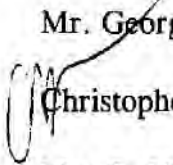




# Memorandum

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Phone: (305) 375-1946 ♦ Fax: (305) 579-2656

To: Mr. George Burgess, County Manager

From:  Christopher Mazzella, Inspector General

Date: May 3, 2006

Subject: OIG Final Report of MDT's Hiring of Beatrice Fullerton, Ref. IG06-04

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Attached please find the Office of the Inspector General's (OIG's) final report regarding the above-captioned matter. This report was issued as a draft and provided to Ms. Beatrice Fullerton, Mr. Roosevelt Bradley, Director of the Miami-Dade Transit Department (MDT), and Ms. Marian Smith, Assistant Director of the South Florida Employment and Training Consortium (SFETC) on April 11, 2006. Responses were received from Mr. Bradley and from Ms. Smith. Both are fully attached and incorporated as part of the final report as Appendix A and B, respectively. Upon close review and consideration of the aforementioned responses, no material changes were made to the report.

The OIG's draft report did not present any initial recommendations, as we wanted to await and review any responses to the draft report prior to finalizing our recommendations. We recognize that the MDT Director, in response to the draft, did state several corrective actions found on pages 2, 3, and 4 of his response (see Appendix A) that either have or will be implemented. We are encouraged by his proactive initiatives. Upon evaluation of the responses received, the OIG has formalized three recommendations which may be found on the last pages of the final report. Accordingly, the OIG requests being provided with a report in 90 days regarding the status of the MDT initiated corrective actions, the OIG's recommendations and any other actions taken relative to the investigative findings described in our report. We would appreciate receiving this response on or before August 3<sup>rd</sup>, 2006.

cc: The Honorable Carlos Alvarez, Mayor  
The Honorable Chairperson Joe Martinez  
The Honorable Dennis C. Moss, Vice Chairman  
The Honorable Carlos A. Gimenez, Chair, Regional Transportation Committee  
Mr. Carlos Bonzon, Assistant County Manager  
Mr. Roosevelt Bradley, Director, Miami-Dade Transit  
Mr. Don Allen, Director, Employee Relations Department  
Mr. Roderick Beasley, Executive Director, SFETC  
Ms. Marian Smith, Assistant Director, SFETC  
Ms. Beatrice Fullerton  
Clerk of the Board (copy filed)

## **SYNOPSIS**

In January 2006, information was received by the Miami-Dade County Office of the Inspector General (OIG) regarding the arrest of a Miami-Dade Transit Department (MDT) employee assigned to the Office of Safety and Security (OSS). The information specifically alleged that Beatrice Fullerton was improperly hired and that Miami-Dade County's (the County) recruitment process was intentionally subverted.

In January 2005, Beatrice Fullerton, a.k.a. Fullington,<sup>1</sup> was placed in the OSS as a temporary employee. The MDT Director's Office specifically requested her by name through a temporary employment agency. However, there was never a request for a temporary employee or for temporary services by the OSS Chief or Security Manager. After her placement in the OSS as a temporary employee, a series of efforts were made through the Director's Office to facilitate the creation of a permanent full-time position for Fullerton, even though it was clear to all those involved that she did not qualify for the position of Security Program Supervisor, for which she was ultimately hired for in October 2005. These efforts by the Director's Office included reclassifying a vacant position for the sole purpose of providing a position to accommodate Fullerton, re-writing Fullerton's resume in order to meet the minimum qualifications for the position, and subverting the regular recruitment process by forgoing review, selection and interviews with other qualified candidates for the position. Instead, a sham competitive recruitment process was initiated which yielded 105 resumes, yet not one candidate was selected for an interview. In fact, Fullerton, herself, was not even interviewed before her appointment was directed from the MDT Director's Office. These efforts resulted in Fullerton receiving the position of Security Program Supervisor at an intermediate pay rate (step 5) of \$60,512.40, without an interview and prior to the completion of her background investigation, and despite her utter lack of qualifications.

On November 17, 2005, Fullerton was arrested at the Stephen P. Clark Center, 111 NW 1 Street, pursuant to an outstanding criminal warrant based on an investigation conducted by the Hollywood Police Department. Beatrice Fullerton admitted to, and wrote a confession for stealing \$800.00 cash from the cashier's office while entrusted as a security guard at Memorial Regional Hospital located in Hollywood, Florida. Despite being arrested, Fullerton was not terminated but was instead allowed to voluntarily resign her Miami-Dade County position in lieu of termination.

