit pending in federal court against Respondents. Further, the allegations in the interview are strikingly similar to the allegations in his pending lawsuit.

pedophile. There is simply no evidence to substantiate this allegation. Moreover, such was not and is not the scope of the investigation. Further, Mr. Hoffman, and the Draft Investigation Report completely fail to note that Respondents terminated Ferguson on May 12, 2012.

There is no doubt that Mr. Hoffman's involvement in this investigation as a witness calls into question the entire process. Mr. Hoffman is using this agency as a conduit to attempt to perfect and bolster baseless claims against Respondents. The proper avenue for Mr. Hoffman is the court system and this agency should not include him as a fact witness in an investigation in which he is biased and lacks any personal knowledge of any events.

Craig Ferguson's Witness Statement

The Report fails to identify what weight, if any, was given to the Witness Statement of Craig Ferguson. As Ferguson states, the youths in question had risk assessments conducted to ensure that they were appropriate to attend the off campus event. Ferguson further stated that he contacted the parents of the youths to receive permission for them to attend the event. Ferguson's claim is at least in part corroborated by the interview with a parent who indicated that he was contacted by Ferguson about an off campus event. Further, at least one Risk Assessment was provided during the investigation. The Report fails to assess Ferguson's credibility. As noted above, the Report also fails to address the corrective measure taken by Respondents, specifically, that Ferguson was terminated on May 13, 2012, approximately 1 month after his interview and well over a year before receiving this Report.

Jorin Williams and . 's Witness Statements

The statements from Williams and . are both biased. As to former employee Williams, his statement is biased based on prior litigation he had pending against Respondents at the time of his interview. Specifically, Mr. Williams' interview was conducted on October 29, 2012. On November 25, 2012, less than a month after his interview, Mr. Williams, through his attorney Michael Hoffman, filed a lawsuit against Respondents styled as *Jorin Williams, et al v. Youth Services Intl., et al*, Case No. 12-cv-62308-WPD, United States District Court Southern District of Florida. Therein, Mr. Williams alleged that he was paid improperly and that he was retaliated against for raising complaints during his employment. The matter was settled through a Confidential Settlement Agreement. Additionally, prior to his interview, Mr. Williams, through his attorney Michael Hoffman, served a demand letter on Respondents, seeking payment for the alleged violations that were addressed in the lawsuit. Based on the foregoing, Mr. Williams was biased at the time of his interview. He was preparing to file a lawsuit against Respondents and had already sought payment from Respondents. Further, he was represented by Michael Hoffman, who also received attorney's fees as part of the lawsuit settlement. None of these facts, however, are addressed in the Report. In fact, the Report makes absolutely no mention of the potential witness bias and the clear connection between the monetary gain for both Williams and Hoffman as a result of their participation in and statements in this investigation.

As to ., as stated above, he currently has a lawsuit pending against Respondents. The statements made in his interview relate directly to his claims against Respondents. Accordingly, the Report should address the fact that . has a pending claim against Respondents and his

statements in this investigation relate to that claim. Indeed, there is no question . is biased based on his pending litigation.

Kamel Warren's Interview

Kamel Warren is a biased witness. Specifically, on September 7, 2011, Kamel Warren was terminated from his employment with Youth Services for failure to do his job. Thereafter, on September 30, 2011, Mr. Warren filed a Charge of Discrimination alleging that he was the subject of harassment from Ferguson. A copy of the Charge of Discrimination is attached herewith as Exhibit C. On October 31, 2011, Youth Services filed its Position Statement to the Charge of Discrimination. Therein, the Position Statement and attached exhibits detail Mr. Warren's many failures as an employee. On June 11, 2012, the EEOC issued its Dismissal and Notice of Rights, which is essentially a right to sue notice. A copy of the Dismissal and Notice of Rights is attached as Exhibit D. Mr. Warren, despite receiving his right to sue notice, never filed a claim against Youth Services. The only conclusion to be reached from his failure to file a lawsuit is that his claims were not valid. Nonetheless, the Report, which relies heavily on statements from Mr. Warren, makes no mention that Mr. Warren's statements may be influenced by the fact that he had an unsuccessful claim against Respondents. This is a classic case of former employee bias.

