

**DEPARTMENT OF JUVENILE JUSTICE
OFFICE OF THE INSPECTOR GENERAL
BUREAU OF INVESTIGATIONS**

REPORT OF INVESTIGATION

**IG # 12-0017
CCC # 2012-00725**



THOMPSON ACADEMY

DATE OF REPORT: FEBRUARY 24, 2014


DIRECTED BY: BRIAN DONALDSON, CHIEF OF INVESTIGATIONS
APPROVED BY: ROBERT A. MUNSON, INSPECTOR GENERAL 

**THIS REPORT MAY CONTAIN INFORMATION THAT IS PROTECTED UNDER FEDERAL OR STATE
CONFIDENTIALITY REQUIREMENTS. THIS REPORT SHOULD NOT BE PROVIDED TO THE PUBLIC
WITHOUT COORDINATING THE REQUEST WITH THE OFFICE OF INSPECTOR GENERAL TO
ENSURE APPROPRIATE HANDLING OF INVESTIGATIVE INFORMATION.**

Department of Juvenile Justice
Office of the Inspector General

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 Kamal Warren, Marcus Blue, and Farouto Augustin 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. *(Inspector's Note: Hoffman contacted the CCC with an update stating only two youths were involved in the incident; however, that was determined to be incorrect. Hoffman is the legal representative for Blue, Augustin, and youth regarding civil litigation against Youth Services International.)*

On June 26, 2012, this case was assigned to Inspector Larry E. Riley and Investigations Coordinator Teresa Michael and Gerard Ward were assigned responsibility for case supervision.

Thompson Academy (operated by Youth Services International) is a state contracted moderate risk residential facility with 154 beds for male youth. It is located in Circuit 17, Broward County, Florida.

1. ALLEGATIONS:

Allegation 1: Facility Administrator (former) Craig Ferguson used his personal vehicle to transport three youths to an off-campus activity.

Allegation 2: Ferguson took three youths to his home and allowed them to take showers during an off-campus activity.

Allegation 3: During the OIG investigation, it was discovered that Ferguson took two youths on an off-campus activity without having the proper risk assessments completed.

Allegation 4: During the OIG investigation, it was discovered that Youth Counselor (former) LaRhonda Hunter had knowledge of Ferguson allegedly taking youths to his home in October 2011 but failed to report it to the CCC.

Allegation 5: During the OIG investigation, it was discovered that Youth Counselor (former) Kamal Warren had knowledge of Ferguson allegedly taking youths to his home in October 2011 but failed to report it to the CCC.

Allegation 6: During the OIG investigation, it was discovered that Youth Counselor (former) Farouto Augustin had knowledge of Ferguson allegedly having an inappropriate relationship with youths but failed to report it to the CCC.

Allegation 7: During the OIG investigation, it was discovered that Youth Counselor (former) Kenyawn Blair had knowledge of Ferguson allegedly taking youths to his home in October 2011 but failed to report it to the CCC.

Allegation 8: During the OIG investigation, it was discovered that Youth Counselor (former) Jorin Williams had knowledge of Ferguson allegedly taking youths to his home in October 2011 but failed to report it to the CCC.

2. ASSOCIATED REGULATORY GUIDANCE RELATED TO THE ALLEGATIONS:

Florida Administrative Code 63E-7.013 Safety and Security

Subsection 18 Transportation states when transporting a youth, a residential commitment program shall maintain custody and control while ensuring the safety of youth, staff and the community.

- (a) 2. Program Staff shall not transport youth in any personal vehicle unless the program director approves such action based on extenuating circumstances wherein the life or safety of a youth is in imminent jeopardy without taking such action.

Subsection 19 states a residential commitment program shall comply with the following provisions on youth's eligibility and participation in off-campus activities, defined as activities conducted away from the facility grounds.

- (a) A residential commitment program shall provide supervision for youth who leave the facility grounds for necessary activities such as health and court-related events. The program shall determine a youth's eligibility for participation in other off-campus activities based on the program's restrictiveness level, the youth's performance and behavior in the program, and the assessed risk for the youth to re-offend during the off-site activity.
- 1. A low-risk or moderate-risk program shall allow a youth to participate in necessary, supervised off-campus activities such as health and court related activities. The program may also allow a youth to participate in other constructive supervised off-campus activities and, with court approval, may permit the youth to participate in specific temporary release activities, such as community employment and, during the final 90 days of his or her residential placement, home visits. If an extraordinary family emergency arises prior to the final 90 days of a youth's stay, the program director or designee may, with court approval, grant an emergency temporary release. In such a case, the program shall, with input from the youth's family, develop a specific itinerary and coordinate with the youth's JPO.

Youth Service International Ethics and Compliance Program Handbook (Management)

Unethical Conduct E101 states, Employees shall not commit or allow any act or omission that jeopardizes security, health, safety and/or welfare of youth, staff and/or visitors...

CHAPTER 63F-11

CENTRAL COMMUNICATIONS CENTER

63F-11.004 Reportable Incident Types (5) Complaints Against Staff Incidents:

- (d) Improper Relationship states, Any allegation involving the staff of a department facility, facility-based day treatment program, contracted facility, or program receiving department funding initiating and/or engaging in a relationship outside their scope of employment with a youth or youth's family while the youth is under department supervision.

Contract #06H01 (Between Florida DJJ and Youth Services International) VII General Terms and Conditions

U. Incident Reporting

The Provider shall comply with the Department's Office of Inspector General's Statewide Incident Reporting Procedure that is available on the Department's website. Failure to comply with this procedure could result in cancellation of the Contract.

3. INTERVIEWS AND DOCUMENTS/RECORDS REVIEWED:

- a. **Records** - The following records were reviewed by Inspector Specialists Larry Riley and Tracey Shearer.

