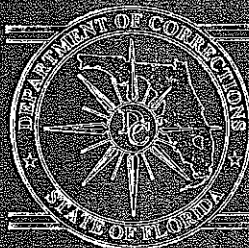


Office of the Inspector General
Bureau of Internal Audit

Follow-up of OPPAGA'S The Delays in
Screening Sexually Violent Predators Increase
Costs; Treatment Facility Security Enhanced
Audit

Report #A09004F

August 26, 2008



State of Florida
Department of Corrections

**STATE OF FLORIDA
DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL**

TO: Walter A. McNeil
Secretary

FROM: Paul C. Decker
Inspector General

DATE: August 26, 2008

SUBJECT: FOLLOW-UP AUDIT REPORT # A09004F – OPPAGA’S THE DELAYS IN SCREENING SEXUALLY VIOLENT PREDATORS INCREASE COSTS; TREATMENT FACILITY SECURITY ENHANCED, REPORT NUMBER 08-10

The Bureau of Internal Audit performed a follow-up audit to OPPAGA’s The Delays in Screening Sexually Violent Predators Increase Costs; Treatment Facility Security Enhanced, Report Number 08-10 issued in February 2008. The objective of this follow-up was to determine the corrective actions taken on reported audit findings and whether actions taken achieved the desired results as intended by management. The scope of our follow-up consisted of obtaining from the Office of Institutions a written response of actions taken to correct reported findings. The follow-up response was then evaluated to determine if management’s actions were adequate and timely.

We have evaluated the response to each finding and have assessed that appropriate action has been taken or is being taken to address the issues identified in the report. No further follow-up is necessary for this audit.



Inspector General

PD/DM/ps
Richard Prudom, Chief of Staff
Richard D. Davison, Deputy Secretary
George Sapp, Assistant Secretary of Institutions
Franchatta Barber, Deputy Assistant Secretary of Institutions

FLORIDA DEPARTMENT OF CORRECTIONS

**Follow-up of OPPAGA'S The Delays in Screening Sexually Violent Predators
Increase Costs; Treatment Facility Security Enhanced Audit***Paul C. Decker, Inspector General*

Report #A09004F

Donald L. Miller, Chief Internal Auditor

August 26, 2008

BACKGROUND

As defined by statute, sexually violent predators are persons who have been convicted of a sexually violent offense and have a mental abnormality or personality disorder that makes them likely to engage in future acts of sexual violence if not confined in a secure facility for long-term control, care, and treatment.

To address the treatment needs of these offenders, the 1998 Legislature enacted the Involuntary Civil Commitment of Sexually Violent Predators Act, also known as the Jimmy Ryce Act. The act creates a civil commitment process for sexually violent predators that is similar to the Baker Act procedures to involuntarily commit and treat mentally ill persons.

In February 2008, the Office of Program Policy Analysis & Government Accountability (OPPAGA) published a report, *The Delays in Screening Sexually Violent Predators Increase Costs; Treatment Facility Security Enhanced*, Report # 08-10.

OBJECTIVES

Our follow-up objectives were to determine:

- what corrective actions were taken on reported audit findings, *and*
- whether actions taken achieved the desired results as intended by management.

SCOPE AND METHODOLOGY

A request was made to the Office of Institutions for a written response regarding the status of any findings and recommendations.

RESULTS OF FOLLOW-UP

Finding: Delays occur in every stage of the civil commitment process

Recommendation: To improve the program's ability to meet the statutory timeliness standards for screening offenders and completing the civil commitment process prior to inmates' scheduled release dates, we recommend that the Department of Corrections monitor its computer system to ensure that offenders are identified for referral at the proper time. We also recommend that the Department of Children and Families refine its process for working with DOC to request law enforcement records from other states in a timely manner.

Management's Original Response: *The Department of Corrections had the opportunity to review the initial results of this OPERA analysis report in October 2007 and provide input, response, and develop a plan of action to correct problems identified in our process of identifying and referring potential cases subject to the Sexual Violent Predator Program for Civil Commitment.*

The report reflects that as a result of the OPPAGA analysis, this agency had found a programming error resulting in late referrals. The department actually identified the problem several weeks prior to the analysis, and had already implemented corrective measures. As part of our initial response, we advised OPPAGA of the prior error and corrective measures already implemented.

The initial results of the OPPAGA review and analysis were immediately analyzed, and corrective measures developed, along with a Corrective Plan of Action.

Develop oversight reports to allow timely tracking of referral information; weekly reports are generated to the Regional Directors for review and to ensure compliance of the statutory requirements within each region.

Region Training Sessions were conducted and completed by 12/10/07; training included overview of Statutory requirements for referrals, programming changes, collection of data techniques, and general resources available to assist in making a timely referral....

The department has met with the DCF-SVP to work out mutual issues with new process, and to expand the open communication lines for individual case management, as needed. As a result of identified problems in their ability to obtain additional documentation from other states, we are working with their staff and both agencies Legal Staff to develop a joint letter of agreement to use in future requests of this nature. We will continue to assist on individual cases as needed.

- We will be assisting with criminal justice information on emergency and/or immediate releases, as needed.
- We will track Florida Parole Commission cases, and provide individual updates as needed.
- Even though we currently discuss cases through telephone communications, we will try to meet at least once quarterly to discuss progress, and any problem issues.

(See the original report for the complete response provided by the Department.)

Management's Follow-Up Response: As provided in the Department of Corrections response of February 27, 2008, the implemented changes to the Offender Based Information System made from November through February appear to have resolved the primary issues of noncompliance with the statutory time frames, and have provided a tracking system to ensure the compliance remains in effect. We have instituted quarterly meetings with the staff from the Department of Children and Families in order to improve the lines of communication, and to resolve any problem areas. We have eliminated our backlog cases, and are very pleased with the outcome of our improvements and revised process. We will continue to monitor compliance with our Regional Offices on a weekly basis through an automated report.