Further, and most striking is that, pursuant to Florida Administrative Code § 63F-11.003(1)(a), Kamel Warren was required to report all of the incidents that are the subject of this Report. Specifically, Mr. Warren (as well witnesses Augustin, A. Williams, Brown, Smith, J. Williams, and Blair) all had an obligation to report incidents to the CCC, as they are all Facility/Program Staff as defined by Florida Administrative Code § 63F-11.002(8). The Report, however, makes absolutely no mention of the failure of any of these witnesses to follow through on their obligations to report incidents to the CCC. In fact, it is unquestionable that had these employees followed through on their obligations, there would be no basis to sustain Allegation 4. Moreover, the Report makes no mention that these employees' failures bears negatively on their credibility, as they are accusing Respondents of committing violations (failure to report) that, if true, they themselves caused and were active participants.

Finally, the description of Kamel Warren's interview indicates that there were questions that he was counseled to not answer, as they could potentially cause criminal liability for Mr. Warren. Respondents are unaware of the questions that Mr. Warren refused to answer. Respondents should be made aware of the asked questions, as they will provide a greater context for the statements provided by Mr. Warren.

The Affidavit Attached As Exhibit 11

The Affidavit attached as Exhibit 11 is not an affidavit at all. It is not a sworn statement. It is merely a handwritten statement. It does not contain any indication that the witness was sworn. The Report improperly refers to this document as an affidavit and improperly relies on this unsworn document.

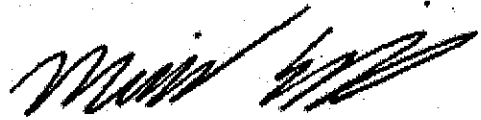
Conclusion

Based on the foregoing, Respondents respectfully requests that Mr. Slattery be changed from a subject to a witness. Further, Michael Hoffman's participation as a fact witness is

inappropriate. There are inherent biases from most, if not all, of the witnesses that are not addressed in the Report. Moreover, the pending litigation and the past and potential future financial gain for Mr. Hoffman, Mr. Williams and D.M. provides a further level of bias that clouds the entire process. This evidenced by the fact that the Report does not make any mention that Ferguson, the main subject of the Report, was long ago terminated. Finally, Respondents request the reporting requirements of the former employee witnesses are reviewed and the witnesses are asked why they did not follow through on their reporting obligations.

Respondents look forward to continuing to cooperate in this process. If you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. Elkins", with a stylized flourish at the end.

Michael L. Elkins
melkins@bmolaw.com

EXHIBIT A

IN THE CIRCUIT COURT OF THE 17th
JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

CIVIL DIVISION

CASE NO. 12-028492-08

., et al.

Plaintiff,

v.

JAMES SLATTERY, individually and in his
official capacity and YOUTH SERVICES
INTERNATIONAL, INC., and JFS
DEVELOPMENT, LLC,

Defendants.

**ORDER DISMISSING PLAINTIFF'S
COMPLAINT WITHOUT LEAVE TO AMEND**

THIS MATTER came before the Court on Notice of Plaintiff's Failure to Comply With Court's Order dated May 20, 2013 ("Notice"). Having considered the Notice and file, the Court orders as follows:

On May 20, 2013, this Court issued its Order requiring that on or before May 23, 2013, Plaintiff shall obtain new counsel and file the amended complaint. The Court further ordered that if Plaintiff fails to accomplish both of these matters within the prescribed time frame the case shall be summarily dismissed upon Defendant's counsel's notification to the Court. Defendant's counsel has notified the Court that Plaintiff has failed to comply with the Court's Order by failing to file an amended complaint and failing to obtain new counsel. Therefore, it is **ORDERED AND ADJUDGED** that Plaintiff's Complaint is dismissed without leave to amend.

All pending motions and hearings are denied as moot. The Court retains jurisdiction to address the amount of attorneys fees and costs Plaintiff's counsel must pay Defendant's counsel as addressed in the Court's May 20, 2013 Order.

DONE and ORDERED in chambers, this ____ day of May, 2013.

Judge Dale Ross

MAY 28 2013

A True Copy

HONORABLE DALE ROSS

Copy to: All Counsel of Record

EXHIBIT B

IN THE CIRCUIT COURT OF THE 17th
JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

CIVIL DIVISION

CASE NO. 12-028492-08

, et al.