Administrative Review Specialist (ARS) Lori Hardyman Interview Summary of Youth
– Exhibit 1.

According to Hardyman's summary, youth _____ stated the following: He was able to go off campus with Ferguson at least four or five times. Generally, the trips were to McDonalds to get food or snacks. The trips were usually at night around 9:00 p.m., and always in Ferguson's personal vehicle, a black Mercedes with leather interior. Sometimes Ferguson bought "Black Outs" cigarettes and allowed youth _____ to smoke.

During one off-campus trip on Easter Sunday, Ferguson took him and two other youths (_____ and _____) on an all day trip for church services. Prior to the trip, Ferguson took the youths to the local Wal-Mart to purchase new clothes to wear to church. They all left the facility around 7:30 a.m. and drove to the church.

After eating at Denny's following church, Ferguson drove them to a two story house. Youth _____ sat down on the sofa and watched fish in an aquarium, while Ferguson showed the other youths the house. They stayed at the house for about 30 minutes to an hour and returned to the facility at approximately 2:30 p.m.

Youth _____ stated he had not earned the appropriate "level" to be allowed to go off campus. Additionally, youth _____ said he assisted Ferguson with paperwork, to include writing 10-minute checks on the log sheets. Other youth also completed 10-minute checks, and not staff. According to _____, Ferguson allowed him to smoke at the back door prior to the cameras being installed. Youth _____ stated he recalled a time when Ferguson rubbed his thighs back and forth. In addition, direct care staff Roberts (unknown first name) grabbed him around the shoulder area, grabbing his breasts. When youth _____ threatened to call abuse (Hotline), Roberts would give him things such as candy, tank tops, and items to quiet him down. Youth _____ said he used the telephone in the counselor's office late at night, and that Ferguson allowed him to make calls (during off-campus trips) using his (Ferguson's) personal cell phone.

ARS Hardyman Interview Summary of Youth – Exhibit 2.

According to Hardyman's summary, youth _____ stated the following: He participated in an off-campus event with Ferguson and two other youths (_____ and _____). He said Ferguson first took the youths to Wal-Mart to purchase tee-shirts and some other unspecified items. Ferguson drove the youths to Wal-Mart in his black Mercedes. They were away from the facility for approximately 35 minutes.

At approximately 7:30 a.m. the following day (Easter Sunday 2011), the three youths were escorted to Ferguson's office. They changed clothes in the bathroom and left for church. After church they returned to the facility. Youth _____ denied going to the mall, Ferguson's house or to lunch at Denny's that day. Youth _____ further denied going to Ferguson's house at any time. (*Inspector's Note: Although Hoffman's testimony is included within*

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Exhibit 2, he is not regarded as a witness and his testimony in Exhibit 2 was not considered in this investigation.)

Falcons Logbook Pages 286 & 287 – Exhibit 3.

The record indicates youths _____, and _____ were escorted to Indian River (Admin Area) on April 23, 2011, at 11:15 a.m. A notation at 11:50 a.m. reflects "3 youth escorted to the unit from Indian River."

Falcons Logbook Pages 290 & 291 – Exhibit 4.

On April 24, 2011, at 7:59 a.m., three youth (no names listed) were escorted to the café for breakfast and then "escorted on transport." At 2:25 p.m., youths _____ and _____ was escorted to the unit from transport. (Inspector's note: This entry was mistakenly dated February 24, 2011).

Falcons Logbook Pages 292 & 293 – Exhibit 5.

On April 24, 2011, at 6:40 p.m., youth _____ was one of six youth escorted by staff Loriston to Indian River for meds. (Inspector's Note: This shows he was inside the facility prior to 11 p.m.)

Documents from youth _____ case management file – Exhibit 6.

Youth _____ chronological sheet indicated staff Davis called _____ father on April 21, 2011, to get permission for an off-site activity. An Escape Assessment, dated November 30, 2010, was checked with all "No's" as it pertains to escape related questions. (Inspector's note: "no" is the desired response when answering the escape risks questions). Five Risk Assessment forms dated between November 30, 2010 and May 2, 2011, were all positive in nature. A Performance Summary dated March 29, 2011, was marked excellent. A Performance/Transitional Plan Progress dated April 13, 2011, shows youth _____ as a Level 4. A Program Behavior & Performance Report dated April 13, 2011, indicated youth _____ was very responsible, and was doing well in all areas.

Documents from youth _____ case management file – Exhibit 7.

An Escape Assessment dated November 22, 2010 was checked with all "No's," as it pertains to escape related questions. Monthly Risk Assessments from October 22, 2010 to July 1, 2011, were reviewed. All assessments were favorable with the exception of two. Youth _____ chronological sheet indicated on April 6, 2011, he was eligible for a Level 4 but was not promoted based on incidents. (Inspector's Note: There were no indications of a permission request for the off-site activity.) A Performance/Transitional Plan Progress dated May 4, 2011, indicates youth _____ was a Level 3. A Performance/Transitional Plan Progress dated April 6, 2011, indicates youth _____ was not eligible for home visits or off-site events. A review of four YSI weekly evaluations revealed several redirections during the month of April 2011.

Documents from youth _____ case management file – Exhibit 8.

An Escape Assessment dated September 21, 2010, was checked with all "No's," as it pertains to escape related questions. Youth _____ performance and behavior reports for the months of March and April 2011 were all positive. All Risk Assessments from September 21, 2011 to April 4, 2011, were all positive. A Performance/Transitional Plan Progress dated April 13, 2011 indicated youth _____ was a Level 4.

