



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

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DRAFT

Department of Juvenile Justice
Office of the Inspector General

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:

- a. **Allegation 1:** There is sufficient evidence that Ferguson used his personal vehicle to transport youth during two off-campus activities. Therefore, the allegation of Improper Conduct; Violation of Policy/Rule is **SUSTAINED**.
- b. **Allegation 2:** There is not sufficient evidence to show 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**.

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

- d. **Allegation 4:** Based on interviews conducted and records reviewed, there is sufficient evidence that YSI failed to report a reportable incident to the CCC. Therefore, the allegation of Failure to Report; Violation of Policy/Rule is **SUSTAINED**.