



JEB BUSH
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-488-7146
850-487-0801 fax

September 29, 2004

Lucy Hadi
Interim Secretary
Department of Children and Families
1317 Winewood Boulevard
Tallahassee, FL 32399-0700

RE: Final Report on Whistle-Blower Investigation
CIG #200405050001 & 200405140002
OIG #2004-0043-WB

Dear Ms. Hadi:

On May 25, 2004 an investigation was initiated by the Department of Children and Families (DCF) Office of Inspector General (OIG) pursuant to Sections 112.3187 – 112.31895, Florida Statutes (The Whistle-Blower's Act) in response to allegations of various acts of misconduct by employees of the Florida Civil Commitment Center (FCCC).

Allegation 1: Florida Civil Commitment Center Facility Safety Director Tiffany Lane falsified, altered, destroyed, and/or fabricated, by omission or action, documents and/or videotapes contained in FCCC internal investigations, incidents, or events.

Information obtained during the investigation *supports* the allegation, wherein staff involved believed that Ms. Lane either failed to document or destroyed documents that she felt were unfavorable toward her or certain staff members, including her own mother, whom she supervised. The separate incidents are detailed in the report of investigation.

Allegation 2: Florida Civil Commitment Center Facility Safety Manager James Staunton falsified, altered, destroyed and/or fabricated documents contained in FCCC internal investigations, incidents, or events.

Information obtained during the investigation *supports* the allegation. Mr. Staunton admitted that on April 15, 2004 he changed three internal incident reports by altering their original form.

Allegation 3: Therapeutic Community Coordinator (TCC) Octavio Baez introduced an illegal substance, marijuana, into the Florida Civil Commitment Center with intent to distribute.

The Whistle-blower(s) said that residents alleged that TCC Octavio Baez brought marijuana into the facility. This allegation was referred to the Florida Department of Law Enforcement (FDLE) on June 15, 2004, pursuant to s. 112.3189(11), Florida Statutes. The subject, Octavio Baez, was not interviewed. His employment with FCCC was terminated on August 9, 2004.



Governor's Mentoring Initiative
BE A MENTOR. BE A BIG HELP.
1-800-825-3786

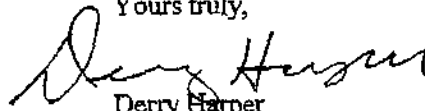
Letter to Lucy Hadi
Page 2

Additional findings obtained during the investigation are outlined in the report itself.

Enclosed is the final report that was issued as a result of the investigation. The complainant(s) was notified of the findings, and was given twenty (20) days from the date of the report to provide additional comments. The complainant(s) submitted no comments. Information deemed confidential has been redacted in the report.

Based on my review of the report and the appropriate recommendations made in the report by Inspector General Sheryl Steckler, this Office considers this case to be closed. If you have any questions or comments, please feel free to call me at (850) 922-4637.

Yours truly,



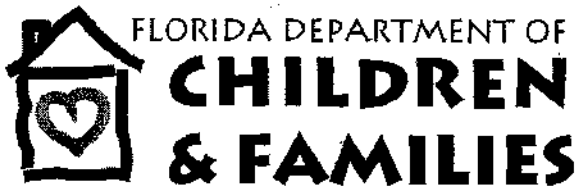
Derry Harper
Chief Inspector General

DH:kl

Enclosure

cc: Sheryl Steckler, Inspector General (w/o enclosure)

s:\case files\whistle\2004\200405050001 & 200405140002 DCF

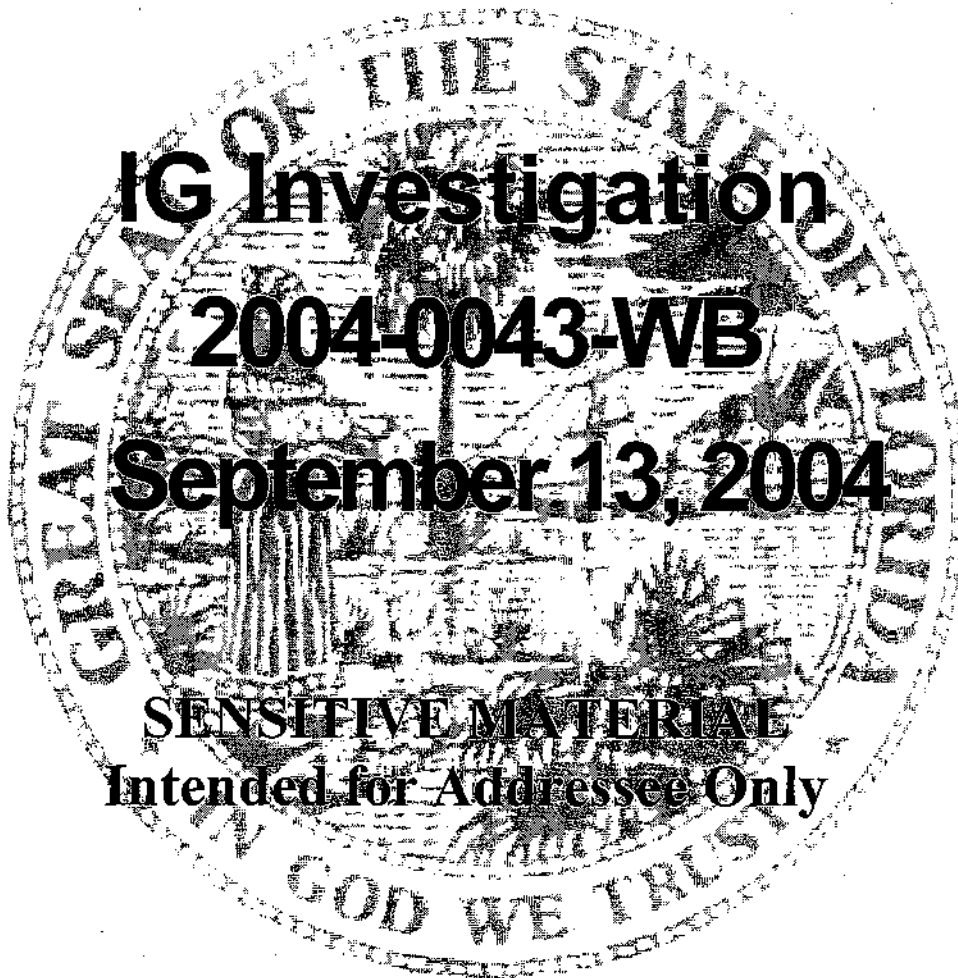


Jeb Bush
Governor

Jerry Regier
Secretary

REDACTED

Office of Inspector General



Sheryl G. Steckler
Inspector General

Philip E. Wilcox
Chief of Investigations

Office of Inspector General
Report of Investigation

Report By: Investigator Kelly Summers

Case Number: 2004-0043-
WB

Subjects:

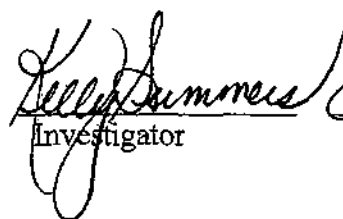
Allegations 1 and 2: Florida Civil Commitment Center Facility Safety Director Tiffany LANE and Facility Safety Manager James STAUNTON

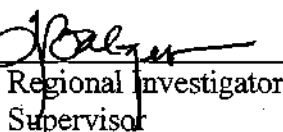
Matters Investigated: *Falsified, altered, destroyed, and/or fabricated, by omission or action, documents and videotapes contained in FCCC internal investigations, incidents or events:* 839.13(1) and (2)(a), Florida Statutes (F.S.) and FCCC Policy and Procedure Manual, Policy B-10, Ethical Conduct of Staff.

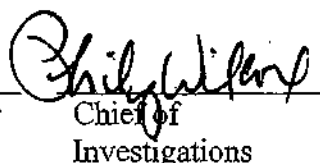
Subject:

Allegation 3: Florida Civil Commitment Center Therapeutic Community Coordinator Octavio BAEZ

Matters Investigated: *Introduced illegal substance, marijuana, into the Florida Civil Commitment Center, with intent to distribute:* 893.13(1)(a) F.S., and FCCC Policy and Procedure Manual, Policy B-10, Ethical Conduct of Staff.


Investigator


Regional Investigator
Supervisor


Chief of
Investigations


Inspector General

9/13/04
Date

GLOSSARY
Case Number 2004-0043-WB

Abbreviations:

AD	Associate Director
CI	Confidential Informant
DJJ	Department of Juvenile Justice, State of Florida
DOC	Department of Corrections, State of Florida
ED	Executive Director
FCCC	Florida Civil Commitment Center
FOP	Facility Operating Procedures (includes policies)
FSA	Facility Safety Assistant
FSD	Facility Safety Director
FSM	Facility Safety Manager
FSM-I	Facility Safety Manager – Interim (Acting)
HIPPA	Health Insurance Portability & Accountability Act
HRM	Human Resource Manager
I/R	Incident Report
Incident	Occurred on April 15, 2004, when mental health patient R/S #15 was placed on 1:1 restrictive status by the staff psychiatrist, after he threatened to burn female staff. He was allowed by the security staff to move about the facility unescorted, and consequently climbed onto the roof of a building. He jumped off and . Security staff interrupted clinical intervention to resolve the incident.
OIG	Office of Inspector General
Resident #1	
Resident #2	
Resident #3	
Resident #4	
Resident #5	
Resident #6	
Resident #7	
Resident #8	
Resident #9	
Resident #10	
Resident #11	
Resident #12	
Resident #13	
Resident #14	
Resident #15	
Resident #16	
Resident #17	
Resident #18	

Glossary – Page Two

Resident #19	
Resident #20	
Resident #21	
Resident #22	
Resident #23	
Resident #24	
Resident #25	
Resident #26	
R/S	Resident of Florida Civil Commitment Center
SVP	Sexually Violent Predator
TA	Therapeutic Assistant
TCC	Therapeutic Community Coordinator
UR Manager	Utilization Manager
1:1 Status	Continuous visual contact with a patient with no more than five (5) feet of distance between the staff member and the resident. Resident is restricted to his room and not permitted freedom of movement without staff escort.

TABLE OF CONTENTS
Case Number: 2004-0043-WB

<u>Topic</u>	<u>Pages/Exhibits</u>
Report Summary	1-12
Exhibits	
Governing Directives	A
Witness Interviews	
Complainant (WB1)	B
Complainant (WB2)	C
Rick Harry, Executive Director	D
Harry's Sworn Statement	D-1
Robert Vaughn, Associate Director	E
Jennifer Haymes, General Counsel	F
Lynda Sommers, DCF Contract Monitor	G
Kenneth Dudding, Investigator	H
Dudding's Sworn Statement	H-1
Debra Rodgers, Therapeutic Assistant	I
Rodgers' Faxed Statement	I-1
Joseph Santos, Therapeutic Community Coordinator	J
Sylvia Russell, Therapeutic Assistant	K
Henrietta Marshall, Therapeutic Community Coordinator	L
Johnnie Smalls, Therapeutic Community Coordinator	M
Donald Mosley, Facility Safety Manager	N
William Landers, Therapeutic Community Coordinator	O
Resident #1,	P
Resident #2,	Q
Resident #3,	R
Resident #4,	S
Resident #5,	T
Resident #6,	U
Resident #7,	V
Shawn Smith, Facility Safety Manager-Interim	W
Christie Cline, Facility Safety Assistant	X
Thomas Murphy, Human Resources Manager	Y
Javon Dukes, Therapeutic Community Coordinator	Z
Eloise Jones, Facility Safety Assistant	AA
Jorge Santana, Business Manager	BB
David Scheid, Therapeutic Community Coordinator	CC
John Brosnihan, Therapeutic Community Coordinator	DD
Brosnihan's Sworn Statement	DD-1

Johnny Fugate, DeSoto County Sheriff	EE
Subject Interviews	
Tiffany Lane, FCCC Facility Safety Director	FF
Lane's Sworn Statement	FF-1
James Staunton, FCCC Facility Safety Manager	GG
Staunton's Sworn Statement	GG-1
Records Review	
Facility Floorplan	HH
FCCC Safety Control Logs	II
MORR for Mini-Videotape entitled "Tape 1 Foxtrot"	JJ
Donald Mosley Corporate Complaint, June 16, 2004	KK
Donald Mosley Termination Letter	LL
Shawn Smith Disciplinary Letter	MM
Henrietta Marshall Disciplinary Letter	NN
Resident Behavior Report	OO
Resident Behavior Report	PP
Resident Behavior Report	QQ
Dorm Log Sheets	RR
FCCC Policy E-15 – 1:1 Observation	SS
Tiffany Lane Disciplinary Letter	TT
Tiffany Lane Termination Letter	UU
James Staunton Incident Report, April 15, 2004	VV
Sylvia Russell Incident Report, April 15, 2004	WW

**Office of Inspector General
Investigations
Report Summary
Case Number: 2004-0043-WB**

REDACTED

Introduction:

The Florida Civil Commitment Center is a secure involuntary civil commitment facility, located in Arcadia, Florida, where 450¹ sexually violent predators are housed. The facility was established by authority of the Florida Legislature, specifically F.S. 394.910-394.931. The law is commonly referred to as the Jimmy Ryce Act, which was signed into law on May 19, 1998, and became effective January 1, 1999. The act categorized certain sex offenders as "sexually violent predators," diagnosed with a mental abnormality. The act sought to have these offenders involuntarily and indefinitely committed to an appropriate secure facility for treatment after they have served their criminal sentences.

During commitment, the resident must be examined at least once annually, to determine if his predilection to committing a violent crime had changed. A multidisciplinary clinical team, who makes a recommendation to the court that the resident is no longer a danger to society, determines a resident's release from the facility.

Upon classification as a sexually violent predator, the resident² is committed to the care, custody and control of the Department of Children and Families (DCF). Liberty Behavioral Health Corporation (LBHC), located in Pennsylvania, is contracted by DCF to provide services for this population, including a treatment program. The current contract between LBHC and DCF began on January 1, 2003, and is due to end on June 30, 2005.

Former DCF Operations & Management Consultant, Lynda Sommers (retired on January 30, 2004) is the current on-site monitor via contract with DCF. Medical Services and Health Manager Gregory Venz is responsible for oversight of the Sexually Violent Predator Program, and is housed at DCF headquarters in Tallahassee, Florida. DCF leases the real property and buildings (Exhibit HH - Floor Plan) from the Department of Corrections (DOC). The DOC maintains the perimeter of the facility, and provides secure transport of residents to and from court proceedings and medical appointments. The DeSoto County Sheriff's Office and the DOC have an agreement with FCCC to respond in an emergency situation.

FCCC operates with a triad team approach, consisting of medical, clinical and security staff. Executive Director, Rick Harry, manages facility staff. In the security area, Mr. Harry supervises the Facility Safety Director (FSD).³ The FSD has direct supervision over four Facility Safety Managers (FSM), and indirect supervision over 152 other staff, including approximately 34 Facility Safety Assistants (FSA), 34 Therapeutic Community

¹ The resident population as of August 25, 2004.

² Offenders are referred to as residents of the facility.

³ At the time of the investigation, Tiffany Lane served as the FSD.

Coordinators (TCC), who are supervisors, and 84 Therapeutic Assistants (TA). The FSA, TCC, and TA staff are assigned duty posts and have daily contact with the residents.

This investigation was initiated on May 25, 2004, based on a Whistle-Blower complaint. A second Whistle-Blower complainant was added to the investigation on July 6, 2004.

Allegations and Investigative Findings

Allegation 1:

Florida Civil Commitment Center Facility Safety Director Tiffany Lane falsified, altered, destroyed and/or fabricated, by omission or action, documents and/or videotapes contained in FCCC internal investigations, incidents, or events.

Findings:

The information obtained *supports* the allegation, wherein staff involved believed that Ms. Lane either failed to document or destroyed documents that she felt were unfavorable toward her or certain staff members, including her own mother whom she supervised. The separate incidents are detailed as follows:

(Note: All FCCC residents are referred to by number in this investigation. As they are mental health patients, their identities are confidential based on the HIPAA⁴ law.)

1. Incident

The WB1 stated that on April 15, 2004, Resident (R/S) #15⁵ was placed on 1:1 restrictive status⁶ by staff psychiatrist, Robert Bellino, after he threatened to burn a female staff member. The WB1 stated that Dr. Bellino advised TA Debra Rodgers of this, and she notified the Shift Supervisor, FSM James Staunton.

The WB1 alleged that Mr. Staunton took no action to secure R/S #15. R/S #15 was permitted by the security staff to move about the facility unescorted. At 11:55 a.m., that same day, R/S #15 climbed onto the roof of a building. Security staff, directed by Ms. Lane and FSM James Staunton, rushed R/S #15 and attempted to restrain R/S #15 while he was on the roof. When the security staff ran toward him, R/S #15 jumped off the building and

The WB1 said that Ms. Lane conspired with Mr. Staunton to cover up the errors made during the critical incident. The WB1 alleged that security camera tapes documenting the incident were erased or destroyed, and that this practice has occurred in other incidents. The WB1 alleged that Ms. Lane's motive was, in part, to conceal the fact that her mother, TA Sylvia Russell, was on duty at the time of the incident. The WB1 alleged that Ms.

⁴ Health Insurance Portability and Accountability Act, which protects the confidentiality of mental health patients.

⁵ R/S #15 was approached for an interview, but he was unable to provide reliable information due to his medical health diagnosis.

⁶ Continuous visual contact with a patient with no more than five feet of distance between the staff and the resident. Resident is restricted to his room and not permitted freedom of movement without staff escort.

Russell was at the gate where R/S #15 climbed to the roof. Ms. Russell allegedly "simply watched and did nothing to keep R/S #15 from climbing on the roof." Ms. Lane did not discipline Ms. Russell for her inaction in a critical incident.

During the incident, two security cameras captured the event on live feed into the Safety Control Office. TA Joseph Santos said he filmed the incident with a third, hand-held camcorder. A fourth camcorder, operated by former employee David Langevin⁷, filmed the event. Mr. Santos said that on or about April 16, 2004, he viewed the videotape (Exhibit JJ) which he shot of the incident involving R/S #15. He said that, with exception of approximately ten seconds of the actual incident, the tape is blank. He did not know who erased the videotape or why it had been erased.

FCCC Investigator, Kenneth Dudding, was assigned to conduct the internal investigation of the critical incident. All staff who witnessed the event were requested to submit written incident reports. Although Ms. Lane, shown on videotape, directed the actions of the security staff, she did not complete a report. After the OIG investigation began, Mr. Harry directed her to write a report, which she used as her written statement of interview. That report (Exhibit FF-1) was submitted on June 3, 2004, 49 days after the incident occurred.

On April 16, 2004, Mr. Dudding requested the original incident reports from Ms. Lane. Ms. Lane provided him with a few at a time. Mr. Dudding also requested custody of all videotapes of the incident. Ms. Lane told him to "get with her later." He was not able to obtain the tapes until five days later. Mr. Dudding said he took the tapes to the library, and when he viewed them, they had nothing on them but "snow." Mr. Dudding called the Security Camera Technician, Mr. Jeffrey Persaud, Cable Network Service, on April 16, 2004. Mr. Persaud said the cameras should be working, and if there was "snow" on the tape, someone recorded over or erased the tapes. The "snow" was not a sign that the recorders were inoperable.

Mr. Dudding said that Ms. Lane and Mr. Staunton had a motive to ensure the tapes were disabled. Mr. Dudding said the general consensus of the security staff was that R/S #15 would have eventually exited the roof voluntarily. However, Ms. Lane and Mr. Staunton ordered staff to "rush" R/S #15 while he was on the roof rather than involve clinical staff to talk him down. Mr. Dudding said Mr. Staunton told him he was justified in his actions because R/S #15 has a history of _____ and that R/S #15 was trying to eat a nail and set himself on fire.

Safety Control Log Records (Exhibit II), dated April 14, 15 and 16, 2004, indicated the videotapes were changed periodically, without incident. The logs did not reflect any malfunction of the equipment. The April 15, 2004 log (containing the incident with R/S #15) stated that at 1325 hours (1:25 p.m.), Mr. Staunton removed Tape #71, and replaced it with Tape #73.

⁷ Mr. Langevin could not be located for interview.

Mr. Staunton stated that he hoped the staff videotaped the incident involving R/S #15. He did not know there were two hand-held camcorders and two stationary cameras taping the incident. He said he had not viewed the tapes. He denied erasing the tapes and said that Ms. Lane had custody of the tapes. He denied having any knowledge regarding Ms. Lane or anyone else erasing the tapes. He recalled the incident regarding R/S #15 and said that he saw R/S #15 on the roof cursing at staff and threatening to set himself on fire.

Ms. Lane said she had oversight of the Safety Control Office and its operations. However, she stated she did not know how to operate the video equipment, and that she never handled them. Ms. Lane and Mr. Staunton said they were unaware that the fourth camera captured the event on film.

The fourth videotape, filmed by Mr. Langevin and obtained by investigators, was the only tape that documented the incident with R/S #15. That tape (Exhibit JJ) depicted R/S #15 as he walked on the roof, calmly sat down, watched staff, and smoked a cigarette. The tape appeared to capture only a portion of the incident, but at no time did R/S #15 appear to be in distress over eating a nail or setting his shirt on fire, as reported by Mr. Staunton and Ms. Lane. The tape showed R/S #15 when he stood up as the security staff approached him. Audible was his warning to Ms. Lane. He told her to tell the staff to back up or he would jump. The staff continued to advance toward R/S #15. He moved toward the edge of the roof, and the tape ended. A split second later, the tape began again and showed R/S #15 lying face down on the ground, as he moaned in pain. Mr. Staunton handcuffed R/S #15, as Ms. Lane and other staff looked on. R/S #15 was transported to the hospital.

FSM Donald Mosley stated that he trained Ms. Lane, before she was the FSD, on the operation of the video equipment. Ms. Lane also stated that only she and the FSMs had authority to remove security tapes from the Safety Control Office. As one of her functions as FSD, Ms. Lane was required to review security tapes of critical incidents for any actions required regarding staff performance. Ms. Lane said she "wasn't interested in seeing the tapes."

Former DCF employee Lynda Sommers is now the on site monitor for FCCC. She said she was in her office on the day of the incident but did not observe R/S #15 on the roof. She said she was aware of the allegations that Ms. Lane and Mr. Staunton conspired to develop a reason that justified the pursuit of R/S #15 on the roof. She said she collected the incident reports and sent them to Mr. Venz in Tallahassee. She did not have any direct knowledge of tampering with reports or erasing videotapes.

2. R/S #15 and TCC Javon Dukes Incident.

TA Debra Rodgers said she knew Ms. Lane "covered up" another incident involving R/S #15. She stated that about a month or six weeks (exact date unknown)⁸ prior to the April 15, 2004 incident, she witnessed an argument with TCC Javon Dukes and R/S #15. R/S #15 spit on Mr. Dukes, and Mr. Dukes punched R/S #15 in the face. Ms. Rodgers said she wrote an incident report, and submitted it to Ms. Lane. Ms. Rodgers said she

⁸ TCC Javon Dukes verified the date was February 27, 2004.

overheard Ms. Lane say to Mr. Dukes, "you got your ass in hot water. I can't keep covering for you. You better straighten up." (Note: On August 5, 2004, the investigator saw FSA Larry Avant guarding residents in the courtyard and asked him if he had overheard Ms. Lane and Mr. Dukes. Mr. Avant confirmed that he heard Ms. Lane's statement to Mr. Dukes.)

A search for Ms. Rodgers' incident report proved unsuccessful. However, TCC Javon Dukes verified that the incident occurred (Exhibit Z). However, Mr. Dukes stated he did not strike R/S #15.

3. R/S #9 Incident.

Complainant, Whistle Blower #2 (WB2) said that in June 2003, Ms. Lane destroyed evidence, including videotapes and incident reports. During that period of time, Ms. Lane was Interim Facility Safety Manager (FSM-I) and Michelle Allen was Acting FSD. According to TA Sylvia Russell (Ms. Lane's mother) Michelle Allen was one of her best friends from high school. Ms. Lane supervised the 3 p.m. - 11 p.m. shift, during the absence of FSM William Landers. R/S #9 climbed onto the roof of the mailroom. Ms. Lane had several opportunities to stop him before he went up to the roof, but failed to act. She allowed R/S #9 to walk freely up and down the compound grounds, threatening staff, before he climbed onto the roof.

When Mr. Landers returned to work the following day, he requested the security videotape of the incident, to evaluate staff's responses to the emergency situation. WB2 said Ms. Lane and Ms. Allen removed the tape from the Safety Control Room, and viewed the tape in a conference room in the Administration Building. WB2 said former employee, FSA Al Davis⁹, observed them as they viewed the tape. After Ms. Lane and Ms. Allen departed the facility, WB2 said she and Mr. Landers went to the Safety Control Room to view the tape. They discovered the tape was missing. FSA Dejuana Williams, who was assigned to the Safety Control Room, reported to them that Ms. Allen had taken the tape and had not returned it.

The next day, during an FSM meeting, Mr. Landers said he was accused by Dr. Robert Briody, former FCCC Executive Director, of discrediting Ms. Allen. When Mr. Landers objected to the allegations, Dr. Briody stated that he would fire him if he said another word. Mr. Landers was immediately reassigned to the midnight shift.

Ms. Lane stated in her interview with the OIG that she did not remember the R/S #9 incident. R/S #9's administrative file was reviewed and copied. No evidence of any incident report or disciplinary action was found.¹⁰

TCC Henrietta Marshall, who witnessed the event, verified that the R/S #9 incident occurred.

⁹ Mr. Davis could not be located for interview.

¹⁰ Quality Improvement Manager Jean Evans verified, by phone, on August 25, 2004, that no incident involving R/S #9 was recorded on the critical incident records.

TCC Johnnie Smalls verified that the R/S #9 incident occurred. Rather than instruct a security officer to restrain and retrieve R/S #9, Ms. Smalls said Ms. Lane ordered another resident, R/S #18 to perform that security function. Ms. Smalls said a videotape was made of the incident. She stated her supervisor, FSM Eloise Jones, and she were exiting the facility at the end of their shift, when Ms. Lane approached them, and placed the above-mentioned videotape in Ms. Jones' bag. Ms. Lane asked Ms. Jones to take the tape home "so no one would see it.

FSA Eloise Jones, who had been on extended sick leave during the investigation, was interviewed via telephone on September 10, 2004 (See Exhibit AA). She said that she was never given a videotape by Ms. Lane. She also stated she did not remember the incident of R/S #9 climbing up on the roof. She stated that she never received any document or tape from Ms. Lane, nor was she asked to take any items to her home to cover up for Ms. Lane. Ms. Jones said Ms. Lane was responsible for her demotion from FSM-1 to FSA, and that she would never consider helping Ms. Lane destroy evidence.

4. FSM Donald Mosley/FSM-I Shawn Smith Incident.

FSM Donald Mosley alleged that Ms. Lane failed to document an event that occurred on June 4, 2004. After Mr. Mosley reported the event to the corporate office on June 16, 2004, he said Ms. Lane then fabricated the documentation as evidence that she took action.

Mr. Mosley stated that on the evening of June 4, 2004, he was the shift supervisor. He and FSM-I Shawn Smith had an argument. Mr. Mosley assigned Mr. Smith to a post that he did not want to work. Mr. Smith informed Mr. Mosley that Ms. Lane told him he was not required to be assigned a fixed post. Mr. Smith abandoned his post, and then he and his live-in girlfriend, FSA Christie Cline, left the facility, reducing the staff level by two persons.

Mr. Mosley said he brought the matter to Ms. Lane's attention and she assured him that the situation would be resolved. He said Mr. Smith then called Ms. Lane, and she gave him permission to go on leave. He said Ms. Lane stated she did not document the incident with Mr. Smith and Ms. Cline. Mr. Mosley said Ms. Lane instead retaliated against him by changing his shift on June 6, 2004, from night to day.¹¹

Mr. Mosley issued a disciplinary action, citing Mr. Smith and Ms. Cline, for refusing a direct order and abandoning their posts. He submitted the letters to Ms. Lane, but no action was taken. Mr. Mosley said that since Ms. Lane failed to take disciplinary action, on June 16, 2004, he sent a complete package, documenting the incident, to Camille Tanner, Vice President, Human Resources, LBHC (Exhibit KK). On June 18, 2004, when Mr. Smith and Ms. Cline returned to work, Mr. Mosley said he heard that they had been disciplined.

¹¹ Mr. Mosley attended college during the daytime.

On June 18, 2004, Mr. Mosley reported to work, and stated he was barred from entering the facility. He was instructed to report to Mr. Murphy on Monday, June 21, 2004. He was terminated from his employment on June 21, 2004 for insubordination (Exhibit LL).

Shawn Smith verified that the incident occurred. He stated Ms. Lane fabricated evidence to cover up her mismanagement of the events on June 4, 2004. He said Ms. Lane gave permission for Ms. Cline and him to take "stress leave."¹² He said Mr. Murphy, the Human Resources Manager (HRM) approved the leave. On June 11, 2004, Mr. Smith said he called Ms. Lane to tell her that he planned to return to work on June 18, 2004. When he called, there was no disciplinary action mentioned by Ms. Lane.

When he returned to work on June 18, 2004, Mr. Smith was issued a disciplinary letter by Ms. Lane and Mr. Murphy for insubordination and abandoning a post (Exhibit MM). Mr. Smith said he was angry that Ms. Lane had given him permission to leave the facility, and then disciplined him two weeks after the incident.

Ms. Lane stated that Mr. Smith had refused to work the post he was assigned by Mr. Mosley. She stated that she talked to Mr. Smith and gave him permission to leave the facility. She admitted that she did not document the incident at the time.

5. Henrietta Marshall Incident.

In September 2003, Ms. Lane destroyed a complaint written by TCC Henrietta Marshall. Ms. Lane instructed Ms. Marshall to secure all the residents in A-Dorm. Ms. Lane then called all TCCs to report to F-Dorm to handle an incident. Ms. Marshall obeyed the order, but was then unable to secure residents in A-Dorm. Ms. Lane yelled and screamed at her. Ms. Marshall said Ms. Lane's behavior was demeaning and condescending in front of other employees. Ms. Lane also publicly threatened to fire her.

Ms. Marshall delivered the written complaint about Ms. Lane's unprofessional behavior to her supervisor, FSM Eloise Jones. Ms. Marshall stated other employees, including TA Delondria Cosey¹³ and TA Morrison, witnessed the incident and verified that she wrote the complaint. Ms. Marshall said she was in Ms. Lane's office, and saw a copy of her complaint in the garbage can. Ms. Marshall reported the events to Human Resources Manager (HRM) Thomas Murphy. He referred her back to Ms. Lane. Mr. Murphy refused to act on the allegations in the complaint or to address the destruction of Ms. Marshall's complaint.

