



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

**REPORT OF INVESTIGATION
IG # 08-0117
CIG # 20080501001**

**ALLEGATIONS: Violation of Policy/Rule
Negligence**

**Office of Prevention & Victim Services
2737 Centerview Drive
Tallahassee, Florida 32399**

April 27, 2009


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TABLE OF CONTENTS

Background..... 3

Executive Summary..... 3

Conclusion and/or Recommendations..... 8

Subject(s)..... 9

Statement of Accordance and Investigative Team 10

Exhibits List..... 11

Distribution List..... 14

Background

On May 2, 2008, the Executive Office of the Governor Office of the Chief Inspector General, forwarded to the Department of Juvenile Justice (DJJ) Office of the Inspector General (OIG) an allegation received from Citizen Dave Plyer, alleging that the DJJ Office of Prevention and Victim Services (Prevention) violated provisions of Florida Statutes in the execution of the 2008 - 2009 grant application and review process. On May 13, 2008, the complaint was accepted by the OIG investigation.

During the course of this investigation OIG staff found that Grant Manager Gwen Steverson made handwritten changes to fully implemented 2008 – 2009 grant contracts which appeared to be undisclosed to the grant recipients. This issue was investigated to determine if Steverson notified the affected grantees of the handwritten changes.

The Office of Prevention and Victim Services is a state-operated program area of DJJ and is located in Tallahassee, Leon County, Florida.

Advisory Board and/or Councils are defined as the advisory bodies to the DJJ that work with the agency to design services that meet the needs of juveniles and their families within their community. The Boards and Councils advise the department in relation to state funded and locally allocated grant funds.

Executive Summary

From May 15, 2008 through April 21, 2009, OIG staff reviewed pertinent DJJ and program records regarding these allegations and correlating DJJ policies and standards, as well as relevant Florida Rules and Statutes. Between August 15, 2008, and March 24, 2009, OIG staff interviewed twenty-seven witnesses regarding their direct knowledge of the alleged issues.

The Investigation found the grant process for the period under review to be as follows:

A review of the grant application process for 2008-2009 by OIG staff showed that Prevention required the submission of two packets of documents from entities submitting proposals, a Delinquency Prevention Concept Paper (Concept Paper) and a Delinquency Prevention Grant Application (Application).

The Concept Paper is a proposal of programs and services from a prospective provider in exchange for funding,¹ which requires the applicant to describe the program(s) and services they propose. The description includes why the project is needed, how it will be beneficial, and who will benefit from it. Also included are the program goals, objectives and strategies. The Concept Paper is submitted to Prevention by a specified due date. Once received by Prevention, the Concept Paper is provided to the circuit board and county council grant review committee for evaluation and scoring. The grant review committee makes a recommendation for the award to Prevention with a letter from the board chairperson. Recommended providers are then evaluated by Prevention and a letter of award is sent to the awardees.²

¹ Attachment C-1.

² Attachment C-7.

The second part of the process is the Application³, which is supplemental to the Concept Paper. The Application is inclusive of the Concept Paper and provides additional information, which may not have been previously provided in the Concept Paper and is due to Prevention by a specified date. Prevention provides instructions in both packets to interested service providers on how to apply for grant funds.

Operations Manager Danielle Williams, Grant Manager Gwen Steverson, and Budget Manager Phyllis Tucker stated to OIG staff that decisions on the 2008-2009 grant process were made by former Grants Manager Maury Kolchakian and former Assistant Secretary Cassandra Jenkins, with Jenkins approving the grant application process.⁴ Steverson stated that Williams and Jenkins gave her a directive to follow [Florida] statute, and not the June 2004 Delinquency Prevention Program Management Policy and Procedures Manual (Manual).⁵ Williams stated that they do not follow the policies and procedures in the Manual because the current Secretary has not approved it, although it was approved by a prior agency Secretary.⁶

Completion of this investigation was significantly delayed due to difficulties in obtaining requested records from Prevention. Some of the records obtained from Prevention were records Prevention would have received from the circuit boards and county councils. After this report is published a supplemental report verifying the authenticity of these documents will be prepared and filed under this investigative case number (08-0117).