Plaintiff,

v.

JAMES SLATTERY, individually and in his
official capacity and YOUTH SERVICES
INTERNATIONAL, INC., and JFS
DEVELOPMENT, LLC,

Defendants.

**ORDER DENYING PLAINTIFF'S MOTION FOR
EXTENSION OF TIME FOR TEN DAYS TO FIND
APPROPRIATE SUBSTITUTE LEAD COUNSEL AND
DENYING PLAINTIFF'S EMERGENCY MOTION FOR
EXTENSION OF TIME DUE TO DISCOVERY OF NEW
UNRELEASED EVIDENCE DEFENDANT HAS FAILED TO
PROVIDE STATE OF FLORIDA**

THIS MATTER came before the Court on Plaintiff's Motion for Extension of Time for Ten Days to Find Appropriate Substitute Lead Counsel ("Motion 1") and Plaintiff's Emergency Motion for Extension of Time Due to Discovery of New Unreleased Evidence Defendant has Failed to Provide to State of Florida ("Motion 2").¹ Having considered the Motion, the file and argument from counsel, the Court makes the following findings of fact and orders as follows:

¹ The Court notes that Motion 2 was served on opposing counsel at 4:37 p.m. on May 15, 2013, the day before the hearing in this matter. Motion 2 was not properly noticed before this Court. Nonetheless, the Court addressed Motion 2 and denied all relief requested therein.

1. Plaintiff served his Complaint on October 16, 2012.
2. Plaintiff's Complaint was thirty eight (38) pages of allegations, comprising five (5) counts and two hundred and ninety four (294) paragraphs.
3. On November 15, 2012, Defendants filed their Motion to Dismiss Plaintiff's Complaint and Motion to Strike Plaintiff's Claim for Punitive Damages and Incorporated Memorandum of Law.
4. On February 7, 2013, the Court issued its Order Granting Defendants' Motion to Dismiss Plaintiff's Complaint ("Order").² The Court ordered Plaintiff to file an amended Complaint within sixty (60) days, making the Amended Complaint due on or before April 5, 2013.
5. The parties agreed on an additional fifteen (15) days within which Plaintiff could file his Amended Complaint, making the Amended Complaint due on or before Monday, April 22, 2013.
6. Thereafter, the parties then agreed to allow Plaintiff until April 26, 2013, to file his Amended Complaint.
7. Plaintiff did not amend his complaint by this deadline.
8. Instead, on April 26, 2013, Plaintiff filed Motion 1.
9. Motion 1 was set to be heard before this Court on May 16, 2013.
10. At 4:37 p.m. on May 15, 2013, Plaintiff filed Motion 2 and informed Defendant's counsel that he intended to argue Motion 2 at the May 16, 2013 hearing for Motion 1.
11. Motion 1 was scheduled for hearing for 8:45 a.m.

² In its Order the Court dismissed 2 of the 3 Defendants, leaving Youth Services International, Inc. as the only remaining Defendant.

12. At 9:14 a.m., Plaintiff's counsel was not in attendance and had not contacted this Court's Chambers or opposing counsel to advise of his whereabouts.

13. The Court proceeded in Plaintiff's counsel's absence, a court reporter was present and transcribed the hearing. It is

ORDERED AND ADJUDGED that Motion 1 and Motion 2 are both **DENIED**.

Additionally, the Court finds that Plaintiff has had more than ample opportunity to file his amended complaint. As of the date of this hearing Plaintiff has had a total of one hundred and two (102) days within which to file his amended complaint. Accordingly, on or before May 23, 2013 (which is 7 days from the date of the hearing on Motion 1 and Motion 2), Plaintiff shall obtain new counsel and file the amended complaint. If Plaintiff fails to accomplish both of these matters within the prescribed time frame the case shall be summarily dismissed upon Defendant's counsel's notification to the Court.