Ms. Marshall reported that on the following day, September 4, 2003, she received a written disciplinary action (Exhibit NN), signed by Ms. Lane and Mr. Murphy. She was disciplined for gossiping.

¹² Unpaid personal time off (PTO). Must be approved by the supervisor.

¹³ TA Cosey verified, by phone, that she was present when the incident occurred, and that Ms. Marshall wrote a complaint against Ms. Lane.

6. TCC William Landers Incident.

Mr. Landers stated that in November 2003, Ms. Lane falsely represented that he was a threat to the facility security. She also fabricated a disciplinary action, which was overturned by the corporate office. Mr. Landers said that he was the shift supervisor and was ordered by Ms. Lane to change his staffing patterns to accommodate the needs of FSA Twanda Cooper, a personal friend of Ms. Lane. He refused to comply with the request. He asked for a voluntary demotion and his request was immediately granted by Ms. Lane. He also asked for personal time off on that shift, which was granted. After he departed the facility, a memorandum from Ms. Lane was placed at the Gate Control Station,¹⁴ denying Mr. Landers access into the facility. Ms. Lane informed him he "was a threat to the security of the facility." Mr. Landers said Ms. Lane was unable to identify the nature of the threat. On the following Monday, in a meeting between Dr. Briody, Mr. Vaughn, Ms. Lane and himself, Mr. Landers was accused of being hostile, argumentative and insubordinate toward Ms. Lane. He said Ms. Lane alleged that he had torn off his shirt and threw it at her. He was suspended pending the return of HRM Tom Murphy.

Mr. Landers said he contacted Sue Nayla, Vice President of Operations, Liberty Behavioral Health Corp. in Pennsylvania, and explained the situation to her. He was assured the problem would be resolved. After 13 days, Mr. Landers was allowed to return to work. He was offered a newly created position. He was asked to supervise the computer lab and the library as a TCC. By offering him a promotion, he felt that his complaint to the corporate office was considered by his superiors to be justified.

In March 2004, Mr. Landers viewed his personnel file, and discovered a letter of discipline for insubordination during the November 2003 incident. The letter was not initialed or signed by his supervisor, Tiffany Lane; HRM Thomas Murphy signed it. He was never notified of the letter or given a corrective action plan.

On August 2, 2004, FCCC Executive Director Rick Harry issued a reprimand letter to Ms. Lane (Exhibit TT). She was cited for (1) enforcing unapproved practices that were not part of the FCCC policy and procedure manual, (2) disparate treatment of residents when enforcing rules, and (3) inconsistencies in staff conduct during critical incidents. Examples referenced were incidents where a resident jumped from the roof,¹⁵ a resident-on-resident fight that resulted in a serious stabbing injury,¹⁶ and a resident,¹⁷ while he was in physical restraints, evading staff and damaging property. The memorandum stated that should any further incidents occur in which staff did not follow established policy and procedure, Ms. Lane would "no longer occupy the position of Facility Safety Director."

On August 10, 2004, Ms. Lane's employment was terminated via return receipt letter (Exhibit UU). The action was taken by Mr. Harry as a direct result of Ms. Lane's decision and actions on August 3, 2004, wherein the safety and welfare of the FCCC staff and residents was placed in serious jeopardy. Due to Ms. Lane's actions in attempting to

¹⁴ The entrance into FCCC.

¹⁵ (R/S #15,)

¹⁶ (R/S #10)

¹⁷ (R/S #27,)

move several residents from one housing unit to another, without sufficient resources to accomplish the move, "a hostile and rebellious environment was created which took over 20 hours to diffuse."

Allegation 2:

Florida Civil Commitment Center Facility Safety Manager James Staunton falsified, altered, destroyed and/or fabricated documents contained in FCCC internal investigations, incidents or events.

Findings:

The information obtained *supports* the allegation. Mr. Staunton admitted that, on April 15, 2004, he changed three internal incident reports (Exhibits OO, PP and QQ) by altering their original form. He admitted that he changed the times of the incident to coincide with the times that were on the official emergency log in the Safety Control Office (Exhibit RR). He admitted that he did not have the permission of the report writers, Therapeutic Assistant (TA) Joseph Santos and TA Sylvia Russell, to alter their work. Mr. Staunton did not write his initials next to the changes that he made in their reports. He denied changing the contents of the reports.

AD Robert Vaughn inspected the incident report for the Incident, signed by Mr. Staunton (Exhibit VV). Mr. Vaughn stated it appeared to have been completed by two different people since part of the narrative was in handwriting that slanted to the right and another part was in a style that slanted to the left.

FCCC Investigator Kenneth Dudding said that Mr. Staunton admitted that he changed the reports "because he could." Mr. Dudding stated that according to policy (Exhibit SS), residents placed on 1:1 status are to be continuously observed with no more than five feet of distance between the staff member and the resident. Mr. Dudding said Mr. Staunton had been informed by TA Debra Rodgers that R/S #15 was on 1:1 status, but that Mr. Staunton allowed him unrestricted movement for 33 minutes before he notified staff that R/S #15 was on the roof.

Mr. Staunton also admitted that he had instructed staff to change or re-write other incident reports. However, he stated his reasoning was not to falsify information, but because they did not write complete and accurate reports of the incidents about which they reported. He could not provide specific incidents to verify his admission.

Mr. Staunton said he was aware that from 28 to 33 minutes elapsed, between the time he was notified by TA Debra Rodgers, that R/S #15 was placed on 1:1 restrictive status and the time R/S #15 was allowed by staff to climb up on the roof. He said he was aware that 1:1 status meant that the resident was a danger to himself and must be constantly monitored. Mr. Staunton admitted that when he relayed a message, by radio, to TA Joseph Santos, to keep R/S #15 on the dorm, that he did not mention the 1:1 status.

Mr. Staunton informed the FCCC Investigator, Kenneth Dudding, that the reason he sent security staff up on the roof to physically restrain R/S #15, was that R/S #15 swallowed a nail and tried to set his shirt on fire. *(Note: No other staff member verified this allegation.)* Mr. Staunton said he saw R/S #15 flick his lighter, as though to light his shirt on fire. *(Note: The fourth videotape showed R/S #15 lighting a cigarette.)* Mr. Staunton said R/S #15 was agitated and was cursing. On the portion of the videotape that was not tampered with, R/S #15 walked steadily across the roof, and did not appear to be agitated or upset. When Mr. Staunton was told there was a fourth videotape that was not erased, he said he thought that was "interesting."

Mr. Staunton said he felt he had to act to use physical force to restrain R/S #15, because the clinical staff did not engage him enough to extract him from the roof.

Allegation 3:

Therapeutic Community Coordinator (TCC) Octavio Baez introduced an illegal substance, marijuana, into the Florida Civil Commitment Center with intent to distribute.

Findings:

The WB1 said that residents alleged that TCC Octavio Baez brought marijuana into the facility. This allegation was referred to the Florida Department of Law Enforcement (FDLE) on June 15, 2004, pursuant to s. 112.3189 (11), Florida Statutes. The subject, Octavio Baez, was not interviewed. His employment with FCCC was terminated on August 9, 2004.

Risk Assessment:

Interviews with staff and residents indicated that problems exist that may effect the safety and security of residents. TA Rodgers (Exhibit I) stated that the majority of staff were black and that there were racial problems among the staff. Ms. Rodgers said Ms. Lane showed favoritism toward the black employees, many of which are her friends or relatives. Ms. Rodgers stated that training was poor. There was no training for log entries, no log in the medical department and staff was not trained in Certified Pulmonary Resuscitation (CPR). Residents confirmed that racial tensions exist between staff, and told of incidents of residents stabbing or beating each other. Residents reported weapons, drugs and alcohol on the compound and some alleged that staff was engaging in sexual improprieties with residents (Exhibits Q, R and S). As these allegations did not directly relate to this investigation, FCCC Executive Director Rick Harry (or designee), was apprised of the allegations, including contraband being introduced into the facility.

Mr. Harry said that he has established a Crisis Management Committee to review and address the procedural errors and mistakes made by the FCCC staff in the incident involving R/S #15. He said the result was that it was learned that three departments, Security, Clinical and Medical were too compartmentalized. As a result, he said his goal is to create a Team Concept to ensure that all three departments work together, particularly during crisis situations.

Since this investigation was commenced on May 24, 2004, Mr. Harry has addressed critical issues presented to him, and has taken the following steps:

- Mr. Baez was searched on May 23, 2004, but no illegal contraband was found on his person.
- LBHC procured the temporary services of a nationally known security consultant, Manuel Romero, for safety and security assessment.
- The FSD position was filled with an applicant with a background in corrections. His employment is expected to begin on September 27, 2004. This applicant is from out-of-state, and has no ties to the Arcadia community.
- A Resident Council was established, consisting of representatives from each housing unit. Mr. Harry and Mr. Vaughn met periodically with the council to discuss resident issues.
- Twenty-six FCCC policies and procedures were reviewed and revised. More revisions were expected upon approval from DCF.
- Four Lead Therapeutic Community Coordinator positions were created to assist with staff issues of accountability and supervision.
- The efficiency and effectiveness of mid-level Facility Safety Managers are being reviewed and evaluated.
- Employment was terminated on two subjects, Tiffany Lane and Octavio Baez.

Inspector General's Comments:

Allegation #1 concerning Facility Safety Director Tiffany Lane's failing to document and/or destroying document(s) is *supported*.

Allegation # 2 concerning Facility Safety Manager James Staunton altering incident reports was also *supported*.

Allegation #3 concerning the introduction of drugs into the facility was referred to the Florida Department of Law Enforcement for investigation on June 15, 2004.

It is recommended the Deputy Secretary for Substance Abuse & Mental Health consider the following recommendations:

1. Inspect interior fencing for roof access points. Consider installing security sections to block residents' access to the roof.
2. Review and revise FCCC hiring, firing and promotional practices.
3. Ensure FCCC's adherence to CFOP 215-6, Incident Reporting and Client Risk Prevention, to ensure staff complete timely and accurate incident reports via electronic incident reporting system.
4. Ensure FCCC understands their contractual obligation to have all employees fully cooperate with an OIG investigation.

5. Address and investigate additional issues of safety and security.
6. Consider conducting background checks on employees with direct resident contact to ensure they do not have criminal backgrounds.
7. Explore ways to eliminate paper money being dispensed to residents.
8. Address the allegations that residents made concerning sexual relationships between residents and staff. Enforce current FCCC policies to ensure this practice does not occur.
9. Evaluate the appropriateness of the actions of HRM Thomas Murphy who allegedly ignored Ms. Marshall's complaint about FSD Tiffany Lane.
10. Review the termination of Mr. Mosley and determine whether the personnel action taken was appropriate.
11. Review this report in its entirety and take appropriate corrective actions.

Note: Additional concerns were raised outside the scope of this whistle-blower investigation. Those concerns will be addressed in a separate investigation.

This investigation has been conducted in accordance with the ASSOCIATION OF INSPECTORS GENERAL Principles & Quality Standards for investigations.

GOVERNING DIRECTIVES

GOVERNING DIRECTIVES
Case Number: 2004-0043-WB

Allegations 1 and 2

1. Chapter 839, Florida Statutes (F.S.), contained the following quoted information in pertinent parts:

839.13 Falsifying Records

- (1) If any ...agent of, or contractor with a public agency, or any person whatsoever, shall fraudulently alter, deface or falsify any minutes, documents, books, or any proceedings whatever of or belonging to any public office within this state; or if any person shall cause or procure any of the offenses aforesaid to be committed, or be in anywise concerned therein, the person so offending shall be guilty of a misdemeanor of the first degree, punishable as provided in s.775.082 or s.775.083.
- (2) (a) Any person who knowingly falsifies by altering, destroying, defacing, overwriting, removing, or discarding an official record relating to an individual in the care and custody of a state agency, which act has the potential to detrimentally affect the health, safety, or welfare of that individual, commits a felony of the third degree, punishable as provided in s.775.082, s. 775.083, or s.775.084. For the purposes of this paragraph, the term "care and custody" includes, but is not limited to, ...protective supervision of a vulnerable adult, as defined in Chapter 39, Chapter 409 or Chapter 415.
2. Florida Civil Commitment Center (FCCC) Policy #B-10, contained the following quoted information in pertinent parts:

#B-10 The employees of the FCCC abide by a code of ethical conduct. This code of conduct is intended to guide employee's behavior and interactions with all co-workers and residents.

Code of Conduct

FCCC Employees are prohibited from:

- Disseminating misleading or false information, or misrepresenting facts.

Exhibit: A

Allegation 3

1. Chapter 893, Florida Statutes (F.S.), contained the following quoted information in pertinent parts:

893.13 Prohibited Acts

(1)(a) Except as authorized by this chapter and chapter 499, it is unlawful for any person to sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance. Any Person who violates this provision commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. FCCC Policy #B-10, contained the following quoted information in pertinent parts:

#B-10 The employees of the FCCC abide by a code of ethical conduct. This code of conduct is intended to guide employee's behavior and interactions with all co-workers and residents.

Code of Conduct

FCCC Employees are prohibited from:

- Bringing into the facility any item that is considered contraband
 - Purchasing or exchanging money with residents for goods or services
-

WITNESS INTERVIEWS

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: Whistle Blower #1 (WB1)

First	MI	Last
--------------	-----------	-------------

Title or Relationship: _____

Date: (Not Shown) **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, WB1 verified all the information contained in the written complaint, and added the following statements:

Allegations 1 and 2:

FSD Tiffany Lane and FSM James Staunton tried to cover up their actions in the (R/S #15) Incident. WB1 alleges that they falsified, altered, destroyed and/or fabricated evidence. The WB1 said they directed employees to change the content of their incident reports, and when the staff wrote reports that Ms. Lane and Mr. Staunton did not approve of, the reports were altered to reflect what they approved.

WB1 alleged that security tapes documenting the R/S Incident were erased or destroyed. Ms. Lane claimed the cameras "were not working." WB1 said that Ms. Lane destroyed and erased tapes in other incidents.

Per the WB1, Ms. Lane conspired with Mr. Staunton to help him cover up the errors that were made. WB1 said Ms. Lane also covered up the inaction of her mother, TA Sylvia Russell. Ms. Russell was on duty at the gate where R/S #15 gained access to the roof. The WB1 states that Ms. Russell simply watched and did nothing to keep R/S #15 from climbing on the roof. She stated, "I'm a woman, I can't do anything." WB1 stated that Ms. Lane, who indirectly supervises her mother, did not discipline or reprimand her.

WB1 said that Ms. Lane conspired with other staff in falsifying information and reports that reflected the inaction and poor management of the decisions made that reflected the safety and security of the facility. As a result of the cover ups by Ms. Lane, residents and staff have been injured.

Allegation 3:

Per the WB1, marijuana was brought into the facility by TCC Octavio Baez. Mr. Baez brought it into FCCC in his lunch, and gave it to R/S (R/S #6) and R/S (R/S #14). They distributed it to the other residents, and collected cash or IOU's in payment. The residents were permitted to have loose tobacco and rolling papers; they mixed the marijuana with

Exhibit: B

tobacco. WB1 smelled the marijuana at night when walking on the yard near the residents' dorms.

Mr. Baez was scheduled by management to be searched on Sunday, May 23, 2004. WB1 said on Friday, May 21, 2004, the WB1 saw Ms. Lane talking to Mr. Baez behind the library for over 20 minutes. The WB1 said the location, behind the library, is an out-of-the-way place to speak to a staff member. On May 23, 2004, when Mr. Baez was searched, no contraband was found on his person. WB1 believed that Ms. Lane warned Mr. Baez of the impending search.

Additional Information:

WB1 stated there were several employees at FCCC who had felony arrests and convictions, and some that were on active probation. The WB1 named TCC Octavio Baez, FSM LaWanda Dennis, FSMI Shawn Smith, TA Mary Whitlock, Recreational Specialist Wayne Bythwood¹, TA Robbie Mosley, FSM Don Mosley, TCC Willie Dean Roe, FSM James Staunton, TA Nika Bush, and TA Fred Fields. The WB1 stated a criminal background history was not conducted on employees.

On June 18, 2004, WB1 reported, by telephone, that R/S (R/S #16) admitted that he had a sexual relationship with employee Nika Bush. He gave the WB1 the home address of Ms. Bush. WB1 said R/S #16 talked with Ms. Bush on both her home and cell phones on numerous occasions. R/S #16 said that Ms. Bush gave him a cell phone to call her at home.

On June 27, 2004, WB1 reported by telephone, that at approximately 1:00 p.m., R/S (R/S #10) had been stabbed approximately 15 times by R/S (R/S #11). FSM Michelle Allen and her staff contaminated the crime scene by cleaning up the blood and other evidence, to cover up their handling of the incident. Ms. Allen directed the suspect, R/S #11, to "get a mop and clean up the blood in your room." WB1 said there were no photos taken and Ms. Allen, who was in charge, did not call law enforcement to report the crime. However, Nurse Gordon was reported to have called the DeSoto County Sheriff to report the crime.

¹ Referred to by residents and staff as Coach Bythwood.

Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB

Person Interviewed: Whistle Blower #2 (WB2)

First	MI	Last
--------------	-----------	-------------

Title or Relationship: _____

Date: Not Shown **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

On June 16, 2004, a second Whistle Blower Complainant was added to this case. Upon being sworn, WB2 verified the information contained in the WB2 written complaint, and added the following statements:

Allegation 1:

FSD Tiffany Lane destroyed evidence in an incident involving R/S _____ (R/S #9)(Exhibit L). She shredded incident reports that were turned in to her by former FSM Raymond Billiter.

WB2 said the **first incident** involving Ms. Lane occurred in June 2003. During that time, Ms. Lane was FSM-I, and Michelle Allen was Acting FSD. Ms. Lane was supervising the 3 p.m. – 11 p.m. shift, during the absence of FSM William Landers. R/S #9 climbed onto the roof of the mailroom. Ms. Lane had several opportunities to stop him before he climbed onto the roof, but failed to act. She allowed R/S #9 to walk freely up and down the compound, threatening staff, before he climbed up on the roof.

Per the WB2, when Mr. Landers returned to work the following day, he requested the security videotape of the incident, in order to evaluate staff's responses to the emergency situation. Upon Mr. Landers' request, WB2 said Ms. Lane and Ms. Allen removed the tape from the Safety Control Room, and viewed the tape in a conference room in the Administration Building. Former employee, FSA Al Davis, observed them viewing the tape. After Ms. Lane and Ms. Allen departed the facility, Mr. Landers went to the Safety Control Room to view the tape. He discovered that the tape was missing. FSA Dejuana Williams, who was assigned to work in the Safety Control Room, reported to Mr. Landers that Ms. Allen had taken the tape and had not returned it.

Per the WB2, the following day, Mr. Landers asked Ms. Allen for the tape. She stated that she returned the tape to the Safety Control Room. Mr. Landers advised her that the Safety Control Room had been searched the night before, and the tape could not be found. Ms. Allen stated, "Don't worry, it will turn up." The tape was later discovered in the Safety Control Room in the top right hand desk drawer. Mr. Landers viewed the tape, but said it had been recorded over and was blank.

Exhibit: C

Per the WB2, the next day, during a FSM meeting, Mr. Landers was accused by Dr. Robert Briody, former FCCC Executive Director, of trying to discredit Ms. Allen. When Mr. Landers objected to the allegations, Dr. Briody stated that he would fire him if he said another word. Mr. Landers was immediately reassigned to the midnight shift. Approximately one year later, Mr. Landers was reprimanded for not officially reporting the missing tape and his concerns of unethical behavior on the part of Ms. Allen and Ms. Lane.

WB2 stated that the reason Dr. Briody "covered" for Ms. Allen, was that Ms. Allen and Ms. Lane were best friends, and Dr. Briody and Ms. Lane were "sleeping together." WB2 stated that Ms. Lane's husband, Fred Lane, called FCCC, and reported to FSA Jose Ventura that he saw Dr. Briody and Ms. Lane in a hotel room. WB2 stated "that's why she got her job" at FCCC in July 2003. She went from Acting FSM to FSD. She also stated Ms. Lane was not qualified for the position. Dr. Briody changed the job description criteria, which required a college degree, to requiring a high school diploma. WB2 said the new criteria was a joke for a Chief of Security, with responsibility over 400 violent sexual offenders, to have a high school diploma and no prior management experience.

WB2 stated that Investigator Kenneth Dudding informed the current Executive Director, Rick Harry, of Ms. Lane's history. However, WB2 said that Mr. Harry never looked into Ms. Lane's background to verify that she was not qualified to hold the responsible position of Facility Safety Director. WB2 said Ms. Lane stated on her employment application that she was a high school graduate of DeSoto County High School, when she actually had a GED certificate.

The **second incident** involving Ms. Lane occurred when she shredded an incident report in front of WB2 and former employee, FSM Raymond Billiter¹. WB2 said Mr. Billiter attempted to submit reports of staff misconduct, such as miscounts² and excessive tardiness. WB2 reported that Ms. Lane shredded the reports, especially when the reports were written about staff who were her friends and relatives.

WB2 said it was common for Ms. Lane to say she did not want to be bothered with any issue that concerned her friends.

Allegation 3

WB2 stated that information, which would stop the flow of illegal drugs onto the compound, had been ignored by the administration, even when they were supplied with specific times, dates and names of staff who bring drugs into the facility. She said the facility is, at present, a "powder keg," waiting to "blow up."

Additional Information

According to the WB2, Ms. Lane misused her position in the hiring, promoting and disparate treatment of staff in favor of her relatives and friends. WB2 listed the names of Ms. Lane's relatives and friends below:

¹ Mr. Billiter could not be located for interview.

² Miscount – improper counting of residents that might indicate an escape from the facility. Miscounts are critical in a locked facility.

Sylvia Russell, TA	Ms. Lane's mother
Pamela Ruth, TCC	Ms. Lane's sister
Lawanda Dennis, FSM	Ms. Lane's first cousin
Fred Fields, TA	Ms. Lane's cousin
Michelle Allen, FSM	Ms. Lane's high school friend
Twanda Cooper, FSA	Ms. Lane's high school friend
Monica Wilson, FSA	Ms. Lane's friend
Kim Washington, TA	Related to Ms. Lane by marriage

WB2 said that special assignments were given to Ms. Lane's friends and relatives. WB2 said special assignments were those projects that did not require working a regular post for the entire shift. WB2 said working a full shift on one post was grueling, interacting with the mentally ill and violent resident population. Ms. Lane's "special assignments" freed her friends from working those stressful posts.

WB2 said that Ms. Lane and Human Resources Manager (HRM) Tom Murphy "ran the place." She said Mr. Murphy conducted special investigations on staff who dared question Ms. Lane. WB2 stated that anyone who opposed Ms. Lane and Mr. Murphy were retaliated against. They were either fired, demoted, disciplined or moved to demeaning positions. WB2 said the company hired staff who were felons, who were on criminal probation, or were former employees who were fired or allowed to resign for cause from DOC. WB2 said Mr. Murphy was aware of their criminal histories. WB2 said even the residents knew which staff were criminals.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: Rick Harry
First MI Last

Title or Relationship: Executive Director, FCCC

Date: May 26, 2004, and August 2, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Mr. Rick Harry has been in his present position since January 5, 2004. He retired from the State of Minnesota as Director of the Sex Offender Program.

Allegation 1

Upon being sworn, Rick Harry stated he had been employed by Liberty Behavioral Health Corp. Mr. Harry said until the OIG investigation began on May 26, 2004, he had no prior knowledge of FSD Tiffany Lane altering, falsifying or fabricating evidence or documents in any internal investigations. Since then, several volatile incidents had occurred inside the facility, involving the security staff, which Ms. Lane directed. He was aware that Ms. Lane's mother, TA Sylvia Russell, and sister, TCC Pamela Ruth, were indirectly supervised by her. He stated it was not an ideal arrangement.

On August 2, 2004, in a memorandum provided by Mr. Harry, Ms. Lane was reprimanded for (1) enforcing unapproved practices, that were not part of the FCCC policy and procedure manual, (2) disparate treatment of residents when enforcing rules, and (3) inconsistencies in staff conduct during critical incidents. Cited by Mr. Harry were incidents where a resident jumped from the roof, a resident on resident fight that resulted in a serious stabbing injury, and a resident, while he was in physical restraints, evading staff and damaging property. The memorandum stated that should any further incidents occur in which staff did not follow established policy and procedure, Ms. Lane would "no longer occupy the position of Facility Safety Director."

On August 10, 2004, Ms. Lane's employment was terminated. This action was taken by Mr. Harry as a direct result of Ms. Lane's decision and actions on August 3, 2004, wherein the safety and welfare of the FCCC staff and residents was placed in serious jeopardy. Due to Ms. Lane's actions in attempting to move several residents from one housing unit to another, without sufficient resources to accomplish the move, "a hostile and rebellious environment was created which took over 20 hours to diffuse."

Allegation 2

Exhibit: D

Mr. Harry said he had no knowledge of FSM James Staunton altering, falsifying or fabricating evidence or documents in internal investigations, until the results of an internal investigation, the R/S Incident, revealed Mr. Staunton may have altered incident reports. Mr. Harry learned of the allegation from the FCCC Investigator, Kenneth Dudding.

Allegation 3:

Mr. Harry said he heard rumors of TCC Octavio Baez bringing marijuana into the facility. He requested that Mr. Baez be searched. On May 23, 2004, Mr. Baez was searched, but no illegal contraband was found on his person.

Additional Information

Mr. Harry stated that he "had much work to do" at FCCC. He was in the process of reviewing facility policies and procedures (FOP's). He provided a copy of the current FOP manual. As of July 26, 2004, he had reviewed and revised 21 policies, and added five new policies. Those 26 FOP's must be approved by DCF in Tallahassee. They will then be incorporated into the FOP Manual, distributed to the department heads, who trained staff to implement the policies.

After the Incident, Mr. Harry established a Crisis Management Committee. The committee revised Policy G-25, Critical Incident Response and Debriefing. Policy G-25 addressed procedural errors and other mistakes made by the FCCC staff. Mr. Harry assessed the Incident as a "lack of organization," citing miscommunication among security and clinical staff, as well as an absence of a clear chain of command. He was unhappy with the actions that were taken that day, that resulted in serious injury to a resident.

Mr. Harry said his goal was to instill a Team Concept among the three departments -- Security, Clinical and Medical. He stated at present the staff were too compartmentalized. Mr. Harry said the facility culture in the required change to reflect the nature of the facility. He said that the facility was not a prison, but a secure therapeutic facility.

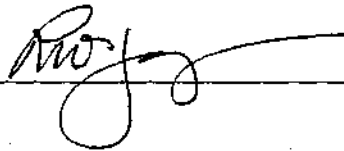
Mr. Harry provided a written sworn statement (Exhibit D-1).



Office of Inspector General
Investigations


VOLUNTARY STATEMENT

I, RICK HARRY, swear or affirm that on this 26th day of MAY, 2004, in DESDO County, State of Florida, the attached statement consisting of page (s), each initialed by me, is given freely and voluntarily. No promises, threats, or inducements of any nature, whatsoever, have been made to me in order to obtain my consent to this statement, which is true and accurate to the best of my knowledge. I understand that any statement given is subject to public disclosure pursuant to the Florida Statutes.

Signed: 

STATE OF FLORIDA,
COUNTY OF Desoto

Subscribed and sworn to (or affirmed) before me this 26th day of May, 2004


Terri E. Balzer
(Name of Notary, Typed, Printed or Stamped)

- Identification by Florida Driver's License
- Identification by personal knowledge
- Other Identification (Specify Type)

On May 26 2004 I was interviewed by two investigators from the regional office of the Inspector General of the Florida Department of Children and Families with regard to a whistle-blower investigation emanating from the Gainesville office. The investigation involved three allegations: first - I was

CF1714, April 9, 2003 (Previous editions are obsolete)

Initials: Date:

EXHIBIT: D-1

alleged that Facility Safety Director, Tiffany Jane either altered, destroyed or fabricated evidence in the investigation. secondly, that Facility Safety Manager, James Stanton either altered, destroyed or fabricated evidence in the investigation. finally, that Octavio Baez (Therapeutic Community Coordinator) was introduced contraband in the form of marijuana into the facility. On the course of the interview we discussed the whistleblower statute, my professional background prior to assuming my current position of FACA Executive Director on 1-5-04, my impressions of the facility's organization and operations, some details of the incident resulting in his injury, my knowledge and perceptions to date of staff related activities; organizational changes I have initiated with regard to the position of facility investigator; documents requested by the investigators as well as access to portions of the facility and staff resident interviews, and the general format of their investigation coupled with the expectation of confidentiality.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: Robert J. Vaughn
First MI Last

Title or Relationship: Associate Director – Administration (AD), FCCC

Date: June 16, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, Robert Vaughn stated that he worked in his present position since February 2000. He had a master's degree in social work (MSW), and had worked in Indiana and Florida in the social services and mental health areas.

Allegation 1

Mr. Vaughn said he had no direct factual information regarding the allegation against FSD Tiffany Lane. He said she was "above board" and had never given him any reason to be suspect of her activities. He indicated that Ms. Lane reported directly to the Executive Director, Rick Harry.

Allegation 2

Mr. Vaughn said he had no factual information of FSM Staunton falsifying, altering or fabricating evidence in internal investigations. Mr. Vaughn was shown an incident report (I/R) dated April 15, 2004, written by Mr. Staunton. There were two markedly different handwriting styles within the report. One style slanted to the left, and one slanted to the right. Mr. Vaughn said it appeared to be written by two people, and thought it was an odd style if Mr. Staunton wrote it. Mr. Vaughn had worked with Mr. Staunton for four years and had experienced no problems during that time. Mr. Vaughn was advised that Mr. Staunton admitted that he changed the times on the reports of the Incident.

Mr. Vaughn admitted there were procedural issues in the security and clinical areas that could be improved. He said better coordination was needed between the two areas.

Allegation 3

Mr. Vaughn said he believed the allegation was true that TCC Baez brought marijuana into the facility. However, he did not have any factual knowledge. He stated that Mr. Baez was searched on one occasion. Ms. Lane organized the search, but no contraband was found.

Mr. Vaughn advised the OIG that on August 9, 2004, Mr. Baez' employment was terminated from the company. He was fired for fraternizing with residents.

Exhibit: E

Additional Information

Mr. Vaughn was asked why HRM Murphy conducted several internal investigations when FCCC had an internal investigator, Kenneth Dudding. He said Mr. Dudding was "not very competent." Mr. Vaughn said, for the first time in his career, he did not talk to Mr. Dudding without another staff member in the room. He said Mr. Dudding seemed to have a personal agenda in conducting investigations. He said Mr. Dudding's reports had to be corrected, and his reports are opinionated and incomplete. Mr. Vaughn produced a file, entitled "Ken Dudding." The file contained three memorandums to Mr. Dudding, dated April 21, April 23 and May 3, 2004, regarding his job performance. There was also a copy of Mr. Dudding's investigative report on the Incident, which was edited and corrected by Mr. Vaughn.