The investigative findings for the allegations investigated are as follows:

Allegation One – INCONCLUSIVE

Plyer alleged that Prevention violated provisions of Florida Statutes (F.S.) concerning the 2008-2009 grant application and review process. The alleged conduct is classified as Violation of Policy/Rule and is covered by Florida Administrative Code 60L-36.005(3)(e)⁷, and the Program Management Prevention Policy and Procedures Manual.⁸

Plyer alleged that Prevention excluded the juvenile justice circuit boards and juvenile justice county councils from their statutory role to advise and assist the department in the evaluation and awarding of prevention and early intervention grant programs during the 2008-2009 grant application and review process. As it pertains to this issue Section 985.664(5) F.S. states “juvenile justice circuit boards and county councils shall advise and assist the department in the evaluation and award of prevention and early intervention grant programs...”⁹ The statute provides that the juvenile justice boards and councils review “grant applications.” Williams and Steverson stated the Concept Paper was a condensed version of the grant application used in prior years for providers to submit proposals on posted grants.¹⁰ Williams and Steverson also stated the revised Concept Paper was still being used for providers to apply for funding.

³ Attachment C-2.

⁴ Exhibits AA, BB and CC.

⁵ Exhibit AA.

⁶ Exhibit CC.

⁷ Attachment B-2.

⁸ Attachment B-1.

⁹ Attachment B-3.

¹⁰ Exhibits AA and CC.

Plyer alleged that the Prevention [grant application] timeline excludes the juvenile justice circuit boards and juvenile justice councils from review of grant applications. Sections 985.676(2)(b)(1.) and 985.676(2)(b)(2.) F.S. provides the department shall consider the following in awarding such grants: the recommendations of the juvenile justice county council and circuit board as to the priority that should be given to proposals submitted by entities within a county or circuit.¹¹

A review of the grant application timeline showed that training was conducted for circuit board and county council grant review committees on November 2, 2007, November 5, 2007, and November 9, 2007.¹² In addition, the records showed that on December 7, 2007, Concept Papers were provided to the circuit board and county council review committees for review, scoring, and recommendations. Records showed Recommendation letters dated December 17, 2007 through February 4, 2008, from the circuit boards and county councils were submitted to Prevention.¹³ Steverson stated the circuit boards and county councils assembled their review committee to evaluate the submitted packets; the review committee scored the applications and made recommendations to Prevention.¹⁴ The Review Committee Score Sheets showed that fourteen of the sixteen Concept Papers awarded, were reviewed and scored by individuals of the respective circuit board and county council review committee consisting of the required minimum of three members.¹⁵ For the two remaining Concept Papers, one was reviewed and scored by two committee members and the second Concept Paper was reviewed and scored by one committee member. A review of the Review Committee Meeting Notices showed that ten of the fifteen grant review committees held meetings between December 12, 2007 and January 18, 2008 to discuss, review, and make recommendations to Prevention from the Concept Papers.¹⁶ Of the remaining five, three review committees did not hold a meeting, but scored the Concept Papers independently and submitted their scores to the chairperson for calculation and ranking and the other two voted on their recommendations at the juvenile justice council meeting.

Plyer alleged that Prevention staff failed to comply with Section 985.676(2)(a) F.S., in that they did not require a letter from the chairperson of the juvenile justice circuit board be submitted with each grant application confirming that the grant application was reviewed and found to support one or more purposes or goals of the juvenile justice plan as developed by the board. Section 985.676(2)(a)(1.) F.S.¹⁷ states "each entity wishing to apply for an annual community juvenile justice partnership grant... shall submit a grant proposal for funding or continued funding to the department.

The department shall establish the grant application procedures. In order to be considered for funding, the grant proposal shall include the following assurances and information: (1.) A letter from the chair of the juvenile justice circuit board confirming that the grant application has been reviewed and found to support one or more purposes or goals of the juvenile justice plan as developed by the board."

¹¹ Attachment B-4.

¹² Attachment C-3.

¹³ Attachment C-6.

¹⁴ Exhibit AA.

¹⁵ Attachment C-4.

¹⁶ Attachments C-5, C-33, and C-34.

¹⁷ Attachment B-4.

A review of instructions provided by Prevention with the Concept Paper and Application by OIG staff shows that Prevention did not address the submittal of a letter from the chairperson of the juvenile justice circuit boards and county councils confirming that the grant application was reviewed and found to support the purposes or goals of the board. However, records did show that Recommendation letters dated December 17, 2007 through February 4, 2008, from the circuit boards and county councils were submitted to Prevention.¹⁸ Williams and Steverson said Prevention knew that a letter from the circuit board or county council chairperson was to be submitted; however, Prevention did not know that the letter had to be part of the application package.¹⁹ The two previous supervisors in Prevention declined to participate in the investigation so OIG staff could not determine if they had knowledge that the letter had to be part of the application package and could have clarified that information with Prevention staff.