Risk Assessment for Off-Campus Activities for youth
Exhibit 9.

dated April 22, 2011 –

The record indicates the youth had "earned the privilege of participating in off campus activities" and reflects signatures for Case Manager, Clinical Director/Therapist, Nurse, and Administration's Signature. (*Inspector's Note: Section V. for Attachments: Itinerary for Outing/Activity Form was not completed.*)

Kamal Warren Affidavit dated July 13, 2012 – Exhibit 10.

The record indicates Warren alleged he advised Vice President Michael Slattery, YSI, of Ferguson's inappropriate behavior toward him (Warren) and other men and boys at the facility. Warren also wrote that he told Slattery that employees told him Ferguson took three youths off the property. Warren wrote youth and youth stated they went to church, Wal-Mart, and Ferguson's house to try on clothes. (*Inspector's Note: Michael Slattery was the Regional Vice President for the Mid West (United States) at the time of this affidavit.*)

Farouto Augustin Written Statement dated December 19, 2012 – Exhibit 11.

The record indicates Augustin alleged he was familiar with Ferguson's inappropriate relationships with youth and staff. Augustin wrote he told Slattery that Ferguson had taken youth and another youth off property to church and other places. Augustin wrote he was terminated one week later.

Kamal Warren EEOC Complaint dated October 2, 2011 and supporting documents – Exhibit 12.

The record indicates Warren filed a harassment complaint against Ferguson. According to the records, the completed complaint form was submitted to the Senior Vice President of YSI. The records also showed Warren alleged Ferguson took youths from Thompson Academy to church and to his home. (*Inspector's Note: Warren was terminated effective September 16, 2011, for violating company policy unrelated to this investigation.*)

b. Interviews - The following interviews were conducted by Inspectors Riley and Tracey Shearer and all interviews were sworn and electronically recorded, unless otherwise noted.

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Office of the Inspector General

Youth (Victim)

Location of Interview: Telephonic

Date of Interview: September 2, 2013 (Non-Sworn)

Youth stated the following: They (Ferguson and youths and) went to church and back. Ferguson brought them food from Denny's, but they never went to the restaurant with him. *(Inspector's Note: Youth refused to participate further in the investigation. Contrary to youth statement, Ferguson acknowledged taking youths and to Denny's.)*

Youth Counselor Greg Williams (Witness)

Location of Interview: Thompson Academy

Date of Interview: August 28, 2012

G. Williams stated the following: He was working the 3:00 p.m. to 11:00 p.m. shift on the day Ferguson took youths and on an off-campus trip to church. He remembered the youths talking about church afterwards, but he did not remember the time they returned, but recalled that it was still light outside. The three youths bragged about the trip to other youth, but did not talk to him directly. He did not hear about Ferguson taking the youths any place besides church.

Shift Supervisor Kenard Brown (Witness)

Location of Interview: Thompson Academy

Date of Interview: July 23, 2012

Brown stated the following: On April 24, 2011, he was instructed to have youths and get ready for church then he escorted them to Ferguson's office. He believed the youths left at approximately 9 a.m., and returned around lunch time – 11a.m. to 1 p.m. He was not aware of any activities like that occurring in the past. *(Inspector's Note: Brown could not say whether or not the youths left the program with Ferguson.)* He heard afterwards from other staff that the youths rode in Ferguson's car and went to get something to eat. He further stated he has never seen anything inappropriate between Ferguson and the youths.

Case Manager Jamar Smith (Witness)

Location of Interview: Thompson Academy

Date of Interview: October 9, 2012

Smith stated the following: He was the case manager for the Falcons Unit during April 2011. He heard about an off-campus trip in which Ferguson took youths to church. He was not working on the day of the trip, but as far as he knew, Ferguson was the only staff that accompanied the youths on the trip. According to Smith, staff are not allowed to transport youths in their personal vehicles unless it is an emergency, and he did not know of any emergencies during that period. Smith stated he completed the wrong risk assessment for youth , but never completed a risk assessment for youth because he did not know he was going on the trip. Smith stated after the error was brought to his attention, he completed the proper form for *(Inspector's Note: Thompson Academy staff were not able to produce a "Risk Assessment for Participation in Off-campus Activities" for youths or regarding the off-campus trips on April 23, 2011 or April 24, 2011. Additionally, a review of youths*

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and case management file by OIG staff did not reveal any risk assessments for participation in off-campus trips.) Smith stated he heard rumors from other staff members that Ferguson took the youths to Wal-Mart and to his house, but admitted it was just speculation. Smith did not hear these rumors from any of the involved youths. Smith further stated he believed the Wal-Mart and church outing occurred on the same day.

Former Youth Counselor LaRhonda Hunter (Witness/Subject)

Location of Interview: Thompson Academy

Date of Interview: October 9, 2012

Hunter stated the following: She believes she was working on the day that Ferguson took three youths (, and to an off-campus church. As far as she knew, Ferguson was the only staff that went with the youth. Youth told her that he and the other youths went to church and by Ferguson's house. Youth was sort of bragging about the trip and going by Ferguson's house. Youth did not provide any details about the trip, i.e., a description of the house or rooms etc. Hunter stated she did not speak with any of the other youths about the trip.