Mr. Vaughn also stated that Mr. Dudding was being questioned about a breach of confidentiality, because he told "everyone" about an investigation he was conducting. The investigation involved money changing.¹ The investigation failed when the target of the investigation, a resident, became suspicious of Mr. Dudding's involvement. Mr. Vaughn said the money changing investigation might have succeeded, had it not been common knowledge around the facility.

Mr. Vaughn said he was aware that some staff had felony criminal histories. However, the decision was not his to retain or terminate their employment. He said those determinations were made in the Liberty Behavioral Health Corporate Headquarters in Pennsylvania. He stated the Physical Plant Manager, Russ Perkins, had an assault charge, and he knew TA Nika Bush was on probation.

Mr. Vaughn reported that TA Nika Bush was on paid administrative leave for inappropriate contact with a resident. She was alleged to have engaged in sexual intercourse with R/S (R/S #16). On August 24, 2004, her employment was terminated.

Mr. Vaughn was asked about the circumstances surrounding the recent death of R/S

He stated the cause of death was unknown. Follow up of the cause of death revealed
died of specifically "₂

¹ It was reported that residents cannot use a hundred-dollar bill inside the facility. It is broken down into smaller denominations.

² Information provided by Medical Services Director Leon Vickers, FCCC, on July 28, 2004.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: Jennifer R. Haymes
First MI Last

Title or Relationship: General Counsel, FCCC

Date: June 9, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, Jennifer Haymes stated she had been employed by Liberty Behavioral Health Corporation as the General Counsel for the FCCC, from January 2003 until the present. Her office was located at the facility in Arcadia, Florida.

Allegations 1 and 2

Ms. Haymes stated she had no personal knowledge of Ms. Lane or Mr. Staunton altering or falsifying records.

Allegation 3

Ms. Haymes had no personal knowledge of any staff bringing drugs or other contraband into the facility. She said that some residents tested for drug use, but could not identify specific residents.

Additional Information

Ms. Haymes stated she received a telephone call on April 15, 2004, at approximately 10:30 a.m., from Assistant Public Defender Gary Welch. She said he reported that he had received a letter from R/S (R/S #15), that threatened female staff at FCCC. No names were given in the letter, but it referred to "killing everyone, and burning their flesh." Ms. Haymes said she immediately called FSD Tiffany Lane, who was not in her office. She then called Dr. Robert Bellino, the FCCC psychiatrist, and informed him of the threat by R/S

Exhibit: F

Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB

Person Interviewed: Lynda K. Sommers
First MI Last

Title or Relationship: DCF Contract Monitor

Date: May 26, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, Lynda Sommers stated she had worked for DCF for 30 years. She was under contract with DCF as the on-site Contract Monitor for the Florida Civil Commitment Center in Arcadia, Florida.

Allegation 1

Lynda Sommers said she was aware of the allegation that someone changed the dates and times of the Incident reports, and that FSD Lane "conspired to develop a reason" that justified the pursuit, by safety staff, of R/S #15 onto the roof. Ms. Sommers was in her office at FCCC on April 15, 2004, and did not observe the incident. She was told by the Maintenance Manager, Russell Perkins, that R/S #15 jumped off the roof. She requested copies of the staff's incident reports (I/R's) from Ms. Lane. She said she collected the reports and forwarded them to Greg Venz, her supervisor at DCF in Tallahassee.

Allegation 2

Ms. Sommers was aware that FSM James Staunton was the day shift supervisor, but did not personally know him. She had no information about the allegation against Mr. Staunton that he falsified or altered documents.

Allegation 3

Ms. Sommers said that she knew a maintenance man found a bag of marijuana in one of the housing units in the facility in December 2003. She had no other knowledge about marijuana being brought into the facility. She stated that residents were permitted to buy tobacco products from the canteen in boxed form. She said the residents cannot have pipes, cigars or loose tobacco. She was unaware that FCCC management permitted the residents to have loose tobacco and rolling papers, which they openly displayed on the grounds of the facility

Additional Information

Ms. Sommers stated that she conducted a weekly facility inspection with Ms. Lane. Any deficiencies or improvements were reported to Mr. Harry. Ms. Sommers said Ms. Lane was promoted to FSD last year by the previous Executive Director, Dr. Robert Briody. She stated that since Rick Harry assumed leadership at FCCC, the atmosphere was better and the facility appeared to operate on a more therapeutic basis. Ms. Sommers said during Dr. Briody's tenure,

Exhibit: G

the staff were afraid to talk to her, but there were "no problems" under Mr. Harry's leadership. She said she had a good rapport with the residents.

She said DCF leases the FCCC property from Florida Department of Corrections (DOC). She stated the State Fire Marshall inspected the facility on May 3, 2004 and found fire code violations. He conducted a re-inspection on July 19, 2004. Additional deficiencies were found, and the original violations had not been corrected.

Ms. Sommers provided a copy of the contract between DCF and Liberty Behavioral Health Corporation, the contract between DCF and DOC, and the Corrective Action Plan¹ currently in effect. She discussed some of the deficiencies noted in the monitoring visit, such as problems with the facility's medical records. She stated a new Medical Service Administrator, Leon Vickers, had been hired by Liberty Behavioral Health Corporation, and many improvements had been made.

Ms. Sommers reported the death of R/S age She said on Friday, May 21, 2004
reported to the nurse that he had all week. He was tested
and no problems were detected. On Saturday, May 22, 2004, there was
and he refused
food and liquids. He was transported to DeSoto Memorial Hospital. was
found. He died on , 2004,

¹ A written response to the September/October 2003 DCF Contract Monitoring Activities.

Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB

Person Interviewed:	Kenneth	L.	Dudding
	First	MI	Last
Title or Relationship:	Investigator, FCCC		
Date:	May 26, June 4, and June 10, 2004	Investigator(s):	Kelly Summers and Terri Balzer
Other person(s) present:	None		

Upon being sworn, Mr. Kenneth Dudding stated he had been employed by FCCC since March 2004. He investigates internal incidents, assigned to him by his supervisors, Robert Vaughn, Associate Director, and Rick Harry, Executive Director. His duties also included key control management and he is the Fire Safety Representative¹. He stated he was a police officer for 21 years in Washington, D.C., a deputy in the Charlotte County Sheriff's Office, Florida for eight years, and a private investigator for 18 months.

Allegation 1

He stated Mr. Vaughn instructed him to investigate the Incident of April 15, 2004. Mr. Dudding stated the incident occurred when R/S #15 left the Medical Unit unescorted, after being placed on 1:1 status by Psychiatrist Robert Bellino. R/S #15 climbed on the roof, and jumped off after security staff "rushed him." Mr. Dudding requested the security videotapes of the incident from FSD Lane. She told him to "get with her later." He was not able to obtain the tapes until five days later. He said there were four tapes, two large VHS tapes (#68 and #71) that were filmed from the Security Control Office², and two small tapes, labeled "R/S #15 Incident", and "Tape 1 Foxtrot" (Exhibit JJ) from hand-held camcorders operated by TA Joseph Santos and former employee Langevin. When he viewed them in the library, the VHS tapes were blank, and had nothing on them but "snow." He went to the Security Control Room to view them, but met with the same results. The tapes were blank. He asked the Security Control Officer if the machines were broken, and she stated that they were not broken." Mr. Dudding called the Security Camera technician, Mr. Jeffrey Persaud, Cable Network Service, on April 16, 2004. Mr. Persaud said the cameras should be working, and if there was "snow" on the tape, that someone recorded over or erased the tapes.

He said he attempted to gather all incident reports written by the staff, and only received half the requested reports. He said they were sent to his office a few at a time. He said there was no policy on time frames for completing incident reports. He said all reports came from Ms. Lane and that they were all copies. He did not know where the original reports were, but had since

¹ Job Description, Investigator, FCCC

² The main security office in the Administration Building that houses facility video monitoring equipment.

Exhibit: H

learned that Mr. Vaughn had them in his possession. He believed that Ms. Lane reviewed the reports and possibly changed the ones she did not agree with.

Allegation 2

Mr. Dudding said that he learned during the course of his investigation that FSM James Staunton changed some of the staff's reports. When Mr. Dudding interviewed him, Mr. Staunton admitted he changed the reports, "because he could." Mr. Dudding said Mr. Staunton was very uncooperative, and laughed about changing the reports, as if the investigation was a joke.

On June 4, 2004, Mr. Dudding delivered the aforementioned four videotapes filmed during the Incident to the OIG.

Additional Information

Mr. Dudding said he believed the reason the tapes were erased was to cover up Ms. Lane and Mr. Staunton's order for security staff to "rush R/S #15" while he was on the roof of the facility. On at least two prior occasions, R/S #15 climbed onto the roof, but eventually came down voluntarily. On April 15, 2004, R/S #15 told the security staff not to approach him or he would jump. Mr. Staunton ordered the staff to approach him, and R/S #15 jumped off the roof of a single story building. He sustained . Mr. Dudding stated the general consensus of the staff was that if they waited, R/S #15 would have safely exited the roof of his own volition. However, Mr. Staunton and his security staff failed to involve the clinical staff, and pressured him to jump. When R/S #15 jumped, Mr. Staunton justified his actions when he said that R/S #15 was seen eating a nail. Mr. Dudding said Mr. Staunton revealed this information in a second interview. They had to remove him from the roof for his own safety. However, there were no other witnesses who reported that R/S #15 ate a nail.³ Mr. Dudding stated two staff, TA Christy Villegas and TCC David Scheid, verified that Mr. Staunton made this justification.

Mr. Staunton's Incident Report, dated April 15, 2004, displayed two different handwriting styles. Mr. Dudding alleged that someone assisted Mr. Staunton to write it. He said that FSA Christy Villegas, who witnessed the incident, is reluctant to talk, for fear of reprisal by Ms. Lane and Mr. Staunton.

R/S #15 reported to Mr. Dudding that \$3,500 was placed in his resident canteen account, and he was forced to sign a company release regarding the April 15, 2004 incident.⁴

Each resident dormitory had two cameras – a revolving, stationary security camera, and a hand-held camcorder, used to document incidents, searches and other unusual events. Mr. Dudding said TA Joseph Santos filmed the Incident with a hand-held camera, and the maintenance man filmed it with a separate camcorder.

Mr. Dudding said R/S #15 was placed on 1:1 status, by the psychiatrist, Dr. Bellino, since he was a danger to himself and others. He explained that 1:1 meant that the resident was placed in his room and observed by a staff member, who was stationed outside the door. According to FCCC

³ A review of the videotape did not show R/S #15 eating a nail or setting his shirt on fire.

⁴ A printout of R/S #15's account did not reveal a \$3,500 credit.

Policy E-15 (Exhibit SS), the resident's behavior was continuously observed, with no more than five feet of distance between the staff member and the resident.

Mr. Dudding said that TA Debra Rodgers, who was on duty in the Medical Unit, told Mr. Staunton that Dr. Bellino ordered 1:1 status on R/S #15. Mr. Staunton left R/S #15 alone and allowed him unrestricted movement for 33 minutes before he notified other staff. Mr. Dudding explained that the times of the incident were altered by Mr. Staunton in an attempt to account for the 33-minute lapse that R/S #15 was not placed on 1:1 restrictive status.

Mr. Dudding provided a written sworn statement (Exhibit H-1).





Office of Inspector General
Investigations

VOLUNTARY STATEMENT

I, Kenneth L. Dudding, swear or affirm that on this 26 day of May, 2004, in Osoto County, State of Florida, the attached statement consisting of page (s), each initialed by me, is given freely and voluntarily. No promises, threats, or inducements of any nature, whatsoever, have been made to me in order to obtain my consent to this statement, which is true and accurate to the best of my knowledge. I understand that any statement given is subject to public disclosure pursuant to the Florida Statutes.

Signed: *Kenneth L. Dudding*

STATE OF FLORIDA,
COUNTY OF Osoto

Subscribed and sworn to (or affirmed) before me this 26 day of May, 2004

Terri E. Balzer

(Name of Notary, Typed, Printed or Stamped)

Identification by Florida Driver's License _____
Identification by personal knowledge _____
Other Identification (Specify Type) _____

Incident
My job duties
Investigations
My information about drugs

EXHIBIT H-1

Initial: _____ Date: _____

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: Debra L. Rodgers

First MI Last

Title or Relationship: Therapeutic Assistant (TA), FCCC

Date: June 4, 2004 and **Investigator(s):** Kelly Summers and Terri Balzer
June 18, 2004

Other person(s) present: None

Upon being sworn, TA Debra Rodgers stated she had been employed at the FCCC since September 2002. She has been on light duty since December 2003 due to a work-related injury.

Allegation 1

Ms. Rodgers stated "if there was a cover-up at the facility, FSD Lane was involved." Ms. Rodgers cited the following incidents involving Ms. Lane:

On April 15, 2004, when R/S #15 jumped off the roof, Ms. Rodgers was working in the Medical Department. She saw TA Sylvia Russell, Ms. Lane's mother, posted at the F-Dorm gate. Ms. Russell called for all available staff. R/S #15 climbed from the F-Dorm gate on top of the roof. Ms. Rodgers said that Ms. Russell did nothing to stop R/S #15 from accessing the roof. Ms. Lane did not discipline her mother for her negligence.

Ms. Rodgers said she knew Ms. Lane and FSM James Staunton changed the times and some of the wording on the incident reports to coincide with one another. She knew they altered the reports because all staff who wrote reports discussed it. Ms. Rodgers stated there was a cover-up because "no one did their job." She said Ms. Lane and Mr. Staunton had to cover up the incompetence of the staff and their lack of leadership.

Subsequent interview June 18, 2004 by phone (not sworn), Ms. Rodgers stated that she knew FSD Lane covered up another incident involving R/S #15. She stated that about a month or six weeks (exact date unknown) prior to the April 15, 2004 incident, when R/S #15 jumped from the roof, another incident occurred. R/S #15 had an argument with TCC Javon Dukes. R/S #15 spit on Mr. Dukes, and Mr. Dukes punched R/S #15 in the face. Ms. Rodgers saw the incident and wrote an Incident Report (I/R) and turned it in to Ms. Lane¹. Ms. Rodgers said she and FSA Larry Avant overheard Ms. Lane say to Mr. Dukes, "You got your ass in hot water. I can't keep covering for you. You better straighten it up."

¹ No incident report was found, but Mr. Dukes verified that a different version of the incident occurred.

Exhibit: I

Ms. Rodgers stated that several of her reports had been shredded by Ms. Lane, and that she did not keep copies of them. She remembered one incident where she and TCC William Landers were doing a walking through F-Dorm. They saw a resident "gunning."² Ms. Rodgers wrote a report and turned it in to Ms. Lane, who refused to sign it, because there was a portion of the report she didn't agree with.

Allegation 2

Ms. Rodgers stated that Mr. Staunton changed times and wording on the incident reports written by staff. She did not understand why anything had to be changed on the reports, since the staff simply reported their observations of an incident.

Ms. Rodgers was on duty in the Medical Department on April 15, 2004, when R/S #15 came in to see Dr. Bellino. He was examined by Dr. Bellino, who told her that he had placed R/S #15 on 1:1 status. Ms. Rodgers waited with R/S #15 until the 11:00 am count³ was completed. She allowed him to smoke a cigarette while they waited. She stated that while he smoked, he threatened to burn her.

Ms. Rodgers did not wait for staff to escort R/S #15 to his dorm. She called TCC Candelario Morales "for a visual." She said a "visual" meant that TCC Morales could see R/S #15 as he walked from the back gate to his housing unit. She admitted that R/S #15 should not have left the Medical Unit without an escort, due to his 1:1 status. However, she was unable to leave her post to escort him. She watched him until he arrived at F-Dorm. At 11:19 a.m. or 11:20 a.m., she called Mr. Staunton and asked to meet him outside the Medical Unit. She advised him of Dr. Bellino's order to place R/S #15 on 1:1 status, and then advised TA Joseph Santos in F-Dorm.

Over an hour later, Mr. Staunton contacted her on the radio, and instructed her to bring a stretcher and an Emergency Kit to the front of the building where R/S #15 had jumped. She asked Marjorie Ranger, RN and Mary Ann Bevans, LPN for the equipment; they refused to get it for her. They asked "has he (R/S #15) jumped yet?" Ms. Rodgers said they did nothing to assist her. Ms. Rodgers said she and R/S Phillip Ennis (R/S #16) got the stretcher. One of the nurses then placed the Emergency Kit on the stretcher. Ms. Rodgers took the equipment to the back gate. She said the nurses indicated that "until he jumps, it's not our problem," and they went to lunch.

Allegation 3

Ms. Rodgers heard rumors that TCC Octavio Baez brought drugs into the facility, and that he has a criminal record. However, she had no personal knowledge of either activity. She also heard rumors about the Coach (Wayne Bythwood) bringing drugs into the facility. She said there was no random drug testing for employees.

² A slang term for masturbating, used by staff and residents.

³ Official Counts are conducted throughout the day to ensure all residents are accounted for. Movement throughout the facility is stopped until the count clears. Regular movement is then resumed.

Additional Information

On June 9, 2004, Ms. Rodgers said she went to see Ms. Lane and Human Resources Manager Tom Murphy. She complained about Mr. Dukes' rude behavior to other staff, and his inappropriate conduct over the radio. She stated Ms. Lane "doesn't make a move without Mr. Murphy." Ms. Lane told Ms. Rodgers that she was aware of the situation and would take care of it. Mr. Murphy said nothing. Ms. Rodgers did not know if any action was taken against Mr. Dukes.

Ms. Rodgers stated that Mr. Murphy and Ms. Lane "run this compound," and that nothing happens without their approval. She was fearful that if they learned of the statements she made to the OIG investigators, there would be retaliation against her. She provided the following observations:

Ms. Lane was not qualified for her position based on the decisions she makes. Ms. Rodgers said she is concerned for the safety of the staff and residents. She said Ms. Lane displayed favoritism towards her mother and sister. She said, "you can't get promoted if you are white, or an honest person."

In 2003, she asked Mr. Murphy for EEOC⁴ complaint forms, but he refused to give them to her. When she injured she asked him for FMLA⁵ forms and he refused her again. She obtained a doctor's statement, with instructions regarding her work capabilities, and asked for an assignment that would fit her medical limitations. She told Mr. Murphy she called her lawyer, and was advised to tell him to "either fire me or comply with the rules." Mr. Murphy asked her where she wanted to work and to work it out with Mr. Carlucci, her supervisor. Ms. Rodgers said she was treated unfairly and harassed by Mr. Murphy in retaliation for a pending civil lawsuit she has against the facility.

Residents are cursed at openly by staff. Ms. Lane allows the bad language.

There were racial problems among the staff. Fifteen percent of the staff were white. Ms. Lane showed favoritism toward the black employees, many of whom are her friends or relatives, when assignments were made.

Training for staff was poor. There was no training for log entries⁶. There was no log in the Medical Department, to document daily activities. When asked what training she had, she said there was one week of pre-service training, including two days of Team Training.⁷ Ms. Rodgers said the Team Training was a joke. She was not certified in CPR. She did not believe Ms. Lane or any of the supervisors had any management training.

Ms. Rodgers provided a faxed written statement (Exhibit I-1).

⁴ Equal Employment Opportunity Commission, a federal agency that oversees civil rights claims.

⁵ Family Medical Leave Act.

⁶ A chronological history of facility movement and activity, which is recorded in bound log books.

⁷ A form of Use of Force training.



Office of Inspector General
Investigations

VOLUNTARY STATEMENT

I, Debra L. Rodgers, swear or affirm that on this 4th day of June, 2004, in Desoto County, State of Florida, the attached statement consisting of _____ page (s), each initialed by me, is given freely and voluntarily. No promises, threats, or inducements of any nature, whatsoever, have been made to me in order to obtain my consent to this statement, which is true and accurate to the best of my knowledge. I understand that any statement given is subject to public disclosure pursuant to the Florida Statutes.

Signed:

Debra Rodgers

STATE OF FLORIDA,
COUNTY OF _____

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 2004

Faxed to OTIG

(Name of Notary, Typed, Printed or Stamped)

Identification by Florida Driver's License _____

Identification by personal knowledge _____

Other Identification (Specify Type) _____

Statement of: Debra L. Rodgers

Page 1 of 1

Case No: 2004

The incident on 4-13-04 with resident should ~~be~~ looked at very close. Things were put in the log book late so there would be no correct times. It's easy to cover that way. ~~In~~ In the end all orders come down from home, she is the most likely one to have sent staff on the roof after . When we had debrising she told everyone that Sturman was in charge. Not too people seen her with Sturman and she gives the orders.



**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: Joseph F. Santos
First MI Last

Title or Relationship: Therapeutic Assistant, FCCC

Date: June 25, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, Joseph Santos stated he was employed by FCCC from August, 2001 to January 2002 as a TCC. He left to work with the Florida Department of Juvenile Justice (DJJ) as a correctional officer, and returned to FCCC, where he had worked as a TA since January 2003.

Allegation 1

He had no direct knowledge of FSD Lane altering, destroying or fabricating evidence in internal investigations. He said that Ms. Lane was in charge of security, and had responsibility over the Main Control Room and all security video equipment. He said he was not surprised that the tapes in the R/S Incident were erased or taped over.

Mr. Santos said that on April 16 or 17, 2004, he viewed a videotape, which he shot of the R/S Incident, which occurred on April 15, 2004. With the exception of approximately ten seconds of the actual incident, the tape is blank. Mr. Santos said he did not erase the tape, but "someone did." He did not know who erased or taped over the videotape. He checks the camera daily to ensure there is a tape in it, and it is operable. He knew when he viewed the tape that someone changed the tape, erased or taped over it. When he was asked if he knew why someone would erase the tapes, he said that he did not.

Allegation 2

Mr. Santos verified that he wrote two Resident Behavior Reports¹, both dated April 15, 2004, regarding the R/S Incident. Both reports had been altered. He said the times on Report OO had been changed in two places, from 12:30 p.m. to 11:50 a.m. On Report PP, the times were changed in three places:

- (1) Time of Incident – changed from 12:00 p.m. to 11:50 a.m.
- (2) Observed Behavior – changed from 12:00 p.m. to 11:50 a.m.
- (3) Time/Date of Report – changed from 1330 hrs. to 1430 hrs.

Mr. Santos indicated no one had his permission to change any information in his report. He said that Mr. Staunton instructed him to write a second incident report, which he did that documented

¹ Incident reports involving FCCC residents, which are placed in their clinical and administrative files.

Exhibit: J

the entire R/S Incident. Mr. Santos said that on April 15, 2004, his immediate supervisor was TCC Javon Dukes, and the Shift Supervisor was FSM James Staunton. He said his reports were turned in to Mr. Dukes.

Mr. Santos reported that on April 15, 2004, his assigned duty post was in -Dorm Control², the housing residence of R/S . According to -Dorm Log Entries, R/S left the dorm at 10:40 a.m. He said he heard TA Debra Rodgers, report over the two-way radio, that R/S was upset and was on his way back to -Dorm. Mr. Santos' log entry, written at 11:24 a.m. indicated R/S "back from Medical." Mr. Santos called Mr. Staunton on the telephone and asked for clarification on the status of R/S . Mr. Santos said Mr. Staunton was not sure and would get back to him. Mr. Santos said Mr. Staunton did not call back. Mr. Santos wrote an entry into the logbook at 11:30 a.m. as follows:

"R/S is to stay on the dorm due to incident in Medical per Staunton (sp.)"

Mr. Santos said while he was in the Control Room, he last saw R/S leave to smoke a cigarette, and he was "okay." At approximately 12:30 p.m., Mr. Santos heard TA Sylvia Russell call for "all available staff to -Dorm Gate." He grabbed the hand-held video camera and ran outside to observe R/S up on the roof. Mr. Santos said he taped for 20 minutes until the battery lost power. No other batteries were available at the time.

Allegation 3

Mr. Santos knew that marijuana was on the facility grounds because he smelled it. He also observed the residents' behavior, and their eyes showed signs of drug use. He stated he had been trained to recognize the signs of drug use. He received this training during his employment with DJJ.

Mr. Santos stated that it was common knowledge on the compound that Coach Wayne Bythwood brought contraband, drugs and alcohol, into the facility "every day." He also reported that TCC Octavio Baez brought marijuana into the facility.

Additional Information

Mr. Santos stated that unless an employee is a friend or relative of Ms. Lane, or unless "you are black," promotional opportunities were not available. He stated that Ms. Lane supervised her mother, TA Sylvia Russell, her sister, TA Pamela Ruth, as well as several unnamed cousins. He stated that Ms. Lane's mother, TA Sylvia Russell, "did nothing that day" to stop R/S from climbing onto the roof. He said that Ms. Lane took no disciplinary action against Ms. Russell for her inaction in a critical incident that resulted in injury.

Mr. Santos stated the facility is unsafe for the following reasons:

1. Knives and other weapons are rumored to be on the compound.
2. The metal detector was not used to screen employees for contraband.
3. More resident and employee searches should be conducted.

² Control is the security room inside each dorm, manned by FCCC staff.

4. Female staff spend too much time fraternizing with residents, at times talking two hours or more. An example was TA Marcia Moody, who talks with R/S
The female staff displayed inappropriate behavior by touching, standing too close to and talking with the residents.
5. There were no policy and procedure manuals available to staff. There was no consistency in the application of the policies.
6. Human Resources did not conduct criminal background checks on the employees.
7. Contraband, including cell phones, was brought into the facility through the mail room.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB**

Person Interviewed: Sylvia G. Russell
Title or Relationship: Therapeutic Assistant (TA), FCCC
Date: August 5, 2004 **Investigator(s):** Kelly Summers and Terri Balzer
Other person(s) present: None

Upon being sworn, Sylvia Russell said she had worked at FCCC since January 7, 2002.

Allegation 1

Ms. Russell stated she did not believe her daughter, FSD Tiffany Lane, would alter or falsify any documents.

Allegation 2

Ms. Russell was advised that her incident report dated April 15, 2004 (Exhibit WW), which referenced the R/S Incident, had been altered. She inspected the report during interview. She stated she did not change it, give permission for anyone to change it, or see the report after it had been altered. She said the time of incident was altered from 11:20 a.m. to 11:50 a.m.

Additional Information

On April 15, 2004, Ms. Russell stated her duty post was at the -Dorm Gate. During the lunch period, residents were entering and exiting the gate. She was sitting in a chair in front of the gate. She stated she was not asleep. She heard FSM James Staunton's voice on the radio, advising -Dorm staff not to allow R/S to leave the dorm. She then saw R/S coming through the gate. She asked him where he was going. He said, "I'll show you where I'm going." She said she attempted to verbally redirect him. He put his foot on the gate and began to climb up. TA Lonnie Rodgers was running towards them, and he reached up and grabbed R/S's foot. Ms. Russell said R/S told Mr. Rodgers, "turn loose. I'm coming down." When Mr. Rodgers let go of his foot, R/S climbed up on the roof.

Ms. Russell then called on the radio for all available staff to respond. FSD Tiffany Lane instructed everyone, over the radio, to secure the residents inside their rooms. Ms. Russell said, "eventually they all went inside." Ms. Russell said she saw R/S jump off the roof after the staff located on the roof, moved toward him.

Ms. Russell said she did not know that R/S was on restricted 1:1 status at the time of the incident.

Exhibit: K

Ms. Russell stated the members of her family that work at the facility are her daughters, FSD Tiffany Lane and TCC Pamela Ruth; a paternal second cousin, TA Shawana Jones; and a maternal first cousin, TA Fred Fields. She said some of Ms. Lane's friends also work at FCCC, including FSA Michelle Allen, a high school friend.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: Henrietta C. Marshall
First MI Last

Title or Relationship: Therapeutic Community Coordinator (TCC), FCCC

Date: August 2, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, Henrietta Marshall stated she worked at FCCC since November 15, 2000, as a TCC.

Allegation 1

Ms. Marshall stated she witnessed FSD Tiffany Lane when she destroyed documents, threw away a written complaint against her, and "made videotapes disappear."

Ms. Marshall cited an incident in early 2003, when R/S #9, climbed up on the roof. FSM Michelle Allen was in charge. Ms. Allen allegedly instructed R/S (R/S #18) to get R/S #9 off the roof. She said a resident cannot be instructed to act as a staff member. The directive to R/S #18 was captured on videotape. Unfortunately, Ms. Marshall said the tape disappeared. She said Ms. Eloise Jones had the tape at her home.

In September 2003, Ms. Marshall wrote a complaint against Ms. Lane for unprofessional behavior. Ms. Lane instructed her to secure all residents in A-Dorm. Ms. Lane then called for all TCC's to report to A-Dorm. Ms. Marshall obeyed the order. Ms. Marshall said Ms. Lane yelled and screamed at her, showed disrespect in front of other employees, and threatened to fire her.

Ms. Marshall delivered the written complaint about Ms. Lane to her supervisor, FSM Eloise Jones. Ms. Marshall stated other employees, including TA Delondria Cosey¹ and TA Morrison, saw the incident and verified that she wrote the complaint. Ms. Marshall asked Ms. Lane for a copy of the complaint since she had not kept a file copy. While Ms. Marshall was in Ms. Lane's office, she saw the complaint form in the trashcan. Ms. Marshall reported the events to Human Resources Manager (HRM) Thomas Murphy. He referred her back to Ms. Lane and refused to act on the allegations in the complaint.

Ms. Marshall reported that on the following day, September 4, 2003, she received a written disciplinary action (Exhibit NN), signed by Ms. Lane and Mr. Murphy. She was disciplined for Gossiping.

¹ TA Cosey verified, by telephone, that she was present for the incident, and that Ms. Marshall wrote a complaint against Ms. Lane.

Exhibit: L

Ms. Marshall stated that Ms. Lane falsified her employment application, in that she reported graduation from DeSoto County High School. Ms. Marshall said she knew that was not true. She remembers that Ms. Lane "got pregnant, and quit school. She may or may not have a GED."

Allegations 2 and 3

Ms. Marshall provided no information regarding these allegations.

Additional Information

Ms. Marshall said Ms. Lane misused her position by disciplining employees for petty reasons, and not disciplining those who put the facility at risk. Ms. Lane did not like Ms. Marshall because she complained about her unprofessional behavior. Ms. Lane told her she would never be promoted. Ms. Marshall said she has a bachelor's degree, but she has never been promoted. She said Ms. Lane used her position to hire, fire and promote her friends and relatives.

