



GEORGIA DEPARTMENT  
OF JUVENILE JUSTICE

AVERY D. NILES, COMMISSIONER

## A MESSAGE FROM THE OFFICE OF COMMUNICATIONS

Avery D. Niles, Commissioner

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### **Commissioner Says DJJ Investigators Were Warned About Unfinished Cases: Division Realignment Planned Before Federal Study Release**

**(ATLANTA - GA)** Commissioner Avery D. Niles confirmed today that on at least two occasions in May this year, key executive staff confronted investigators at DJJ with warnings that they were seriously out of compliance with department policies about failing to finish open investigations. That was a month before a Department of Justice survey singled out Georgia for having some of the highest reported rates of sexual abuse in juvenile detention centers.

Commissioner Niles said that based on a preliminary case count, some agency investigators were previously warned they were in violation of the DJJ policy that requires timelines and sets deadlines for completing the agency's investigations.

"What we didn't know at the time of those meetings was that the investigators' incomplete case count also included unfinished files of sexual misconduct allegations," said Commissioner Niles. The Commissioner said he had already begun plans to reorganize and restore accountability in the Investigations Division at that time.

The Commissioner's corrective measures included the replacement of the former supervisor of investigations and the hiring of a new Investigations Director assigned to reorganize that division. The Commissioner was also working to develop updated procedures to help reduce DJJ's open caseload.

The Commissioner says, if those efforts were met with staff complacency or a lack of progress, he was already considering possible alternative corrective steps as part of a tentative plan for remedial actions to follow-up his initial warnings to DJJ's investigators. Niles says his internal investigation, his suspension of the investigations staff, his request for outside assistance from GBI and DOC investigators, and the reconstruction of unfinished cases – were all considered as possible tools for realigning the investigation division if nothing else worked.

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"The Governor gave me a mandate to reform and reorganize this agency when I was appointed," said Commissioner Niles. "I am committed to make this agency one of the best in the nation."

But before he could put his plans to reorganize and restore accountability in the Investigations Division in place, Commissioner Niles received news about the federal survey alleging Georgia has some of the highest juvenile detention sexual abuse rates in the nation.

"I assigned my Advisory Committee to review the Department of Justice survey and to compare the federal statistics with DJJ's actual sexual misconduct cases," said Niles. "That's when the Committee discovered that all but one newly assigned DJJ investigator had at least one alleged sexual abuse case still open from 2012 based on DJJ policy," the Commissioner said.

As a precaution, the Commissioner ordered investigators from the unit should be suspended while agents from the Department of Corrections and GBI, along with the PREA Advisory Committee examined DJJ's sexual misconduct cases, along with all other cases to ensure that file closures were properly handled.

"We couldn't allow our investigators to be in a position to investigate themselves or their own casework," said Niles. "These corrective plans were being developed prior to the federal survey report results, but they were accelerated due to this agency's notification of Georgia's standing in the DOJ report. This is the kind of action I'm prepared to take and make public wherever I find problems with our performance and procedures," said Commissioner Niles.

Now the exact number of unfinished cases is still being reconstructed and compiled as part of an ongoing internal investigation ordered by the Commissioner. Commissioner Niles declines to speculate about the exact number of open investigations the committee may find, but he projects the final number will be "considerably higher" than the twenty open sex abuse allegation cases which caused him to launch his internal investigation.

Meanwhile, the DJJ executive staff plans to review the job performance of each investigator and hear their explanations for reporting delays on a case by case basis. So far, the Commissioner declines to say when he'll be ready to make return- to- duty decisions or take possible adverse actions in connection with the dormant cases.

**(END RELEASE)**

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