



SUMMARY

A Limited Review of the S.C. Department of Juvenile Justice



INTRODUCTION

Members of the House Legislative Oversight Committee asked the Legislative Audit Council to conduct an audit of the S.C. Department of Juvenile Justice (DJJ). The committee had concerns about safety and financial issues at the agency and whether DJJ is meeting its mission for the juveniles in its custody. Our audit objectives were to:

- Review DJJ's management of its state appropriations.
- Evaluate how DJJ is maintaining a safe and secure environment for staff and juveniles.
- Review how DJJ monitors its delivery of rehabilitative treatment and educational programs for the juveniles to determine whether the agency is meeting its mission.

BACKGROUND

In July 2016, we surveyed all DJJ staff using SurveyMonkey® to get input on issues including safety and security, job satisfaction, work shifts, communication, and facilities. We had a 55.9% response rate (674 of 1,205). We also summarized open-ended responses and referenced many of them throughout the report.

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SECURITY AND SAFETY

DJJ has made some changes to address security issues at its facilities; however, we found that the agency may not be adequately prepared to respond to major disturbances, and we have identified several areas needing improvement. Also, we found that many employees do not feel that recent changes have markedly increased the safety and security at the Broad River Road Complex (BRRC).

We reviewed agency policies, conducted unannounced site visits to test for compliance with agency policy, surveyed all agency staff, and interviewed staff to assess the agency's ability to maintain a safe environment for its staff and the juveniles in its care.

TRAINING AND CERTIFICATION

DJJ is not properly training its juvenile correctional officers. The training curriculum used by the agency has not been approved by the S.C. Criminal Justice Academy (SCCJA), as required by state regulation. Only 23 of 81 (28%) correctional officers assigned to work at the detention center, who are required to attend SCCJA's three-week basic detention training, had been certified.

POLICE DEPARTMENT

DJJ's police department is ineffective and unnecessary. No other juvenile justice or juvenile corrections agency in the country operates a police department. The police department has not made any arrests in the last five years, has not been available on numerous occasions when called for assistance, and has only one marked police car to provide a "presence."

PRISON RAPE ELIMINATION ACT COMPLIANCE

The agency is not currently in compliance with the Federal Prison Rape Elimination Act (PREA). We have no evidence that the agency has accurately determined the additional resources needed to be in compliance with key requirements of the law. DJJ could not explain or document its methodology for reporting to the General Assembly that it needed \$4,783,474 in additional recurring funds to hire and train 126 additional correctional officers to be in compliance with PREA-mandated staff-to-juvenile ratios. The agency does not have an adequate staffing plan and left its "PREA Coordinator" position vacant for more than 32 months.

IMPLEMENTATION OF SECURITY AUDIT

DJJ has not fully addressed the 111 findings of an independent security audit of BRRC in a timely manner and disagreed with some of the critical findings.

SECURITY POLICIES

DJJ's security policies and procedures are outdated and need to be revised to conform to current practices and reflect the current environment and populations of the agency's facilities.

RECRUITMENT AND TURNOVER AMONG CORRECTIONAL OFFICERS

DJJ is currently unable to analyze trends in employee turnover among correctional officers because of inconsistencies in its data. We found that DJJ does not consistently track the number of contacts it makes when participating in job fairs or the number of applicants and new hires resulting from participating in these recruitment efforts. DJJ did not have an accurate roster of its employees that included salary data, education, and date of hire.

To reduce turnover, DJJ stated that it increased the starting pay for correctional officers, awarded additional payments to officers earning college degrees, and implemented a pay differential for officers working night shifts.

CORRECTIONAL OFFICER SALARIES

We found that the current starting salary for correctional officers and juvenile specialists was lower than the starting salary for entry-level correctional officers at the Lexington County Detention Center and the Alvin S. Glenn Detention Center (in Richland County), but was about the same as the S.C. Department of Corrections.

USE OF FUNDS

We were asked to provide information on how DJJ manages its state funds and found areas in need of significant improvement. We focused on DJJ's general and carry forward funds and found that the top three expenditures were:

- Alternative Placement
- Broad River Road Complex (BRRC)
- Administration

FINANCIAL ACTIVITY

DJJ is inconsistent in its recording of some financial activity, which makes it difficult to budget, review, and monitor expenditures. We completed a variance analysis of each expenditure account for a five-year period ending with FY 15-16 and found that, in 18 variance responses, the explanations were that expenditures were recorded in one account for a period of time and changed to another account during a different period of time.

DJJ initiated a retirement incentive plan (RIP) and voluntary separation plan (VSP) in FY 14-15 that resulted in approximately \$2.6 million in expenditures for the VSP and \$183,000 for the RIP.

DJJ failed to request the proper budget authorization for Federal funds to offset the increase in cost to meet the minimum nutritional meal standards for juveniles, resulting in an increase from 11% in FY 12-13 to 37% in FY 15-16. DJJ stated that this was corrected in the FY 16-17 budget request.

In addition to being able to carry forward up to 10% of its general fund appropriations, DJJ has special carry forward authority, including revenue generated for the Juvenile Arbitration Program, and revenue received by DJJ for mentoring or alternatives to incarceration programs.

DJJ GENERAL FUND EXPENDITURES BY COST CENTER
FY 13-14 – FY 15-16

COST CENTER	FY 13-14	FY 14-15	FY 15-16
Alternative Placement	\$27,548,576	\$26,967,640	\$26,006,137
BRRC	25,318,309	24,076,263	23,700,850
Administration	19,693,737	19,422,426	20,021,032
County Offices	15,372,110	15,707,169	15,525,963
Evaluation Centers	9,984,708	10,926,341	10,591,165
Detention Center	1,304,271	1,438,769	1,144,433
Education	967,572	1,526,367	951,933
Store of Hope	65	86,158	90,954
S.C. Board of Juvenile Parole	505,940	526,127	551,447
TOTAL	\$100,695,228	\$100,677,261	\$98,583,913

Sources: SCEIS/SAP® and LAC

CAPITAL ASSETS

DJJ lacks proper control and supervision of its capital assets (primarily assets valued at \$5,000 or greater), which may lead to misuse or theft. We reviewed asset acquisitions and retirements from July 2014 through March 2016 and found that:

- Five vehicles were not included on the agency's asset list.
- DJJ could not locate two assets with a combined value of approximately \$10,000.