On February 17, 2009, OIG staff consulted with Assistant General Counsel Scott Wright regarding Sections 985.676 and 985.664 F.S.²⁰ Wright stated that he was not aware of a definition for what constitutes a "proposal" in Florida law or in DJJ policy. Wright stated it is unclear under Section 985.676(2)(a)(1.) F.S., when the letter from the circuit board or county council chairperson confirming the review of the grant application should be submitted. Wright stated the statute is clear in requiring the submission of the letter with the "Proposal"; however, if the proposal were submitted in two parts, it would likely be acceptable to submit the letter with either part. Wright stated it is unclear whether under Section 985.676(2)(b) F.S. the recommendations from the circuit board or county council referencing grant award priorities could be in the same letter discussed in Section 985.676(2)(a)(1.) F.S. Wright stated it is unclear whether under 985.676 (2)(b) F.S. the recommendations from the circuit board or county council referencing grant award priorities could be in the same letter discussed in 985.676(2)(a)(1.) F.S.

On August 29, 2008, OIG staff contacted Kolchakian and he declined to participate in the investigative interview.²¹

On March 5, 2009, Jenkins contacted OIG staff and she declined to participate in the investigative interview.²²

Allegation Two – SUBSTANTIATED

During this investigation OIG staff found that Steverson made undisclosed handwritten substantive changes to fully executed 2008 – 2009 grant contracts. The alleged conduct is classified as Negligence and is covered by Florida Administrative Code 60L-36.005(3)(b).²³

A review of twenty-two Grant Agreements (Agreements) showed that an individual with the initials 'GST' made handwritten changes to the Agreements.²⁴ A review of sixteen Agreements showed these changes occurred after the provider signed the Agreement,

¹⁸ Attachment C-6.

¹⁹ Exhibits AA and CC.

²⁰ Attachment EE-1.

²¹ Exhibit EE.

²² Exhibit EE.

²³ Attachment B-2.

²⁴ Attachments C-8, C-10a, C-11a, C-12a, C-13, C-16a, C-17a, C-18a, C-19a, C-20, C-21a, C-22a, C-23a, C-24a, C-25a, C-26, C-27a, C-28a, C-29a, C-30, C-31a, and C-32a.

but prior to Assistant Secretary Greg Johnson signing and fully executing the Agreements.²⁵ A review of six Agreements showed the provider did not have their original copy and therefore, OIG staff could not determine when the changes were made to the Agreement.²⁶ Three Agreements showed that Johnson did not date the Agreement when he signed them.²⁷

OIG staff interviewed twenty-two provider witnesses. Twelve witnesses stated there were no handwritten changes to the original agreement when they signed the Agreement²⁸; however, eight witnesses stated they noticed handwritten changes on the fully executed Agreement.²⁹ Six witnesses stated they did not know if the changes were made to the Agreement prior to this OIG investigation.³⁰ Eleven witnesses stated they did not receive a copy of the fully executed contract.³¹ Two witnesses stated they were not sure when changes were made to the Agreement.³²

OIG staff interviewed one witness staff that stated upon review he noticed the handwritten changes after the Agreement was fully executed.³³ He stated that he believed the changes were made by headquarters staff.

On August 19, 2008, OIG staff consulted with Bureau Chief Amy Johnson, Bureau of Contract Administration, regarding the amendment process for contracts and agreements. Johnson stated that substantive changes to any contracts or agreements are not valid. Johnson stated that Steverson does not have the authority to make pen to paper changes.³⁴

On March 24, 2009, Steverson stated to OIG staff that her initials are 'GST' and that the initials reflect changes she made to the Agreements.³⁵ Steverson initially stated the providers were sent the copy reflecting the initialed changes prior to signing them so they would see the changes. OIG staff showed copies of the Agreements received from the providers to Steverson. The Agreements showed that changes were made after the provider's signature, but before Assistant Secretary Johnson's signature. Steverson stated that she could attempt to justify, but stated it was obvious she made the changes after the provider's signature, and not as she originally stated.

²⁵ Attachments C-11a/b, C-12a/b, C-16a/b, C-17a/b, C-18a/b, C-19a/b, C-21a/b, C-22a/b, C-23a/b, C-24a/b, C-25a/b, C-27a/b, C-28a/b, C-29a/b, C-31a/b, and C-32a/b.

²⁶ Attachments C-8, C-10a, C-13, C-20, C-26, and C-30.

²⁷ Attachments C-9, C-14, and C-15.

²⁸ Exhibits E, F, H, J, M, N, P, R, T, V, X, and Y.

