



# Richmond Office of the City Auditor

Office of the Inspector General

*Fighting government waste, fraud and abuse*

**Umesh Dalal, CPA, CIA, CIG**  
Richmond City Auditor/Inspector General

**November 21, 2011**

**Mr. Byron C. Marshall, Chief Administrative Officer**

**Mr. Chuck Kehoe, Director of Justice Services**

The Office of the Inspector General (OIG) has completed an investigation in the Juvenile Detention Center (JDC). This letter informs you of the results of the investigation.

## ***Legal Requirements***

In accordance with the Code of Virginia, §15.2-2511.2, the City Auditor is required to investigate all allegations of fraud, waste and abuse. Also, the City Code section 2-231 requires the Office of the Inspector General to conduct investigations of alleged wrongdoing.

## ***Complaint***

The OIG received a complaint from the NAACP regarding numerous issues at the JDC. Simultaneously, the City Administration also received the same complaint and requested the OIG to investigate this matter. The OIG concentrated their investigation efforts primarily on the following issues included in the complaint, which were primarily related to safety/security and staffing.

- Safety and security concerns by the JDC staff due to faulty equipment
- Low water pressure
- Inadequate climate control in the facility
- Inadequate staffing
- Inappropriate training
- Questionable qualifications of the Superintendent

## ***Methodology***

Investigators completed the following procedures to complete this review:

- Interviewed the Director of the Justice Services Department, Superintendent and numerous staff of the JDC.
- Reviewed the 2009 through 2011 certification audit reports for the JDC issued by the Virginia Department of Juvenile Justice (VADJJ).
- Analyzed safety and security by reviewing the interior and exterior of the JDC, including the lavatory units, lighting, electric door key system, intercom system, security camera system, and perimeter containment fencing.
- Reviewed employee schedules, time cards, and other documentation to analyze staffing levels.

## **Background**

VADJJ conducted an audit in March 2009 and identified several deficiencies in various areas including safety and security in the JDC. They followed up on the corrective actions for these findings thereafter. The following is a summary of their findings and the results of their follow up:

<b>Audit/Monitoring</b>	<b>Findings</b>	<b>Corrective Action</b>
March 10-13,2009 Audit	Deficiencies: 37 Non-Mandatory/10 Mandatory Policies related to : <ul style="list-style-type: none"><li>• Health</li><li>• Administrative</li><li>• Training</li><li>• Equipment</li><li>• Safety</li></ul>	JDC placed on probation for 6 months until review of corrective action plan.
August 20, 2009 Monitoring	Deficiencies: 6 non-Mandatory and 3 Mandatory Policies related to: <ul style="list-style-type: none"><li>• Health</li><li>• Administrative</li><li>• Training</li><li>• Equipment</li><li>• Safety</li></ul>	Corrective action plan approved. JDC certified for 1 year.
December 15, 2009 Monitoring	Deficiencies: 1 non-Mandatory and 2 Mandatory related to: Medication /Training/Equipment:	Corrective actions taken to resolve deficiencies.

February 16, 2010 Monitoring	Deficiencies: 1 non-Mandatory and 2 Mandatory Policies: <ul style="list-style-type: none"> <li>• Health</li> <li>• Training</li> <li>• Equipment</li> </ul>	Corrective actions taken to resolve deficiencies.
April 19, 2010 Monitoring	Deficiencies: 1 non-Mandatory and 1 Mandatory related to: <ul style="list-style-type: none"> <li>• Health</li> <li>• Equipment</li> </ul>	Corrective actions taken to resolve deficiencies.
June 28 – 29, 2010 Audit	Deficiencies: 2 Non- Mandatory related to: <ul style="list-style-type: none"> <li>• Equipment</li> <li>• Safety</li> </ul>	Contingent upon capital improvement approval.

The above information indicates that JDC made gradual progress in resolving VADJJ's findings.

### ***Findings***

#### ***Safety and security concerns by the JDC staff due to faulty equipment***

Several repetitive deficiencies were cited from 2009 through 2011 for non compliance with Virginia Code - 6VAC35-140–320, “whenever equipment of the juvenile residential facility is found to be defective, immediate steps shall be taken to rectify the situation and to repair or replace the defective equipment.” The VADJJ had identified the following issues in March 2009:

- Door locks were not working in rooms assigned to youth and doors failing to open when using the group release function.
- The intercom system did not work during compliance visits.
- The VADJJ cited a lack of timeliness and attention to detail by the JDC to address security system deficiencies, which potentially compromised the health, safety and security of staff and residents.

The JDC previously introduced plans to correct the deficiencies in response to the VADJJ audits. However, those plans were not implemented in a timely manner.

Investigators found malfunctioning equipment and other issues at the JDC, which put the safety and security of staff and residents at risk. These safety and security concerns included:

- The master electronic key control system displayed 17 doors with false information indicating they were open, but a manual test of the doors found them to be secured. It is not known if the system is reliable to provide accurate information.

**Risk:** The employees in the control room may not have assurance of the accuracy of information the system displays. A system malfunction may allow a resident to move to different areas of the facility without authorization and without being detected. This may compromise security of residents, staff and visitors.

- Several security cameras were inoperable. In addition, the facility does not have an adequate number of cameras to cover all areas of the facility. The security camera system's switching mode failed to view areas throughout the facility. The blind spots in the camera system may cause further safety risks. The system displayed poor quality real-time and recorded images. This may prevent thorough investigations of incidents after the fact.
- The intercom system was malfunctioning, which prohibited staff and residents from communicating their needs to the control room.