We recommend that DJJ have an independent audit of the agency's fixed assets.

We also noted that DJJ has approximately \$2.5 million in a construction-in-progress account with \$2.4 million of that dating back to 2009. Accumulating costs over a period of time is not unusual; however, seven years is excessive and reflects a lack of internal controls.

RETIREMENT INCENTIVE AND VOLUNTARY SEPARATION PROGRAMS

DJJ implemented a retirement incentive program and a voluntary separation program in early 2015 that caused the agency to lose older and experienced correctional officers and reduce the number of officers. However, this resulted in no significant cost savings and jeopardized security.

DJJ allowed correctional officers to participate, despite the fact that qualified candidates for this position are difficult to recruit and retain, and the director could have excluded correctional officers from these separation incentive programs.

RETIREMENT SYSTEM ELIGIBILITY

DJJ has interpreted S.C. Code §24-1-280 to mean that the majority of DJJ personnel are eligible to participate in the Police Officers Retirement System (PORS), whether or not the individuals' officially-assigned duties relate to the custody and control of juveniles.

We found accounting and fiscal personnel were included in PORS because of the physical location of their workplace within the correctional facility at BRRC. We recommend that DJJ complete a comprehensive review of all staff regarding retirement system eligibility based on the requirements in state law.

Also, we recommend that the General Assembly amend S.C. Code of Laws Title 9: Retirement Systems regarding participation in PORS to clarify positions considered "peace officers" and require the S.C. Public Employee Benefit Authority to provide oversight regarding employees entering the state retirement system to verify membership requirements before enrolling an employee into a retirement plan.

OVERSIGHT OF JUVENILE SERVICES

DJJ is charged with providing rehabilitation and custodial care for juveniles who are incarcerated, on parole, or on probation. DJJ staff are responsible for providing therapeutic and education treatment services or coordinating with outside providers for those services. We reviewed DJJ's approach to evaluating the effectiveness of its services, including those available to juveniles placed in wilderness camps, and its approach to supervising juveniles on probation and parole.

CASE MANAGEMENT

DJJ county office staff are not meeting the standards set by policy in supervising juveniles for whom they are responsible.

VIDEO CONFERENCES

DJJ does not utilize video conferencing to the fullest extent possible to facilitate juvenile parole hearings and reduce unnecessary security risks and costs associated with transporting juveniles.

PERFORMANCE-BASED STANDARDS

DJJ collects volumes of data, but that information has not always been recognized as having value by senior executive staff. DJJ's method of monitoring operations in its secured facilities includes bi-annual collection of data associated with its participation in a national data collection program called Performance-based Standards (PbS). We found no evidence that DJJ has conducted any analysis that would make the data a more valuable asset to DJJ.

PERCENTAGE OF REQUIRED CONTACTS, BY COUNTY CASE MANAGERS, THAT WERE DOCUMENTED AS COMPLETED

CONTACTS	STATEWIDE	LOWCOUNTRY	MIDLANDS	PEE DEE	UPSTATE
Juveniles	53%	45%	55%	58%	55%
Parents	58%	52%	54%	64%	65%
Placement	50%	50%	44%	53%	60%
Facility (where juveniles are placed)	54%	100%	50%	65%	39%
School	21%	16%	19%	23%	28%
Employer (in cases where juveniles are employed)	18%	18%	0%	0%	83%

Source: DJJ

FOR MORE
INFORMATION

Our full report, including comments from relevant agencies, is published on the Internet. Copies can also be obtained by contacting our office.

LAC.SC.GOV

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OPERATION AND OVERSIGHT OF CAMPS

DJJ's community residence programs include wilderness camps and marine institutes, generally referred to as camps, located throughout the state. We found that DJJ's contracts with these camps do not include outcome measures or penalties for noncompliance. We recommend that DJJ develop an objective tool to measure outcomes, include those expected measures in the contracts, and include penalties in the contracts for camps not meeting those outcomes.

In addition, DJJ cannot document that teachers hired by the wilderness camps possess the proper credentials required by state law. We recommend that DJJ provide additional oversight to ensure teachers are qualified. We also found that, although DJJ cannot provide a verifiable number of actual escapes from these camps, escapes are occurring and DJJ's protocol has not been consistently followed regarding the notification of local law enforcement and how staff should respond. We recommend that DJJ clarify protocol to follow in the event of an escape and clearly communicate this policy to camp staff.

SCOPE IMPAIRMENT

Generally accepted auditing standards require us to report significant constraints imposed upon the audit approach that limit our ability to address audit objectives.

Our primary audit objectives involved security, management of funds, and delivery of services to the juveniles. In each of these areas, we had issues with inaccurate and incomplete data, including turnover and recruitment of juvenile correctional officers, the certification of teachers at the wilderness camps, and handling of county caseloads. In some cases, we asked for data, which should have been readily available, such as the number of juvenile escapes, and were told that the current IT systems were not set up to produce such statistics.

We attempted to address these areas of review by other methods, including interviewing staff, reviewing hard copies of event and other types of reports, consulting with South Carolina Enterprise Information System (SCEIS) staff, and reviewing data contained in the SAP® accounting system of SCEIS. We noted our limitations in these areas throughout the report.