Ms. Marshall said the staff knew not to complain about Ms. Lane's mother, TA Sylvia Russell. During the R/S Incident, Ms. Marshall observed Ms. Russell sitting in a chair at F-Dorm Gate. Ms. Marshall heard Mr. Rodgers tell Ms. Russell over the radio, to secure the gate and not to let out of the gate. Ms. Marshall said she watched as Ms. Russell just sat there and did not move. Ms. Marshall said she believed Ms. Russell was asleep, as she often was. She said FSM Jerry Bove knew Ms. Russell slept on duty, but did not initiate disciplinary action because she was Ms. Lane's mother.

Ms. Marshall said because of Ms. Russell's inaction, R/S was allowed to climb up on the roof, which ultimately resulted in a broken ankle when he jumped off the roof.

Ms. Marshall said Ms. Lane misused her position by allowing FSM Michelle Allen, reported to be her best friend, to supervise staff when she was not qualified to do so. She said Ms. Allen had been promoted and demoted twice because of inability to provide leadership in critical situations.

Ms. Marshall said Ms. Lane misused her position when she hired relatives with felony convictions, rather than more qualified applicants. She said according to a Human Resources person in Pennsylvania, hiring requirements were no felonies allowed, must have a high school diploma and be 19 years old. Ms. Marshall said Ms. Lane's cousin, TA Fred Fields had four felonies; her friend, FSM Lawanda Dennis, had two felonies; and that both Ms. Lane and Ms. Allen resigned from DOC for engaging in inappropriate behavior or sexual relationships with inmates. Ms. Marshall said there were other unnamed employees with felony convictions.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB**

Person Interviewed:	Johnnie	Smalls
	<u>First</u>	<u>MI</u> <u>Last</u>
Title or Relationship:	Therapeutic Community Coordinator, FCCC	
Date:	August 9, 2004	Investigator(s): Kelly Summers
Other person(s) present:	None.	

After being sworn, in a telephone interview, Johnnie Smalls stated she had worked for FCCC since November 1999. She was originally hired as a TA. She was promoted to TCC in September 2000.

Allegation 1

Ms. Smalls stated FSD Tiffany Lane was very "nasty" to her, ever since Ms. Smalls refused to comply with unethical behaviors Ms. Lane practiced.

Ms. Smalls stated that on one occasion, date unknown, R/S (R/S #9) climbed up on the roof. Ms. Lane instructed R/S (R/S #18), to follow him up and ask R/S #9 to come down.

Ms. Smalls said there was a videotape made of the incident. Ms. Smalls said she and her supervisor, FSM Eloise Jones,¹ were exiting the front gate to go home, when Ms. Lane approached them, and placed the above mentioned videotape in Ms. Jones' bag. Ms. Lane asked Ms. Jones to take the tape home so no one would see it. Ms. Smalls said that Ms. Lane and Ms. Jones are good friends.

Ms. Smalls cited a second incident of Ms. Lane's unethical behavior. She said Ms. Lane called all the TCC's together in May 2004. She warned them that the State Fire Marshall was coming to the facility to inspect for violations. Ms. Lane instructed the TCC's to ensure that the residents complied with the rules. Ms. Smalls said the TCC's followed Ms. Lane's orders. Then Ms. Lane spoke to the residents, and told them that after the State Fire Marshall left, they could revert back to their old behavior, and put all flammable items back on the wall.

Ms. Smalls said she was furious with Ms. Lane, and confronted her on the unethical behavior. She said Ms. Lane apologized. However, there were no changes to comply with the State Fire Marshall's orders, and everything went back to normal. Ms. Smalls said that when the State Fire Marshall re-inspected the dorms, the same violations were found.

¹ Ms. Jones was later demoted to FSA.

Exhibit: M

Allegation 2

Ms. Smalls had no information regarding the allegation against FSM James Staunton. She said he was a "straight guy," who didn't allow any "foolishness."

Allegation 3

Ms. Smalls had no information regarding this allegation.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: Donald R. Mosley
First MI Last

Title or Relationship: Facility Safety Manager, FCCC

Date: June 16, 2004 and **Investigator(s):** Kelly Summers and Terri Balzer
June 19, 2004

Other person(s) present: None

Upon being sworn, Donald Mosley stated he had been employed by FCCC since March 2000, as a Facility Safety Manager. He supervised approximately 30 staff on each shift. He was previously employed by the DOC for 10 ½ years.

Allegations 1 and 2

FSM Mosley stated that FSD Lane and FSM Staunton changed times and report content of the Incident which occurred on April 15, 2004. He also said that TCC William Landers reported to him that Ms. Lane and FSA Michelle Allen erased the security video tapes that showed the entire incident where jumped off the roof. Mr. Mosley also stated that he trained Ms. Lane in the use of the video equipment. Her assertion that she didn't know how to use the equipment to tape over or erase the tapes was false.

Mr. Mosley cited another incident that Ms. Lane falsified, by covering up the events that occurred on June 4, 2004. Mr. Mosley was the FSM, Senior Shift Supervisor, on the night shift.¹ Before each shift, the FSM assigned duty posts to all staff. He assigned FSM-I Shawn Smith to F-Dorm, Quad II. He said Mr. Smith was not pleased with the assignment, because the mentally ill residents in that dorm require an extraordinary amount of attention. Mr. Smith refused to work the assigned unit and abandoned his post. He and his girlfriend, FSA Christie Cline, left the facility, reducing the staff level by two persons.

Mr. Smith informed Mr. Mosley that Ms. Lane told him he was not required to be assigned a fixed post. FSM Mosley wrote a disciplinary letter, charging Mr. Smith with abandoning his post and refusing a direct order. Mr. Mosley said Ms. Lane and HRM Thomas Murphy assured him that they resolved the situation. Mr. Mosley found no evidence of resolution. He said Mr. Smith and Ms. Cline requested "stress leave" and did not return to work until June 18, 2004.

Mr. Mosley said because he knew Ms. Lane took no action, he forwarded all documentation to the corporate office for action. He faxed the information to Camille Tanner, Vice President, Human Resources, Liberty Behavioral Health Corporation, on June 16, 2004 (Exhibit KK.) On

¹ Night shift was 6:30 p.m. to 6:30 a.m. the following morning.

Exhibit: N

June 18, 2004, when Mr. Smith and Ms. Cline returned to work from their "stress leave," Mr. Mosley said he heard they received disciplinary action. Mr. Mosley said Ms. Lane retaliated against him by changing his shift from night to day², for reporting to the corporate office.

Mr. Mosley also stated that Ms. Lane often changed the content of reports written by staff. On one occasion, she sent a handwritten note to Ms. Mosley with a Post-it note attached, instructing him to change the facts. He was unable to identify the specific report.

Allegation 3

Mr. Mosley does not personally know TCC Octavio Baez and could not comment on the allegation that he brings marijuana into the facility. He did say that the search of Mr. Baez was a joke, because of the facility's search procedures. He said usually a sealed letter from Mr. Murphy "appears" in his open mailbox. All employees know the envelope contains employee search directions. Anyone can open it, and reseal it. After this interview, Mr. Mosley returned and produced a sealed letter, with a resealable envelope. Mr. Mosley was interviewed on a Thursday, and the letter directed him to search an employee on the following Saturday.

On May 23, 2004, the day Mr. Baez was searched, by Mr. Mosley and FSA Vincent Carlucci, no contraband was found. Mr. Mosley said Mr. Baez did not appear surprised that he was being searched and he was very cooperative.

Additional Information

Mr. Mosley verified that FCCC Policy, G-6 permits a resident to be searched at any time. He said the common practice of not touching a resident came from the staff's fear of the residents. He was not surprised at the rumor that the residents kept all their contraband on their person, including marijuana, since they knew they would not be thoroughly searched by staff.

Mr. Mosley reported that recently a Nextel I-730 battery charger was found, which indicated the presence of cell phones, which are considered contraband, inside the facility.

He stated that written reports of critical incidents are often "lost." He cited an incident that occurred in March 2003. Residents and were locked in a one-man room in Dorm, all night. The Folger Security Keys³ required to be available in emergencies, had been missing from March 2003 to March 12, 2004. FSM Mosley filed a complaint, about the missing keys, with Fire Marshall Harry Krimmell in last April or May 2003. Mr. Mosley said he was given a disciplinary letter for not notifying Ms. Lane of the missing keys.⁴

Mr. Mosley said Ms. Lane had no boundaries, was inconsistent, did not follow policy, and was not qualified to hold the responsible position of FSD. He stated at the FSM meeting last week, Ms. Lane yelled and banged her fist on the desk in front of the FSMs. She told them she treated her "mama and sister" just like any other employees, and it was not a problem that she supervised

² Mr. Mosley attended college during the daytime.

³ A brand name for the large metal keys used in correctional facilities.

⁴ Records indicate Mr. Mosley made proper notifications.

her own family. He said on another occasion, Ms. Lane screamed at him because he could not work a double shift. He stated he had already worked and gone without sleep for 48 hours.

Mr. Mosley stated that Mr. Smith directly supervised his live-in girlfriend, Christie Cline. He said that the chain of command is ineffective and unethical because of Ms. Lane's favoritism toward family and friends.

Mr. Mosley said there is too much fraternization and personal interaction between male residents and female staff.

On June 19, Mr. Mosley called the OIG. He stated after his interview with the OIG on Wednesday, June 16, 2004, he reported to work on Friday, June 18, 2004. He was barred from entering the facility, and was instructed to report to Mr. Murphy on Monday, June 21, 2004. He was not placed on suspension or given a reason for this action. FSM Mosley said he believed the action was retaliatory.

Mr. Mosley was involuntarily terminated by FCCC on June 21, 2004 for insubordination.

Mr. Mosley did not provide a written statement.

Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB

Person Interviewed: William K. Landers
Title or Relationship: First MI Last
TCC, acting as Computer Lab Supervisor
Date: July 16, 2004 **Investigator(s):** Kelly Summers and Terri Balzer
Other person(s) present: None.

Upon being sworn, William Landers stated he was first employed at FCCC in January 2001, as an FSA. In April 2001, he was promoted to FSM, and in November 2003, he requested a demotion to TCC. His request was granted and he has worked in that position until present date. He supervised the Resident's Computer Laboratory.

Allegation 1

Mr. Landers stated that the allegations concerning Ms. Lane were true. However, he had no direct knowledge to corroborate the specific charge. He said Ms. Lane is very unprofessional, unqualified for her position as FSD, and that she has misused her position in a number of ways.

Allegation 2

Mr. Landers did not provide information regarding the allegation against FSM James Staunton.

Allegation 3

Mr. Landers stated it was common knowledge that marijuana was brought into the facility by employees, but the administration had not addressed the issue. He provided no information concerning the allegation against TCC Octavio Baez.

Additional Information

Mr. Landers said that in November 2003, he was the FSM, the shift supervisor. He was ordered by Ms. Lane to change his staffing patterns to accommodate the needs of FSA Twanda Cooper, a personal friend of Ms. Lane. He refused to comply with the unethical request. He asked for a voluntary demotion and his request was immediately granted by Ms. Lane. He also asked for personal time off on that shift, and he was allowed to leave. After he departed the facility, a memorandum from Ms. Lane was placed at the Gate Control Station,¹ denying Mr. Landers access into the facility. When Mr. Landers reported for work, and access was denied, he contacted Ms. Lane, and was told he "was a threat to the security of the facility." Mr. Landers said Ms. Lane was unable to identify the nature of the threat. On the following Monday, in a meeting between Dr. Briody, Mr. Vaughn, Ms. Lane and himself, Mr. Landers was accused of being hostile, argumentative and insubordinate toward Ms. Lane. He said Ms. Lane alleged that

¹ The entrance into FCCC.

he had torn off his shirt and threw it at her. He was suspended pending the return of Tom Murphy, the HRM. Mr. Landers stated that due to the body language of Ms. Lane and Dr. Briody, he was certain he was going to be fired when Mr. Murphy returned. Mr. Landers was asked why Mr. Murphy's return was important in firing him, and he stated that "they don't make a move here without Murphy."

Mr. Landers said he contacted Sue Keenan, Jr. Vice President of Operations, Liberty Behavioral Health Corp. in Pennsylvania, and explained the situation to her. He was assured the problem would be resolved. After 13 days, Mr. Landers was allowed to return to work. He was offered a newly created position. He was asked to supervise the computer lab and the library as a TCC. By offering him a promotion, he felt that his complaint to the corporate office was considered by his superiors to be justified.

In March 2004, Mr. Landers requested to view his personnel file, and discovered a letter of discipline for insubordination during the November 2003 incident. The letter was not initiated or signed by his supervisor, Tiffany Lane. It was signed by HRM Thomas Murphy. Mr. Landers also found a letter of discipline signed by Associate Director Robert Vaughn, that was supposedly initiated by Mr. S. Pirrozi, a former FSD. Mr. Landers showed Mr. Pirrozi a copy of the letter, and was informed that Mr. Pirrozi had never seen the letter.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: _____

	First	MI	Last
Title or Relationship:	Resident #1, FCCC		

Date: June 4, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, R/S _____ (R/S #1), stated he had been at FCCC since _____.

Allegation 1

R/S #1 stated he would not provide information against FSD Tiffany Lane. He said that Ms. Lane allowed him freedom of movement around the compound that was normally not afforded to other residents.

Allegation 2

R/S #1 stated that he witnessed the R/S _____ Incident on April 15, 2004. He was not aware of FSM James Staunton falsifying records in an internal investigation. R/S #1 said that on that day, Mr. Staunton was "crazy in the face," and that he appeared very frustrated that R/S _____ would not come down off the roof.

R/S #1 said that the clinical staff (Psychologist Valeria Moore, PhD, Substance Abuse Counselor Charles Rickards, and Recreational Therapist, Ezekiel Thomas) was negotiating and talking to R/S _____. The security staff ran toward R/S _____, and he jumped off the roof. R/S #1 did not know who ordered them to run toward R/S _____. R/S #1 observed that after R/S _____ jumped off the roof, Mr. Staunton took charge. R/S #1 said the residents and staff discussed the incident, and the consensus was that the security staff caused R/S _____ to jump. R/S #1 said R/S _____ had gone on the roof before. However, he had come down peacefully, and there was no reason for the staff to think this incident would be any different. R/S #1 said Mr. Staunton had a reason to cover up the incident, because his staff handled it so poorly.

Allegation 3

R/S #1 said he had seen marijuana in the facility, and it was brought in by the staff. He stated that there was "more weed in this place than I had ever seen in my life." He said the "Kingpin" of the staff was Coach Wayne Bythwood. R/S #1 stated that Coach Bythwood obtained marijuana for him in the past. He gave Coach Bythwood \$50.00 green money,¹ but that he changed his mind and asked for his money back. R/S #1 said that the coach also brought in small bottles of liquor and sold it to the residents.

¹ Green money is slang for cash, which is prohibited contraband inside FCCC.

R/S #1 said he did not know TCC Octavio Baez very well, because they "had a falling out." He did not know if Mr. Baez brought marijuana into the facility.

He said TA Theresa Snow, who is assigned to the Medical Department, brought marijuana into the facility in her lunchbox or hidden in her vagina. He stated Ms. Snow was paid by the residents, in cash, and that the marijuana was in loose tobacco form. He said she distributed the marijuana to the residents in F-Dorm. He stated the residents pay employees between \$50.00 to \$200.00 per ounce.

He said TCC Hubert Smart also brought in illegal marijuana. R/S #1 said Mr. Smart was the night shift supervisor, and he brought the drugs in his lunch box.

R/S #1 stated the marijuana smell is so strong during Free Walk² that "a person does not have to smoke it to get high."

Additional Information

R/S #1 said the staff was not trained to deal with sex offenders, and do not understand the nature of a therapeutic facility. He said the reason the residents have illegal drugs and openly have sex with the female staff was "because it's so easy." He stated there were not consistent rules, and the rules the staff do have were not followed. For example, he said a notice appeared on the bulletin boards that lighters are permitted. Then a resident sets a fire, and the order is rescinded. At the time of interview, residents were permitted to have as many lighters as they wish to purchase.

He said the residents were amused that some of the staff had criminal charges and/or felony convictions, but he did not know their names.

² From 3:00 p.m. until 8:00 p.m., when the residents are allowed to walk from dorm to dorm, with no restrictions. Drug allegations were forwarded to law enforcement.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: _____

First	MI	Last
--------------	-----------	-------------

Title or Relationship: Resident #2, FCCC

Date: June 10, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, _____ said he had been a resident of the facility since _____ .
He completed his DOC sentence, and was awaiting a date for a commitment hearing.
_____ in the work program and was housed in _____. He was
_____ 17 years before his conviction, and _____ for seven years.

Allegations 1 and 2

R/S #2 stated he was aware of cover-ups within the facility, but did not have any personal knowledge of incidents that specifically involved FSD Lane or FSM Staunton.

Allegation 3

R/S #2 said he heard that there was marijuana found on TCC Octavio Baez when he was searched on May 23, 2004. However, he said that Associate Director Robert Vaughn had ordered that it be destroyed.¹

Additional Information

When asked what other contraband was in the residents' possession, R/S #2 said, "there is probably \$10,000 in cash right now" on the compound. The money was received through the mail and passed to residents by visitors. He said the residents kept contraband on their persons because the staff were of the opinion that residents could not be searched or touched.² He said the staff had no training regarding search procedures and no consistency in the application of the policies and procedures. He said most were not knowledgeable of the policies and procedures.

R/S #2 said he knew that Coach Wayne Bythwood brought in alcohol to the residents because it was discussed among them. He had no direct knowledge of drugs being brought into FCCC by employees. However, he stated he frequently smelled marijuana on facility grounds, and knew that use of marijuana was widespread on the compound. He denied using, possessing or buying drugs. He said the staff looked the other way, but he knew they, too, have smelled it.

¹ ~~Employees conducting the search did not report any marijuana found on Mr. Baez.~~

² FCCC Policy G-6 states "an area search will consist of a thorough search of the immediate area and a pat search of residents.

Exhibit: Q

When asked if he knew how the residents, who do not have access to cash, bought the drugs, he said "through mail outs." He explained that "mail outs" was a money laundering system. A resident sent in a check request form to the FCCC business office for money to be deducted from his personal account. A check was sent by the business office to a third party designated by the resident, for payment of the marijuana.

Another money laundering system was a business called "Orders from Mom". R/S (R/S #20) operated the system from within the facility. _____ was the owner of Orders from Mom. Several residents ordered food items from the company, and requested that the business office remit checks from their personal accounts to _____ in _____. The foodstuffs might cost \$10.00, but the check might be for \$50.00 to cover the cost of marijuana. _____ keeps the \$10.00 to cover the cost of the food, keeps another \$10.00 for her "handling fee," and sends the remaining \$30.00 to the FCCC employee who brought the marijuana into the facility.

R/S #2 reported that the female staff frequently engaged in sex with the residents. He admitted he had engaged in sex with a female staff.

R/S #2 reported that medical care is lax and often ignored. He said one resident, _____ (R/S #21) was diagnosed by a _____ specialist with _____. However, the FCCC nurses (names unknown) told R/S #21 he "didn't need the procedure." They have neglected to follow up with treatment and/or surgery required to correct the problem.

He stated that 34 residents signed a petition against TA Mary Whitlock. The complaint was for harassment and inappropriate shakedown procedures.³ It was turned in to Ms. Lane, but the residents were not questioned by Ms. Lane regarding the complaint. To date, he stated there had been no resolution.

R/S #2 reported that TCC Hubert Smart sleeps on duty at night.

_____ R/S #2 saw TCC Smart turn the sofa around, pull a hood over his eyes and sleep through the night. This practice occurred often, but R/S #2 remembered one instance about 4-5 weeks ago. Normally, R/S #2 was awakened at _____. TCC Smart was supposed to wake him up. However, R/S #2 woke up on his own, 45 minutes late, and found TCC Smart asleep as described.

He reported that four days ago, on or about June 6, 2004, there was a fight in _____-Dorm at approximately 12:40 a.m. between R/S _____ (R/S #1) and R/S _____ (R/S #19). There was screaming and punching. TCC Henrietta Marshall broke up the fight. R/S _____ said, "It's strange, they don't normally break up the fights." He said the incident was reported as horseplay. R/S #19 went to the Medical Department with injuries. He said the incident should have been reported as a critical incident. R/S #2 stated he was glad the OIG was on-site because the staff were "all of a sudden following the rules."

³ Slang for search of a resident's room.

He opined that Ms. Lane's incompetence comes from her lack of management knowledge and ethical standards. She was not trained for the position, and she relied on her staff and resident favorites, all of whom are black. He stated that her favorite resident was _____ and that he was permitted access to all parts of the facility, a concession not made to other residents. R/S #2 also reported that the staff cursed at the residents. He said the "bosses" in management never make daily rounds of the facility, and were not aware what happened on the compound. They remained in the Administration Building, so they were not aware what happened on the yard. R/S #2 said of the facility, "It's a zoo."

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB**

Person Interviewed: _____

	First	MI	Last
Title or Relationship:	Resident (R/S) #3, FCCC		

Date: August 5, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

R/S #3 stated he had been at FCCC since _____ . He stated he was _____

Allegation 1

He stated in July 2003, he was physically assaulted by R/S _____ (R/S #12). _____ and he suffered _____. He gave information regarding the assault to FSD Tiffany Lane and FSM Lawanda Dennis. They breached confidentiality; and the information was leaked to the other residents, including the assailant. R/S #3 stated he was "appalled" at the manner in which residents are endangered on a daily basis by management employees. He said Ms. Lane was aware that drugs and alcohol are easily obtained on the compound, and that employees bring them in for sale to the residents.

R/S #3 said that although he could only provide details of the incident mentioned above, that directly involved him, he stated Ms. Lane perpetuated a daily culture where safety and security are absent. He said the facts of incidents are purposely distorted on reports. He said there was malfeasance on a "middle management level he has never seen" in an institution. He said the repercussions are subtle, and residents are more afraid of the staff's inept management than each other.

Allegations 2 and 3

R/S #3 had no information regarding these allegations.

Additional Information

He said there are "pockets of staff against staff," and a definite division of black staff against white staff. "The nepotism runs rampant." Ms. Lane and her "family cliques" were part of the problem. He said she fostered a "homeboy" attitude, that lacked professionalism and ethics. He said that attitude was apparent in the sexual improprieties that the female staff initiated, and which Ms. Lane ignored. He said he had personal knowledge of the sexual activities, because he sent some of the residents to the Medical Department to be treated for minor _____ problems.

~~He stated there are no rules, no bedtimes, and the televisions are allowed to run 24 hours a day, seven days a week. There are loose living conditions and no order. He stated if there is a violent~~

Exhibit: R

incident, the response from staff is slow or nonexistent. He said the FSM's are not trained to handle the violent residents. He cited the August 4, 2004 incident, where the residents peacefully demonstrated over an internal issue. He said Ms. Lane and the staff were completely unprepared and had no idea how to handle the situation. He said the incident could easily have escalated into a riot had the residents not controlled the situation.

R/S #3 said of particular interest to him was the medical malfeasance. He reported that the nurses sleep on the night shift, and it was difficult to get specialized medical care for residents. He said the nurses are not qualified to triage. Most are LPNs, and he had seen some that were unable to take vital signs. He had seen improvement on occasion, whenever family members or attorneys intervene.

R/S #3 said he had verified substitutions on medicines or prescriptions not filled if outside physicians prescribed them. He said he had not seen a registered dietician on site, which he thought was required by all institutions.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: _____

	First	MI	Last
Title or Relationship:	Resident #4, FCCC		

Date: July 23, 2004 **Investigator(s):** Kelly Summers and Terri Balzer
 August 9, 2004

Other person(s) present: None

Upon being sworn, R/S #4 stated he had been a resident at FCCC since

Allegations 1 and 2

R/S #4 had no specific information regarding these allegations.

Allegation 3

R/S #4 stated it was true that staff brought illegal drugs into the facility. On July 22, while in Dorm, he witnessed TCC Octavio Baez deliver marijuana, in a baggie, to Resident (R/S #24). R/S #4 stated Mr. Baez went into the residents' rooms to make drug deals. He said this practice had been in effect since February 2003. He said Mr. Baez was paid in cash. The money came through the mailroom in letters to residents. He said the cash entered the facility undetected, because the "mail lady" gave the letter to the resident, he opened it, held it down where she cannot see it, and the cash dropped out onto the floor. The resident took the letter, shook it high in the air where the mail lady had to look up, and another resident picked up the cash.

R/S #4 said that Mr. Baez dealt "a lot of marijuana" to R/S #23.

Additional Information

R/S #4 said that cash was brought into the facility by visitors. He said it was easy because the staff did not pay attention to the exchange of contraband between residents and visitors. He said until recently, visitors were allowed to bring purses, briefcases, large bags and other containers, which he alleged usually contained contraband. He stated that R/S _____'s (R/S #9) girlfriend, name unknown, brought in marijuana until she was "banned from the facility."

R/S #4 stated on July 22, 2004, R/S _____ (R/S #22) was searched, and found to have four grams of marijuana on his person. R/S _____ (R/S #23) was also about to be searched by staff. R/S #4 saw R/S #23 as he handed over marijuana packets to TA Courtney Nunn and TA Anthony Florence, so he would not be caught with drugs on him. Ms. Nunn and Mr. Florence were "tight with _____"

On August 9, 2004, R/S #4 stated at approximately 2:00 p.m., at the -Dorm patio, he witnessed TCC Sebastian Whitfield pass a baggie of marijuana to R/S (R/S #24).

R/S #4 said that tempers were escalating in the facility. The residents talked of rioting. He said someone was going to get seriously hurt or killed. He said there had been stabbings, beatings, and a race war between the black and Hispanic residents. He said the staff were unable to recognize or handle the daily violence. He said the staff were scared, lacked operational leadership, and ignored reports of safety and security issues. He said the Executive Director, Rick Harry, was a "good man," and had initiated many positive changes, but the middle management was "no better than the residents." He said the staff were untrained, and were not background screened for criminal violations.

He stated there were no restrictions at night. The residents were permitted to enter and exit their dorms all during the night. He said that practice would not present a serious problem, except that some staff sleep inside the units, which minimized security. He said TCC Darby Ellis, TCC Willie Dean Roe and TA Georgia Greene slept on duty. TA Anthony Mustone did not sleep on duty, but was reported to have completed most of the night shift work in the dorm.

R/S #4 said approximately two weeks ago, as he walked across the yard, TA Sharica Harris yelled out, "he's nothing but a snitch." R/S #4 said he felt the statement was inappropriate and put him at risk for retaliation by other residents. The issue was serious enough that FSA Mitch Hollenbeck documented the event in incident reports. R/S #4 stated was known as R/S 's "girlfriend." He said it was common knowledge that the two had sex inside the facility.

R/S #4 stated the residents make homemade alcohol, also called "buck," in the kitchen. He said they use peaches, yeast and sugar. The alcohol is stored in five-gallon cooking oil containers.

R/S #4 said he reported all illegal activities to FSD Tiffany Lane, but that she had never acted on any information he gave her. He was concerned about the large number of knives buried in the ground, and the huge rocks the residents had marked for use as weapons. He said, "it was a disgrace" how unsafe the facility was.

He said Ms. Lane did not do her job because she was afraid of the residents. He said on July 22, 2004, during one volatile incident, she ran from the yard back to the Administration Building. He said it is common for the shift supervisors, the FSMs, to retreat to their office, leaving subordinate staff to handle critical incidents. He said Ms. Lane showed favoritism to certain black staff and residents. He said R/S was her favorite, and was allowed to roam the facility without restrictions. He said she also "spends a lot of time" with R/S (R/S #14).

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: _____

	First	MI	Last
Title or Relationship:	Resident #5, FCCC		

Date: June 25, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, Resident (R/S) #5 stated he was a mental health patient at FCCC, currently in treatment. He had been a resident since

Allegations 1, 2 and 3

R/S #5 did not provide any information relating to these allegations or subjects.

Additional Information

R/S #5 said he has seen marijuana in his housing unit, He stated that TA Theresa Snow brought in marijuana and gave it to the "resident drug dealer," R/S (R/S #11). He said Ms. Snow and R/S #11 walk together all the time. R/S #5 had seen the marijuana when Ms. Snow brought it in. He stated she carried the marijuana in her vagina. The drugs were wrapped in cellophane or plastic, tightly taped and enclosed inside a tampon.

Exhibit: T

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: _____

	First	MI	Last
Title or Relationship:	Resident #6, FCCC		

Date: June 4, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Allegation 3

Upon being sworn, R/S #6 was asked if he had knowledge of marijuana being brought into the facility by staff members. He refused to answer, and stated that the interview was over.

Exhibit: U

Office of Inspector General

Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB

Person Interviewed: _____

	First	MI	Last
Title or Relationship:	Resident #7, FCCC		

Date: June 4, 2004 Investigator(s): Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, R/S #7 stated he had been a resident for _____ and _____ years.

Allegation 1

R/S #7 said FSD Tiffany Lane was known by residents and staff to cover up incidents that her staff mishandled. He said in the R/S _____ Incident, she and her staff were like the "Keystone Cops." He said he and the other residents watched the incident, while staff ran around, but no one accomplished anything. R/S #7 said R/S _____ was simply watching them from the roof of one of the buildings. R/S #7 said the clinical staff (names unknown) tried to talk R/S _____ off the roof, but Ms. Lane's security staff interfered and rushed at him. R/S _____ jumped off the roof.

Allegation 2

R/S #7 said he heard that FSM James Staunton admitted to the FCCC Investigator, Kenneth Dudding, that he changed the times on the incident reports submitted by the staff. He said he heard that the reports were altered to cover up the time Mr. Staunton allowed R/S _____ to walk free around the yard, after he had been diagnosed as dangerous by the psychiatrist. R/S #7 said if R/S _____ had been confined to his room, like the doctor ordered, he would not have been able to get on the roof. Once R/S _____ was on the roof, the security staff "screwed up again" when they failed to allow the clinical staff to handle the situation. R/S #7 said the staff and other residents knew R/S _____'s history. He had climbed up on the roof before, but had always come down on his own.

Allegation 3

R/S #7 said he was aware that marijuana exists in the facility, but would not comment on TCC Octavio Baez bringing it in.

Additional Information

R/S #7 said Ms. Lane behaved in an unprofessional manner. He stated the reason she was hired was because of her personal relationship with the former executive director, Dr. Robert Briody.

Several staff had criminal convictions. When asked who they were, he stated it was the responsibility of the DCF to screen the employees. He said some staff, like FSM Lawanda

Exhibit: V

Dennis, and Recreational Specialist Wayne Bythwood, have convictions under other names, and should be fingerprinted to learn their real identities.

Medical care for residents is inadequate and negligent. He stated several residents died due to medical negligence.

The staff were poorly trained and cannot count the residents correctly. The counts were repeated numerous times. If a resident left the facility, the staff would not know he was gone.

The rules and regulations were not followed by staff. Policies were verbally changed daily. The residents knew the rules better than the staff.

