



**State of Florida
Department of Children and Families**

Rick Scott
Governor

Esther Jacobo
Interim Secretary

Mike Carroll
*Regional Managing
Director*

January 22, 2014

Ms. Allison Bennett
[REDACTED]

Re: Final Action to Dismiss from Employment

Dear Ms. Bennett:

This is to officially notify you of my decision to dismiss you from your position of Child Protective Investigator with the Department of Children and Families, pursuant to Section 110.227, Florida Statutes and Rule 60L-36, Florida Administrative Code (F.A.C.). The effective date of this dismissal is close of business January 22, 2014

You are charged with Violation of Law or Agency Rules in violation of Rule 60L-36.005(3) (e), F.A.C., which states in part:

“Employees shall abide by the law and applicable rules and policies and procedures, including those of the employing agency and the rules of the State Personnel System. All employees are subject to Part III of Chapter 112, Florida Statutes, governing standards of conduct, which agencies shall make available to employees.

You are charged with Conduct Unbecoming a Public Employee in violation of Rule 60L-36.005(3) (f) (2), F.A.C., which states in part:

“Employees shall conduct themselves, on and off the job, in a manner that will not bring discredit or embarrassment to the state.”

“Employees shall maintain high standards of honesty, integrity, and impartiality. Employees shall place the interests of the public ahead of personal interests. Employees shall not use, or attempt to use, their official position for personal gain or confidential information for personal advantage.”

SunCoast Region, 9393 North Florida Avenue, Tampa, Florida 33612-7907

Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

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You are charged with Misconduct in violation of Rule 60L-36.005(3) (g), F.A.C., which states in part:

“Employees shall refrain from conduct which, though not illegal or inappropriate for a state employee generally is inappropriate for a person in the employee’s particular position.”

You are charged with Negligence in violation of Rule 60L-36.005(3) (b), F.A.C., which states:

“Employees shall exercise due care and reasonable diligence in the performance of job duties.”

On Friday, November 22, 2013, while on approved leave, you interviewed two male children, both approximately six years of age, concerning allegations of sexual abuse. These allegations of sexual abuse were the subject of an open DCF Abuse Hotline investigation which was not assigned to you. You conducted your interviews of these children at the request of their mother and grandfather, personal friends, who were questioning the results of the abuse investigation. You knew or should have known the proper procedure for interviewing children about sexual abuse and the standard use of CPT’s special expertise to protect the children and assure the validity and integrity of the interview results.

On November 27, 2013, supervisor Beth Lyon received an email from Sergeant Michael Christiansen, Lee County Sheriff’s Office Special Victims’ Unit that on Saturday, November 23, 2013, you called the Lee County Sheriff’s dispatch requesting an emergency Child Protection Team (CPT) evaluation of the children in the personal interest case. (See attached email from Sergeant Michael Christiansen, Lee CSO) CPT had already conducted a Forensic Interview on these children on November 13, 2013.

Your actions resulted in concerns from the Lee County Sheriff’s office, which had jurisdiction, concerning your interference in the case and lack of effort to coordinate.

In your affidavit provided to my designee Jan Gregory, you state that you “contacted a person that I know who is a prosecutor at the State Attorney’s Office.” Francine H. Donnorummo an attorney at the State Attorney Office Circuit 20 states in the Felony Warrant Request Disposition Notice (See attached Amended Felony Warrant Request Disposition Notice): “The child disclosed to mom (divorce and custody proceedings ongoing) in Hendry County for events that occurred in Lee. Hendry County Sgt. and DCF Employee interviewed child at mother’s home. Then the child was interviewed by CPT (DVD recorded), then the child was interviewed again (at Hendry County Chief Deputy request – he also happens to be paternal grandfather)

by DCF employee on leave and friend of Chief Deputy, Ms. Allison Bennett. It was known that while on leave Ms. Bennett was a cadet at the police academy and later learned that she wanted employment at Hendry County Sheriff's Office. Ms. Bennett called me at the office when she thought she was in trouble for re-interviewing the child, wanting to know if she could be fired. She also wanted me to understand that I needed to protect this child. As I was on the phone, I also received the email, in the file from Chief Deputy. I explained to Ms. Bennett that I would review the file with great attention when it came to my office, that I received the Chief Deputy's email and that I was not sure what would happen with her job at DCF nor what their policies were. I did say that her interview could be viewed as an additional one in violation of administrative order that restricts the number of interviews a victim child should be subject, however as far as I was concerned it would only affect this case if child hearsay became a legal issue to litigate. I did tell her that I was not happy that a DCF employee was re-interviewing victim's when they did not trust CPT's interview." Attorney Donnorummo determined there was no legal sufficiency to prosecute the father.