Additionally, the Court awards Defendant's counsel an entitlement to attorney's fees and costs from Plaintiff's counsel for Plaintiff's counsel's failure to appear for the hearing. Plaintiff's counsel shall pay the fees of Defendant's counsel for Defendant's counsel having to appear for a hearing at which Plaintiff's counsel did not appear and Plaintiff's counsel shall pay all costs of the court reporter. Defendant's counsel shall schedule a hearing for a determination of amount of attorney's fees.

DONE and ORDERED in chambers, this ____ day of May, 2013.

Judge Dale Ross

MAY 20 2013

A True Copy

HONORABLE DALE ROSS

Copy to: All Counsel of Record

EXHIBIT C

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA
☒ EEOC

510-2011-05950

Florida Commission On Human Relations

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

Mr. Kamel Warren

Home Phone (Incl. Area Code)

Date of Birth

Street Address

114 Sw 7th Court, Deerfield Beach, FL 33441

City, State and ZIP Code

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

THOMPSON ACADEMY

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(954) 967-6300

Street Address

1150 Hibiscus Drive, Pembroke Pines, FL 33025

City, State and ZIP Code

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☒ RETALIATION ☐ AGE ☐ DISABILITY ☐ GENETIC INFORMATION
☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE
Earliest Latest

01-01-2010

09-07-2011

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

I am a male. I worked for the Respondent as a Youth Counselor under the supervision of Kenard Brown. While employed, I was subjected to unwelcome and unwanted sexual harassment by Mr. Ferguson, Facility Administrator. Since he became the Facility Administrator, he has made several sexual comments to me. He has invited me out to functions outside of work and to his home, which I refused.

In retaliation for rejecting the sexual harassment, I was fired for allegedly sleeping on the job. I was not sleeping on the job. I advised the Respondent that I was working in a room with five kids. This is a youth facility and I worked a double shift on the date I was fired. I also, contacted Jessie Williams, VP of Corporate and advised him that I was not sleeping on the job. The Company claimed that they conducted an internal investigation. However, nothing was done to correct the problem. On September 7, 2011, I was terminated for allegedly sleeping on the job.

I believe I was discriminated against because of my sex (male) sexual harassment, in violation of Title VII of the 1964 Civil Rights Act, as amended.

I want this charge filed with both the EEOC and the State or local Agency. If any, I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Sep 28, 2011

Date

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

EXHIBIT D

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

RECEIVED

JUN 11 2012

DISMISSAL AND NOTICE OF RIGHTS

To: Kamel Warren
114 Sw 7th Court
Deerfield Beach, FL 33441

From: San Juan Local Office
525 F D Roosevelt Ave
1202 Plaza Las Americas
San Juan, PR 00918

BY:



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

510-2011-05950

Lillian Marti,
Investigator

(787) 771-1476

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC. In other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

JUN 06 2012

Enclosures(s)

MALCOLM S. MEDLEY,
District Director

(Date Mailed)

cc: ✓ Chris Slattery
THOMPSON ACADEMY
600 Cattleridge Dr., Suite 200
Sarasota, Florida 34232



YOUTH SERVICES INTERNATIONAL, INC.

"Preparing Troubled Youth for the Future"

6000 Cattleridge Dr., Suite 200, Sarasota, Florida 34232

Phone (941) 953.9199 Fax (941) 953.9198

October 8, 2013

DEPARTMENT OF JUVENILE JUSTICE
OFFICE OF THE INSPECTOR GENERAL
RECEIVED

OCT 09 2013

BUREAU OF INVESTIGATIONS

Robert A. Munson
Inspector General
Department of Juvenile Justice
2737 Centerview Drive
Knight Building, Suite 3400
Tallahassee FL 32399

RE: IG 12-0017/CCC 2012-00725

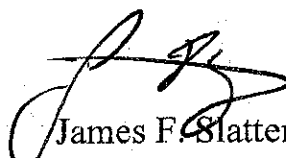
Dear Mr. Munson:

I have received your letter regarding IG 12 – 0017/CCC2012-00725.

Youth Services International will be submitting comments within the allowed 20 business days. We received your certified letter on October 7 therefore you will receive our response by November 4, 2013.

Thank you for the opportunity to submit comments.