The residents did not feel safe, because there was no order. He cited a recent stabbing, in which FSM Michelle Allen ordered the suspect, who stabbed another resident 12 times, to "get a mop and clean up the blood." The suspect was permitted to walk around for five hours before he was confined. R/S #7 stated that staff did not attempt to break up serious fights; they watched.

The residents were disciplined when contraband was found. However, the employees brought the contraband into the facility.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: Shawn Smith
Title or Relationship: First MI Last
Facility Safety Manager-Interim, FCCC

Date: June 25, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, Shawn Smith stated he had been employed in his current position as FSM-I since March 2004¹. From August 2000 – March 2004, he was an FSA. His prior employment included Martin Correctional Institution, DOC, as a correctional officer, and four years in the U.S. Marine Corps.

Allegation 1

Mr. Smith stated FSD Tiffany Lane fabricated evidence to cover up her mismanagement. Mr. Smith said she gave him permission to leave the facility on June 4, 2004, after he and FSM Donald Mosley had a disagreement. Mr. Smith said he and his girlfriend, FSA Christie Cline, were also granted unpaid “stress leave” by Mr. Murphy. At the time they left the facility, Mr. Smith could not anticipate the duration of his leave. They did not return to work until June 18, 2004.

On June 18, 2004, he was issued a written disciplinary letter, by Ms. Lane and Mr. Murphy, for Insubordination and Abandoning his Post. He was angry that Ms. Lane had given him permission to leave the facility, then disciplined him two weeks after the incident.

Allegation 2

Mr. Smith stated that Mr. Staunton was very professional and had a good work ethic. He had no personal knowledge of Mr. Staunton altering or falsifying documents in internal investigations.

Additional Information

Mr. Smith said it was difficult to identify staff from residents. He said the staff was not trained, and employees should be screened for criminal backgrounds.

He said Ms. Lane was very unprofessional during the Facility Safety Manager Meetings. He stated there were black and white racial issues that Ms. Lane perpetuated. He said Ms. Lane’s friend, Lawanda Dennis, was promoted to FSM after four months, and that there was no job announcement posted. Mr. Smith stated he was a valuable employee who was a good leader, had good rapport with the residents, and had better training than Ms. Dennis.

¹ Actual promotion date was April 11, 2004.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB**

Person Interviewed: Christie F. Cline
First MI Last

Title or Relationship: Facility Safety Assistant (FSA), FCCC

Date: June 25, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: _____

Upon being sworn, Christie Cline stated she had worked at FCCC in her current position since July 1999. Her previous employment was the DOC at Martin Correctional Institution, where she held the rank of Sergeant.

Allegation 1

Ms. Cline had no knowledge of any wrongdoing by FSD Tiffany Lane.

Allegation 2

Ms. Cline had no knowledge of any wrongdoing by FSM James Staunton.

Allegation 3

Ms. Cline said she had heard there were drugs on the compound of FCCC, but had no direct knowledge on the issue.

Exhibit: X

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
Case Number 2004-0043-WB**

Person Interviewed: Thomas J. Murphy
Title or Relationship: Human Resources Manager, FCCC
Date: June 6, 2004 **Investigator(s):** Kelly Summers and Terri Balzer
Other person(s) present: None

Upon being sworn, Thomas Murphy stated he had been employed with FCCC since July 23, 2001.

Allegations 1 and 2

Mr. Murphy said he had no knowledge of Ms. Lane or Mr. Staunton falsifying or altering documents in internal investigations.

Additional Information

Mr. Murphy provided information regarding procedural practices at the facility. He said the policy regarding employee background screenings was adopted in the Liberty Behavioral Health corporate office. He said they approved or disapproved a new hire with a criminal background, based on the nature of the crime. He stated the company did not hire applicants who committed physical assaults. The time frame of the applicant's violation was also considered in the hiring decisions. He said FBI fingerprint screening was not used. Applicants were requested to provide their addresses for the last seven years. A court clerk records check of those counties was conducted. The corporate office then faxed or called Mr. Murphy to advise whether to hire or reject the applicant. Mr. Murphy stated there was no provision in the DCF contract that required criminal background screening on employees.

Mr. Murphy said he was aware that TA Nika Bush was on felony probation, until September 2004, in Sarasota County for Uttering Forged Bills. He stated FCCC did not notify DCF of her record, nor was he required to do so. At the time of interview, Ms. Bush was on paid administrative leave pending the outcome of an internal investigation regarding allegations of engaging in an inappropriate relationship with a resident.¹

Mr. Murphy stated there was no In-Service Training Calendar. He said training was conducted by the corporate office once a year.

He said he did not know if the employees' diplomas or certificates were verified in the corporate office.

¹ Her employment was involuntarily terminated on August 24, 2004.

Exhibit: Y

Mr. Murphy advised, in an August 3, 2004 email, that FCCC did not have an official policy regarding "stress leave." Employees can apply for Short Term Disability or request paid or unpaid time off. These options were not automatic; management approval was required.

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB**

Person Interviewed: Javon S. Dukes
First MI Last

Title or Relationship: Therapeutic Community Coordinator (TCC), FCCC

Date: June 25, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, Javon Dukes stated he was hired as a TA on August 27, 2001. He was promoted to TCC on April 7, 2002. He also worked a second job at Florida Institute for Neurologic Rehabilitation, Inc. (FINR), a brain trauma facility.

Allegations 1 and 2

Mr. Dukes said he had no information regarding the allegations against FSD Tiffany Lane and FSM James Staunton. He said there were rumors that "stuff would disappear," when Mr. Youmann¹ and William Landers held the job as FSD.

Allegation 3

Mr. Dukes said he had no information about the allegation that Mr. Baez brought marijuana into the facility. Mr. Dukes stated he had heard that marijuana was brought into the facility through packages mailed to residents. He stated he smelled marijuana on the compound. He confronted one resident, name unknown, whom he thought was smoking a marijuana cigarette. The resident swallowed it. Mr. Dukes did not write an incident report.

Additional Information

Mr. Dukes stated he was not on duty on April 15, 2004, when R/S [redacted] jumped off the roof. He said he was involved in an incident, on February 27, 2004, where R/S [redacted] spit in his eye. TA Rodgers called for backup, and when other staff arrived, R/S [redacted] was restrained. The staff moved R/S [redacted] to the Medical Department, where he was placed in four-point restraints and medicated. Mr. Dukes received first aid from nurses; [redacted]. He said there was an allegation that he hit R/S [redacted] with his flashlight. Mr. Dukes said he did not strike R/S [redacted].

He stated he was concerned about the appearance of inappropriate behavior between female staff and residents. He observed other female staff, TA Catina Stevens, TA Marcia Moody, TA Nika Bush, and TA Theresa Snow, fraternizing with residents. Mr. Dukes did not know if the allegation was true that Ms. Snow brought drugs into the facility.

¹ Former employee at FCCC.

Exhibit: Z

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB**

Person Interviewed: Eloise Jones
First **MI** **Last**

Title or Relationship: Facility Safety Assistant

Date: September 10, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, Eloise Jones stated, she had been employed as a FSA since November 2000. She was promoted to FSM-I from October 2003 to January 2004. She returned to the FSA position at that time.

Allegations 1:

Ms. Jones stated she did not remember the R/S #9 Incident, when she was alleged to have received a videotape from FSD Tiffany Lane. She stated she never received any document or tape from Ms. Lane, nor was she asked to take any items to her home to cover up for Ms. Lane. Ms. Jones said Ms. Lane was responsible for her demotion from FSM-I to FSA, and that she would never consider helping Ms. Lane to destroy evidence.

Ms. Jones was interviewed via telephone and did not provide a written statement.

Exhibit: AA

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB**

Person Interviewed: Jorge L. Santana
First MI Last

Title or Relationship: Business Manager, FCCC

Date: June 9, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: _____

Upon being sworn, Jorge Santana said he had worked for FCCC since October 2, 2000. He had a Bachelor of Science degree in Accounting.

Additional Information

Mr. Santana explained the process by which resident checks are issued.

Incoming Monies:

Mr. Santana stated that the residents received money orders in the mail, which were deposited into their personal trust accounts. Cash, personal or business checks are not accepted. The resident was issued a receipt for all money received into his account. The resident was notified with a computer printout as to the account balance.

Outgoing Monies:

A resident can purchase Canteen¹ items, and the cost deducted from his personal trust account. A resident can also send money from his personal resident account to relatives, friends, or to purchase approved items from mail order companies. Mr. Santana said his office received a check request form from the resident. The business office verified the funds in the resident's account, issued the check, and mailed it to the payee at the address specified by the resident. The resident supplied the postage for mailing the check. All requests were accumulated from Thursday through Wednesday of the next week. On Thursday, the checks were processed and mailed out.

¹ A general store within the facility, stocked with approved items for sale to the residents.

Exhibit: BB

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB**

Person Interviewed: David W. Scheid
First MI Last

Title or Relationship: Therapeutic Community Coordinator (TCC), FCCC

Date: June 16, 2004 and August 4, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, David Scheid said he was hired in March 2002 as an FSA. In August 2002 he was promoted to Internal Affairs Investigator. He took a voluntary demotion to FSA in March 2003. In October 2003 he was promoted to TCC. He stated he was running for sheriff of DeSoto County in the November 2004 election.

Allegations 1 and 2

He said he knew of no specific incidents of falsification or altering reports, but heard rumors of reports that were changed in the Incident. He did not identify who the rumors were about. He heard that different types of handwriting appeared on reports, and times and dates were changed. He did not observe any of these reports.

Additional Information

Mr. Scheid said he had difficulties with the former Executive Director, Dr. Briody. He was asked to conduct unethical investigations, and he took a demotion as a result. He said Dr. Briody wanted to "focus on getting dirt on TCC William Landers and former employee Mr. Clemmons." He stated that Human Resources Director Tom Murphy was conducting the same type of unethical investigation on Kenneth Dudding, the current investigator. Mr. Scheid said he was very uncomfortable with the tactics used in the facility.

On August 4, 2004, Mr. Scheid said he was asked by Mr. Murphy to write a statement that discredited Mr. Dudding. Mr. Scheid stated he "did not remember writing the last sentence" of his statement. The last sentence read, "He was also asked who told him it was TA Cowell and he said that Dudding had told him." He said he thought it had been added after he signed the statement, and that the font of the printer was smaller than the print on the rest of the document. Mr. Scheid stated Mr. Murphy prepared the statement.

Mr. Scheid said he had no specific problems with Ms. Lane, but that she was inconsistent in meting out discipline and employee assignments. He stated the easiest and best assignments are given to her friends and family.

Exhibit: CC

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB**

Person Interviewed: John M. Brosnihan
First MI Last

Title or Relationship: Therapeutic Community Coordinator (TCC), FCCC

Date: June 29, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, John Brosnihan stated he had been employed at FCCC since May 17, 1999. Previously, he served in the U.S. Marine Corps.

Allegation 1

Mr. Brosnihan said that, although he cannot give specific details of falsification of documents or evidence of cover-ups of incidents, Ms. Lane failed to act on information he provided to her.

Allegation 2

Mr. Brosnihan had no information regarding FSM James Staunton.

Allegation 3

Mr. Brosnihan had no specific information regarding TCC Octavio Baez' involvement in bringing marijuana into the facility. However, he said "there was so much pot¹ on the facility." He said he knew because he smelled it every day when he walked around the yard. He said it was common knowledge that R/S (R/S #26) was the marijuana drug dealer for the Hispanic residents, and R/S (R/S #6) dealt for the black residents.

Additional Information

He said the facility was experiencing racial tensions between the black and Hispanic residents, and between the black and white employees.

He stated approximately two weeks prior to this interview, there was a fight between Residents (R/S #11), (R/S #27) and (R/S #10). On June 23, 2004, a knife was found in R/S #11's room. R/S #11 told employees the knife was "meant for R/S #10," who is black. Then on June 24, 2004, Mr. Brosnihan was on the night shift, working as the acting shift supervisor. R/S was antagonizing white residents in Quad 3, F-Dorm. On June 25, 2004, Mr. Brosnihan reported the events to Ms. Lane.

¹ Slang for Marijuana.

Ms. Lane acted on the information by moving R/S #10, for his own safety, from -Dorm to -Dorm. On Friday, June 25, 2004, Mr. Brosnihan came to work and saw that R/S #10 had been moved back to -Dorm. He said Ms. Lane did not inform the staff why the initial move was made, or that they should be alert due to the escalation in racial tensions between the two groups. He said Ms. Lane did not take the matter seriously because she was untrained and unaware of the potential risk.

On June 26, 2004, Mr. Brosnihan voiced his concerns to FSM Lawanda Dennis. He told Ms. Dennis, FSM Gerald Bove, and TCC Jose George that R/S #10 was in danger. He said R/S #10 stayed awake all night.

R/S #10 was stabbed 12 times on Sunday night, June 27, 2004 by R/S #11. Mr. Brosnihan said the residents and staff were talking about how Ms. Lane's best friend, FSM Michelle Allen, mismanaged the incident. He said they talked about the security tape that showed Ms. Allen ordering the suspect, R/S #11, to mop up the blood in his room, the crime scene. Ms. Allen secured the suspect in the contaminated room, rather than confine him in a clean room².

Mr. Brosnihan mentioned the relaxed rules regarding nighttime procedures. He said the residents are allowed to roam all night, keep the TV and lights on, and have no bedtime rules.

Mr. Brosnihan provided a written sworn statement (Exhibit DD-1).

² A room that had been searched and was free from contraband or dangerous objects.



Office of Inspector General
Investigations

VOLUNTARY STATEMENT

I, John Brosnihan, swear or affirm that on this Tues day of June 29th, 2004, in De Soto County, State of Florida, the attached statement consisting of page (s), each initialed by me, is given freely and voluntarily. No promises, threats, or inducements of any nature, whatsoever, have been made to me in order to obtain my consent to this statement, which is true and accurate to the best of my knowledge. I understand that any statement given is subject to public disclosure pursuant to the Florida Statutes.

Signed: JMB

STATE OF FLORIDA,
COUNTY OF Desoto

Subscribed and sworn to (or affirmed) before me this 29 day of June, 2004



(Name of Notary, Typed, Printed or Stamped)

Identification by Florida Driver's License _____
Identification by personal knowledge _____
Other Identification (Specify Type) _____

I informed the inspectors of the threats that had been made
toward Rls _____ by Rls _____ and of the threat

to staff him I informed them of the incident report and the

verbal warnings that Rls _____ was in danger. I also informed the

inspectors of the racial tension that is present on the facility



Statement of: J. Brosnan

Page 2 of 2

Case No: 2004-

and of the management's knowledge

~~[The remainder of the page is crossed out with a diagonal line.]~~

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB**

Person Interviewed: Johnny Fugate
First MI Last
Title or Relationship: Sheriff, DeSoto County, Florida
Date: August 4, 2004 **Investigator(s):** Kelly Summers
Other person(s) present: None

Additional Information

Sheriff Johnny Fugate called to report that on this date, August 4, 2004, he and his deputies were called to FCCC, in response to a call for assistance in a riot situation. When he arrived, he downgraded the call to a resident disturbance. He said he observed passive resistance from a small number of FCCC staff, who attempted to move R/S (R/S #6) to another unit. In the process, FSD Tiffany Lane and her staff were unable to manage approximately 100 residents. The sheriff did not intervene. He said the issue was an internal one, and no crime had been committed.

Sheriff Fugate met with the FCCC Executive Director, Rick Harry, FCCC General Counsel, Jennifer Haymes, and DOC Warden O'Conner. The sheriff said Mr. Harry requested that he and Warden O'Conner remain on standby in case of emergency. However, the residents met with Mr. Harry and normal operations resumed at approximately 1:30 p.m.

Sheriff Fugate stated that in the past few weeks, there had been an escalation in violent assaults. However, he stated when his office responded, crime scenes had been wiped clean or contaminated, and security tapes documenting incidents were "unavailable." The sheriff said his office also responded to calls at the facility, wherein no crime had been committed, but staff were unable to manage the residents. Sheriff Fugate stated he considered contacting the Governor's Office, but referred his concerns to the Office of Inspector General for action. He stated he was aware the OIG was conducting an ongoing investigation.

The sheriff had a reciprocal agreement with DOC, whereby the DOC CERT Team¹ would assist in a riot or large scale disturbance situation.

¹ Corrections Emergency Response Team.

Exhibit: EE

SUBJECT INTERVIEWS

Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB

Person Interviewed: Tiffany R. Lane

First MI Last

Title or Relationship: Facility Safety Director

Date: June 4, July 16, and September 1, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None.

Upon being sworn, Tiffany Lane stated she had been employed at FCCC since February 11, 2002. She worked as an FSA for one year, when she was promoted to FSM-I. The former Executive Director, Dr. Robert Briody, promoted her on August 8, 2003 to Facility Safety Director. Her former employment was DOC for six years.

Ms. Lane said she did not know how many staff she supervised.¹

Allegation 1

Ms. Lane denied that she falsified, altered and/or fabricated, either by omission or action, documents contained in internal investigations, incidents, or events. She denied that she erased, taped over or destroyed any security videotapes that documented critical incidents that occurred at FCCC.

Ms. Lane said she had oversight of the Safety Control Office and its operations. She stated that only the FSD and the FSM's have authority to remove security tapes from the Safety Control Office. She said she did not know how to operate the video cassette recorders located in the Safety Control Office. She stated that on April 15, 2004, after the Incident, FSM James Staunton and FSM Tipton had access to the videotapes. The tapes were secured in the FSM Office. As one of the FSD functions, Ms. Lane was required to review security tapes of critical incidents for any actions required. On April 16, 2004, she said she gave three tapes to Investigator Kenneth Dudding, to include in his internal investigation of the JW Incident. Ms. Lane was unaware that a fourth videotape existed, which documented the incident.

The following incidents were discussed with Ms. Lane:

1. INCIDENT: Ms. Lane said that although she was present on April 15, 2004, and observed the critical incident, she did not write an incident report. When Mr. Harry, her supervisor, requested documentation, Ms. Lane wrote an incident report on June 3, 2004. Ms.

¹ The FSD position was responsible for 156 staff.

Exhibit: FF

Lane said she instructed FSM Staunton that all staff were required to write a report of their observations and roles in the incident, to "justify the reason they were on the roof."

Ms. Lane said that Dr. Bellino advised her at approximately 11:30 a.m., that he placed R/S on 1:1 status. Upon notification, she radioed FSM Staunton and requested that he meet with her in person. She advised Mr. Staunton that R/S was to be placed on 1:1 status. The next contact she had with the incident was a notification by FSA Melissa Chambers that R/S was up on the roof. She walked to the area where the staff were "standing and talking." FSM Staunton advised that R/S swallowed a nail and that it was necessary for the staff to go up on the roof and bring R/S down for his own protection. Ms. Lane agreed.

Ms. Lane said there was a debriefing on April 15, 2004, at approximately 3:00 p.m., of all staff involved in the incident. She said there was no emergency manual to guide staff for incidents such as this one. She stated that she did not know of any policy that covered notification procedures regarding 1:1 resident restrictions².

Ms. Lane said she knew that her mother, TA Sylvia Russell, was posted on duty at the -Dorm Gate, where R/S was permitted to leave a secure area, and climb onto the roof. Ms. Lane said her mother did nothing wrong and was not reprimanded for her inaction.

2. FSM Mosley/FSM-I Smith Incident. On June 4, 2004, FSM-I Shawn Smith, and his girlfriend, FSA Christie Cline left the facility. Mr. Smith refused to work on the post assigned to him by FSM Donald Mosley. Ms. Lane said she gave him permission to leave the facility. She stated she did not document the event. She said she talked to Mr. Smith on the night of June 4, 2004, and he requested "Stress Leave,³" which she granted.

3. Resident (R/S #9) Incident. In June 2003, R/S #9 climbed up on the roof of the mailroom. At the time, Ms. Lane was FSM-I, and FSM Michelle Allen was acting FSD. Ms. Lane was the supervisor in charge, during the absence of FSM William Landers. It was alleged that Ms. Lane had several opportunities to stop R/S #9 before he ascended the roof, but failed to act. She allegedly allowed R/S #9 to walk freely up and down the compound, threatening staff, before he climbed up on the roof. Ms. Lane said she did not remember the incident.

4. TCC Javon Dukes/R/S Incident. TA Debra Rodgers alleged that on February 27, 2004, she saw Mr. Dukes punch R/S in the face after he spit on Mr. Dukes. Ms. Rodgers said she turned in an incident report to Ms. Lane, but the incident was "covered up" by Ms. Lane. Ms. Rodgers said she overheard Ms. Lane say to Mr. Dukes, "You got your ass in hot water. I can't keep covering for you. You better straighten it up."

² FCCC Policy E-15 2.B. addresses 1:1 notifications.

³ A common practice used by FCCC staff. It is an informal request for time off. HRM Murphy stated there was no such thing as "Stress Leave." ED Rick Harry stated it was leave taken as Paid Time Off, charged to the employee's annual leave balance.

Ms. Lane said she did not remember the incident, nor did she remember seeing an incident report written by Ms. Rodgers.

6. R/S _____ (R/S #3) Assault. In July 2003, R/S #3 reported a violent assault by R/S _____ (R/S #12). R/S #3 received extensive injuries, including _____ R/S #12 remains in the DeSoto County Jail, awaiting trial for the assault. R/S #3 stated Ms. Lane was directly responsible for confidential information given to her being leaked to the other residents. Ms. Lane stated she did not remember that the incident occurred.

7. Incident. In a phone conversation on September 1, 2004, Ms. Lane denied that she placed a videotape in Eloise Jones' handbag or that she asked Ms. Jones to take the tape home. She denied that she tried to hide any information and restated that she did not remember the details of this incident.

Allegation 2

Ms. Lane denied any knowledge of FSM James Staunton altering, falsifying or fabricating documents. She said she did not know he had altered staff incident reports in the R/S Incident. She said he did a good job and she had a good working relationship with him.

Allegation 3

Ms. Lane said she is aware of marijuana being brought into the facility via staff and visitors. She stated TCC Octavio Baez was suspect, but when he was searched on one occasion in May 2004, no contraband was found on his person. She denied that she warned him of the impending search.

Additional Information

Ms. Lane said that she indirectly supervises her mother, her sister, TCC Pamela Ruth, and her cousin, TA Fred Fields. She said there is no policy prohibiting supervision of family members.

Ms. Lane stated she presided over the Facility Safety Manager Meetings. She said that until Mr. Harry came to the facility, on January 5, 2004, she did not record minutes of the meetings.

Ms. Lane stated that she had never conducted an in-service training with her security staff. She said training is conducted by Human Resources on a yearly basis. She was not aware of any training calendar posted on the compound. She said any new policy was discussed in the FSM Meetings. The supervisors passed the policy contents on to the staff in their shift briefings.⁴

Ms. Lane said she was unaware there was a draft of a new policy called Critical Incident Response and Debriefing. She said she was not asked for input. She was unaware that the FSD was assigned to a Debriefing Team, which assessed each critical incident.

Ms. Lane requested that her incident report, dated June 3, 2004, serve as a written sworn statement (Exhibit FF-1).

⁴ All shifts have a 15-minute briefing before each shift.



Office of Inspector General
Investigations

VOLUNTARY STATEMENT

I, Tiffany Lane, swear or affirm that on this Friday 10-04-04 day of 10-04-04, 2004, in Desoto County, State of Florida, the attached statement consisting of page (s), each initialed by me, is given freely and voluntarily. No promises, threats, or inducements of any nature, whatsoever, have been made to me in order to obtain my consent to this statement, which is true and accurate to the best of my knowledge. I understand that any statement given is subject to public disclosure pursuant to the Florida Statutes.

Signed: X Tiffany M. Lane

STATE OF FLORIDA,
COUNTY OF Desoto

Subscribed and sworn to (or affirmed) before me this 4th day of June, 2004

Terri E. Balzer



Identification by Florida Driver's License _____

Identification by personal knowledge _____

Other Identification (Specify Type) Walmart Employee ID

See next page

FLORIDA CIVIL COMMITMENT CENTER INCIDENT REPORT

Person(s) Involved: FCCC# Resident Staff

Date of Report: 06/03/04 Time of Report: 12:53 p.m.

Please check This is a resident/staff related incident, or This is a Facility/Environmental incident

Check the one best category for this incident:

- | | | |
|--|---|--|
| <input type="checkbox"/> Deaths | <input type="checkbox"/> Media exposure/event | <input type="checkbox"/> Staff injury |
| <input type="checkbox"/> Discovery of contraband | <input type="checkbox"/> Medical events/emergencies | <input type="checkbox"/> Treatment events |
| <input type="checkbox"/> Equipment Failure/Damaged | <input type="checkbox"/> Medication events | <input type="checkbox"/> Violation of rules by staff |
| <input type="checkbox"/> Environmental events | <input type="checkbox"/> Psychiatric emergencies | Other: <u>1 to 1 status</u> |
| <input type="checkbox"/> Escape | <input type="checkbox"/> Staff abuse of residents | |
| <input type="checkbox"/> Legal exposure/event | | |

Location of the Incident: Florida Civil Commitment Center.

Witnesses: _____

Date of Incident: 04/15/04 Time of Incident: Approximately 11:30 a. m.

Details of the Incident: On 04/15/04 at approximately 11:30 am I FSD Lane was in the record department and Dr. Bellino approached me stating that R/S /M FCCC# needed to be on a 1 to 1 status due to him making threatening statements towards a female staff member. And advised him that he would have to be in a jump suit and order him finger food. A few seconds later I radio FSM Staunton and asked him could I give him a call? He stated he could meet with me due to him not being near an extension. I meet with him by the side walk by the Education Building and gave him the orders that Dr. Bellino gave me for R/S At that time I walked to my car to receive some money to order lunch. As I approached the gate control FSA Chambers advised me that R/S was on the roof. I walked towards my office where I saw Dr. Travia and some other staff and Dr. Travia stated that we needed to get the other residents inside the dorms. I radio safety control and advised do not release any residents. I proceeded towards the compound to help staff get all the residents in the dorms. Afterwards I walked back towards the situation where the staff was standing and started talking to FSM Staunton and he advised that staff stated that had swallowed a nail and that he was going to have staff go on the roof and get him down for his protection and I stated ok staff needed to be careful. At that time Dr. Moore and Ms. Haase was talking to me and stating different things. I stated to Ms. Haase that staff had a plan a they will retrieve him safely as possible. At that time was walking on the roof towards the V/P area and some staff was following him on the ground and some on the building, at this time stating to me Ms. Lane make them get back because if they don't I will jump. I stated to the staff to get back. Staff walked back from I radio safety control room staff and advised them to call the local sheriff department and advise them we had a resident on the roof. I received a call by radio from the Safety Control room. Staff to come to Safety Control. I went to Safety Control where Mr. Vaughn was standing there in front of the control room and he stated to me why I told the staff to call the Sheriff department. I stated I thought maybe he would come down if we call the Sheriff because the last time he got on the roof we called the sheriff he got

down. Mr. Vaughn stated that [redacted] the Sheriff Department to come out here [redacted] time. I stated to the staff in the control room to cancel the call to the Sheriff Office. I walked back to the situation and started talking with FSM. Staunton and he stated [redacted] attempted to set his shirt on fire and staff was going to go on the roof to get him down at this time I stated ok tell staff to be careful. At that time staff proceeded towards [redacted] and [redacted] was stating if they don't get back I will jump staff continuing to go towards him and he looked down and moved off towards the building with the grass and jumped down. At this time staff secured him on the ground. Medical Staff was on the scene and advised do not move the resident. Nurse Gordon stated we needed to call 911 due to the serious of his injuries. At this time I radio safety staff to call 911. Shortly after the call 911 arrived and they assess [redacted] and advised he would need to be air lift due to his injuries. I was there at the scene until they escorted [redacted] off the compound. I walked back to the Safety Control Room where FSM Staunton was located and advised him that all staff involved needed to write a report on everything they observed to justify the reason staff was on the roof and there roles in this incident have all staff involved checked by medical. All Staff involved plus the Facility Safety Mangers had a debriefing on this incident approximately 1500 hours. This report was written by the request of Mr. Harry due to the inspector general office requesting me to write an report.

[Redacted area containing multiple horizontal lines crossed out by a diagonal line.]

Have you answered the questions of Whom? What?, When?, Where?, Why? and How? (Use additional sheets if needed.)

Signature of Reporting Person: M. Law Date: 06/03/04
 Printed M. Law Name of Reporting Person: _____ T.

I.A.1 Incidents Requiring Medical Attention			
Was the nurse seen?	Yes <input type="checkbox"/> No <input type="checkbox"/>	911 Services? Yes <input type="checkbox"/> No <input type="checkbox"/>	Transported for medical attention? Yes <input type="checkbox"/> No <input type="checkbox"/>
If answered YES to any of the above, the nurse is to complete and attach MEDICAL ADDENDUM to this incident report.			

**Office of Inspector General
Investigations
MEMORANDUM OF INTERVIEW
CASE NUMBER 2004-0043-WB**

Person Interviewed: James Staunton
First **MI** **Last**

Title or Relationship: Facility Safety Manager, FCCC

Date: June 3, 2004 **Investigator(s):** Kelly Summers and Terri Balzer

Other person(s) present: None

Upon being sworn, James Staunton said he had been employed at FCCC since May 1999. He was a TA, an FSA, and was promoted to FSM in January 2003. He stated he scheduled duty posts for all TAs and TCCs under his supervision. He supervised approximately 40 staff per shift. He reported to FSD Tiffany Lane.

Mr. Staunton described the facility as a treatment facility for Sexually Violent Predators (SVP). He said the facility was secure, surrounded by razor wire, and movement by residents was controlled.

Allegation 1

Mr. Staunton said he could provide no information regarding allegations against FSD Tiffany Lane.

Allegation 2

Mr. Staunton admitted that, on April 15, 2004, he changed the times on the R/S #15 Incident reports submitted by TA Joseph Santos and TA Debra Rodgers. He said he was aware that he altered official documents. He said that neither Mr. Santos nor Ms. Rodgers were advised that he changed their reports. He said they did not give him permission to alter their reports. Mr. Staunton said he changed the times "so everything would coincide." He said the times were different than the times on the official emergency log in the Safety Control Office. He denied changing the content of any employee's reports. He stated he did not place his initials next to the changes, but simply wrote over the original times. He said he was now aware that any changes made must be initialed.

Mr. Staunton indicated that if other incident reports were inspected, "you might see changes on them." He said he often instructed the staff to re-write their reports, because they do not write good reports, and many of the facts are left out.

Allegation 3

Mr. Staunton said the staff all knew drugs were brought into the facility. He said FSM Mosley told him that drugs were brought into D-Dorm. Mr. Staunton said it was strange that no searches were conducted in D-Dorm. He stated that the employees are searched periodically, but that the

Exhibit: GG

procedure was "a joke." He said the employees are tipped off before a search can be performed. The Human Resources Manager Tom Murphy conducted the random selection of the employees to be searched. By the time the FSM was notified of the search, the identity of the employee to be searched was known to many people. The selection was made days before the actual search was conducted. He said the procedure was not effective.