²⁹ Exhibits E, F, I, K, M, N, V, and X.

³⁰ Exhibits G, H, O, Q, T, and Y.

³¹ Exhibits G, H, J, L, O, Q, R, T, W, and Y.

³² Exhibits D and L.

³³ Exhibit Z.

³⁴ Exhibit EE.

³⁵ Exhibit DD.

Conclusion and/or Recommendations

Based on witness and subject statements and a review of related records and policies, the following determinations have been reached as noted for each subject staff:

Staff	Position	Allegations	Determination
Maury Kolchakian	Former Grant Manager SMA II	1) Violation of Policy/Rule	Inconclusive
Cassandra Jenkins	Former Assistant Secretary	1) Violation of Policy/Rule	Inconclusive
Gwen Steverson	Grant Manager SMA II	2) Negligence	Substantiated

Completion and submittal of OIG Incident/Complaint Disposition Forms for each staff with substantiated allegations is requested.

During this investigation it was noted that Agreements were not dated when signed by the agency authority. It is recommended that all grants be reviewed for accuracy and completeness throughout the execution process.

It was noted by OIG staff that an Agency Secretary had not issued or approved a current policy and procedures manual and it is recommended that this issue be addressed. It is recommended that Prevention management conduct training to ensure statewide compliance to Prevention Policy and Procedures and that the June 2004 version is updated if out of date and/or approved by the current Secretary.

During this investigation it was noted that the timeline of submission of required documents was not clear due to the two separate application packets Prevention required. It is recommended that Prevention establish one grant application package including sufficient instructions to ensure applicants provide all statutorily required documentation in one proposal.

It is recommended that Prevention establish standards (i.e. mandatory requirements) that would be applied to the grant applications to ensure applicants provide all required documentation by a specified due date. It is recommended that Prevention establish a technical assistance team to review each proposal for completeness prior to submission of the application to the juvenile justice board and council grant review committee for scoring and recommendation. It is recommended Prevention establish a cohesive score sheet that follows the grant application structure and is used by all juvenile justice boards and county councils.

Subject(s)

According to his personnel file reviewed by OIG staff former Senior Management Analyst II [Grant Manager] Maury Kolchakian was employed at DJJ Prevention from June 29, 2007 through January 3, 2008. The Background Screening Unit (BSU) database showed that at the time of the incident, Kolchakian was eligible for employment. The CCC database showed no complaints for Kolchakian. Kolchakian was in a non-direct care position and therefore was not required to be Protective Action Response (PAR) trained.

According to her personnel file reviewed by OIG staff former Assistant Secretary Cassandra Jenkins was employed at DJJ Prevention from February 12, 2007, until October 8, 2008. She was previously employed by DJJ as a Management Review Specialist from October 1, 1994, until February 10, 2005. The BSU database showed that at the time of the incident, Jenkins was eligible for employment. The CCC database showed two other complaints for Jenkins for conflict of interest, discrimination, improper conduct and violation of policy/rule. The complaint of conflict of interest was investigated by the OIG with a finding of inconclusive. The second complaint was investigated by the OIG with no cause findings for discrimination or improper conduct, and substantiated findings for violation of policy/rule. Jenkins was in a non-direct care position and was not required to be Protective Action Response (PAR) trained.

According to records reviewed by OIG staff in People's First Senior Management Analyst II [Grant Manager] Gwen Steverson has been employed at DJJ Prevention since May 25, 2007. The BSU database showed that at the time of the incident, Steverson was eligible for employment. The CCC database showed no complaints for Steverson. Steverson is in a non-direct care position and therefore is not required to be Protective Action Response (PAR) trained.

Statement of Accordance

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

Investigative Team

This investigation was conducted by Inspector Specialist Kristin L. Avery, and was directed by Chief of Investigations Howard Greenfield, CFE, CPM, CIGI, CIG.

Exhibits List

Origin of Complaint

Receipt of Initial Information	A
Letter of complaint from Office of the Chief Inspector General, dated May 2, 2008	A-1