Sincerely,


James F. Slattery
President



FLORIDA DEPARTMENT OF JUVENILE JUSTICE

Rick Scott, Governor

Wansley Walters, Secretary

October 1, 2013

James Slattery, CEO
Youth Services International, Inc.
6000 Cattleridge Drive, Suite 200
Sarasota, Florida 34232

DEPARTMENT OF JUVENILE JUSTICE
OFFICE OF THE INSPECTOR GENERAL
RECEIVED

OCT 09 2013

BUREAU OF INVESTIGATIONS

RE: OIG Case #12-0017/CCC 2012-00725

Please check one of the following:

☐

I do not have any comments.

☒

I will be submitting comments within my allowed 20 business days.

Please sign and date below and return this letter in the enclosed self-addressed envelope.

Signature

Date

10/8/13

2737 Centerview Drive • Tallahassee, Florida 32399-3100 • (850) 488-1850

<http://www.djj.state.fl.us>

The mission of the Department of Juvenile Justice is to increase public safety by reducing juvenile delinquency through effective prevention, intervention and treatment services that strengthen families and turn around the lives of troubled youth.



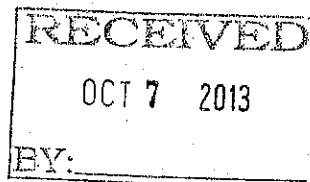
FLORIDA DEPARTMENT OF JUVENILE JUSTICE

Rick Scott, Governor

Wansley Walters, Secretary

October 1, 2013

James Slattery, CEO
Youth Services International, Inc.
6000 Cattleridge Drive, Suite 200
Sarasota, Florida 34232



RE: IG 12-0017/CCC 2012-00725

Dear Mr. Slattery:

On March 16, 2012, Attorney Michael Hoffman, notified the Department of Juvenile Justice (DJJ) Office of Inspector General (OIG) Central Communications Center (CCC) that former staff members from Thompson Academy informed him that on April 24, 2011, Facility Administrator Craig Ferguson allegedly used his personal vehicle to take three youths to Wal-Mart, where suits and shoes were purchased. The staff members alleged Ferguson took the three youths to his home and allowed them to take a shower. It was further alleged Ferguson returned the youths to the facility at 11:00 p.m., on April 24, 2011.

On June 26, 2012, the OIG accepted the complaint for investigation.

Pursuant to the provisions of Section 20.055(6)(e), Florida Statutes, we are providing you our investigative findings. You may submit a written response within 20 working days after receipt of the findings. If you do not wish to comment on the investigative findings, please contact our office as soon as possible.

Your response should be mailed to the following:

Robert A. Munson, Inspector General
Florida Department of Juvenile Justice
Office of the Inspector General
2737 Centerview Drive
Tallahassee, Florida 32399-3100

The response and the Inspector General's rebuttal to the response, if any, will be included in the final investigative report. Should you have any questions regarding this letter, please contact Brian A. Donaldson, Chief of Investigations, at (850) 921-6344.

Sincerely,

Robert A. Munson
Inspector General

DEPARTMENT OF JUVENILE JUSTICE
OFFICE OF THE INSPECTOR GENERAL
RECEIVED

OCT 09 2013

Enclosure: Report of Investigation

BUREAU OF INVESTIGATIONS

RAM/skr

2737 Centerview Drive • Tallahassee, Florida 32399-3100 • (850) 488-1850
<http://www.djj.state.fl.us>

The mission of the Department of Juvenile Justice is to increase public safety by reducing juvenile delinquency through effective prevention, intervention and treatment services that strengthen families and turn around the lives of troubled youth.

From: (941) 953-9189
Lisa Hall
Youth Services International
6000 Centridge Dr., Suite 200
Sarasota, FL 34232

Origin ID: SR0A



1150120280005

SHIP TO: (950) 488-1850

BILL SENDER

Robert Munson/Inspector General
FL Department of Juvenile Justice
2737 Centerview Drive
Knight bldg Suite 3400
TALLAHASSEE, FL 32399