Additional Information

Mr. Staunton related the following about his role in the R/S #15 Incident on April 15, 2004.

R/S #15 had been at FCCC for a long time, and had a history of including . Previously, he

Mr. Staunton was the FSM in charge on April 15, 2004. Initially, Ms. Rodgers told Mr. Staunton that Psychiatrist Dr. Robert Bellino ordered R/S #15 placed on 1:1 status. Mr. Staunton said he was aware that 1:1 meant that the resident is a danger to himself and must be constantly monitored. R/S #15 was not escorted from the Medical Unit back to his dorm. Mr. Staunton relayed a message to TA Santos, by radio, to keep R/S #15 on the dorm. Mr. Staunton said he did not advise TA Santos that #15 was on a 1:1 status. Mr. Staunton saw Ms. Lane, who advised him of R/S #15's 1:1 status. Mr. Staunton said he went to the Clinical Department to look for Dr. Tara Travia to verify the status.

Mr. Staunton said approximately five minutes passed, from the time Ms. Rogers told him of the restricted status, until he called TA Santos. When he was advised that, according to the log book records, 28 minutes had elapsed, not five minutes, Mr. Staunton said "that might be accurate."

Mr. Staunton said the clinical staff was eating lunch. He saw Dr. Travia. He advised her of the situation. Then he heard TA Sylvia Russell call over the radio, "we got R/S #15 on the roof." Mr. Staunton ran out of the door. He said he ran to the gate, and saw R/S #15 on the walkway of the roof. He began to clear the yard and sent the residents back to their dorms. He remembered that TA Santos, Dr. Travia, Nurse Gordon, Nurse Campbell, Dr. Bellino, Dr. Lipscomb and Ms. Haase were present at the scene.

Mr. Staunton said he saw R/S #15 cursing at Dr. Bellino, but the doctor was talking calmly to him. Mr. Staunton said that he observed R/S #15 pick up an object. Mr. Staunton called for an Extraction Kit,¹ because R/S #15 was near the razor wire. He said he also saw R/S #15 flicking his lighter, as though to light his shirt on fire. Mr. Staunton said R/S #15 was agitated and was cursing. He said, however, R/S #15 walked steadily across the roof, and did not appear to be a threat to anyone other than himself.

~~Mr. Staunton said the medical, clinical and security staff were all at the scene. He said the plan was to get the security staff up on the roof. Mr. Staunton stated that after Dr. Bellino offered R/S #15 a drink of water, no one on the clinical staff said anything. He said he felt he had to act.~~

¹ Gloves and boltcutters for use on razor wire.

Mr. Staunton told TA Billeter to get a ladder. He ordered TCC Baez, Billeter, Florence and TA Santos to go up on the roof and restrain R/S #15. As his staff approached R/S #15, he said to "get them back," or he would jump. As the staff kept going towards R/S #15, he moved toward the edge of the roof, and jumped. Mr. Staunton said he was not surprised that R/S #15 jumped. He said he did not hesitate to order the staff to restrain R/S #15.

After R/S #15 jumped off the roof, Mr. Staunton said the security staff handcuffed him. "He didn't display any combative behavior." The medical staff assessed his injuries, called for an ambulance, and R/S #15 was transported to the hospital.

Mr. Staunton stated that he hoped the staff videotaped the incident. He did not know there were two hand-held camcorders and two stationary cameras taping the incident. He said he thought that was "interesting." When asked if he saw the videotapes, he replied that he had not, and was not curious about reviewing them. Mr. Staunton said he did not view the incident as critical. He was advised that only one out of four tapes survived to show the events of the incident. He said he did not find that unusual. He said he did not erase or tape over any tapes. He stated that Ms. Lane had custody of the tapes.

He said there was an FSM meeting after the incident. Mr. Harry, Mr. Robert Vaughn, Assistant Director, Dr. Moore, the medical staff, and HRM Thomas Murphy were in attendance. Mr. Staunton stated they discussed the events of the incident and steps for improvement.

Mr. Staunton said there was no emergency manual for critical incidents. He said there should be a protocol when a doctor placed a resident on 1:1 status. Mr. Staunton said Dr. Bellino should have notified the FSM of R/S #15's restrictive status. Mr. Staunton said he could have ensured that R/S #15 was escorted from the Medical Unit to his dorm, and restricted him to his room.

Mr. Staunton provided a sworn written statement (Exhibit GG-1).



Office of Inspector General
Investigations

VOLUNTARY STATEMENT

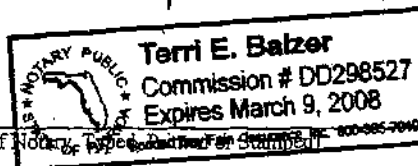
I, JAMES STAUNTON, swear or affirm that on this 10th day of JUNE, 2004, in Desoto County, State of Florida, the attached statement consisting of page (s), each initialed by me, is given freely and voluntarily. No promises, threats, or inducements of any nature, whatsoever, have been made to me in order to obtain my consent to this statement, which is true and accurate to the best of my knowledge. I understand that any statement given is subject to public disclosure pursuant to the Florida Statutes.

Signed: James A Staunton
Jan A Staunton

STATE OF FLORIDA,
COUNTY OF Desoto

Subscribed and sworn to (or affirmed) before me this 10 day of June, 2004

Jan T. Balzer



Identification by Florida Driver's License _____
Identification by personal knowledge _____
Other Identification (Specify Type) _____

ITEMS DISCUSSED DURING INTERVIEW WERE THE
R/S INCIDENT. REPORTS WRITTEN BY MYSELF
& OTHER STAFF. I CHANGED TIME OF REPORT ON
THE STATOS OF THE INCIDENT. WE ALSO DISCUSSED WHO
WAS PRESENT DURING INCIDENT. I NAMED DR TABIA, DR MOORE & DR LIPSCOMB

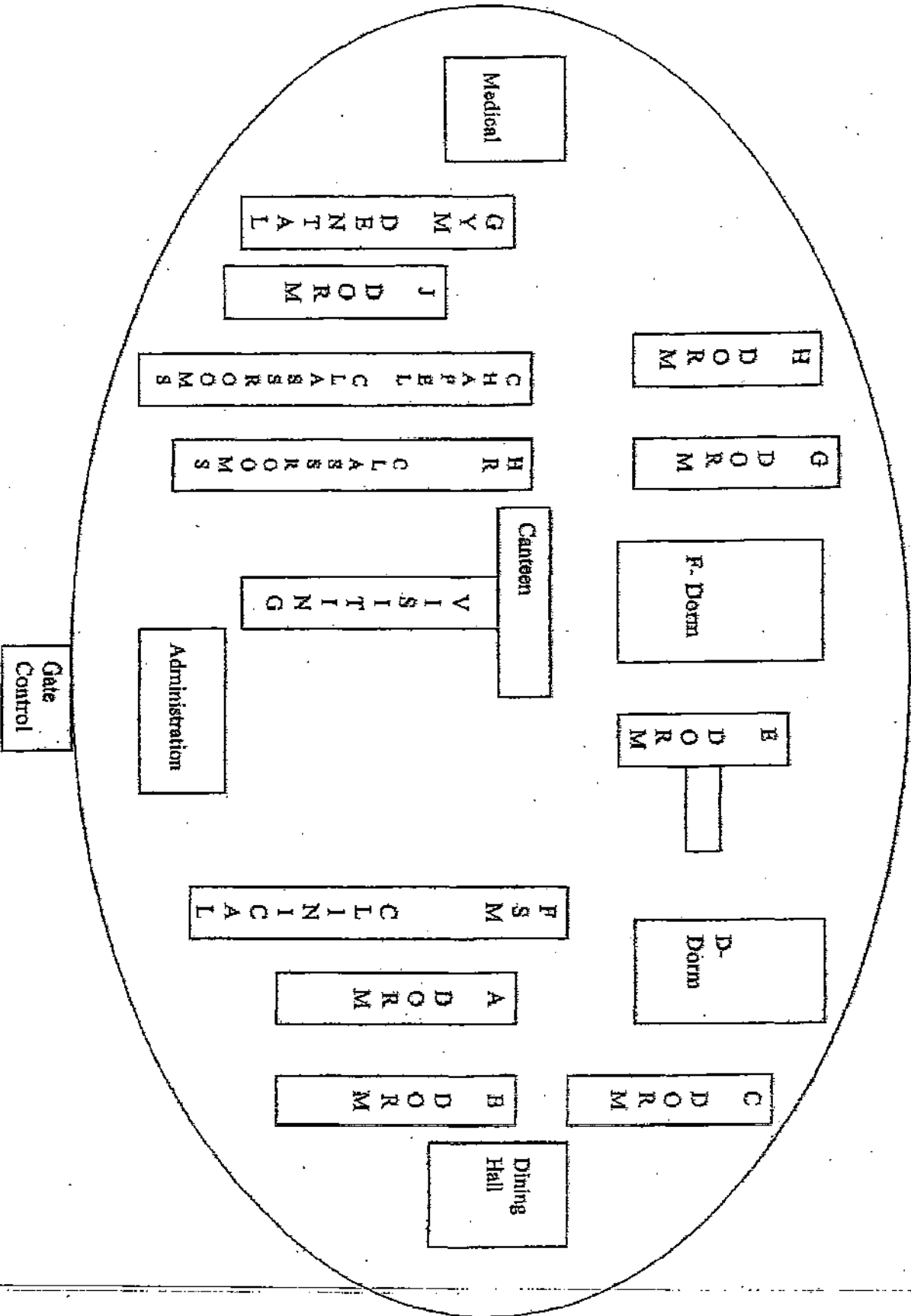
Statement of: _____

Page _____ of _____

Case No: 2004-_____

of Dr Bellino. OTHER ITEMS DISCUSSED WERE TAPES FROM THE
CAMERA. THE TAPES WERE TURNED OVER TO FSD LANE
I HAD NO KNOWLEDGE OF TWO VIDEO CAMERAS. WE DISCUSSED
HOW INCIDENT COULD HAVE BEEN PREVENTED (AS STAYING IN MEDICAL)
OR IMMEDIATELY PUTTING SOMEONE ON HIM. WE DISCUSSED THE TIME
FRAME BETWEEN NOTIFICATION FROM T/A RODGERS + FSD LANE. OTHER
ITEMS DISCUSSED ARE INCLUDED WITHIN INVESTIGATION ^{BY} DCF NOTES.
WE DISCUSSED THE PROBABLE STATE OF MIND OF PLS ALSO THE ACTIONS
OF STAFF. LASTLY WE DISCUSSED POSSIBLE DRUG ACTIVITIES IN THE
FACILITY I INFORMED DCF INVESTIGATION OF REQUEST BY ANOTHER
ESM TO SEARCH A STAFF FOR POSSIBLE CONTRABAND (T/A WHITFIELD)

Florida Civil Commitment Center
Facility Layout



DOC Housing

DOC Housing

AUTHORIZED PARKING

UNAUTHORIZED PARKING

DOC Administration

Gate Control

Generator

HANDICAP/RESERVED PARKING

AUTHORIZED PARKING

UNAUTHORIZED PARKING

AUTHORIZED PARKING

S.R. 70



FLORIDA CIVIL COMMITMENT CENTER
SAFETY CONTROL LOG

DATE	TIME	DESCRIPTIVE REMARKS
04/14/04		2 ND SHIFT LOG CONTINUED.....
	0001	COUNT TIME CALLED
	0007	FSA COOPER RELIEVES FSA BARNES OF ALL DUTIES AND EQUIPMENT.
	0011	FSA D. WILLIAMS CIF FOR 1 ST SHIFT, FSM NOTIFIED
	0013	COUNT CLEARS
	0033	SECURITY CHECK-ALL UNITS SECURE
	0045	SECURITY CAMERAS CHECKED-ALL SECURE
	0100	SECURITY CHECK-ALL UNITS SECURE
	0115	SECURITY CAMERAS CHECKED-ALL SECURE
	0130	SECURITY CHECK-ALL UNITS SECURE
	0135	FSA SMITH ADVISES THAT FENCE CHECKS WITH DOC IS 10-8
	0145	SECURITY CAMERAS CHECKED-ALL SECURE
	0155	FSA SMITH ADVISES THAT FENCE CHECKS WITH DOC ARE 10-98, NO DISCREPANCIES NOTED.
	0200	SECURITY CHECK-ALL SECURE EXCEPT A, B AND C DORM WHO DID NOT RESPOND AFTER 3 CALLS, FSM TIPTON NOTIFIED.
	0230	SECURITY CHECK-ALL UNITS SECURE
	0245	SECURITY CAMERAS CHECKED-ALL SECURE
	0300	SECURITY CHECK-ALL UNITS SECURE
	0330	SECURITY CHECK-ALL UNITS SECURE
	0345	SECURITY CAMERAS CHECKED-ALL SECURE
	0400	COUNT TIME ANNOUNCED
	0405	COUNT CLEAR
	0407	FSA SMITH, FSA FLORES ESCORTS RESIDENTS TO MEDICAL FOR BLOOD WORK.
	0430	SECURITY CAMERAS CHECKED-ALL SECURE
	0447	VIDEO TAPES EXCHANGED AT THIS TIME
	0449	BLOOD WORK 10-98
	0500	SECURITY CHECK-ALL UNITS SECURE
	0515	SECURITY CAMERAS CHECKED-ALL SECURE

EXHIBIT: II

04/14/04	1A SHIFT LOG BEGINS.....
	0605	FSA VILLEGAS RELIEVES FSA COOPER OF ALL DUTIES AND EQUIPMENT. FSM STAUNTON ON DUTY. IN HOUSE 432 OUT 2 TOTAL 434
	0606	MED LINE 10-8.
	0628	MED LINE 10-98 PER FSA CARLUCCI.
	0656	COUNT TIME.
	0709	MR. THOMAS ADVISED HE WOULD BE LATE.
	0711	DUMP TRUCK ON FACILITY TO D9 PER FSA BILLETTER.
	0722	CLEAR COUNT.
	0735	R/S SVP# OUT WITH DOC FOR OTM PER TA REED. IN HOUSE 431 OUT 3 TOTAL 434
	0750	R/S ON VP FOR W/D.
	0800	CHOW COUNTS A 22, B 22, C 29, D 49, F 70, G 23, H 26.
	0815	CHOW 10-98 PER FSA TEAGUE. 1 10-12 TO MEDICAL X-RAY PER TA SANTOS.
	0832	CEM VEHICLE TO VP PER FSA BILLETTER.
	0847	8 R/S FROM A IN ED2 FOR GROUP W/ DR. MOORE.
	0853	1-10-12 TO ASSESSMENT FOR ATT/CLIENT PER FSA JONES.
	0856	9 R/S IN FITZPATRICK GROUP IN CONFERENCE ROOM.
	0858	26 R/S IN REC PER MR. BYTHWOOD.
	0920	11 R/S IN GARDEN PER TA FLORENCE.
	0926	R/S SVP# OUT WITH DOC FOR OTM PER FSA CARLUCCI. IN HOUSE 430 OUT 4 TOTAL 434
	0933	R/S SVP# MOVES FROM INFIRMARY BACK TO -12 PER TA RODGERS.
	0945	FSA EASON CALLED IN FOR 2A SHIFT FSM STAUNTON ADVISED.
	1016	REC 10-98.
	1026	MS. FITZPATRICK RETURNS 9 R/S BACK TO DORM.
	1028	DR. MOORE RETURNS 8 R/S BACK TO A DORM.
	1035	R/S SVP# RETURNS FROM OTM PER FSA CARLUCCI. IN HOUSE 431 OUT 3 TOTAL 434
	1040	GARDEN 10-98.
	1041	COMMERCIAL AIR ON FACILITY TO VP PER FSA BILLETTER.
	1051	SVP# RETURNS FROM OTM PER FSA CARLUCCI. IN HOUSE 432 OUT 2 TOTAL 434
	1100	COUNT TIME.

04/14/04	1A SHIFT LOG CONTINUES.....
	1118	CLEAR COUNT.
	1119	REC 10-98.
	1124	MED LINE 10-8 PER FSM STAUNTON.
	1149	CEM EXITS FCCC PER FSA BILLETTER.
	1157	PER FSM STAUNTON PHONED PAPA'S VENDING, ADVISED MR. THIEME WIRE IS BURNING ON MACHINE, HE ADVISED UNPLUGGED MACHINE THAN CALL BACK.
	1203	FSM STAUNTON ADVISED MR. ALDERMAN UNPLUGGED MACHINE. MR. ALDERMAN ADVISED SANDWICH MACHINE IS NON-OPERATIONAL.
	1226	UNCLE BEN'S PRIDE TO F/S PER FSA BILLETTER.
	1231	NOON MEAL IS COMPLETED PER FSA TEAGUE. CHOW COUNT: A(29), B(29), C(32), D(68), F(76), G(32), H(31).
	1237	1 10-12 TO F/S FOR REPAIR.
	1243	5 R/S FROM G IN MS TRAVIA'S GROUP IN ED1, 8 R/S FROM G IN MS HAASE'S GROUP IN ED4.
	1244	8 R/S FROM A IN DR. MOORE'S GROUP IN ED2.
	1246	11 R/S FROM H IN MR RAMSEY'S GROUP IN CHAPEL.
	1247	9 R/S FROM H IN MS WHITE'S GROUP IN ED9.
	1252	UNCLE BEN'S PRIDE 10-98.
	1302	MR. POWELL ADVISED SPRINT WILL BE WORKING ON THE PHONES FOR A FEW MINUTES ALL DORMS ADVISED.
	1305	MAIL CALL 10-98 PER FSA CARLUCCI.
	1341	COUNT TIME.
	1402	CLEAR COUNT.
	1405	PAPA'S VENDING TO VP PER FSA CARLUCCI.
	1426	REC 10-98.
	1444	MS. WHITE'S GROUP 10-98 ALL R/S BACK TO DORM.
	1445	MS. TRAVIA'S GROUP 10-98 ALL R/S BACK TO DORM.
	1455	MS. HAASE'S GROUP 10-98 ALL R/S BACK TO DORM.
	1458	MR. RAMSEY'S GROUP 10-98 ALL R/S BACK TO DORM.
	1505	R/S SVP# OUT WITH DOC FOR OTM PER TA SANTOS.
	1524	REC 10-98.
	1529	MED LINE 10-8 PER FSA BILLETTER.

FLORIDA CIVIL COMMITMENT CENTER
SAFETY CONTROL LOG

DATE	TIME	DESCRIPTIVE REMARKS
04-15-04	0001	COUNT TIME
	0005	SECURITY VCR TAPES CHANGED
	0020	CLEAR COUNT 432 IN HOUSE + 2 OTC = 434 TOTAL
	0100	SECURITY CHECK
	0204	SECURITY CHECK
	0300	SECURITY CHECK
	0400	COUNT TIME
	0424	CLEAR COUNT 432 IN HOUSE + 2 OTC = 434 TOTAL
	0508	3 R/S FROM G DORM TO F/S
	"	3 R/S FROM A DORM TO F/S
	0509	1 R/S FROM C DORM TO F/S
	0517	1 R/S FROM H DORM TO F/S
	0540	1 R/S FROM A DORM TO F/S
	0541	1 R/S FROM H DORM TO F/S
	0554	1 R/S FROM H DORM TO F/S
	0555	2 R/S FROM B DORM TO F/S
	0558	1 R/S FROM A DORM TO F/S
	"	1 R/S FROM C DORM TO F/S
	0603	1 R/S FROM F UNIT TO F/S
	0608	3 R/S FROM H DORM TO F/S
		1 R/S FROM D DORM TO F/S
	0609	MEDICATION/ ACCU CHECK LINE IS 10-8
	0610	FSA HARGRAVES RELIEVED IN SAFETY BY FSA VILLEGAS
		FSA HARGRAVES
		FSM MOSLEY

04/15/04	PG 11A SHIFT LOG BEGINS.....
	0610	FSA VILLEGAS RELIEVES FSA HARGRAVES OF ALL DUTIES AND EQUIPMENT. FSM STAUNTON ON DUTY IN HOUSE 432 OUT 2 TOTAL 434
	0613	MED LINE 10-8 PER FSM STAUNTON.
	0618	EXCHANGED VIDEO TAPES.
	0631	MED LINE 10-98.
	0700	COUNT TIME.
	0715	CLEAR COUNT.
	0736	CEM ON FACILITY TO D9 PER FSA BILLETTER.
	0750	CHOW COUNTS A 19, B 13, C 28, D 71, F 69, G 19, H 21.
	0800	MED LINE 10-8 PER FSA CARLUCCI.
	0812	R/S FROM G DORM IN VP FOR W/D.
	0810	CHOW 10-98 PER FSA TEAGUE.
	0835	REC 10-8 PER TA NUNN.
	0839	MED LINE 10-98.
	0840	11 R/S IN REC.
	0845	12 R/S FROM A IN MR. THOMAS GROUP IN ED2.
	0856	10 R/S FROM H IN MS. WHITE'S GROUP IN CLINICAL BLDG.
	0900	1 10-12 TO ASSESSMENT BLDG. FOR ATT/CLIENT PER FSA JONES.
	0903	GARDEN 10-8 PER TCC SMALLS.
	0904	1 R/S FROM CLINICAL BACK TO W/D CANTEEN PER MR. RICKARDS.
	0933	EMS CALLED BY MEDICAL DUE TO A PROBLEM WITH A CONSTRUCTION WORKER IN MEDICAL AREA PER FSM STAUNTON.
	0935	R/S SVP# OUT WITH DOC FOR OTM PER FSA CARLUCCI. IN HOUSE 431 OUT 3 TOTAL 434
	0952	EMS 10-12 ON FACILITY TO MEDICAL PER FSA BILLETTER.
	1005	MR. THOMAS GROUP 10-98 ALL R/S BACK TO A-DORM.
	1015	EMS AND CEM OFF FACILITY GROUNDS PER FSA BILLETTER.
	1033	MS. WHITE'S GROUP 10-98 ALL R/S BACK TO H-DORM.
	1041	R/S SVP# RETURNS BACK FROM OTM PER FSA CARLUCCI. IN HOUSE 432 OUT 2 TOTAL 434
	1048	GARDEN 10-98 PER TA FLORENCE.
	1052	10 R/S IN REC.

04/15/04	PG 21A SHIFT LOG CONTINUES.....
	1054	1 R/S FROM CLINICAL BACK TO A DORM.
	1057	PAPA'S VENDING IN TO VP PER FSA BILLETTER
	1100	COUNT TIME.
	1115	CLEAR COUNT.
	1130	MED LINE 10-8 PER TA NUNN.
	1131	VELDA FARMS TO F/S PER FSA BILLETTER.
	1140	DENTAL IS COMPLETED PER TA WRIGHT.
	1149EMERGENCY LOG BEGINS..... PER TA RUSSELL, RESIDENT SVP# W/M ON TOP OF THE ROOF, ALL AVAILABLE STAFF ASKED TO RESPOND, STAFF ADVISED EMERGENCY RADIO TRAFFIC ONLY.
	1150	PER FSM STAUNTON STAFF ADVISED TO CLEAR THE YARD AND SECURE GATES.
	1153	TCC LANDERS ADVISED A RESIDENT WAS ON THE WALK WAY IN FRONT OF HUMAN RESOURCES.
	1157	PER FSD LANE STAFF ADVISED DO NOT RELEASE ANY RESIDENTS.
	1159	PER FSM STAUNTON NEED EMERGENCY KIT AND STRETCHER FROM MEDICAL.
	1200	PER FSM STAUNTON NEED ABSTRACTION KIT FROM GATE CONTROL.
	1201	NURSE RANGER IS ENROUTE WITH EMERGENCY KIT AND STRETCHER.
	1205	PER FSD LANE CALL SHERIFF DEPARTMENT AND ADVISED OF SITUATION.
	1206	911 WAS ADVISED OF THE SITUATION AND ASK TO SEND AN OFFICER PER FSA CLARK.
	1211	FSM STAUNTON RECEIVES ABSTRACTION KIT PER FSA VILLEGAS.
	1221	RESIDENT SVP# JUMP OFF ROOF. HE WAS IMMEDIATELY SECURED BY STAFF AND OBSERVED BY MEDICAL STAFF.
	1222	PER FSD LANE CANCEL 911 CALL. FSA VILLEGAS DESOTO COUNTY SHERIFF DEPARTMENT NO DEPUTY IS NEEDED SITUATION IS UNDER CONTROL.
	1224	PER FSM STAUNTON NEED BOARD FROM MEDICAL.
	1225	PER FSD LANE CALL 911 ADVISED NEED AMBULANCE ONLY. FSA VILLEGAS CALLED SHERIFF DEPARTMENT AN ADVISED NEED AMBULANCE ONLY AT FLORIDA CIVIL COMMITMENT CENTER.

4/15/04	PG 31A SHIFT LOG CONTINUES.....
	1228	EXCHANGED TAPES IN SAFETY 67-69 TO 70-72.
	1237	(4) EMS ARRIVES AT FCCC AND ESCORTED BY TA MULLIGAN.
	1241	(1) DEPUTY FROM DESOTO COUNT SHERIFF DEPARTMENT AND (1) DESOTO CORRECTIONAL OFFICER ARRIVES AT FCCC ESCORTED BY TA MULLIGAN.
	1250	FSM STAUNTON ADVISED GATE (FSA CHAMBERS) TO ADVISED SERGEANT CHAMBERLAIN (DESOTO CORRECTIONAL INSTITUTION) TO PHONE IMMEDIATELY.
	1301	COUNT COMMENCED.
	1303	RESIDENT SVP # /M DEPARTED W/ DOC AND EMS ON STRETCHER PER FSA VILLEGAS. IN HOUSE(431)+OTC(2)+OTM(1)=(434)
	1320	RECOUNT PER FSM STAUNTON.
	1325	FSM STAUNTON TAKES TAPE #71 OUT OF VCR AND REPLACE W/ #73.
	1344	EMERGENCY COUNT NEEDED – ALL STAFF ADVISED SEND RESIDENTS TO RESIDENTIAL HOUSING UNITS PER FSM STAUNTON.
	1352	FSMI CARLUCCI ADVISED YARD IS CLEAR.
	1353	EMERGENCY COUNT COMMENCED.
	1406	CLEAR COUNT ON FACILITY GROUNDS, FCCC RESUME BACK TO NORMAL OPERATIONS PER FSD LANE.
	1407	COMPUTER LAB IS OPERATIONAL PER TCC LANDERS.
	1408	LIBRARY IS OPERATIONAL PER TCC SCHEID.
	1415	THL TRUCK DEPARTS PER FSA BILLETTER.
	1430	R/S SVP# OUT WITH DOC FOR OTM PER TA FLORENCE.
	1436	3 R/S FROM G WITH MS. TRAVIA IN CLINICAL BLDG.
	1437	2 10-12'S FROM ASSESSMENT DEPART FACILITY PER TA MULLIGAN.
	1505	R/S SVP# OUT WITH DOC FOR OTM PER TCC MORALES. IN HOUSE 429 OUT 5 TOTAL 434
	1521	MED LINE 10-8 PER TCC NORMAN.
	1535	MAIL CALL 10-98 PER TA FLORENCE.
	1543	MED LINE 10-98.
	1552	1 R/S FROM CLINICAL BACK TO A-DORM.
	1556	CHOW 10-8 PER FSA TEAGUE.

04-15-04	1810	FSA HARGRAVES ON DUTY IN SAFETY CONTROL, FSM MOSLEY IN COMMAND
	1831	CHAPEL IS 10-8
	1835	FIRE ALARM ACTIVATED ON F UNIT
	1844	SECURITY VCR TAPES CHANGED
	1846	FSM MOSLEY REQUESTS THAT FSD LANE BE CALLED AND PUT THRU TO F UNIT, MESSAGE LEFT ON HOME PHONE
	1854	5 R/S FROM GROUP TO G DORM
	1904	1 R/S FROM F UNIT, 1 R/S FROM G DORM TO MEDICAL
	1905	14 R/S RETURNED TO H DORM FROM GROUP-ED3
	1906	FIRE ALARM RE-SET ON F UNIT, ALL OKAY
	1908	9 R/S RETURNED TO H DORM FROM AA GROUP
	1910	R/S # RETURNED TO FCCC FROM OTM
	1914	2 R/S FROM MEDICAL RETURNED TO THEIR DORMS (F & G)
	1915	MEDICATION LINE IS 10-8
	1921	1 R/S FROM D DORM TO CHAPEL
	1929	1 R/S FROM H DORM TO MEDICAL
	1940	1 R/S FROM D DORM TO MEDICAL-PRN
	1942	3 R/S FROM B DORM TO MEDICAL-PRN
	1944	1 R/S FROM A DORM TO MEDICAL-PRN
	1949	2 R/S FROM G DORM TO MEDICAL-PRN
	1953	CHAPEL IS 10-98, ALL R/S RETURNING TO THEIR DORMS
	1955	FREE WALK IS 10-98
	2005	MEDICATION LINE IS 10-98
	2036	1 R/S FROM A DORM TO MEDICAL
	2042	1 R/S FROM MEDICAL RETURNED TO A DORM
	2058	1 R/S FROM MEDICAL RETURNED TO A UNIT
	2102	COUNT TIME
	2122	CLEAR COUNT 431 IN HOUSE + 1 OTM + 2 OTC = 434 TOTAL
	2200	SECURITY CHECK
	2300	SECURITY CHECK
		FSA HARGRAVES FSM SMITH

FLORIDA CIVIL COMMITMENT CENTER
SAFETY CONTROL LOG

DATE	TIME	DESCRIPTIVE REMARKS
04-16-04	0001	COUNT TIME
	0018	CLEAR COUNT 431 IN HOUSE + 10TM + 2 OTC = 434 TOTAL
	0100	SECURITY CHECK
	0105	SECURITY VCR TAPES CHANGED
	0113	R/S # RETURNED TO FCCC FROM OTM, TAKEN TO INFIRMARY AND PLACED ON ONE TO ONE
	0155	FSM SMITH CALLED FSD LANE REF. TO R/S WAGNER'S RETURN TO FCCC FROM OTM.
	0201	SECURITY CHECK
	0300	SECURITY CHECK
	0401	COUNT TIME
	0421	CLEAR COUNT 432 IN HOUSE + 2 OTC = 434 TOTAL
	0502	4 R/S FROM A DORM TO F/S
	0503	1 R/S FROM G DORM TO F/S
	"	1 R/S FROM C DORM TO F/S
	0504	1 R/S FROM D DORM TO F/S
	0510	2 R/S FROM F UNIT TO F/S
	0514	1 R/S FROM C DORM TO F/S
	0528	1 R/S FROM G DORM TO F/S
	0548	1 R/S FROM B DORM TO F/S
	0559	3 R/S FROM A DORM TO F/S
	0603	2 R/S FROM B DORM TO F/S
	0605	1 R/S FROM H DORM TO F/S
	0610	MEDICATION/ ACCU CHECK LINE IS 10-8
	0611	3 R/S FROM C DORM TO F/S
	0612	7 R/S FROM H DORM TO F/S
	0617	1 R/S FROM F UNIT TO F/S
		FSA HARGRAVES RELIEVED IN SAFETY CONTROL BY FSA WILSON
	1823	
		FSA HARGRAVES
		FSM SMITH

04-16-04		1 ST SHIFT LOG / FRIDAY APRIL 16, 2004 /
	1823	FSA WILSON RELIEVED FSA HARGRAVES OF ALL DUTIES IN SAFETY. ALL RADIOS CHECKED AND ACCOUNTED FOR. ALL OTHER EQUIPMENT CHECKED. ALL CAMERAS APPEARS OPERATIONAL. POPULATION COUNT: (432 I/H + 2 OTC = 434)
	0640	MEDICATION LINE CLOSED. PER FSA AVANT.
	0700	COUNT TIME
	0712	CHANGED VCR TAPES
	0719	CLEAR COUNT
	0726	THL CONTRACTORS ON COMPOUND. PER FSA HOLLENBECK.
	0755	FOOD SERVICE STARTED. PER FSA MALONE.
		25 RESIDENTS FROM RHU-A OUT TO CHOW.
		29 RESIDENTS FROM RHU-B OUT TO CHOW.
		33 RESIDENTS FROM RHU-C OUT TO CHOW.
		71 RESIDENTS FROM RHU-D OUT TO CHOW.
		71 RESIDENTS FROM RHU-F OUT TO CHOW.
		23 RESIDENTS FROM RHU-G OUT TO CHOW.
		24 RESIDENTS FROM RHU-H OUT TO CHOW.
	0807	MEDICATION LINE OPENED. PER FSA AVANT.
	0832	FOOD SERVICE COMPLETED.
	0843	RECREATION STARTED. PER FSA JONES.
	0852	MEDICATION LINE CLOSED. PER FSA AVANT.
	0853	FSA WILSON RELIEVED BY FSM DENNIS OF ALL DUTIES.
	0901	MR. LANGEVIN ADVISES OF 2 R/S ON WORK DETAIL.
	0908	GARDEN SERVICES BEGAN PER TA HARRIS.
	0921	TA HARRIS REPORTS THAT 12 R/S ARE IN THE GARDEN.
	0922	FSA JONES ADVISES THAT 16 R/S ARE IN RECREATION AT THIS TIME.
	0926	GED SERVICES BEGAN PER FSA CLARK.
	0928	R/S SVP /M DEPARTS THE FACILITY UNDER SUPERVISION OF THE DEPARTMENT OF CORRECTIONS FOR AN OUTSIDE MEDICAL APPOINTMENT. 431 + 2 OTC + 1OTM = 434.
	0950	TA SNOW PRESENT IN THE VIDEO CONFERENCE ROOM WITH R/S AND FROM DORM FOR A PHONE CONFERENCE.
	1007	CEM ROOFING ON GROUNDS PER FSA HOLLENBECK.