Former Youth Counselor Jorin Williams (Witness/Subject)

Location of Interview: 4000 Hollywood Boulevard, Hollywood, Florida

Date of Interview: October 29, 2012

J. Williams stated the following: He was present at the facility when the youths returned from their off-site trip with Ferguson. He recalled three youths coming from the Falcons unit and one youth was carrying "fast food" from either Wendy's or Checkers, but he was not exactly sure from which place. He asked the youth where he got the food but the youth refused to tell him anything. There were two other staff from the Falcon unit who were present when he spoke with one of the youths about being taken off-site by Ferguson, but he could not recall their names. Williams acknowledged that youths are not supposed to be taken off the grounds, but that Shift Supervisors Kay Wright and Robert Caldwell told staff to mark the youths accounted for as if they were at the facility the whole time. *(Inspector's Note: Caldwell denied marking the youths as present in the program. OIG staff attempted to interview Wright, however, she failed to respond to telephone messages left for her.)*

According to J. Williams, Ferguson returned the youths to the facility at approximately 11:15 p.m., after attending church. *(Inspector's Note: When confronted with documentation that the youths returned from the church trip during the day, Williams stated the youths must have left again because he observed the youths entering the facility from an outside door. There was no escort with the youths, and he did not see who opened the door for the youths. He did not report this to anyone.)* J. Williams further stated Youth did not say much and went straight to his room, while youth bragged about what they had done that day. Youth told him that all three of the youths had gone to church and that they went to Ferguson's house before they went to church and tried on some clothing. The three youths did not say who else was there with them or if other things happened while they were with Ferguson.

Former Youth Counselor Kenyawn Blair (Witness/Subject)

Location of Interview: 4000 Hollywood Boulevard, Hollywood, Florida

Date of Interview: October 29, 2012

Blair stated the following: Ferguson picked up youths , and a and took them to shop at Wal-Mart and to shower at his (Ferguson's) house. Blair said he did not recall what date this occurred, but said he was working the second shift when Ferguson picked them up. Blair said typically, this was not a common practice at Thompson Academy. Blair stated Ferguson did not disclose why he was taking the three youths but merely came in through the back door, picked up the youths, and left the facility. Blair stated the three youths disclosed where Ferguson had taken them once they returned to the facility later that evening. Blair stated Ferguson picked up the three youths at about 8:30 p.m., and returned them at about 10 p.m., (April 23, 2011). According to Blair, The three youths disclosed that Ferguson had taken them to Wal-Mart in Ferguson's car to purchase shoes and clothing so they could use them to go to church.

Blair said when he arrived to work that Sunday (April 24, 2011), all three youths had already returned from church services and denied they were removed from the unit by anyone that day. He recalled youth telling him how much fun they all had in church that day. Blair said youths and told him that they had been allowed to go to Ferguson's house to shower. The youths did not disclose any inappropriate behavior by Ferguson while they were at his house. Youths and disclosed this information to all the staff who were working that day, but Blair could not recall their identities because it occurred over a year ago. The youths did not give any detailed information about the trip to Ferguson's house, except that he allowed them to shower there. Youth did not say too much about what occurred at Ferguson's house. The only thing Blair could testify to as an eyewitness was that Ferguson took the three youths off the Falcon unit.

Facility Administrator Craig Ferguson (Subject)

Location of Interview: This interview was conducted via telephone due to Ferguson residing out of state.

Date of Interview: February 7, 2013

Ferguson stated the following: All the proper risk assessments were completed for the off-campus trip on April 24, 2011. He took three youths , and) to church services at Antioch Missionary Baptist Church of Miami Gardens. He took the three youths to Wal-Mart to buy t-shirts for the trip on April 23, 2011. Ferguson acknowledged he used his personal vehicle, a 2008 Mercedes Benz, for this off-campus trip. Ferguson stated the risk assessments were completed on Friday so the youths could go to Wal-Mart on Saturday, April 23, 2011, and on the trip Sunday, April 24, 2011. He took the youths to Wal-Mart so that the youths could select the correct sizes. No other staff assisted with the trip to Wal-Mart. When asked about the staffing requirements during the transportation of the youth and the possibility of one of the youth running off, Ferguson said the decision was based on the youth not being flight risks. Ferguson said he was trained on the staffing requirements for transportation of youth by YSI, and they taught him the ratio was 1:5.

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According to Ferguson, Case Manager Ramone Davis completed two assessments and Case Manager Jamar Smith completed one assessment on the youths going on the trip and he (Ferguson) signed all of the original assessments. *(Inspector's Note: Davis was actually only responsible for completing one youth assessment. During Smith's statement, he stated he completed the wrong form for youth ; however, he never completed an assessment for youth . Smith stated after the error was brought to his attention, he completed the proper form for , however, the facility could not locate the risk assessments for youths and)* When told that Smith admitted he completed the wrong form for youth , he (Ferguson) said he saw the risk assessments and signed off on all three. Ferguson stated poor record keeping on behalf of the case managers was to blame for the missing assessments.

Ferguson stated that he, Davis, and staff Akim Thomas donated or loaned clothes to the three youths and nothing was bought from Wal-Mart other than t-shirts. He paid for the meals at Denny's and was reimbursed from the business office at Thompson Academy. Ferguson denied stopping by his house or any other residence with the youths and also denied giving the youths cigarettes or allowing them to smoke.

Ferguson further stated he never took youth off-campus during any prior trips. He stated his residence at the time of the trip was a one level apartment on the second floor. *(Inspector's Note: On February 26, 2013, Inspector Riley spoke with Sophia in the property manager's office, and verified was in fact Ferguson's address on April 24, 2011, and it is a one level residence on the second floor.)*

Ferguson subsequently resigned on April 24, 2012, via an email to YSI Senior Vice President Jesse Williams.) *Exhibit 13*

Additional Interviews

Interviews were conducted with 11 additional current and former staff as potential witnesses; however, none had any first-hand knowledge as it pertains to the allegations.

Former Staff Resignation/Termination Documentation (*Exhibit 13*)

4. Other Investigative Activities

OIG staff attempted to, but was unable to interview youths and regarding this investigation. Youth failed to respond to phone messages left for him while youth attorney, Michael Hoffman, advised against youth giving another statement.

OIG staff also attempted to interview complainants Blue and Davis, but was unsuccessful. Blue failed to show up for two scheduled interviews and Davis failed to respond to telephone messages left for him.