Ship Date: 09OCT13
ASWMT 1.0 LB
CND: 1181080INVT3430

Delivery Address Bar Code



Ref # 1G12-00170022012-00725
Invoice #
PO #
Dept #

TRK# 7968 6487 7424
07071

WED - 09 OCT AA
STANDARD OVERNIGHT

OCT 09 2013

DEPARTMENT OF JUVENILE JUSTICE
OFFICE OF THE INSPECTOR GENERAL
RECEIVED

BUREAU OF INVESTIGATIONS

XH TLHA

32399
FL-05
TLH



SHA38B1B7AE

- After printing this label:
1. Use the "Print" button on this page to print your label to your laser or inkjet printer.
 2. Fold the printed page along the horizontal line.
 3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

<https://www.fedex.com/shipping/html/en/PrintFrame.html>



FLORIDA DEPARTMENT OF JUVENILE JUSTICE

Rick Scott, Governor

Wansley Walters, Secretary

December 2, 2013

Mr. Michael L. Elkins
Bryant, Miller, Olive-Attorneys at Law
Sun Trust International Center
1 S. E. 3rd Ave. Suite 2200
Miami, FL 33131

RE: Response Letter received November 12, 2013 regarding IG 12-0017/CCC 2012-00725

Dear Mr. Elkins:

In your response letter, you expressed numerous concerns on behalf of your client, Youth Services International, Inc. (YSI). After reviewing your issues of concern and further discussions with Inspector Riley and Chief of Investigations Donaldson, I have made the following determinations and revisions to the Report of Investigation:

- Chris Slattery was in an administrative position and did not have direct contact with youth or supervision of staff that were in direct contact with youth. Therefore, he was removed from the Report of Investigation (ROI), as his testimony was not relevant to the case.
- Former staff members LaRhonda Hunter, Kamal Warren, Farouto Augustin, Kenyawn Blair, and Jorin Williams were classified as subjects of the investigation after it was determined they had knowledge of a CCC reportable incident, but failed to notify the CCC as required.
- Mr. Hoffman's testimony to ARS Lori Hardyman was included as an exhibit, as it was contained within an exhibit used in obtaining other information. His testimony, however, was not considered in the investigation nor was it included in the ROI.
- Exhibit 11 was re-identified in the ROI as a "Written Statement" rather than an "Affidavit".
- There were no additional questions asked of subject Kamal Warren, since his attorney intervened prior to any additional questions being asked. This is explained in the ROI.
- Where applicable and appropriate, notations regarding pending litigation and terminations from employment were added in the ROI.

With respect to your concerns regarding the "weight" and perceived "biases" of those interviewed, I can state with confidence that the inspector conducted a fair and unbiased investigation and reached his conclusions based solely on known facts and the preponderance of evidence, and not on any external influences or biases.

Please note that the aforementioned changes will be reflected in the final Report of Investigation.

Should you have additional questions or comments regarding this matter, please provide a written response to this office within 20 working days of receipt of this letter.

Sincerely,

Robert A. Munson
Inspector General

2737 Centerview Drive • Tallahassee, Florida 32399-3100 • (850) 488-1850
<http://www.djj.state.fl.us>

The mission of the Department of Juvenile Justice is to increase public safety by reducing juvenile delinquency through effective prevention, intervention, and treatment services that strengthen families and turn around the lives of troubled youth.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Michael L. Elkins
Bryant, Miller, Kline -
Attorneys at Law
Sun Trust International Ctr.
1 S.E. 3rd Avenue, Suite 2200
Miami, Florida 33131
12-0017

2. Article Number

(Transfer from service label)

7000 0520 0021 3379 9613

PS Form 3811, March 2001

Domestic Return Receipt

102595-01-M-1424

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery
Heather Boback 12/6/13

C. Signature

X

☐ Agent☐ AddresseeD. Is delivery address different from item 1? Yes ☐ No ☐
If YES, enter delivery address below:

DEC 18 2013

BUREAU OF INVESTIGATION

3. Service type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0021 3379 9613

Mailed 12/3/2014

Postage \$

Certified Fee

Return Receipt Fee
(Endorsement Required)Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees \$

IG 12-0017

Postmark
Here

Recipient's Name (Please Print Clearly) *Bryant, Miller, Kline - Attorneys at Law*
 Street, Apt. No., or PO Box No. *1 S.E. 3rd Ave. Ste. 2200 / Sun Trust International Ctr.*
 City, State, ZIP+4 *Miami, Fla. 33131*

PS Form 3800, February 2000

See Reverse for Instructions

