STATE OF FLORIDA
DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES

TO: Lowell Clary DATE: May 19, 1993
Acting Inspector General (OSIG)

FROM: Fred M. Gravius
Inspector Specialist (OSIG)

SUBJECT: Child Abuse/Neglect by Straight, Inc.

OSIG Case Number 92-0242

BACKGROUND:

In December of 1992, Mr. Richard Bradbury filed a complaint with the Inspector General's Office (OSIG) against Straight, Inc., (Straight). In that complaint, Mr. Bradbury alleged that the Straight program is both physically and psychologically damaging to the children that are enrolled in the program. He further stated that in the past, Straight has violated numerous sections of the Florida Administrative Code (FAC) and Florida Statutes. Further, that HRS did not respond properly to a Straight licensing issue.

To support his allegations, Mr. Bradbury supplied the Inspector General's Office with numerous files reflecting violations of the FAC and copies of alleged child abuse/neglect incident reports, some of which were confirmed, unfounded, or without classification.

On April 13, 1993, Straight of St. Petersburg closed and moved its base of operation to Atlanta, Georgia. Thus, the Straight organization no longer exists in the state of Florida. Straight is a national drug rehabilitation program that had two facilities in Florida; one in St. Petersburg, which closed before this report was completed, and one in Orlando, which closed prior to the onset of this investigation. The Straight program is centered around confrontation, peer pressure, strict discipline, and high self discipline. This type of facility is licensed by HRS based on the authority of FAC 10E-16.

The abuse and neglect incidents brought to light by the complainant were properly investigated at the time of occurrence, and will not be addressed in this report. The focus of this investigation is to determine: (1) if there was a pattern of abuse or neglect by Straight; and (2) to determine if proper corrective/protective action was taken by HRS to prevent or stop improper action by Straight, with respect to the licensing issue.

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DETAILS OF THE INVESTIGATION:

According to Ray T. Berry, program supervisor of the Alcohol, Drug Abuse, and Mental Health, District 7 Program Office (ADM), there were occasions when HRS received phone calls from state senators inquiring about the Straight program and letting it be known that they strongly supported the program, thus exercising a certain influence concerning Straight matters.

Further, during an August 22, 1989, follow-up site visit to the St. Petersburg Straight facility, the HRS licensing team was prepared to recommend that the Straight license not be issued because of lack of compliance on issues that surfaced during an earlier site inspection. While at the facility the team received a phone call informing them that no matter what they found Straight would receive their license. The person who received the phone call was Sue Heavner, however, she stated that she did not remember who made the call or exactly what they said.

Additionally, according to Harry Moffitt, senior human services program specialist with the headquarters ADM office, he was in a meeting with Dr. Ivor Groves, former assistant secretary, ADM, when a phone call was received by Dr. Groves. That phone call was made by Mike Becker, District 5 administrator, and Martha Linderman, District 5 ADM. Mr. Moffitt stated that the phone call was concerning Straight licensing issues. During that phone call Mr. Moffitt recalled that Dr. Groves told Mr. Becker and Ms. Linderman to make it work.

In yet another meeting with Dr. Groves, Mr. Moffitt and Linda Lewis, former deputy assistant secretary, Headquarters ADM, were discussing the concerns they had relating to Straight's practices. Ms. Lewis brought up the fact that other states had closed Straight because of the very same issues raised by Florida's HRS. That is, withholding medication, excessive use of force, withholding food, sleep depravation, etc.

According to Mr. Moffitt it was at this point that Dr. Groves told Ms. Lewis "if you do anything other than what I tell you to do on this issue, I will fire you on the spot." Dr. Groves then turned and told Mr. Moffitt "the same goes for you." According to Mr. Moffitt, a short time later in the same meeting Dr. Groves stated that "there was a lot of pressure to get this thing resolved." Mr. Moffitt said that the statement about a lot of pressure to get this thing resolved was relating to the pressure from Ambassador Mel Sembler, one of the founders of Straight. According to Ms. Lewis, she remembers informing Dr. Groves of the problems with Straight. However, she did not remember him telling her that he would fire her.

Ms. Linderman stated that she was prepared to prevent Straight

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learning of the phone call received by the licensing team while at the Straight facility, she and Mr. Becker called Dr. Groves on the speaker phone. Ms. Linderman stated that both she and Mike expressed their concerns for the clients under the control of Straight. Ms. Linderman stated that she did not remember exactly what Dr. Groves said, but she does remember that he told them he wanted Straight to get their license. Mr. Becker stated that he did not remember the phone call referenced by Ms. Linderman and Mr. Moffitt. Mr. Becker further stated that he was never told to sign the Straight license.