During an interview with Warren (regarding a separate investigation) on February 20, 2013, Attorney Hoffman asked Warren what he (Warren) knew about Ferguson having an

inappropriate relationship with youths. Warren said Ferguson had taken some youths to church (during the 7a-3p shift), and apparently to Wal-Mart and to his (Ferguson's) house. When asked by Inspector Coordinator Michael if Warren was alleging an inappropriate relationship of a sexual nature, Attorney Melissa Medrano instructed her client to leave it at that. *(Inspector's Note: Medrano went on to state she was not serving in a criminal defense capacity and believed the witness(es) may need criminal counsel prior to answering some questions that may arise.)*

5. COORDINATION WITH LAW ENFORCEMENT:

In accordance with Section 20.055, Florida Statutes, this case does not meet the criteria for a criminal investigation.

6. CONCLUSIONS:

Based on the testimony and documents reviewed, findings regarding the listed allegations are as follows:

Allegation 1: Ferguson admitted he used his personal vehicle to transport youth during two off-campus activities which violated program policy. Therefore, the allegation of Improper Conduct; Violation of Policy/Rule is **SUSTAINED**.

Allegation 2: There is not sufficient evidence to prove or disprove that Ferguson took three youths to his home and allowed them to take showers during an off-campus activity. Therefore, the allegation of Improper Conduct; Violation of Policy/Rule is **NOT SUSTAINED**.

Allegation 3: There is sufficient evidence that Ferguson took two youths on an off-campus activity without the proper risk assessments being completed. Therefore, the allegation of Improper Conduct; Violation of Policy/Rule is **SUSTAINED**.

Allegation 4: Based on Hunter's own admission, there is sufficient evidence that she failed to report a reportable incident to the CCC Therefore, the allegation of Failure to Report; Violation of Policy/Rule is **SUSTAINED**.

Allegation 5: Based on interviews conducted and records reviewed, there is sufficient evidence that Warren failed to report a reportable incident to the CCC Therefore, the allegation of Failure to Report; Violation of Policy/Rule is **SUSTAINED**.

Allegation 6: Based on interviews conducted and records reviewed, there is sufficient evidence that Augustin failed to report a reportable incident to the CCC Therefore, the allegation of Failure to Report; Violation of Policy/Rule is **SUSTAINED**.

Allegation 7: Based on interviews conducted and records reviewed, there is sufficient evidence that Blair failed to report a reportable incident to the CCC Therefore, the allegation of Failure to Report; Violation of Policy/Rule is **SUSTAINED**.

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Allegation 8: Based on interviews conducted and records reviewed, there is sufficient evidence that Jorin Williams failed to report a reportable incident to the CCC. Therefore, the allegation of Failure to Report; Violation of Policy/Rule is **SUSTAINED**.

EXHIBITS

1. Youth Interview Summary
2. Youth Interview Summary
3. Falcons Logbook Pages 286 & 287
4. Falcons Logbook Pages 290 & 291
5. Falcons Logbook Pages 292 & 293
6. Documents from youth Case Management File
7. Documents from youth Case Management File
8. Documents from youth Case Management File
9. Risk Assessment for Off-Campus Activities for youth
10. Warren's Affidavit, dated July 13, 2012
11. Agustin's Signed Statement, dated December 19, 2012
12. Warren EEOC Complaint, dated October 2, 2011
13. Former Staff Resignation/Termination Documentation
14. Correspondence Sent to Provider & Subject(s), dated October 1, 2013
15. Return Correspondence Tracking Receipts
16. Return Comments from the law firm of Bryant, Miller and Olive representing Youth Services International, Inc., received via fax November 12, 2013
17. Correspondence Sent from the OIG to the law firm of Bryant Miller and Olive representing Youth Services International, Inc., dated December 2, 2013

STATEMENT OF ACCORDANCE AND TEAM ASSIGNMENT

Section 20.055, Florida Statutes, establishes an Office of Inspector General in each state agency to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency in government. In carrying out the investigative duties and responsibilities specified in this section, each inspector general shall initiate, conduct, supervise, and coordinate investigations designed to detect, deter, prevent, and eradicate fraud, waste, mismanagement, misconduct, and other abuses in state government.

All OIG personnel have completed appropriate documentation regarding their conduct as set forth by the OIG Investigations Independence Statement. The investigation was conducted in accordance with guidance from the Associations of Inspectors General handbook.

Affected Entity/Individual Coordination

On October 1, 2013, in accordance with Section 20.055(6)(e) Florida Statute, a copy of this completed Investigative Report was provided to Youth Services International, Inc., a specific entity contracting with the state, and to former Facility Administrator Craig Ferguson, an individual(s) substantially affected as defined by Section 20.055(6)(e). *Exhibit 14*

On November 12, 2013, a response was received from the law firm of Bryant, Miller and Oliver representing Youth Services International, Inc. outlining their concerns of the OIG investigation. *Exhibit 16*

On December 2, 2013, correspondence from the OIG was sent to the law firm of Bryant, Miller and Olive representing Youth Services International, Inc., indicating that after reviewing their issues of concern and further discussions with the Chief of Investigations and the assigned Inspector, revisions were made to the Report of Investigations. *Exhibit 17*

As of February 24, 2014, no further correspondence has been received from the law firm of Bryant, Miller and Olive on behalf of Youth Services International, Inc., regarding the revisions made by the OIG; therefore, the report is final.

DISTRIBUTION LIST

Action Official Distribution:

This report is distributed with all exhibits and attachments for action to:
Laura K. Moneyham, Assistant Secretary for Residential Services

Information Distribution:

Copies of the Executive Summary, without exhibits or attachments, have been distributed electronically to:

Wansley Walters, Secretary
Christy Daly, Deputy Secretary
Jason L. Welty, Chief of Staff
Meghan L. Speakes, Director of Communications

Files:

The original of the complete report has been placed in the Investigation File.