**Risk:** Without visual and audio monitoring, the safety of employees and residents could be compromised. This situation prevents a timely response to assist employees or residents, when needed.

- Female staff handbags were observed in the kitchen office, female POD and control room. A personal laptop computer was also observed in the control room. In addition, JDC has staff lockers in the kitchen area that enables JDC staff to bring personal items into the secured area. In their cursory search, investigators also found contraband (food, suggestive bookmark and other personal items) within a youth's living quarters.

**Risk:** This situation may allow unauthorized items to be taken into the secured area. This may threaten the personal safety of staff and residents.

- The JDC has policies and procedures to search visitors prior to allowing access to the secured area of the facility. However, when a resident meets with the visitors outside the secured area, they are not searched before reentering the secured area. The

investigators were not searched when entering the secured area several times during their visits to the JDC facility.

**Risk:** This situation may allow unauthorized items taken into the secured area. This may threaten personal safety of staff and residents.

- The maintenance room roof hatch was found unsecured and without a lock. The vehicle sally port gate consistently failed to close when vehicles entered the area.

**Risk:** This condition would allow unauthorized access to the facility. In addition, it may also enable a resident to escape from the facility.

- The main yard perimeter does not have double containment fencing common in detention facilities. The investigators also observed the fence had breaks in the barbed wires.

**Risk:** In the current situation, the existing single fence may allow an outsider to drop off contraband, including weapons, etc into the main yard. These items may be accessible by the residents. The break in the barbed wires may allow an escape from the facility.

- Electronic key/light control boards in several PODs consistently failed to operate the doors and lights correctly. When using the “all open door” function, seven of sixty unit doors failed to open and had to be opened manually with a key.

**Risk:** In the event of catastrophic event like fire, earthquake, etc. the residents and employees may not be able to vacate the facility in a timely manner compromising their safety.

### ***Low water pressure***

- Inadequate water pressure was noted in several resident lavatory sinks/toilets and one shower.

**Risk:** This issue impacts the health and hygiene of the residents. This is a mandatory requirement by State standards.

### ***Inadequate climate control in the facility***

- The investigators found the climate control system operating adequately during their numerous visits to JDC. In addition, a review of records in the City's Department of Public Works indicated that two of the air conditioning units were replaced and other repair requests were responded to in a timely manner.

**Risk:** None

### ***Inadequate staffing***

- State standard 6VAC35-140-545 requires the presence of one staff for every 10 residents during the hours the residents are awake. The statute requires the presence of one staff for every 16 residents during the hours the residents are expected to be asleep. Investigators analyzed a random sample of daily duty rosters, employee time cards, shift calendars, and youth population rosters to measure current staffing. It appears that the current staffing meets the minimum requirements as set forth by the Commonwealth of Virginia. Staffing levels appear to be adequate to handle typical personnel and resident conditions. In the event of a mass arrest of juveniles, the staffing may be inadequate to handle the volume of activities.

During several interviews, JDC staff indicated that mandatory personnel "Drafting" or "Hold over" (customary terms used for requiring staff to stay to cover emergencies and absenteeism) from the regular shift occurs frequently. However, the investigators observed only infrequent occurrences of these events.

**Risk:** None

### ***Inappropriate training***

- During their review of records for 15 employees, the investigators found that the documentation in the employee files was not organized to indicate whether the employees received consistent annual training.
- **Risk:** Employees may not receive proper training as required.

### ***Questionable qualifications of the Superintendent***

- A review of the personnel file for the current Superintendent and recruitment records for the position indicated no evidence of favoritism or inappropriate selection procedures. The recruitment was conducted in accordance with the City's Human Resources policies and procedures.

**Risk:** None

Numerous JDC staff interviewed expressed concerns about many of the issues identified above. There appears to be low morale exhibited by JDC staff due to the malfunctioning equipment and other safety and security concerns noted above.

### ***Possible Corrective Actions***

1. The current control system and individual POD control panels need to be evaluated and updated to enable JDC to properly monitor the facility.
2. Installing adequate number of cameras, ancillary recording equipment and proper intercom system to meet the security needs of the facility and to mitigate safety risks is necessary.
3. There is a need to establish and enforce a policy to prohibit personal belongings of the staff from being brought into the secured areas of the facilities. For this purpose, moving staff lockers outside the secured area may be necessary.
4. JDC must search the residents prior to returning to the secured area after interacting with the outside visitors.
5. JDC needs to examine all the access points including maintenance roof hatch and sally port gate. Correct all the deficiencies identified during this evaluation.
6. Installing a double fence around the main yard and assuring 100% coverage by barbed wires appears to be critical.
7. JDC needs to evaluate the water pressure in the entire facility and make the necessary corrections to obtain adequate water pressure.
8. Monitor staffing levels and fill vacancies expeditiously.

9. Organize the training records and ensure that employees receive all required training annually.
10. Evaluate employee morale and take appropriate actions to make improvements.

The investigators appreciate the cooperation of JDC management and staff. If you have any questions, please contact me at extension 5616.

Sincerely,

A handwritten signature in black ink, appearing to read "Umesh Dalal", with a long horizontal flourish extending to the right.

Umesh Dalal, CPA, CIA, CIG  
City Auditor/Inspector General

Cc: Dr. Carolyn Graham, Deputy Chief Administrative Officer, Human Services