The OSIG's investigator conducted a telephone interview with Dr. Groves and he stated that he never told anyone to sign a license for Straight; further, it was outside his authority to give such an order. He also stated it was the responsibility of whoever signed the license to make sure that everything was proper before the license was issued. Dr. Groves also denied telling anyone that he would fire them over this issue, or that he was told by Gregory Coler, former HRS Secretary, to license Straight.

Though it cannot be substantiated, the OSIG's investigation indicated that Mr. Coler was contacted several times by Mel Sembler concerning Straight issues. It appears that Mr. Coler then called Dr. Groves about Straight. OSIG's investigator called Mr. Coler several times in an attempt to obtain more information about this issue, however, the calls were never returned.

The OSIG's investigation further revealed that Straight clients were young, had drug, alcohol and/or behavioral problems, and they were sometimes very difficult to work with. As a result, there has been a propensity for abuse or excessive force to be used. There is more than enough documentation in the Florida Protective Services System (FPSS) to substantiate this statement.

Most of the physical abuses were centered around the use of restraints, but not limited to the restraints. Many instances of restraints being used were against clients while they were trying to leave the facility, or clients restraining other clients. Restraints were frequently used if a client did not sit in the chair in a prescribed manor. The clients were required to sit in their chairs for approximately 12 hours a day. During that time, they had to sit up straight in the chair, and at no time were they allowed to use the back of the chair for support. If a client used the back of the chair, then that client would be restrained.

A restraint is a technique used to immobilize an individual. This is accomplished by several individuals immobilizing the victim's limbs. If applied properly there is a minimum danger to the victim.

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However, frequently the restraint technique was not applied properly and the victims' arms and legs were twisted or placed in unnatural positions causing injury to that limb.

Additionally, information surfaced indicating that Straight withheld medication from some clients and failed to provide follow-up medical treatment for other clients. Clients were knowingly placed in a dangerous situation by Straight staff and in one case injuries occurred that required emergency room treatment.

As a result of this type of history, HRS personnel became very concerned for the well being of the clients enrolled in the Straight program. As stated earlier in this report, the HRS licensing team was prepared to recommend that a license not be issued to Straight. However, there were two factors that lead to the licensing of Straight; first, was the outside pressure mentioned earlier in this report, and secondly, was the limited authority given to HRS by the FAC 10E-16. The FAC 10E-16 is very specific as to conditions that must be met before a license can be denied. The OSIG investigation revealed that while dealing with Straight, HRS acted within the parameters of the FAC 10E-16.

ALLEGATIONS: 1. Undetermined; 2. Substantiated; 3. Unsubstantiated

1. The complainant alleged that the clients were psychologically damaged by the Straight program.

2. The complainant further alleged that Straight has violated numerous sections of the Florida Administrative Code and Florida Statutes.

3. Additionally, the complainant stated that HRS did not act properly when dealing with the Straight licensing issue.

FINDINGS:

1. To properly address the complainant's concern of psychological damage caused by Straight, an assessment should be made by qualified medical personnel.

2. The Inspector General's Office investigation revealed that there was a definite pattern of abuse or excessive force used against clients while at Straight facilities.

3. With respect to actions taken by HRS, it appears HRS acted within its authority given the limitations of the FAC 10E-16.

4. It cannot be unequivocally corroborated exactly what roll the outside pressure played in the licensing of Straight,

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CONCLUSIONS:

One of the founders of Straight was Ambassador Mel Sembler, and as a result of this, it appears that some members of HRS experienced some degree of pressure to grant Straight a license, when otherwise the license may not have been granted. However, it cannot be unequivocally corroborated that this outside influence actually altered the decision to issue the license.

One of the issues raised by Mr. Bradbury's complaint was the HRS licensing of Straight. While the HRS district administrators were never ordered to issue a license to Straight, there were indications that outside influence was involved with this licensing issue. It appears that pressure may have been generated by Ambassador Sembler and other state senators.

RECOMMENDATIONS:

If it is felt that more aggressive action should be taken by HRS in the future, then changes should be made to the FAC 10E-16 expanding HRS' authority.

COMMENTS:

Buddi Clary
Lowell Clary
Acting Inspector General

7-6-93
Date

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