



Whistleblower suit sheds light on decision to dump youth contractor

NEWS

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Gordon Weekes was stunned to hear last week that Youth Services International was **losing its seven Florida contracts** with the Department of Juvenile Justice.

“I’m mystified,” said Weekes, the chief assistant Broward County public defender who for years has locked horns with the Sarasota firm over its treatment of teenage offenders.

After all, **DJJ has stuck by YSI since the late 1990s**, even though the company has for almost two decades fended off public shellackings for how it treats kids in its care.

But deeper in DJJ’s written announcement was the answer to Weekes’ puzzlement: A reference to a civil lawsuit.

Dropping YSI wasn’t about continued reports of maltreated kids.



The Palm Beach Juvenile Correctional Facility Feb. 20, 2014. (Lannis Waters / The Palm Beach Post)

It was about the contracts.

In a 2012 Leon County Circuit Court whistleblower suit, six former YSI staffers alleged the company faked documents, hid problems and hoodwinked state inspectors into believing it was making good on tens of millions of dollars in DJJ contracts.

YSI had survived for years as one of several private companies hired by DJJ to operate centers for juveniles in trouble with the law. Some teens are there for serious crimes, some for infractions as small as shoving a student. Facilities range from lockups with razor wire fencing to secure, but less prison-like operations.





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Management deals can be lucrative: YSI's previous contract to operate the Palm Beach County Juvenile Correctional Facility was valued at more than \$50 million.

YSI maintains it has done nothing wrong. The whistleblower suit was settled, said a spokesman, because YSI had no desire to keep litigating a case dragging into its fourth year. The settlement **specifically states YSI is not admitting to wrongdoing.**

But documents unearthed as part of the suit and statements from former workers were solid enough for the Florida Attorney General's Office to step in and help orchestrate a settlement. It calls for YSI to pay back \$2 million and exit its seven state contracts.

State duped

YSI consistently has racked up good marks from state inspectors.

Further, the company has a long record of aggressively countering critics, securing national accreditation for facilities and in most cases, responding quickly when DJJ demanded change.

But, said the ex-employees in their whistleblower lawsuit, DJJ was duped.

Documents were altered to ensure it appeared the company was meeting contract requirements. When a state inspection loomed, they said, facilities were quickly scrubbed, extra staff was brought in and sometimes, teenagers were bribed to make sure they gave inspectors favorable reports on conditions.

The former workers came from three YSI facilities: the Palm Beach County Correctional Facility, the Thompson Academy in Broward County and the Broward Girls Academy.

“They kept telling me, you would not believe what is going on there,” said Broward attorney Michael Hoffman, who first met YSI staffers when working on employee wage-and-hour suits and is co-counsel on the whistleblower suit. “I told them, ‘Try me, and I’ll tell you if I believe it.’”

They did — and, said Hoffman, though they all worked at different facilities, all described the same problems.

Escapes and fights weren't regularly reported. Neither was staff violence.

Staffers would come to a training session, they said, sign in and leave. On paper, the same staffers had been trained to DJJ standards.

Understaffing was chronic and, just as in adult prisons, dangerous. Workers were encouraged to falsify log entries to show they had checked on the teenagers, including checks to make sure no one had escaped.

Food as a reward

There was another problem: Not enough food.

It is a recurring complaint. As far back as 1989, when a company co-owned by YSI's founder briefly ran an immigrant detention center, a federal investigation found **detainees were forced to pay for forks and spoons.**

In Florida, YSI has said, and DJJ has agreed, that the youthful offenders are getting the appropriate number of calories.

But in 1997, when Slattery's Correctional Services Corp. ran the Pahokee Juvenile Correctional Center, Dade County Circuit Judge Thomas Petersen reported "conditions (that) bordered upon child abuse" including meals that were "absolutely inedible." They also were skimpy. The company was spending an estimated \$4.50 daily to feed each youth, he said, instead of the generally accepted \$10 per day.

In 2012, when the Southern Poverty Law Center sued YSI over conditions at Thompson Academy, attorneys found weight loss of 10 pounds or more among the teens.

At about the same time, Weekes began getting reports that kids at the Palm Beach lockup near the Fairgrounds were not getting enough food. "They were gambling for more food," he said, and when they lost bets and refused to give up food, they were beaten.

Further, teenagers said the staff was using food as a reward. Teenagers who ganged up on troublemakers on behalf of the staff "would get an extra slice of pizza, or chicken wings."

When Palm Beach County Commissioner Shelley Vana visited the Palm Beach County Juvenile Correctional Facility, hungry teens told her the approved snack was peanut butter on bread with a glass of water.

In their lawsuit, the former YSI staffers said the detention centers "routinely had issues with both the quality and quantity of food" so much so that some staffers bought them food out of their own pockets.

Food was withheld as punishment, they said. It was, they said, a “plan to cut costs by providing poorer quality and inadequate food in order to realize excess profits.”

Dogged by complaints

Controversy and criticism of how YSI treats Florida juvenile offenders in its care has gathered steam in recent years, but in almost all cases, DJJ has stood by the company. In 2012, a federal survey found the number of self-reported sex assaults at the Palm Beach County Juvenile Correctional Facility was more than triple the state average. DJJ concluded no claims were substantiated, and Florida signed off on contracts valued at more than \$17 million.

In 2014, DJJ canceled YSI’s contract to run a north Florida treatment center. There, four staff members were fired in two months over using excessive force or failing to report safety or security problems. The same year, a state Senate subcommittee held hearings on repeated allegations of mistreatment at Thompson.

YSI had just inked a contract to take on another Florida facility. DJJ defended its contractor again, saying investigations at Thompson found no problems.

Last year, Vana’s surprise inspection of the Palm Beach County facility found too little food, malfunctioning plumbing and teenagers with holes in socks and shoes that were falling apart.

YSI instituted repairs and pledged more staff and oversight. And although DJJ Secretary Christina Daly asked the Florida Department of Law Enforcement to investigate conditions, she largely defended the company.

But after she asked FDLE to review the local lockup, one teenager hurt three others, one of them so badly he had to have surgery for a broken jaw. And two local staffers had been previously charged with child neglect after arranging a brutal fight between two teenagers.

YSI threw in the towel, opting out of the local contract last year. It retained seven other state contracts, however.

YSI is allowed by terms of the whistleblower settlement to continue operating the seven juvenile facilities until Aug. 31. It’s not immediately known what company will replace it.

But until other operators are installed, said a DJJ spokeswoman, the state plans extra oversight. Said DJJ’s Daly in a written statement, “Our focus and priority is to ensure that youth in our care

are safe, and that effective treatments are being provided in rehabilitative and nurturing environments.”

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