04/16/04		FIRST SHIFT SAFETY CONTROL LOG/ CONT. (1B)
	1015	R/S FROM CLINICAL TO FOOD SERVICE W/D.
	1025	RECREATION FOR NON CONSENTERS COMPLETE.
	1028	RECREATION FOR CONSENTERS BEGAN PER FSA JONES.
	1036	TA SNOW ADVISES THAT THE PHONE CONFERENCE IN THE VIDEO CONFERENCE IS COMPLETE.
	1037	FLOWERS BAKERY ON GROUNDS (FSA HOLLENBECK)
	1038	RETURNED FROM OUTSIDE MEDICAL TRIP
		COUNT: 432 RES. ON GROUNDS & 2 OTC = 434 TOTAL
	1045	TA THOMAS ACCEPTING ALL DUTIES OF SAFETY CONTROL
	1053	FLOWERS BAKERY OFF GROUNDS
	1105	COUNT TIME
	1133	RECOUNT CALLED PER FSM DENNIS
	1146	COUNT CLEAR
	1148	DENTAL 10-98 PER TA WASHINGTON
	1150	FOOD SERVICE 10-8 PER FSA MALONE
	1152	MAIL ROOM 10-8 PER TA BURROUGHS
	1205	CEM ROOFING COMPLETES ASSIGNMENT PER FSA HOLLENBECK. SECURITY CHECK CALLED A/S
	1238	MEDICATION LINE IS COMPLETED PER FSA AVANT.
	1240	GED 10-8 PER FSA CLARK. SECURITY CHECK CALLED A/S
	1241	FINAL CALL FOR MAILROOM
	1242	COMPUTER CLASS 10-8 PER TCC SCHIED
		36 RES TO CHOW FROM ALPHA 28 RES TO CHOW FROM BRAVO 36 RES TO CHOW FROM CHARLIE 78 RES TO CHOW FROM DELTA 84 RES TO CHOW FROM FOXTROT 33 RES TO CHOW FROM GOLF 27 RES TO CHOW FROM HOTEL
	1300	CHOW HALL 10-98
	1303	JUMA SERVICES 10-8 PER TA WASHINGTON
	1308	MAILROOM 10-98. SECURITY CHECK CALLED A/S
	1329	1 VISITOR TO ATT. CLIENT ESCORTED BY FSA AVANT
	1333	1 RES. ROUTENBERG TO ATT. CLIENT

4/16/04		FIRST SHIFT SAFETY CONTROL LOG/ CONT. (1B)
	1344	1 RES. FROM ATT. CLIENT TO -DORM
		1 VISITOR FROM ATT. CLIENT TO CLINICAL
	1357	1 RES FROM BRAVO TO MEDICAL WITH TA V. CAMPBELL
	1402	1 RES FROM BRAVO TO COLLEGE COMPUTER CLASS SECURITY CHECK CALLED A/S
	1405	RECREATION 10-8 FOR ALL DORMS PER FSA VENTURA
	1407	JUMA SERVICES 10-98
	1414	1 RES BACK FROM MEDICAL TO BRAVO
	1426	ICE CALLED FOR DORMS
	1431	1 RES () FROM FOX TO MEDICAL. SECURITY CHECK CALLED A/S
	1442	1 RES LEAVING CLINICAL TO RETURN TO DORM
	1447	1 RES RETURNED TO FOX FROM MEDICAL
	1459	1 RES FROM ATT. CLIENT TO FOX DORM
	1505	1 VISITOR FROM ATT. CLIENT TO MEDICAL. SECURITY CHECK CALLED A/S
	1516	1 VISITOR FROM MEDICAL TO GATE PER TCC L. JOHNSON
	1523	ATT. CLIENT 10-98. SECURITY CHECK CALLED A/S
	1542	MEDICATION LINE 10-8 PER FSA AVANT
	1549	COMPUTER CLASS 10-98
	1557	RECREATION 10-98
	1600	MEDICATION LINE 10-98 SECURITY CHECK CALLED A/S RES. # PLACED ON 1:1 STATUS. PERMANENT MOVE FROM TO
	1612	<i>COUNT TIME</i>
	1638	<i>CLEAR COUNT</i>
		SECURITY CHECK CALLED ALL DORMS ARE SECURE AT THIS TIME
	1649	FOOD SERVICE 10-8 PER FSA MALONE
	1650	FENCE CHECK 10-8 PER FSA HOLLENBECK
	1657	RECREATION 10-8 PER FSA VENTURA
	1700	SECURITY CHECK A/S
	1701	79 RES TO CHOW FROM DELTA

**Office of Inspector General
Investigations
MEMORANDUM OF RECORDS REVIEW
Case Number: 2004-0043-WB**

Allegations 1 and 2

Mini-Videotape entitled "Tape 1 Foxtrot."

The tape shows R/S #15 walking on the roof of an FCCC building. He walks up and down, and sits down, with his legs extended. He appears calm. He is shown lighting and smoking a cigarette. A voice is heard, apparently a person near the camera, talking about the weather.

About four minutes into the tape, R/S #15 stands up, and appears to be agitated. He moves toward the edge of the roof, and he is heard talking to (Ms) Lane telling her to have the staff "back off or I'll jump." The camera then pans the sky.

A split second later, the camera shows R/S #15 face down on the ground, moaning. He is being handcuffed by FSM James Staunton. Ms. Lane looks on, and other staff surround him.

Exhibit: JJ

FAX COVER SHEET

TO: MRS. GAMILLE TANNER, HUMAN RESOURCES

COMPANY: LIBERTY HEALTHCARE

RE: FOR YOUR INFORMATION

PHONE: 610-667-5559

FROM: D.R. MOSLEY, FACILITY SAFETY MANAGER

COMPANY: FLORIDA CIVIL COMMITMENT CENTER

PHONE: 772-563-4823

NUMBER OF COPIES 14

MS. TANNER I THOUGHT THAT YOU WOULD BE INTERESTED IN THIS. I DON'T THINK THIS INCIDENT WAS PROPERLY HANDLED. WOULD YOU CHECK INTO THIS FOR ME PLEASE. THANKS.

EXHIBIT: KK

FROM THE OFFICE OF:

D.R. MOSLEY, Facility Safety Manager

SENT: MONDAY JUNE 16, 2004

TO: CAMILLE TANNER, HUMAN RESOURCE

RE: STAFF INSUBORDINATION AND DERELICT OF DUTIES

ON JUNE 09, 2004, MYSELF, MR. MURPHY AND F.S.D. LANE MET WITH FSA SMITH TO DISCUSS WITH HIM ABOUT AN INCIDENT THAT TOOK PLACE ON FRIDAY 6-4-04.

THIS MEETING WAS A RESULT OF MR. SMITH'S ACTIONS AND DEMEANOR ON SUNDAY 5-9-04. DURING THIS MEETING MR. SMITH INSISTED THAT AS AN FSM INTERIM, HE WAS NOT TO BE ASSIGNED TO A FIXED POST. MS. LANE ADVISED MR. SMITH THAT WHEN I AM THE FSM, MR. SMITH IS IN THE CAPACITY OF FSA ONLY, AND THEREBY ASSIGNED ANYWHERE I FEEL HE IS NEEDED. UPON HEARING THIS MR. SMITH BECAME INFURIATED AND BEGAN TO MAKE ACCUSATIONS OF ME SEXUALLY HARASSING THE FEMALE STAFF.

TO MY KNOWLEDGE, NO SUCH CLAIMS HAVE BEEN MADE AGAINST ME. MR. MURPHY AND MS. LANE BOTH KNEW NOTHING OF THESE ALLEGATIONS. (SINCE NONE HAVE BEEN FORMALLY FILED.) MR. MURPHY ASKED MR. SMITH WHY DID HE LEAVE HIS ASSIGNED POST. MR. SMITH STATED TO MR. MURPHY "I'M TIRED OF HIS POWER PLAY." MR. MURPHY ASKED HIM TO EXPLAIN POWER PLAY. HE MURMURED THAT I ALWAYS WANTED TO BE IN CHARGE AND THAT I ALWAYS MAKE EXCUSES.

MR. SMITH AGAIN STARTED TO MAKE ALLEGATION OF ME SEXUALLY HARASSING THE FEMALES, COVERING UP THINGS AND PADDING THE ROSTER TO COVER UP STAFF'S PTO.

ALL OF WHICH WERE NOT TRUE AND COULD NOT BE SUBSTANTIATED.

MS. LANE ASKED MR. SMITH IF WE COULD RESOLVE THIS MATTER, WOULD HE BE WILLING TO WORK WITH ME. HE STATED "NO".

MR. MURPHY THEN ASKED MR. SMITH WHY HE COULD NOT WORK WITH ME. MR. SMITH REPLIED "I WILL NOT WORK WITH THAT MAN, HE'S A LIAR, HE NOT RIGHT."

MR. MURPHY THEN ASKED MR. SMITH "ARE YOU SAYING YOU WON'T WORK WITH MR. MOSLEY?"

MR. SMITH THEN STATED "NO, I WON'T WORK WITH MAN, IF I HAVE TO WORK WITH THIS MAN I GUESS YOU WILL BE SHORT TWO PEOPLE TONIGHT."

MR. SMITH AGAIN STARTED TO MAKE ALLEGATION TOWARD ME.

AT THIS TIME I HAD TO ADVISE MR. SMITH OF HIS SLANDEROUS REMARKS, I ADVISED HIM IF HE CONTINUED TO MAKE FALSE ACCUSATION WITHOUT PROOF THAT I WOULD FILE CHARGES OF SLANDER AND HARASSMENT AGAINST HIM.

MR. SMITH STILL INFURIATED, STATED HE WAS NOT GOING TO WORK WITH ME.

OBSERVING THAT IT WAS FRUITLESS TO CONTINUE WITH THIS MEETING, I ASKED IF I COULD BE EXCUSED.

A SHORT TIME LATER I RECEIVED A PHONE CALL FROM FSD LANE INQUIRING IF I HAD ENOUGH STAFF TO RUN THE SHIFT IF MR. SMITH WENT HOME. I THEN INQUIRED AS TO WHAT WAS GOING ON. MS. LANE REPLIED TO ME THAT MR. SMITH WAS TO UPSET TO WORK AND REQUESTED TO GO HOME. ~~BUT SHE WANTED TO MAKE SURE I AMPLE STAFF FOR THE SHIFT BEFORE SHE GAVE~~ SMITH AND M'S. CLINE TO EXIT THE FACILITY.

ON THURSDAY 6-10-04 SUPPOSEDLY BOTH STAFF CALLED OFF FOR WORK.

ALSO I WAS ADVISED UPON MY RETURN TO WORK THAT BOTH STAFF WOULD BE OUT UNTIL FURTHER NOTICE.

IT CLEARLY SHOWS THAT THIS SITUATION WAS NOT HANDLE RIGHT.

NOTE: ON THE SATURDAY (6-6-04) FSD LANE SHOWED UP AT THE FACILITY AND WITHOUT REASON CHANGE MY SCHEDULE.
UPON MY ARRIVAL TO WORK I SPOKE WITH HER BRIEFLY ABOUT THE CHANGE AND WHY SO SUDDENLY. HER REPLY TO ME WAS THAT FSM STAUNTON WAS GOING TO SCHOOL.
I THEN INFORMED HER THAT I WAS SCHEDULE TO TAKE A MANAGEMENT CLASS ALSO.
AND HOW WAS IT THAT MR. STAUNTON'S CLASSES TOOK PRECEDENCE OVER MY CLASSES.
I'M ALREADY ON NIGHT SHIFT AND MY DAY CLASSES DID NOT INTERFERE WITH WORK.
I SPOKE WITH MR. STAUNTON CONCERNING THE CHANGE, MR. STAUNTON INFORMED ME THAT HE HAD NOT SIGNED UP FOR ANY CLASSES YET, HE WAS THINKING OF SIGNING UP IN TWO WEEKS.
ON 6-14-04 I SPOKE WITH HER AGAIN AND EXPLAINED TO HER THAT MR. STAUNTON WS ALREADY WORKING THE OPPOSITE NIGHT SHIFT AND PREFERRED TO STAY ON THAT PARTICULAR SHIFT.
SHE STATED THAT SHE WOULD CHECK WITH THE NEW FSM THAT RECENTLY WAS ASSIGNED TO THAT SHIFT AND SEE IF SHE WANTED TO CHANGE.

PLEASE CHECK INTO THIS FOR ME .

THANKS

D.R. MOSLEY

FROM THE OFFICE OF:

D.R. MOSLEY, Facility Safety Manager

SUNDAY JUNE 06, 2004

TO: RICK HARRY, EXECUTIVE DIRECTOR

RE: FOR YOUR INFORMATION

MR. HARRY I'M SENDING YOU A CHRONOLOGY COPY OF A COUPLE OF INCIDENTS THAT
I'VE HAD WITH STAFF THAT YOU SHOULD KNOW OF ,IF YOU HAVEN'T BEEN INFORMED
BY F.S.D. LANE.

CC
CAMILLE TANNER, HUMAN RESOURCES
SUE KEANON, CONTRACT MANAGER

DATE: MAY 9, 2004

ON MAY 9 (MOTHERS DAY) I HAD GIVEN AN ABUNDANT AMOUNT OF STAFF OFF, THEREBY CUTTING IT CLOSE TO THE MINIMUM REQUIRED STAFFING. I MADE NECESSARY CHANGES TO MY ROSTER ON SATURDAY MAY 8 TO ACCOMMODATE THE PTO.

THE FOLLOWING EVENTS OCCURRED ON MAY 9, 2004 INVOLVING FSM/FSA SMITH.

MR. SMITH ENTERED THE FSM OFFICE BEFORE BRIEFING AND CHANGED THE SCHEDULE ROSTER WITHOUT MY AUTHORIZATION, MR. SMITH REMOVED HIMSELF AS THE SUPERVISOR OF F UNIT AND ASSIGNED HIMSELF TO CHAPEL AND FOOD SERVICE.

I ENTERED THE FSM OFFICE AS USUAL AND LOGGED ON TO THE COMPUTER AND DISCOVERED THAT MY SCHEDULING ROSTER HAD BEEN CHANGED. MR SMITH WHO I HAD PREVIOUSLY BEEN LISTED AS SUPERVISING F UNIT WAS NOW ASSIGNED TO CHAPEL/YARD/FOOD SERVICE. I IMMEDIATELY CHANGED THE ROSTER BACK TO THE WAY I HAD PREVIOUSLY MADE IT.

I CONDUCTED THE BRIEFING AND ISSUED THE ASSIGNMENTS, MR. SMITH WAS ASSIGNED TO F UNIT AS SUPERVISOR.

MR. SMITH WENT TO THE CHAPEL AND ORDERED FSA EASON TO LEAVE CHAPEL AND RESPOND TO F UNIT AS SUPERVISOR. FSA EASON NOT WANTING A CONFRONTATION WENT TO F UNIT AND CONTACTED ME. (SEE ATTACHED INCIDENT REPORT)

I CAUGHT UP WITH MR. SMITH ON THE YARD AND ADVISED HIM TO COME TO MY OFFICE (HE WAS ESCORTING A RESIDENT) AFTER HE WAS FINISHED. MR. SMITH NEVER ARRIVED AT MY OFFICE. I THEN DECIDED TO WAIT UNTIL AFTER THE MIDNIGHT COUNT CLEARED TO SETTLE THIS MATTER BY TALKING TO MR. SMITH.

AT APPROX. 0030 HOURS I CALLED MR. SMITH TO THE FSM OFFICE AND HE RESPONDED. MR. SMITH TOLD ME THAT "HE HAD NO TALK FOR ME". THAT I COULD TALK, BUT THAT HE WOULDN'T TALK TO ME. I STOPPED THE CONVERSATION AT THAT POINT TO PREVENT ANY FURTHER HOSTILITIES.

COPY

LATER ON FSA HARGRAVES ADVISED ME THAT APPARENTLY AFTER OUR "TALK" IN THE FSM OFFICE, MR SMITH WENT TO SAFETY CONTROL AND SPOKE TO FSA HARGRAVES ABOUT THE BRIEF ENCOUNTER AT THE FSM OFFICE . FSA HARGRAVES STATED THAT MR. SMITH TOLD HIM ABOUT A PRIOR CONVERSATION WITH FSD LANE CONCERNING THE FSMI WORKING FIXED POSTS. MR SMITH TOLD MR HARGRAVES THAT FSD KLANE HAD TOLD THE FSMI'S AT A MEETING THAT THEY WERE NOT TO WORK A FIXED POST (i.e F UNIT SUPERVISOR) MR. HARGRAVES CALLED HIM ON THAT COMMENT ADVISING MR SMITH THAT CHAPEL AND FOOD SERVICE WERE CONSIDERED A FIXED POST AND APPARENTLY HE DOESN'T MIND WORKING EITHER POSITION SINCE HE HAS BEEN WORKING THOSE TWO POSITIONS EVERY DAY BEFORE AND AFTER BECOMING AN FSMI.

MR SMITH WORKED THE CHAPEL AND SUBSEQUENTLY WORKED FOOD SERVICE WITHOUT ANY HESITATION, OR COMPLAINT.

D.R. Massey

FLORIDA CIVIL COMMITMENT CENTER
INCIDENT REPORT

Person(s) Involved: FSA Smith Resident Staff

Date of Report: 05-09-04 Time of Report: 1:00 PM

Please check This is a resident/staff related incident, or This is a Facility/Environmental incident

Check the one best category for this incident:

- Deaths
 - Discovery of contraband
 - Equipment Failure/Damaged
 - Environmental events
 - Escape
 - Legal exposure/event
 - Media exposure/event
 - Medical events/emergencies
 - Medication events
 - Psychiatric emergencies
 - Staff abuse of residents
 - Staff injury
 - Treatment events
 - Violation of rules by staff
- Other: _____

Location of the Incident: Briefing Room

Witnesses: 2-A Staff

Date of Incident: 05-09-04 Time of Incident: 1:00 PM

Details of the Incident: At approximately 1:00 PM on May 09, 2004, I conducted briefing and post assignments. During briefing I assigned FSA Smith to supervise F-Dorm. About time later I discovered that FSA Smith did not report to F-Dorm as assigned. Instead, FSA Smith re-assigned FSA Smith whose assignment was Chapel and social service. Initially before briefing I checked my staffing log. I noticed that my log had been changed from its original assignments. FSA Smith had indeed gotten to the office earlier and changed my post assignments to suit himself. A short time after all staff left the briefing room to report to their assignments, I received a phone call from FSD Lane stating that she had received a phone call from the Gate Control with a complaint of my assignment of FSA Smith to work F-Dorm. During a conversation I explained to FSD Lane why I had assigned FSA Smith to F-Dorm. I also stated to her that I would talk with FSA Smith regarding his assignment. She agreed. At approximately 00:30 I called FSA Smith to the ESM Office. Upon his arrival I stated to him that I needed to talk with him. At this time FSA Smith stated

Have you answered the questions of Who?, What?, When?, Where?, Why? and How? (Use additional sheets if needed.)

Signature of Reporting Person: _____ Date: _____

Printed Name of Reporting Person: _____

I.A.1		Incidents Requiring Medical Attention	
Was the nurse seen?	Yes <input type="checkbox"/> No <input type="checkbox"/>	911 Services?	Yes <input type="checkbox"/> No <input type="checkbox"/>
		Transported for medical attention? Yes <input type="checkbox"/> No <input type="checkbox"/>	

If answered YES to any of the above, the nurse is to complete and attach MEDICAL ADDENDUM to this incident report.

FLORIDA CIVIL COMMITMENT CENTER
INCIDENT REPORT

Pg 2 of 2
COP 112

Person(s) Involved: FSA Smith

Resident Staff

Date of Report: 05-09-04

Time of Report: 1:00 A.M.

Please check This is a resident/staff related incident, or This is a Facility/Environmental incident

Check the one best category for this incident:

- Deaths
- Discovery of contraband
- Equipment Failure/Damaged
- Environmental events
- Escape
- Legal exposure/event

- Media exposure/event
- Medical events/emergencies
- Medication events
- Psychiatric emergencies
- Staff abuse of residents

- Staff injury
- Treatment events
- Violation of rules by staff
- Other:

Location of the Incident: Briefing Room

Witnesses: 2-A Staff

Date of Incident: 05-09-04

Time of Incident: 1:00 AM

Details of the Incident: "I have nothing to talk with you about. But if you want to talk, I'll listen." Due to this statement I ended the conversation at this point. Forward to ASD Lane for review.

Have you answered the questions of Who?, What?, When?, Where?, Why? and How? (Use additional sheets if needed)

Signature of Reporting Person: [Signature]

Date: 05-09-04

Printed Name of Reporting Person: [Signature]

Was the nurse seen? Yes No I.A.I

Incidents Requiring Medical Attention
911 Services? Yes No Transported for medical attention? Yes No

If answered YES to any of the above, the nurse is to complete and attach MEDICAL ADDENDUM to this incident report

FLORIDA CIVIL COMMITMENT CENTER INCIDENT REPORT



Person(s) Involved: FSA S. Smith

Resident Staff

Date of Report: 5/9/04

Time of Report: 1855

Please check This is a resident/staff related incident, or This is a Facility/Environmental incident

Check the one best category for this incident:

- | | | |
|--|---|--|
| <input type="checkbox"/> Deaths | <input type="checkbox"/> Media exposure/event | <input type="checkbox"/> Staff injury |
| <input type="checkbox"/> Discovery of contraband | <input type="checkbox"/> Medical events/emergencies | <input type="checkbox"/> Treatment events |
| <input type="checkbox"/> Equipment Failure/Damaged | <input type="checkbox"/> Medication events | <input type="checkbox"/> Violation of rules by staff |
| <input type="checkbox"/> Environmental events | <input type="checkbox"/> Psychiatric emergencies | Other: _____ |
| <input type="checkbox"/> Escape | <input type="checkbox"/> Staff abuse of residents | |
| <input type="checkbox"/> Legal exposure/event | | |

Location of the Incident: Outside Chapel

Witnesses: N/A

Date of Incident: 5/9/04

Time of Incident: 1815 approx

Details of the Incident: On 5/9/04 at approx 1815 hrs while assigned as yard staff

I was approached by FSA S. Smith who advised me "I'm running the Chapel tonight, what I want you to do is go to Fox Doem and see if they have a relief, if they do, then just float on the yard, if they don't, sit on Fox." to which I replied OK. FSA Smith proceeded to say "Maskey is trying me and I'm not having it" NOTE: During shift beginning FSA Smith was assigned as Acting TCC on RHU-E. FSA Maskey was notified of this situation and authorized the writing of this report. NOTHING FOLLOWS -

Have you answered the questions of Who?, What?, When?, Where?, Why? and How? (Use additional sheets if needed)

Signature of Reporting Person: [Signature]

Date: 5/9/04

Printed Name of Reporting Person: FSA S. EASON

	I.A.I	Incidents Requiring Medical Attention
Was the nurse seen?	Yes <input type="checkbox"/> No <input type="checkbox"/>	911 Services? Yes <input type="checkbox"/> No <input type="checkbox"/> Transported for medical attention? Yes <input type="checkbox"/> No <input type="checkbox"/>
If answered YES to any of the above, the nurse is to complete and attach MEDICAL ADDENDUM to this incident report.		

COPY

PG 1 OF 2

Florida civil commitment center Incident report

At approximately 18:30hr on June 4,2004., FSA Smith requested to speak with me. As he entered the FSM's office he began to complain to me about his post assignment. He stated to me " I'm tired of your power play, you're trying to get back at me". I stated to FSA Smith in the presence of FSMI Carlucci that I didn't have a clue as to what he was referring too.

I also informed FSA Smith that if there were a problem we needed to wait until Monday 6-7-04, and have FSD Lane and Mr. Murphy present.

FSA Smith insisted that we needed to resolve this matter now.

FSA Smith was very adamant that he was not to work an assigned post Per a conversation with him and FSD Lane.

I explained to FSA Smith that the duties of a FSA peer the policy G-15 Page 1, paragraph 12 that states(The FSA will be supervised by the Facility Safety Manager who is responsible for the delegation of assignments throughout the shift.) . FSA Smith continued to rant and rave that he was not going to work an assigned post because he was an FSMI. He stated to me "if you don't change my post assignment(food service) you will be short of two staff". (referring to himself and FSA Cline.)

I then explained to Mr. Smith that the position of FSM Interim was to relieve the position of the FSM when the FSM is on PTO or unable to perform his or her duties for what ever reasons.

He then accused me of creating a hostile working environment.

I then question him on how was I creating a hostile working environment?

He then stated to me "now you're playing dumb".

Noticing Mr. Smith's agitated demeanor, I suggested again to him to wait until Monday to discuss this issue with the FSD and Human Resource Manager. He again stated to me "that's your problem, you and your power play. If you don't change my assignment we are leaving".

I then asked him we he worked food service and chapel before there

~~Was not a problem what prompt this. He then stated to me" I worked~~

Chapel as a courtesy ". I stated to him that this issue was not making

Any sense. The assignment to food service was only an hour and a half

And that he was still on the yard. He then turned an walked out of the office.

COP

A short time later I received a call from the gate control staff to inform that

Page 2 of 2

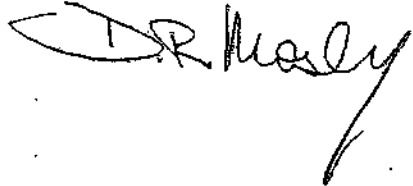
FSA's s: smith and C.Cline had indeed departed the facility without authority. This was clearly derelict of duties and insubordination.

This is in direct violation of the companies policy listed in the employees Manual pages 28 and 29, sub-paragraph 9 under the title of unacceptable activities.

Forward to FSD Lane for review.
Copy of witness statement attached.

Note: Fsa Smith has worked chapel and food service on numerous occasions without hesitation. When he's assigned to food service Mr. Smith always volunteer to work chapel.

D.R.MOSLEY F.S.M



FLORIDA CIVIL COMMITMENT CENTER COP

INCIDENT REPORT

Person(s) Involved: FSA Smith, FSA Cline Resident Staff

Date of Report: 10-4-04 Time of Report: 1830-6:50am

Please check This is a resident/staff related incident, or This is a Facility/Environmental incident

Check the one best category for this incident:

- | | | |
|--|---|--|
| <input type="checkbox"/> Deaths | <input type="checkbox"/> Media exposure/event | <input type="checkbox"/> Staff injury |
| <input type="checkbox"/> Discovery of contraband | <input type="checkbox"/> Medical events/emergencies | <input type="checkbox"/> Treatment events |
| <input type="checkbox"/> Equipment Failure/Damaged | <input type="checkbox"/> Medication events | <input type="checkbox"/> Violation of rules by staff |
| <input type="checkbox"/> Environmental events | <input type="checkbox"/> Psychiatric emergencies | Other: _____ |
| <input type="checkbox"/> Escape | <input type="checkbox"/> Staff abuse of residents | |
| <input type="checkbox"/> Legal exposure/event | | |

Location of the Incident: Gate Chamber

Witnesses: FSA Chamber

Date of Incident: 10-4-04 Time of Incident: 1820

Details of the Incident: At approx. 1830 I called FSA Morley for relief & he asked me where FSA Cline & Smith were & I told them they left. FSA Cline told me that Smith was talking to Morley & that they were going because that was grandma wasn't doing good before they left

Have you answered the questions of Who?, What?, When?, Where?, Why? and How? (Use additional sheets if needed.)

Signature of Reporting Person: FSA Chamber Date: 10-5-04

Printed Name of Reporting Person: FSA Chamber

	I.A.1	Incidents Requiring Medical Attention
Was the nurse seen?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	911 Services? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Transported for medical attention? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If answered YES to any of the above, the nurse is to complete and attach MEDICAL ADDENDUM to this incident report.		

