



GEORGIA DEPARTMENT
OF **JUVENILE JUSTICE**

AVERY D. NILES, COMMISSIONER

A MESSAGE FROM THE
OFFICE OF COMMUNICATIONS

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**ADMINISTRATIVE MEASURES MARK REINSTATEMENT OF DJJ INVESTIGATIONS UNIT
COMMISSIONER REASSIGNS ALL INVESTIGATIONS SUPERVISORS
All Returning Investigators Receive Disciplinary Actions**

(ATLANTA - GA) Today Commissioner Avery D. Niles announced the successful conclusion of DJJ's month-long internal investigation to determine causes behind department deficiencies that prevented the completion of DJJ sex abuse investigations under deadline as required by agency policy.

Commissioner Niles said that following an exhaustive review examining hundreds of files and covering 18-months of DJJ cases, his Advisory Committee found a total of twelve reports of Staff-on-Youth sex abuse allegations which meet the federal classification requirements, and yet remain open and incomplete.

"That's twelve too many and they've been waiting too long for final determinations," said Commissioner Niles. "We assigned those cases to investigators on loan from the Department of Corrections for expedited, independent follow-ups."

THREE STAFF-ON-YOUTH CASES SUBSTANTIATED – Accused Officers Terminated

The same DJJ Advisory Committee found three **Staff-on-Youth** sex abuse cases that were substantiated. "All three of those corrections officers were terminated," said Commissioner Niles. "DJJ immediately referred two of those staff members to outside law enforcement for prosecution. I gave clear warning when I was appointed Commissioner that regardless of employee seniority, rank or position, the consequences will be especially serious for this kind of criminal violation at DJJ."

To maintain agency best-practices, Commissioner Niles had assigned his Advisory Committee the task of comparing the number of actual reported sex abuse cases in DJJ detention facilities, with the number of sex abuse complaints alleged in a recent federal survey report.

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A month ago, Commissioner Niles suspended 18 members of the DJJ Investigation Division along with their former director, after the Advisory Committee's review determined the Investigation Unit was seriously out of compliance with investigation deadline policies.

DJJ OPEN-CASE REVIEW RESULTS

Commissioner Niles ordered his Advisory Committee to personally hand-examine every open department case-file after their preliminary finding revealed each of the suspended DJJ investigators had at least one complaint file still open from the year 2012.

The Advisory Committee reported three important findings.

1. First they documented the number of open cases designated as sex abuse complaints which remained open during the 18-month period.
2. Second, they recommended agency administrative changes to be ordered by the Commissioner as a result of their open case findings.
3. Third, the Committee outlined other constraining factors they discovered contributing to the backlog of incomplete case files:
 - Multiple leadership changes
 - Subsequent changes in agency goals
 - Outdated technology
 - Agency priorities focused on significant current events
 - Cumbersome and outmoded agency policies and procedures

Commissioner Niles had publicly predicted the final number of open case files would be "considerably higher" than the twenty open sex abuse allegations which caused him to launch his internal investigation. His prediction was accurate.

- Covering a period from January 1, 2012 through June 15, 2013, The Department of Juvenile Justice found approximately (700) investigative files still open and undetermined on the books during the 18-month period.
- Of the cases reviewed, (275) had some sexual connotation included in the original incident report complaint.
- Of those (275) cases which were reviewed, (141) cases met the Department of Justice (DOJ) definition of sex abuse or harassment.
- Of the (141) cases which met the official DOJ definition for sex abuse or harassment, (102) cases involved complaints of Youth-on-Youth activity. Of the (141) cases meeting the DOJ definition, (39) cases actually involved allegations of **Staff-on-Youth**.
- Of those (39) **Staff-on-Youth** allegations, (34) cases were *inside DJJ secure facilities*.
- Of those (34) **Staff-on-Youth** facility reports, (19) cases were unsubstantiated.
- Twelve (12) **Staff-on-Youth** cases remain Open and under Continuing Investigation.
- Three (3) **Staff-on-Youth** cases have been substantiated. **All three staff members were terminated and two were referred to outside law enforcement for prosecution.**
- Five (5) of the **Staff-on-Youth** allegations were made against staff members *in Community-based programs*.

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- Two (2) of those **Staff-on-Youth** cases were unsubstantiated.
- Three (3) **Staff-on-Youth** cases *in Community-based programs* remain Open and under Continuing Investigation.

DISCIPLINARY MEASURES MARK REINSTATEMENTS

During the month-long fact finding review, the Commissioner's Advisory Committee compiled job performance data for each investigator on a case by case basis and searched for systemic explanations for case file reporting delays. The Commissioner's Office assigned dormant cases to Department of Corrections Investigators and developed return-to-duty plans which included reforms and strategies for restoring accountability to the Investigation Division. On Friday, July 19, Commissioner Niles brought DJJ's suspended Investigators back to Central Office for a Division briefing and return to service.

COMMISSIONER REASSIGNS ALL INVESTIGATIONS SUPERVISORS

The Commissioner's first corrective measure began with the hiring of a new Investigations Director assigned to reorder that division. The second measure would be sweeping personnel restructuring which reassigns all Investigations supervisory staff from their previous managerial positions:

- The former Director of Investigations was demoted and reassigned outside the division.
- All four Regional Principal Investigators would be replaced -- Three would be demoted to basic Investigators and the fourth would receive an Administrative Corrective Action and return to a previous reassignment outside the Division.
- The former Chief of Investigations was reassigned to a new Internal Affairs Investigation Unit within the DJJ Office of Investigations.
- One Investigator was demoted and reassigned outside the division.
- One Investigator took voluntary retirement effective July 1, 2013.

ALL RETURNING INVESTIGATORS RECEIVE DISCIPLINARY ACTIONS

- Thirteen other Investigators were returned to the job after having various levels of appropriate written counseling and Administrative Corrective Action Plans placed in their personnel files in accordance with current DJJ Personnel Policy.

COMMISSIONER ORDERS SWEEPING CHANGES FOR INVESTIGATIONS DIVISION

Along with these personnel realignments, Commissioner Niles has ordered sweeping changes in the DJJ Investigations Division based on constructive observations, interviews and recommendations compiled during the internal investigation.

"We are taking serious and meaningful steps to reorganize and restore accountability in the Investigations Division," said Commissioner Niles. "Job-One in this Division is to investigate actions that threaten the safety and security of our youth in state care and custody. That job must be accomplished in an organized, timely and professional manner," the Commissioner said.

Commissioner Niles will focus on implementing updated policies and procedures along with new strategies and systems once Investigators are returned to the job.

"Youth safety is at stake and we have pledged to maintain a sexually safe environment for all our residents," Niles said. "That means taking immediate corrective actions to ensure all reports of sexual abuse and harassment are quickly and thoroughly investigated according to DJJ Policy and state and federal law. DJJ will uphold its pledge to enforce Zero Tolerance for sex abuse and guarantee that Georgia's secure facilities are secure inside the fence too."

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