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<sup>1</sup> Records relating to the majority of these events related herein, especially those pertaining to her initial placement through the temporary employment agency, shows her as "Fullerton." Records regarding her permanent hire with the County show her as "Fullington." The Hollywood Police Complaint Affidavit names her as "Fullington." Throughout this report, the OIG refers to her as Fullerton, as much of the focus of our investigation relates to the period of time that she was working at MDT through the temporary employment agency.

Fullerton acknowledged to the OIG that she was able to get the initial temporary position and, thereafter, the full-time permanent position because of her husband's friendship with Marian Smith, Assistant Director for the South Florida Employment and Training Consortium (SFETC), and, consequently, because of Ms. Smith's relationship with MDT Director Bradley. Ms. Smith has known Director Bradley since high school and stated that they are friends.

All of the decisions and actions resulting in Fullerton's appointment to a security sensitive position that she was blatantly unqualified for clearly demonstrates something wrong with the hiring practices at MDT necessitating immediate rectification. As with all County departments, MDT must follow established administrative policies and procedures governing the employment, recruitment, selection and screening process. Selective hiring, through the guise of using temporary employment agencies, should, for obvious reasons, not be tolerated.

## **BACKGROUND**

Miami-Dade Transit is the fourteenth largest public transit system in the country and the largest transit agency in Florida. MDT also ranks as one of the largest County departments, employing over 3,800 people. MDT is responsible for providing all public transit services to the citizens of Miami-Dade County. These services include bus service, the operation of the Metrorail and Metromover, and the provision of Special Transportation Services. In November 2002, the voters of Miami-Dade County approved a one-half percent increase in the sales tax to be used exclusively for improving transportation in Miami-Dade County.

### ***MDT Office of Safety and Security***

According to a Table of Organization, revised January 31, 2006, MDT's Office of Safety and Security (OSS) shows a total position count of 32 individuals, excluding 285 full-time equivalent (FTE) security services contractor armed guard positions. (**Exhibit 1**) These armed guard positions are filled through MDT's security services contractor, which is currently the Wackenhut Security Corporation. The current annual budgetary allocation for security guards provided through the Wackenhut contract is approximately \$17 million. The armed guard positions fall under the purview of the MDT Security Manager, who reports directly to the Chief of the OSS. The table also depicts the position of MDT Security Program Supervisor, which likewise reports directly to the MDT Security Manager.

The position of Security Program Supervisor was created in 2003 and is a specialized supervisory position which is responsible for the protection and patrolling of public and private property and multi-purpose facilities owned and/or leased by MDT.

According to the established tasks for the position of MDT Security Program Supervisor, 60 percent of the work time is devoted to monitoring a large staff of contracted, armed security guards engaged in protecting transit riders, citizens, employees, facilities and property assets for security matters of all types, including the hardening of facilities to mitigate potential terrorist activities. In addition, the position requires the preparation of reports, incident reports, memorandums, logs and verifying that reports are properly written in conformance and in accordance with departmental rules, policies and guidelines. The minimum qualifications for the position of MDT Program Supervisor are:

Bachelor's degree in Criminology, Criminal Justice, Business Administration, Public Administration or related field. Three years of experience in security operations, protective services, or military or civilian law enforcement to include one year of supervisory experience are required. Must possess a Florida Driver's License. Additional security experience may substitute for education on a year-for-year basis. Florida Concealed Weapons Permit must be obtained within one year of employment.

Moreover, MDT, in a previous recruitment for this position, has expressed its preference for individuals with an additional sixteen years of experience (for a total of 20 years of experience) in the fields of security operations, protective services, or military or civilian law enforcement. The current annual entry level salary for a Security Program Supervisor is \$49,993. The current maximum annual salary is \$83,927.

## **GOVERNING AUTHORITIES**

County Administrative Order (A.O.) No. 7-35 *Personnel Policy for Contractual Employment Services* addresses the acquisition of temporary contracted employment services. In relevant part, it states:

The director of the department wishing to utilize personnel from a contractual employment agency will ensure that those employees are properly screened with regard to education, experience, training, and other credentials which may be relevant to the work to be performed, and are otherwise suitable for employment.

Furthermore, A.O. 7-35 establishes a clear policy limiting the duration of the temporary services to six months unless approved by both the Directors of the County's Employment Relations Department (ERD) and the Office of Strategic Business Management (OSBM).

MDT has also established its own internal procedures for requesting and filling temporary positions. Transit Administrative Policy & Procedures (TAPP) titled *Temporary Personnel Services*, dated September 16, 2004, states in relevant part:

Requests for temporary personnel must be approved, in writing, by the Director of MDT. Temporary personnel shall only be hired for short term projects, when County employees are not available, for a period not to exceed six (6) months.