Chief Deputy of the Hendry County Sheriff Office, on August 28, 2013 you filed a pre-employment questionnaire with the Hendry County Sheriff's Office and were being considered for a Reserve Deputy Sheriff position. On December 9, 2013 Mary Townsend received a call from Deputy Donald Munch with the Hendry County Sheriff's office. He was conducting a pre-employment background check on you. He told Ms. Townsend that he conducted an initial interview with you and your application was in front of him but he wanted specific information. Deputy Munch was referred to Human Resources.

Pursuant to Section 39.301(17) (e), Florida Statutes, in a case involving child sexual abuse, law enforcement takes the lead responsibility for all criminal fact-finding activities. Administrative Order No. 3.11, Twentieth Judicial Circuit, entered pursuant to Section 914.16, Florida Statutes, limits DCF, law enforcement, and CPT collectively to one interview. The statute has the stated goal of protecting child victims from the psychological damage of repeated interrogations.

As you stated, you are a mandatory reporter but that means reports of child abuse should be made to the Florida Department of Children and Families (DCF). Abuse reports can be made through the DCF statewide hotline (call 1-800-96-ABUSE) or through the DCF website – not doing additional personal interviews of children.

You did not have authority to conduct interviews in a case which was not assigned to you. You did not have authority to attempt to schedule a CPT evaluation in a case which was not assigned to you. You acted in a negligent manner in intervening in an open investigation and interviewing the children of personal friends. You acted in a manner to promote your personal interest concerning a position with the Hendry County Sheriff. Your actions were seen by DCF and the other entities you interacted with as

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inappropriate and discrediting the efforts of CPT and DCF. You acted in a manner which caused concern to the State Attorney's Office and the Lee County Sheriff's Office all essential partners in the department's efforts to protect children.

On September 5, 2013, you received a Written Reprimand for Insubordination (attached to the notice of intent letter – which was verified to be in the official personnel file). You allowed a non-employee acquaintance and his child to be with you in the DCF office on a weekend. This is another example of you placing private matters before job responsibilities.

As a permanent Career Service Employee, you have the right to file an appeal concerning this action to the Public Employees Relations Commission (PERC), or as an employee in a position that is covered by a collective bargaining agreement, you may utilize the grievance procedure under Section 447.401, Florida Statutes. You do not have the right to file both an appeal and a grievance, but must choose which course of action you desire to pursue, if any.

If you would like to file an appeal, your request must be received by the PERC within twenty-one (21) calendar days from the date you receive this letter. The mailing address for the PERC is: Public Employees Relations Commission, 4050 Esplanade Way, Suite 125, Tallahassee, Florida 32399-0950.

If you have any questions, please contact Robert Allen, Human Resources Office, at 813-337-5782. Page 5, Final Action to Dismiss from Employment, January 22, 2014
Ms. Allison Bennett

Sincerely,



Michael P. Carroll
Regional Managing Director

- Enclosures:
1. Florida Statutes 110.227 (2013)
 2. Florida Statutes 39.301(17)(e)(2013)
 3. Florida Statutes 112.313 (1-8)(2013)
 4. Florida Administrative Code 60L-36.005
 5. 10/11/12- Written Reprimand
 6. Administrative Order No. 3.11, Twentieth Judicial Circuit
 7. 12/12/13- Letter- Chief Deputy Kevin Nelson
 8. 1/20/14- Amended Felony Warrant Request Disposition Notice
 9. 11/27/13- Email from Sergeant Michael Christiansen
 10. 12/9/13- Email from Mary Townsend, CPIS