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**STATE OF FLORIDA
DEPARTMENT OF JUVENILE JUSTICE**

INTEROFFICE MEMORANDUM

DATE: October 1, 2013

TO: Laura K. Moneyham, Assistant Secretary for Residential Services

FROM: Robert A. Munson, Inspector General *[Signature]*

SUBJECT: Draft Investigative Report IG 12-0017/CCC 2012-00725
(Thompson Academy)

Pursuant to the provisions of Section 20.055(6)(e), Florida Statutes, copies of the above draft investigative report are being forwarded to the contract provider and subject(s) for review and comment. They must submit a written response within 20 business days after receipt.

Enclosed is a copy of the information that was forwarded to the contract provider and subject(s). If you have questions please contact Brian A Donaldson, Chief of Investigations, at 921-6344.

Enclosure: Report of Investigation

RAM/skr

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Rick Scott, Governor

Wansley Walters, Secretary

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.

INTERVIEW

On 04/18/12, ARS Bushore conducted a face-to-face interview with youth while on-site at Bristol Youth Academy. During the interview Attorney Michael Hoffman participated on speaker telephone. The following is youth statement: On 11/22/10 youth was admitted to the Thompson Academy and successfully completed the program on 08/02/11. While at Thompson Academy youth reported he was able to go off campus with Program Director Dr. Craig Ferguson at least four or five times. Generally the trips were to McDonalds to get food or snacks. These trips were usually at night around 9:00 p.m. and always in Dr. Ferguson personal vehicle a black Mercedes with leather interior. While on these short trips Dr. Ferguson played music and had it turned up. Sometimes Dr. Ferguson would buy "Black Outs" cigarettes and allow youth to smoke.

During one off campus trip on Easter Sunday, Dr. Ferguson took two other youth (&) as well as youth on an all day trip for church services. Prior to the trip Dr. Ferguson took all three youth to the local Walmart to purchase new clothes to wear to church. These clothes included jeans, colored shirts and Nike shoes. In addition, each youth was provided with a necklace and was promised new watches. The trip began by each youth changing their clothes at the program in the front bathroom next to Dr. Ferguson office. The three youth and Dr. Ferguson left the facility in his black Mercedes around 7:30 a.m. and drove to the church.. While on the way Dr. Ferguson asked if they wanted to go to the earlier service or late church services. They decided to go to the late services and waited in another section of the church for the late service to begin. While in church Dr. Ferguson introduced each of the youth to his friends as his boys from Georgia. After church they drove to the mall to get the watches Dr. Ferguson promised but the mall was closed. There was a lake and apartment buildings next to the mall with a foundation in it. Dr. Ferguson wanted to take pictures of the youth with him near the lake and apartment buildings. A picture was made with youth and Dr. Ferguson, youth and Dr. Ferguson and youth and Dr. Ferguson. Dr. Ferguson indicated he would give them a copy of the pictures when he gets them. Youth stated, "Dr. Ferguson never gave us any of those pictures." After pictures were made they decided to go to Denny's to get lunch. During lunch Dr. Ferguson gave youth his car keys and asked him to go out to the parking lot and get the money he had in the glove box to pay for lunch. In the glove box was a one hundred dollar bill and five \$20.00 dollar bills. When youth returned with the money, Dr. Ferguson gave some the money to youth to pay the bill and some the money to pay the tip. After eating at Denny's Dr. Ferguson drove them to a two story house. Youth described the living room as having a large cloth sofa with a large fish tank against the wall with gold fish and those fish that such on the glass. He reported he sat down on the sofa and watched the fish while Dr. Ferguson showed the other youth the house. He indicated that he never left the living room, but the other two youth and went upstairs. When asked how long the other youth were out of his sight he responded by saying, "I was watching TV on the large flat screen and the fish didn't know." They stayed at the house for about 30 minutes to an hour and returned to the program at approximately 2:30 p.m. When they returned each of the youth changed their clothes and

put on program clothes. Youth indicated he changed his clothes in Dr. Ferguson office and the other two youth changed theirs in the front bathroom. When asked if Dr. Ferguson was in the room when he changed, he stated "yes." When asked what clothes he took off, he indicated that he left his boxer shorts and tee shirt on prior to putting his program clothes back on. When youth was released from the program he told his mother about the special trips he had. He indicated that his mother had no idea about any of these trips and no one from the program ever told her. He also indicated that he had not earned the appropriate level to be allowed to go off campus. When other staff confronted Dr. Ferguson about it, he let them know he was the boss and would do what he wanted to.

On other occasions Dr. Ferguson asked youth to come to his office and assist in helping him with paperwork. Youth described Dr. Ferguson's office as having a sofa and other furniture in it. He indicated he would write the ten-minute checks on the check sheets, such as 10:10, 10:20, 10:30, and so on. Then he would give the sheets to Dr. Ferguson. He also stated that sometimes the other youth completed their ten-minute check sheets and not staff. Additionally, during some of the visit to Dr. Ferguson office he was allowed to smoke at the back door because they didn't have any cameras yet.

Youth recalled a time when Dr. Ferguson rubbed his thighs back and forth. In addition, direct care staff Roberts has garbed him around the shoulder area, garbing a hold of his breasts. When youth threaten to call abuse direct care staff Roberts would give him things, such as candy, tank tops and items to quite him down.

Youth indicated he could use the telephone in the counselor's office late at night and staff would ask him to sit on the floor so no one would see him. He also indicated while on off campus trips with Dr. Ferguson he was allow to make telephone calls using Dr. Ferguson personal cellphone.