FLORIDA CIVIL COMMITMENT CENTER
INCIDENT REPORT

COF

Person(s) Involved: FSMI S. Smith Resident Staff

Date of Report: 6-6-04 Time of Report: _____

Please check This is a resident/staff related incident, or This is a Facility/Environmental incident

Check the one best category for this incident:

- | | | |
|--|---|---|
| <input type="checkbox"/> Deaths | <input type="checkbox"/> Media exposure/event | <input type="checkbox"/> Staff injury |
| <input type="checkbox"/> Discovery of contraband | <input type="checkbox"/> Medical events/emergencies | <input type="checkbox"/> Treatment events |
| <input type="checkbox"/> Equipment Failure/Damaged | <input type="checkbox"/> Medication events | <input checked="" type="checkbox"/> Violation of rules by staff |
| <input type="checkbox"/> Environmental events | <input type="checkbox"/> Psychiatric emergencies | Other: _____ |
| <input type="checkbox"/> Escape | <input type="checkbox"/> Staff abuse of residents | |
| <input type="checkbox"/> Legal exposure/event | | |

Location of the Incident: FSM office

Witnesses: _____

Date of Incident: 6-4-04 Time of Incident: 6:30 P.M.

Details of the Incident: ON THE ABOVE DATE AND APPROXIMATE TIME.

FSMI Smith came into FSM office and said he needed to talk with FSM Mosley. Mr. Smith started to complain about his past assignment and was tired of Mosley power play and get back at him. Mosley then stated to Mr. Smith he did not want to discuss this matter any more until FSD Lane and Mr. Murphy were present. Mr. Smith stated that this problem he solved now. That Mr. Mosley was creating a hostile work place. Mosley stated how he is creating hostile work place Mr. Smith now you playing dumb. Mr. Smith was very argumentative stating your going to heart two people if you don't change me. Mr. Mosley this conversation was not going anywhere and suggested they wait until Monday morning 6-7-04 in presence of FSD Lane and Mr. Murphy. Smith left the office and walked out the gate without permission and went home.

END OF REPORT

Have you answered the questions of Who?, What?, When?, Where?, Why? and How? (Use additional sheets if needed)

Signature of Reporting Person: V. Carlucci Date: 6-6-04

Printed Name of Reporting Person: V. CARLUCCI

I.A.1		Incidents Requiring Medical Attention	
Was the nurse seen?	Yes <input type="checkbox"/> No <input type="checkbox"/>	911 Services?	Yes <input type="checkbox"/> No <input type="checkbox"/>
		Transported for medical attention?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If answered YES to any of the above, the nurse is to complete and attach MEDICAL ADDENDUM to this incident report			

FLORIDA CIVIL COMMITMENT CENTER **COPY**
INCIDENT REPORT

Person(s) Involved: FSA Cline Resident Staff

Date of Report: 6-04-04 Time of Report: 22:45 HR

Please check This is a resident/staff related incident, or This is a Facility/Environmental incident

Check the one best category for this incident:

- | | | |
|--|---|---|
| <input type="checkbox"/> Deaths | <input type="checkbox"/> Media exposure/event | <input type="checkbox"/> Staff injury |
| <input type="checkbox"/> Discovery of contraband | <input type="checkbox"/> Medical events/emergencies | <input type="checkbox"/> Treatment events |
| <input type="checkbox"/> Equipment Failure/Damaged | <input type="checkbox"/> Medication events | <input checked="" type="checkbox"/> Violation of rules by staff |
| <input type="checkbox"/> Environmental events | <input type="checkbox"/> Psychiatric emergencies | Other: _____ |
| <input type="checkbox"/> Escape | <input type="checkbox"/> Staff abuse of residents | |
| <input type="checkbox"/> Legal exposure/event | | |

Location of the Incident: Gate Control

Witnesses: FSA Chambers

Date of Incident: 6-04-04 Time of Incident: 18:20 HR

Details of the Incident: At approximately 18:20 HR on June 04, 2004, I received a call from gate control staff FSA Chambers inquiring about her relief. I informed FSA Chambers that FSA Cline was her relief and that she should be there to relieve her. FSA Chambers then informed me that FSA Smith had indeed departed the facility the same time FSA Smith departed. Both staff had NOT properly been relieved of duties by me nor did FSA Cline expect to be relieved of duties. This incident caused a shortage of staffing for the shift.

Have you answered the questions of Who?, What?, When?, Where?, Why? and How? (Use additional sheets if needed)

Signature of Reporting Person: DR Mosley Date: 6-4-04

Printed Name of Reporting Person: DR Mosley

<input type="checkbox"/> IA1 Incidents Requiring Medical Attention	
Was the nurse seen? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	911 Services? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Transported for medical attention? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If answered YES to any of the above, the nurse is to complete and attach MEDICAL ADDENDUM to this incident report.	

ADDENDUM

TO: T. LANE, FACILITY SAFETY MANAGER

FROM: D.R.MOSLEY, FACILITY SAFETY MANAGER

RE: ADDENDUM TO INCIDENT REPORT WRITTEN ON MONDAY 5-10-04

AT APPROXIMATELY 13:30 HR. ON MONDAY 5-10-04, I SPOKE WITH FSM STAUNTON CONCERNING WHETHER HE HAD OBSERVED FSA SMITH ENTER THE F.S.M OFFICE BEFORE MY ARRIVAL FOR WORK AND CHANGE THE DAILY ROSTER FOR THAT DAY.

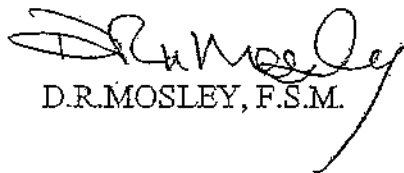
MR. STAUNTON STATED THAT HE DID SEE FSA SMITH ON THE COMPUTER, BUT WAS UNSURE OF WHAT HE WAS DOING. HE TOLD ME TO SPEAK WITH FSM I CARLUCCI.

ON WEDNESDAY 5-12-04 WHEN I RETURNED TO WORK, I SPOKE WITH FSM I CARLUCCI

QUESTIONING HIM IF HE HAD OBSERVE FSA SMITH ON THE COMPUTER IN THE FSM'S OFFICE.

FSM I CARLUCCI DID INDEED CONFIRM THAT FSA SMITH DID COME INTO THE FSM'S OFFICE PRIOR TO MY ARRIVAL TO WORK. CHECK THE ROSTERS AND SAW THAT HE WAS ASSIGNED TO F-DORM AND PROCEED TO CHANGE THE ROSTER PLACING HIMSELF ON THE YARD, AS HE COMPLAINED TO FSM I CARLUCCI ABOUT HIS ASSIGNMENT TO F-DORM.

FSM I CARLUCCI ALSO STATED THAT HE (FSA SMITH) STATED THAT I WAS TRYING TO GET BACK AT HIM BECAUSE HE REFUSED TO WORK FOR ME ON SUNDAY 5-09-04.


D.R.MOSLEY, F.S.M.

CC.

R.HARRY, EXE. DIRECTOR

T. MURPHY, HUMAN RESOURCE MANAGER

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:

Donald Maskey

FL

2. Article Number

(Transfer from service label)

7001 1940 0005 5459 0525

PS Form 3811, August 2001

Domestic Return Receipt

24CPRI-02-250990

COMPLETE THIS SECTION ON DELIVERY

Signature *X Donald Maskey*

Addressee Address *10000*

B. Received by (Printed Name) *Donald Maskey*

C. Date of Delivery *6-24-04*

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

3. Service Type

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

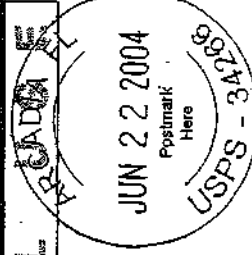
4. Restricted Delivery? (Extra Fee) Yes No

5599 0525 0005 1940 7001

**U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)**

OFFICIAL

Postage \$	37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	4.42



Sent To: *Donald Maskey*

Street, Apt. No., or PO Box No.

City, State, ZIP+4

Florida Civil Commitment Center
Disciplinary Action

Employee Name Shawn Smith Dept Safety

Type

Attendance	Performance	Conduct
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Level

Verbal Warning	Written Warning	Second Written Warning
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Description (list previous actions and dates within the last 12 months)

On June 4, 2004 you abandoned your position and left the facility without approval. You have stated that you were upset about work assignments and your working relationship with the Facility Safety Manager.

While work issues can be addressed and hopefully resolved, leaving the facility without authorization is insubordinate and unacceptable. You are receiving a written warning to emphasize the seriousness of your actions.

Behavior like this will not be tolerated and if it should occur again, further disciplinary action will be taken up to and including termination of your employment.

Employee Comments

[Empty box for Employee Comments]

Signatures

Department Head [Signature] Date 06/18/04

Employee Staff Refuse to sign Date 06/18/04

Human Resources [Signature] Date 6/18/04

MM!

**Florida Civil Commitment Center
Disciplinary Action**

Employee Name Henrietta Marshall Dept Safety

Type

Attendance	Performance	Conduct
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Level

Verbal Warning	Written Warning	Second Written Warning
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Description (list previous actions and dates within the last 12 months)

An investigation into malicious and damaging gossip being communicated within the facility revealed that on several occasions you were involved in receiving and communicating this gossip. This included use of the phones in the housing units to discuss gossip or non-work related issues.

After hearing the message delivered in daily briefing about how each staff member has the responsibility to end gossiping within the facility, you failed to take appropriate steps to do so.

In your position of Therapeutic Community Coordinator, you have an additional responsibility to report and stop this behavior to ensure that staff has a comfortable place to work.

You are being give a second written warning, bypassing normal disciplinary action steps, to emphasize that your involvement and inaction created an environment that prevented staff from focusing on their job responsibilities which places you, your co-workers, residents and the entire facility's safety in jeopardy.

Further incidents of this nature will result in immediate termination of your employment.

Signatures

Department Head [Signature] Date 07/04/03

Employee Henrietta Marshall Date 9/4/03

Human Resources [Signature] Date 7/17/03

Please inform me to why I have a
Second warning - this is a Frist warning?

FLORIDA CIVIL COMMITMENT CENTER
RESIDENT BEHAVIOR REPORT

Resident Involved: _____

Date of Incident: 4 / 15 / 04

Time of Incident: Approx 1:50 hrs.

Location(s) of Incident: dorm - V.P.

Observed Behavior: At approx 1:50 hrs all available staff was called to dorm's gate. MRS. Russell advised all staff that R/S was climbing on the walk ways roof. I responded with dorm's camera to assist. When I arrived R/S was irritated cursing "Fuck you I am not coming down. I monitored R/S with the V.C.R. for approx 15 mins as clinical staff tried to dialogue with him. At this time several other staff climbed on the roof as he was moving towards the V.P. R/S's behavior continued to escalate as he threatened to jump off the roof. Approx 30 mins later after unsuccessful dialogue staff approached to come down off the roof. then proceeded to jump. ^{Esc}

Witnesses: T.A'S Rodgers, Nunn, Russell TCC'S Baez, Morales

Other Comments (medical attention, property damage, etc.): _____

J. SANTOS T.A.
Printed Name of Reporting Staff

Time/Date of Report 4 / 15 / 04 at 1:40 hrs.

[Signature] T.A.
Signature of Reporting Staff

STAFF REVIEW/RESPONSE

Immediate Intervention:

Secure Management Room Restriction Wing/Quad Restriction Dorm Restriction
 Protective confinement Privilege Suspension/Restriction Other: _____

Reason(s) for Intervention: R/S ATTEMPTING TO HARM HIMSELF

FSM Comments/Signature: VERBAL DIRECTIVES ISSUED BY AS. AS JUMPED OFF ROOF TO EVADE RESTRAINT
[Signature] SRT Date: 4 / 15 / 04

TCC Comments/Signature: _____ Date: 1 / 1

Clinical Comments/Signature: clinical staff will address this with the resident
[Signature] J. Williams, MD Date: 4 / 16 / 04

FLORIDA CIVIL COMMITMENT CENTER
RESIDENT BEHAVIOR REPORT

Resident Involved: _____

Date of Incident: 4/15/04

Time of Incident: approx 12:50 hrs.

Location(s) of Incident: gate

Observed Behavior: at approx 12:50 I T.A. Santos was assigned to
Footrot control room. I recieved a call from FSM Stanton approx 11:30
to keep R/S on the dorm due to an incident in medical. I saw
R/S walking out the front door at this time I advised
him to stay on the dorm and wait for further guidance. He stated
"Okay I'm going to smoke." approx 2mins later all staff was
called as he was on the roof. I was relieved from the
control room by T.A. Moody to assist.

EOB

Witnesses: T.A. Moody, Russell

Other Comments (medical attention, property damage, etc.): _____

J. Santos T.A.

Time/Date of Report: 4/15/04 at 1930 hrs.

Printed Name of Reporting Staff

J. Santos T.A.

Signature of Reporting Staff

STAFF REVIEW/RESPONSE

Immediate Intervention:

Secure Management _____ Room Restriction _____ Wing/Quad Restriction _____ Dorm Restriction _____

Protective confinement _____ Privilege Suspension/Restriction _____ Other: _____

Reason(s) for Intervention: R/S on rooftop

FSM Comments/Signature: R/S climbed fence & evaded staff - J. Santos

Date: 4/15/04

ICC Comments/Signature: _____

Date: 1/1

Clinical Comments/Signature: Clinical staff will address this with the
resident - Jane Inoué PhD.

Date: 4/16/04

FLORIDA CIVIL COMMITMENT CENTER
RESIDENT BEHAVIOR REPORT

Resident Involved: Sup #
Date of Incident: 4/15/04 Time of Incident: 11:50 hrs
Location(s) of Incident: Dorm gate
Observed Behavior: Resident Sup #
was walking toward the gate when this
writer TA Russell asked him where was he
going and that he needed to stay inside the
gate. Ms. [redacted] stated at this time I'm
going to show you where I'm going with a
smile on his face. At this time Ms.
began climbing up the fence. TA Rodgers tried
to grab him. TA Rodgers could only grab one foot.
Ms. [redacted] climbed on the roof and began
to start walking on the roof. TA Russell called
for all available staff at this time.

Witnesses: TA Rodgers
Other Comments (medical attention, property damage, etc.): _____

TA S. Russell Time/Date of Report 4/15/04 at 12:50 hrs
Printed Name of Reporting Staff
TA S. Russell
Signature of Reporting Staff

STAFF REVIEW/RESPONSE

Immediate Intervention:
 Secure Management Room Restriction Wing/Quad Restriction Dorm Restriction
 Protective confinement Privilege Suspension/Restriction Other _____
Reason(s) for Intervention: Res climbed upon roof
FSM Comments/Signature: NOTED - JSA

TCC Comments/Signature: Information forwarded to FSM C. Mulet Date: 4/15/04
Clinical Comments/Signature: Clinical staff with address of the with the
resident. [redacted] Jan Dravica, PhD. Date: 4/16/04

F-Dorm Log Book

Thursday 4-15-04

0715	Clear court	Mr.
0732	Rep. refer to go to medical	Mr.
0750	Chow time	
0730	Food cart on claim	Mr.
0752	69 nos to Chow	Mr.
0745	Safety and Security Card Cards by DA Mussee	Mr.
0807	Res. from food service to Acosta	
0815	Res. to medical	Mr.
0828	Res. back from medical	Mr.
0834	Res. to dental	Mr.
0835	R/S to GED ^{NT}	
0849	R/S to form w/o ^{NT}	
0852	R/S to medical ^{NT}	
0855	R/S to medical ^{NT}	
0858	R/S back from dental ^{NT}	
0859	R/S back from medical ^{NT}	
0902	R/S to Garden ^{NT} & Acosta ^{NT}	
0907	R/S to F/S-w/o ^{NT}	
0917	R/S to dental	(C)
0920	R/S back from medical ^{NT}	
0925	R/S back from medical ^{NT}	
0938	R/S back from dental ^{NT}	
0941	R/S from Rec. to dental ^{NT}	
0951	R/S to medical ^{NT}	
1000	R/S to F/S-w/o ^{NT}	
1010	R/S to medical ^{NT}	
1022	R/S back from medical ^{NT}	
1030	R/S back from dental ^{NT}	
1035	R/S back from medical ^{NT}	
1040	R/S to medical ^{NT}	
1041	R/S back from Garden ^{NT}	
1043	R/S back from w/o ^{NT}	

Thursday 4-15-01

1045	R/S	back from medical NT	
		given a shot due to aggressive behavior.	
		became combative towards	
	R/S	Swinging at him	(53)
1100		Count time 109 ⁱⁿ 9 ^{out} 112 total	(2)
1116		Clear Count	(2)
1123		Meds announced	(2)
1124	R/S	back from medical	(2)
1125	R/S	back from GED	(2)
1127		2 r/s back from GED.	(2)
1128		Chow time 95	(2)
1130	R/S	is to stay on the dorm due to incident in the medical per Stanton	(1)
1136	R/S	refused his	(2)
1137	R/S	refused his meds also.	(1)
		FSM Stanton and medical notified by Nurse Gordon	
1138		Food Cart on the dorm	(2)
		Food Cart 1048	(2)
		A.M. only in control room seeing SA Sandoz	
		Compensation on 103.1033	
	R/S	climbed on the roof at dorm's gate. Re-direction was unsuccessful as jumped off the roof by the V.P. R/S was transported to the outside hospital for injuries	
		Count time	(2)
1320		Re-Count (50)	
1344		All R/S back to the Dorm (50)	
1349		Emergency Count (50)	
1353		Emergency Count (50)	
1406		Clear Count (50)	
1450		J.A. W. on dorm	mm
1515		back from Pashap room	
1514		Safety and search both concluded	
		Miscellaneous on dorm	

Florida Civil Commitment Center		
SECTION: Health Services	POLICY # E-15	PAGE 1 of 2
TITLE: One-To-One Observation	EFFECTIVE DATE: 8/26/2002	
APPROVED BY:	REVIEWED DATE	

POLICY: The Florida Civil Commitment Center will provide One-To-One Observation for any patient requiring intense and continuous observation. (Replaces policy E-17 dated 9/17/2001).

PURPOSE: To ensure One-To-One Observation is provided appropriately in both medical and special management situations to reduce the likelihood of a patient inflicting self-injury.

DEFINITION: One-To-One Observation is continuous visual contact with a patient with no more than five feet of distance between the staff member and the resident.

PROCEDURE:

1. Observation Assignment:

- a. A rotating assignment for the Direct Care staff (Therapeutic Assistants (TA) or Facility Safety Assistant (FSA) will be set up by shifts (4hr. shifts, 8hr. shifts, etc.). This will be used to identify the employee(s) who are required to perform these observation duties. Every effort will be made to assign an employee of the same sex as the resident, especially during bathroom and shower times.
- b. Facility Safety Managers (FSMs) are responsible for ensuring that the appropriate staff are assigned to the resident on One-To-One Observation.
- c. For the duration of the One-To-One assignment, employees who are performing observational duties shall be relieved of other duties that would hinder their ability to maintain required contact with the resident.
- d. Whenever feasible, Direct Care staff will be relieved every four (4) hours.

2. Performance of Duties:

- a. All staff are required to take immediate action as necessary to ensure safety and health needs of all residents are met. In emergency circumstances, a Therapeutic Community Coordinator (TCC) or higher authority may place a resident on One-To-One observation.
- b. Upon taking action, the staff member who places the resident on One-To-One Observation must notify the FSM, Supervising Nurse and Clinical Therapist on call.

- c. Observation will be conducted and documented by staff on the observation flowsheet (see the attachment to the policy on Room Restriction and Secured Management) and an end of shift summarization will be placed in the housing unit log.

(1) Orders for special precautions (if needed) will be obtained by administrative staff.

(2). A statement of rationale will be included in the observation flow sheet and dorm log by the staff initiating the special precaution.

(3). All log documentation will be written in red ink.

d. Residents should be allowed fresh air and sunshine for at least one hour daily. Special precautions may supercede this recommendation.

e. Whenever possible, residents should be given the opportunity to engage in therapeutic activities, unless clinically contraindicated. This is particularly applicable when residents are on special precautions.

3. Continuing And Discontinuing One-To-One Observation:

a. The patient will be assessed by clinical staff and/or nursing staff to establish if One-To-One Observation and or special precautions continue to be needed.


b. The final decision will be made by the Treatment Team or clinical director in cooperation with the Health Administrator.



FLORIDA CIVIL COMMITMENT CENTER
13613 S.E. Highway 70
Arcadia, Florida 34266

MEMORANDUM

TO: Tiffany Lane, Facility Safety Director

FROM: Rick Harry, Executive Director 

DATE: August 2, 2004

The Facility Safety Director has the responsibility to provide oversight to the facility's Safety staff in order to maintain a safe, secure and therapeutic environment within the facility. This is achieved through the development and implementation of appropriate and adequate policies/procedures coupled with the provision of the necessary guidance and direction to assure staff compliance with performance expectations.

Since my arrival at FCCC in January 2004, you and I have had several conversations regarding numerous issues related to the inadequacy of both general staff performance and lack of comprehensiveness of the Safety policies and procedures. For example, you have acknowledged inconsistencies in staff conduct as exemplified by not following written policies/procedures, by enforcing rules which are not reflected in a policy/procedure and by disparate treatment of residents when enforcing rules. I have made it clear that staff must adhere to promulgated policies and procedures and not hold residents accountable for compliance to rules which have not been approved. You have assured me that you not only recognize the existence of these types of problems, but are committed to changing staff behavior.

However, recent incidents within the facility have shown Safety staff continues to be either unsure of or ill prepared to adequately perform their jobs or follow facility policies and associated procedures.

EXHIBIT: TT

For example, incidents such as a resident jumping from a roof, a resident-to-resident altercation resulting in a serious stabbing injury and a resident altercation resulting in a resident while in physical restraint, evading staff and damaging property are vivid examples of incidents in which, upon review, staff did not perform as expected. Further, staff has experienced numerous problems conducting accurate census counts, which have a distinct security implication. Safety staff has not effectively supervised resident compliance with citations from the State Fire Marshall. The opportunities for improvement are readily apparent.

You have verbally concurred with my belief that a number of staff do not implement the policies and associated procedures of the facility in a consistent manner, which adversely impacts on the attitude of the residents and the facility's operation. In fact, during the special Resident Council Meeting on July 20, 2004 held at the Council's request to discuss staff conduct, you commented to the residents on several occasions that staff should not be doing what the residents reported but you appeared to acknowledge their reports as factual.

Recently a number of consultants have visited the facility in order to assess facility operations. Feedback from several consultants indicates a lack of proper direction and supervision for the Safety staff. All of these issues relate back to the Facility Safety Director position.

Although we have discussed the issues and impact of inadequate staff performance over the last several months, there still has been no noticeable improvement. In fact, personnel changes within the Facility Safety Manager staff composition as well as offsite training for those staff have not produced any significant change in behavior.

Since a change in performance for Safety staff is more than overdue, I must put you on notice that should any further incidents occur in which staff do not follow established policy and procedure, you will no longer occupy the position of Facility Safety Director.



Florida Civil Commitment Center

13613 SE Highway 70
Arcadia, FL 34266

phone (883) 491-6100

August 11, 2004

FSD Tiffany M. Lane

, FL

Sent: Certified/Return Receipt
7001 1940 0005 5459 0648

Dear Ms. Lane:

Effective August 10, 2004, your employment with Liberty Behavioral Health Corporation was terminated. Our decision was based on your actions of August 3, 2004 as well as our previous discussion and written warning about your ability to adequately improve the performance of safety staff and fulfill the requirements of your position.

As a direct result of your decision and actions on August 3, 2004 the safety and welfare of Florida Civil Commitment Center staff and residents was placed in serious jeopardy. On August 3, 2004 you instructed staff to move several residents from housing Units D and F to other units without consulting with clinical staff or being prepared with sufficient resources to accomplish the move. Following resident resistance to the moves, a hostile and rebellious environment was created which took over twenty (20) hours to diffuse and put the safety and welfare of over one hundred (100) residents and staff in serious jeopardy.

Rick Harry
Executive Director

rh:mj

Cc: Tom Murphy, Human Resources Manager

EXHIBIT: uu

1092

FLORIDA CIVIL COMMITMENT CENTER INCIDENT REPORT

Person(s) Involved: RIS # _____ Resident Staff

Date of Report: 4-15-04 Time of Report: 1850

Please check This is a resident/staff related incident, or This is a Facility/Environmental incident

Check the one best category for this incident:

- Deaths
- Discovery of contraband
- Equipment Failure/Damaged
- Environmental events
- Escape
- Legal exposure/event
- Media exposure/event
- Medical events/emergencies
- Medication events
- Psychiatric emergencies
- Staff abuse of residents
- Staff injury
- Treatment events
- Violation of rules by staff
- Other: _____

Location of the Incident: VP ROOF

Witnesses: _____

Date of Incident: 4-15-04 Time of Incident: 1150 - 1303

Details of the Incident: ON 4-15-04 AT APPROXIMATELY 1120 HRS I, FSM STANTON WAS

ADVISED BY MR. RODGERS THAT RIS HAD BEEN SEEN BY DR. BELLINO & THAT HE WAS
GOING TO BE SOME ON ONE TO ONE STATUS IN A PAPER SUIT. IN THAT DR. BELLINO HAD
JUST WALKED BY ME & NOT MENTIONED ANYTHING I PROCEEDED TOWARDS ADMINISTRATION,
RADIOED DORM & ADVISED THEM TO KEEP ON THE DORM UNTIL I COULD VERIFY
HIS STATUS AT 1135 FSD LANE ADVISED ME THAT RIS WOULD HAVE TO BE PLACED IN
ONE TO ONE STATUS DUE TO THREATS HE HAD MADE VIA LETTER & VERBALLY TOWARD STAFF.
CONSIDERING THE FACT THAT RIS WOULD PROBABLY BE VIOLENT TOWARD STAFF IN
REGARDS TO BEING PLACED IN A SECURE ROOM WITH A PAPER SUIT ON ONE TO ONE I BEGAN
TO ASSEMBLE MY TEAM THAT WOULD FACILITATE THE SECURE MANAGEMENT PLACEMENT WHILE
SPEAKING WITH DR. TRAVIA & ANASTASY. MR. NORMAN'S PRESENCE I WAS ADVISED VIA RADIO
THAT RIS HAD CLIMBED UPON THE ROOF & WAS MAKING HIS WAY TOWARDS
CLINICAL VIA THE CATWALK. SAFETY CONTROL WAS NOTIFIED TO INSTRUCT STAFF TO
START CLEARING THE YARD OF RESIDENTS AS SANTOS BEGAN WRESTLING. AS WAYNE AS
HE WALKED UPON THE ROOF DR. TRAVIA ATTEMPTED TO TALK TO RIS.
NO AURIL AS STAFF CLEARED THE YARD OF RIS'S FSD LANE THEN ADVISED
TO PLACE THE RIS'S WITHIN THEIR DORMS. AS I HAD MADE PREVIOUS CONTACTS

Have you answered the questions of Who?, What?, When?, Where?, Why? and How? (Use additional sheets if needed)

Signature of Reporting Person: [Signature] Date: 4-15-04

Printed Name of Reporting Person: STANTON

I.A.1 Incidents Requiring Medical Attention

Was the nurse seen? Yes No 911 Services? Yes No Transported for medical attention? Yes No

If answered YES to any of the above, the nurse is to complete and attach MEDICAL ADDENDUM to this incident report.

EXHIBIT: V V

FLORIDA CIVIL COMMITMENT CENTER INCIDENT REPORT

2002

Person(s) Involved: _____ Resident Staff

Date of Report: _____ Time of Report: _____

Please check This is a resident/staff related incident, or This is a Facility/Environmental incident

Check the one best category for this incident:

- | | | |
|--|---|--|
| <input type="checkbox"/> Deaths | <input type="checkbox"/> Media exposure/event | <input type="checkbox"/> Staff injury |
| <input type="checkbox"/> Discovery of contraband | <input type="checkbox"/> Medical events/emergencies | <input type="checkbox"/> Treatment events |
| <input type="checkbox"/> Equipment Failure/Damaged | <input type="checkbox"/> Medication events | <input type="checkbox"/> Violation of rules by staff |
| <input type="checkbox"/> Environmental events | <input type="checkbox"/> Psychiatric emergencies | Other: _____ |
| <input type="checkbox"/> Escape | <input type="checkbox"/> Staff abuse of residents | |
| <input type="checkbox"/> Legal exposure/event | | |

Location of the Incident: _____

Witnesses: _____

Date of Incident: _____ Time of Incident: _____

Details of the Incident: OR INTENT TO JUMP INTO THE RAZOR WIRE + ADVISED STAFF TO

RETRIEVE THE EXTRACTION KIT. (KIT USED TO CUT RES DOWN FROM RAZOR WIRE) FROM GATE CONTROL. AND INSTRUCTED MEDICAL TO BRING THE STRETCHER + EMERGENCY KIT TO THE UP AREA. IN THE INTERIM RES WALKED FROM THE CLINICAL ROOF TO THE UP ROOF TOP AND THE SAT DOWN ON TOP OF THE UP ROOF. DR. BELLINO + LIPScomb ATTEMPTED TO TALK WITH RES TO NO AVAIL. RES WAS BECOMING INCREASINGLY AGITATED + WHILE SITTING ON THE ROOF WAS OBSERVED ATTEMPTING TO BURN RES T-SHIRT. AT THIS POINT IT WAS DETERMINED THAT RES INTENT TO HARM HIMSELF HAD INCREASED + STAFF WAS INSTRUCTED TO ATTEMPT TO RESTRAIN THE RESIDENT AT WHICH POINT HE STOOD UP WALKED TO THE EDGE OF THE ROOF AND JUMPED DOWN LANDING AWKWARDLY ON HIS LEFT ANKLE. NURSES GANDY CAMPBELL AND TERRELL EXAMINED THE RES 911 WAS CALLED THEY ARRIVED AT 1237 & WAS DETERMINED BY EMS VISITORS COUNTY THAT THE RES WOULD NEED TO BE ADMITTED TO TAMPA GENERAL HOSPITAL RES DEPARTED THE FACILITY AT 1307 ENROUTE TO TAMPA GENERAL HOSPITAL.

Have you answered the questions of Who?, What?, When?, Where?, Why? and How? (Use additional sheets if needed)

Signature of Reporting Person: James A. Stewart Date: 4-15-02

Printed Name of Reporting Person: STEWART JAMES A

	I.A.1	Incidents Requiring Medical Attention
Was the nurse seen?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	911 Services? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Transported for medical attention? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If answered YES to any of the above, the nurse is to complete and attach MEDICAL ADDENDUM to this incident report		