Review of Policies/Procedures/Rules/Statutes and Records

Policies/Procedure/Statutes/Rules	B
Delinquency Prevention Program Management Policy and Procedures Manual, June 2004	B-1
Florida Administrative Code Rule 60L36.005	B-2
Florida Statute 986.664	B-3
Florida Statute 986.676	B-4
Records Reviewed	C
Delinquency Prevention Concept Paper & Instructions	C-1
Delinquency Prevention Grant Application Packet	C-2
Grant Application Timeline & Revisions	C-3
Juvenile Justice Circuit Board & County Council Review Committee Score Sheets	C-4
Juvenile Justice Circuit Board & County Council Review Committee Meeting Notices	C-5
Juvenile Justice Circuit Board Recommendation Letters	C-6
Delinquency Prevention Grant Award Letters	C-7
Boys & Girls Club DP-553 (Prevention)	C-8
BBBS of Mid-Florida DP-559 (Prevention)	C-9
Camp Fire USA Gulf Coast Wind Council DP-601 (Prevention)	C-10a
Camp Fire USA Gulf Coast Wind Council DP-601 (Provider)	C-10b
Capital City Youth Service DP-605 (Prevention)	C-11a
Capital City Youth Service DP-605 (Provider)	C-11b
Wakulla County Sheriff's Office DP-606 (Prevention)	C-12a
Wakulla County Sheriff's Office DP-606 (Provider)	C-12b
Suwannee Social Services, Inc., DP608 (Prevention)	C-13
Youth Crisis Center DP-611 (Prevention)	C-14
Youth Crisis Center DP-612 (Prevention)	C-15
Youth Recovery Services, Inc., DP617 (Prevention)	C-16a
Youth Recovery Services, Inc., DP617 (Provider)	C-16b
BBBS of Tampa Bay DP-619 (Prevention)	C-17a
BBBS of Tampa Bay DP-619 (Provider)	C-17b
Levy County Extension Service DP-626 (Prevention)	C-18a
Levy County Extension Service DP-626 (Provider)	C-18b
Boys & Girls Club of Alachua County, Inc., DP-627 (Prevention)	C-19a
Boys & Girls Club of Alachua County, Inc., DP-627 (Provider)	C-19b
Apostolic Worship Child Development, Inc., DP-628 (Prevention)	C-20
New Horizons Program DP-629 (Prevention)	C-21a
New Horizons Program DP-629 (Provider)	C-21b
Desoto County Clerk of Courts DP-633 (Prevention)	C-22a
Desoto County Clerk of Courts DP-633 (Provider)	C-22b
BBBS of NW Florida DP-640 (Prevention)	C-23a
BBBS of NW Florida DP-640 (Provider)	C-23b

Monroe County School District DP-642 (Prevention)	C-24a
Monroe County School District DP-642 (Provider)	C-24b
Center for Drug Free Living Inc., DP-705 (Prevention)	C-25a
Center for Drug Free Living Inc., DP-705 (Provider)	C-25b
Manatee Youth for Christ DP-809 (Prevention)	C-26
Center for Drug Free Living Inc., DP-811 (Prevention)	C-27a
Center for Drug Free Living Inc., DP-811 (Provider)	C-27b
Nehemiah Educ. & Econ. Dev., Inc., DP-812 (Prevention)	C-28a
Nehemiah Educ. & Econ. Dev., Inc., DP-812 (Provider)	C-28b
Gadsden County Sheriff's Office NB-602 (Prevention)	C-29a
Gadsden County Sheriff's Office NB-602 (Provider)	C-29b
JPM Centre at Miami Gardens Drive NB-611 (Prevention)	C-30
Suwannee County School Board NB-701 (Prevention)	C-31a
Suwannee County School Board NB-701 (Provider)	C-31b
Suwannee County School Board SB-200 (Prevention)	C-32a
Suwannee County School Board SB-200 (Provider)	C-32b
Email from staff Gwen Steverson, dated April 21, 2009	C-33
Email from staff Lydia Breaux-Davis, dated March 26, 2009	C-34
Email from staff Mary Jo Marjenhoff, dated July 14, 2008	C-35

Witness Interviews

Randy Acevedo	D
Affidavit, dated March 30, 2009	D-1
Willie C. Barnes	E
Keith Blanchard	F
Michael Chaplinsky	G
Gina Dozier	H
Albert Fuller	I
Nancy Gee & Tashonda Williams	J
Alexis Graham	K
Andrew Harrell	L
LaVonne Haven	M
Barbara Hunter	N
Kevin Kidd	O
Stephen Koch	P
Mitzie McGavic	Q
Judy Myhre & Felicia Langston	R
Chantal Phillips	S
Michael Ransaw	T
Joy Riddle	U
Paula Shell	V
Butch Sims	W
Frank Thompson	X
Julie Uimer	Y
Stephen Reid	Z
Gwen Steverson	AA
Phyllis Tucker	BB
Danielle Williams	CC

Subject Interviews

Gwen Steverson

DD

Other Investigative Aspects

Office of General Counsel, Memo dated February 27, 2009

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EE-1

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