CCC Report 2012-00725
Thompson Academy – Improper Conduct
And Violation of Policy/Rule

Case #: 12-0017
From: L. HARDYMAN, ARS
On: 5/07/12 Pages: 4
By: C. SCHEELEY

Interview Summaries

ARS Hardyman attempted a telephone interview with youth _____, DJJ ID _____, on 4/16/12. Two voice messages were left on telephone number _____. The alternate telephone number listed on the JJIS Facesheet (_____) was disconnected. An inmate jail search was conducted on 4/16/12 to determine if this youth was possibility incarcerated. Youth _____ is not in custody; however, his mother, _____ was found to be incarcerated in the Sarasota County Jail. Prior to this case being re-assigned, ARS Hardyman planned to conduct an interview with Ms. _____ at the jail to determine if she authorized her son's participation in an off campus event and to attempt to locate youth _____.

ARS Hardyman conducted a telephone interview with youth _____, DJJ ID _____ on 4/16/12. Youth _____ acknowledged he was once a resident of Thompson Academy and recalled he participated in an off-campus event with Dr. Craig Ferguson and two other youth. His statement is as follows: Dr. Ferguson first took the youth to Wal-Mart to purchase t-shirts and some other unspecified items (youth _____ could not remember exactly what items were purchased). The three youth were driven to Wal-Mart by Dr. Ferguson in his black Mercedes. They were away from the facility for approximately 35 minutes. The youth ate lunch upon their return to the facility (ARS Hardyman requested meal rosters associated with the National School Breakfast and Lunch Program to validate this claim; however, none were provided by the program) and were then escorted back to their assigned unit. At approximately 7:30 a.m. the following day, Easter Sunday, the youth were escorted to breakfast then to Dr. Ferguson's office. The youth changed clothes in the bathroom; then left for Church. The morning service already began so the youth and Dr. Ferguson socialized with some other church members while they waiting for the 11:00 a.m. service. After church, they returned to the facility. Youth _____ denied going to the mall, going to Dr. Ferguson's house or lunch at Denny's; even though Dr. Ferguson validated going to these places. When asked if youth _____ went to Dr. Ferguson's home at any other time; youth _____ laughed and replied "naw".

ARS Hardyman conducted a telephone interview with _____, father of _____, on 4/16/12. Mr. _____ statement is as follows: Mr. _____ was aware his son participated in an off-campus with Dr. Ferguson and reported he received a telephone call asking permission. Mr. _____ did not know the details of the outing, such as where they went and how long they were gone.

ARS Hardyman conducted a telephone interview with _____, father of _____, on 4/17/12. Mr. _____ statement is as follows: "I will have my attorney call you". The purpose of the interview was to determine if Mr. _____ was aware of the off-campus event and to determine if parent authorization was obtained. According to the JJIS Facesheet, youth _____ is currently in custody of the Bristol Youth Academy located in North Florida. ARS Hardyman requested assistance from ARS Steve Bushore in conducting an interview with youth _____.

ARS Hardyman conducted a telephone interview with Attorney Michael Hoffman on 4/18/12. ARS Hardyman contacted Attorney Hoffman after learning youth [redacted] family retained an attorney; it was suspected that attorney was the same attorney representing the former staff members that brought forth the allegations (Andrew Clark, Kamal Warren, Marcus Blue and Farouto Austin). ARS Bushore was scheduled to conduct an interview with youth [redacted] at Bristol Academy. The Program Director was aware of attorney involvement because ARS Bushore was traveling such a great distance, there was concern he would be denied access to youth [redacted] for interview purposes. Attorney Hoffman's statement is as follows: Staff Kamal Warren is a long-time acquaintance and neighbor of youth [redacted] parents ([redacted] and [redacted]). Staff Warren was discussing the numerous problems associated with Thompson Academy and encouraged youth [redacted] parents to contact Attorney Hoffman. Youth [redacted] was one of the youth that received special treatment from Dr. Ferguson and was given gifts such as money, jewelry, expensive sneakers and clothes. Youth [redacted] would make telephone calls from Dr. Ferguson's office at all times of the night; sometimes it would be as late as midnight when youth [redacted] would call home. Youth [redacted] would also make telephone calls from Dr. Ferguson's personal cell phone while he ([redacted]) was out joy riding with Dr. Ferguson. On one occasion, youth [redacted] called from Delray Beach, located several miles from Thompson Academy. Youth [redacted] parents had no knowledge of their son's off campus activities and never authorized him to leave the program for any reason. Youth [redacted] has sent photographs of himself and other program youth to his sister and parents. One of the alleged photographs was taken in Dr. Ferguson's office on the brown sofa. Attorney Hoffman reported viewing Thompson Academy's contract with DJJ and noted there was a sofa on the inventory sheet; ARS Hardyman actually observed a sofa in Dr. Ferguson's office). Three other unidentified youth were included in the photograph; none of the youth were wearing shirts (that pic has not been located so far; however, it was reportedly sent from a cell phone). One picture recovered from youth [redacted] sister's Facebook social network internet page is of youth [redacted] standing shirtless in a laundry room located within Thompson Academy. That laundry room is reportedly the location where an alleged sexual assault occurred; which was the basis of the Southern Poverty Lawsuit wherein Dr. Ferguson and YSI is named. Dr. Ferguson would have youth [redacted] and several other youth in his office after normal business hours (5:00 p.m.) to help catch up on paperwork such as ten minute observation checks. Youth would record the times and staff would later document their initials. Dr. Ferguson would park his car at the back door; he never escorted youth out the front entrance of the facility. Youth would leave the program late at night to go to McDonald's for snacks. Dr. Ferguson would allow youth to smoke Black & Mild cigars out the back door as well. Dr. Ferguson would take youths to Foot Locker, a shoe store at a local mall and buy them expensive shoes. Dr. Ferguson never paid for these items himself; he would hand cash to the youth and have them pay for the items. On the day of the Church event (4/24/11), youth [redacted] changed clothes in Dr. Ferguson's office while the other two youth changed in a nearby bathroom. Dr. Ferguson would befriend youth that were discipline problems and were having difficulty adjusting in the program. If any staff questioned Dr. Ferguson on his involvement with the youth, they would eventually have their employment terminated. The saying at Thompson Academy is "if you aren't with me, you are against me". That was the justification for the staff members making the allegations a year after the alleged incidents occurred; fear of termination and because staffs have little faith in the system as Dr.

Ferguson continues to "get away with it." On 4/24/11 when the three youth were taken off campus for a Church event, the youth were transported in Dr. Ferguson's personal vehicle. After church, they went to the mall; however, it was closed. After the mall, Dr. Ferguson took the youth to a nearby apartment complex where photographs were taken of the youth and Dr. Ferguson by Dr. Ferguson. It was reported Dr. Ferguson used his cell phone to take the pictures; the youth and Dr. Ferguson were cheek-to-cheek in the photographs. Afterwards, the youth were taken to a two-story house where the youth were allowed to try on various articles of clothing and jewelry. Youth can describe the house of having brown carpeting in the living room as well as a large fish tank. Youth and Youth ventured to other others of the home; however, youth stayed in the living room area. After leaving that residence, Dr. Ferguson drove the youth to a local Denny's Restaurant for lunch. After being seated, Dr. Ferguson handed youth his car keys and requested that he go out to the car to retrieve some cash to pay for the meal. After lunch, they drove around for approximately 30 minutes before returning to the program.

There have been other youth that Dr. Ferguson has allegedly presented with gifts and special treatment; () and (). AFA Jackson has also taken program youth in her personal vehicle to off campus events such as baseball games; reportedly to "take the heat" off Dr. Ferguson. Former mental health staff Joann Bliss confronted Dr. Ferguson on inappropriate interaction with program youth and ended up being fired. The "official" reason for termination was failure to comply with state auditing guidelines; however, "the real reason" for the termination was speaking out against Dr. Ferguson. Attorney Hoffman did not believe staff Bliss would be able to talk about her employment at Thompson Academy due to a settlement agreement between her and the program prohibiting her from discussing any aspects of the program.

Former staff Kamal Warren is the "most helpful" of the staff in providing Attorney Hoffman with information; staff Warren still has connections with program staff that reportedly "feed him" information. Staff Warren once dated Dr. Ferguson. They would go to Applebee's where Dr. Ferguson "would show him (Warren) off." When staff Warren began rejecting Dr. Ferguson's advances, his employment was terminated. Staff Warren has filed a sexual harassment lawsuit against Dr. Ferguson (Case Number 5102011005950C). The lawsuit is ongoing; however, staff Warren would be happy to discuss the case.

Attorney Hoffman alleges AFA Rodgers is a subject of Dr. Ferguson's affections and also aware of youth receiving special privileges; going on off campus outings; and visiting Dr. Ferguson's office in the evenings.

Attorney Hoffman reported going to youth home and taking possession of two pairs of sneakers and a gold chain purchased by Dr. Ferguson. Attorney Hoffman expressed his opinion that Dr. Ferguson is a dangerous man and called him a pedophile. Attorney Hoffman reported his mission is to get Dr. Ferguson's employment terminated and YSI's contract with the state voided.

A face-to-face interview was held with Dr. Craig Ferguson at the Thompson Academy on 4/3/12. Dr. Ferguson's statement is as follows: The Church was sponsoring a special event for Easter and a few of the program youth were invited to attend. A list of approximately 12 youth was narrowed down to the three youth that participated (, and). The original list of 12 youth and the process of elimination was unavailable during the course of the Administrative Review (AR). Each of the three had risk assessments conducted to ensure they were appropriate candidates for the event (it was noted that youth was involved in a behavior incident the week prior and was actually not an appropriate candidate but was included even after staff brought this to Dr. Ferguson's attention); only one of the risk assessments was provided during the course of the AR. Dr. Ferguson personally called each youth's parent requesting their permission for their sons to participate in an off-campus outing. None of these telephone calls were recorded on the youth's telephone logs (the logs were requested; however, not made available during the AR). Several staff donated clothing items for the three youth so they would be appropriately dressed for Church. Dr. Ferguson took all three youth to the local Wal-Mart so they could purchase socks and t-shirts. Even though these items could have been purchased without the three youth being present, Dr. Ferguson thought it best for them to pick out their own items. The youth were transported in Dr. Ferguson's vehicle with no other staff present. Dr. Ferguson reported he had the authority to make that decision. On Sunday, 4/24/11, Dr. Ferguson drove the youth to his Church; leaving Thompson Academy at approximately 7:30 a.m. Another staff member who attends the church was going to accompany Dr. Ferguson and the three youth; however, he changed his mind because he wanted to attend an earlier service. After Church, Dr. Ferguson took the youth to the mall for lunch and to take photographs of the youth in their "Sunday Best." Dr. Ferguson then reported they went to Denny's for lunch. When questioned why they went two different places for lunch, Dr. Ferguson reported the mall was closed. Dr. Ferguson denied he took the youth to his home at any time during either of those two off-campus trips. Dr. Ferguson reported his advisory board consists of many Church members. A copy of a list of board members was requested; however Dr. Ferguson reported a list was not available. The name of a Deacon (Johnny Douglas; telephone) who can "vouch for the event" was provided. Photographs of the event and a brochure were requested; however, not available during the AR. Due to allegations the youth were returned to the program at 11:00 p.m., meal rosters were requested to determine if the youth were fed lunch or dinner on 4/24/11; again, not available.