The requester shall complete MDT requisition, form 405.01-71, to request the services of temporary personnel. The request shall be reviewed by the requesting Division Chief to ensure the request is for a short-term project that cannot be performed by assigned staff and will not exceed 6 months.

The Materials Management Division shall notify the awarded Employment Agency **and request candidates for interview by the Requestor/Initiator and will coordinate the interview and selection process.** (Emphasis added by OIG.)

County A.O. No. 7-21 *Personnel Policy for Centralized Employment Services* sets forth the County's uniform standard hiring procedures to "ensure a fair and merit-oriented personnel system." While the administration of these functions are centralized in ERD, A.O. 7-21 explains:

[t]he hiring department's appointing authority shall be responsible for the final selection decision after proper consideration and evaluation of qualified applicants for the position. The hiring department shall also be responsible for ensuring that the selection process is conducted in a non-discriminatory manner without regard for race, ethnicity, gender, national origin, disability, familial status or religious affiliation and that the selection decision is based upon an appropriate assessment of the relative merit and fitness of qualified candidates for the position as it relates to the requirements of the position.

## **INVESTIGATION**

In January 2006, the OIG initiated an investigation regarding MDT's hiring of Beatrice Fullerton for the position of Security Program Supervisor. OIG Special Agents have interviewed numerous individuals associated with these events related herein, and have accordingly gathered and examined all documents associated with these events including purchase requisitions, documents from personnel files, memoranda, police reports, and employment notices. The relevant records are enumerated as exhibits throughout the report.

Beatrice Fullerton officially started work at the MDT OSS on January 31, 2005. The requisition for temporary services lists the position as Special Project Administrator 1, but the description is written for the position of Security Program Supervisor. Through a series of highly unusual events, Fullerton was requested by name to fill an unnecessary temporary position, and ten months later was appointed to a full-time permanent position as a Security Program Supervisor, at an intermediate pay rate of \$60,512, for which she was unqualified. On November 17, 2005, she was arrested at the Stephen P. Clark Center after a criminal background check revealed an outstanding criminal charge of Grand Theft. The charge was based upon an event occurring one year prior when she was caught stealing \$800 from her employer, Memorial Regional Hospital.

### **Fullerton's Education and Work History**

#### ***Educational Background***

The OIG examined three separate employment documents wherein Fullerton listed her education. Her application with Memorial Regional Hospital, completed on March 25, 1992, shows that she graduated from Turks-Island High School. Her employment application with Westaff Technical Services (Miami-Dade contractor for temporary employees), completed January 25, 2005, revealed that she attended "Pareson" [sic] High School, South Caicos, Turks Islands. It does not indicate the number of years attended or if she graduated. The Westaff application also shows that Fullerton attended Broward Community College for one year with a major in security. Her Miami-Dade County employment application, completed on October 4, 2005, revealed that she attended "Pearson" [sic] High School, South Caicos Island from 1970 to 1975. It does not indicate whether she graduated. Her application also listed attending Broward Community College from 1980 to 1982.

The OIG reviewed two of Fullerton's resumes produced for her placement as a temporary employee in the MDT OSS and produced for her appointment to MDT Security Program Supervisor. Both list her education as "Pearson" [sic] High School, South Caicos Island, 1975" and "Broward Community College, Davie, Florida, 1982." The resumes do

not indicate whether she graduated or received a degree, and do not state a major course of study.

The OIG investigation revealed that Beatrice Ritchie Fullington actually attended Marjorie Basden High School (formerly Pierson High School), Turks and Caicos Islands, from September 1971 to January 1973. She attended from grade seven through grade nine, and did not graduate from this high school. A records check with Broward Community College revealed no records of enrollment or attendance in the name of Beatrice Fullington, Beatrice Iona Fullerton, Beatriz Ritchie-Fullington or Beatrice Ritchie, or by the social security number listed on her Miami-Dade County employment application. (Exhibit 2)

### ***Work History***

Beatrice Fullerton's Memorial Regional Hospital personnel file revealed that she was initially hired as a Security Officer on April 15, 1992, promoted to the position of Security Sergeant in November 1994, and reclassified as a Protective Security Services Officer in April 1996.

On October 28, 2004, Fullerton was terminated from her employment with the hospital for stealing \$800.00 cash from the Cashier's Office while serving as an Acting Supervisor on the night shift. According to the incident report, a series of thefts of cash had occurred from the Cashier's Office. An investigation consisting of marked money and hidden cameras resulted in the identification of Beatrice Fullerton as the perpetrator of the theft. She authored and signed a confession on October 28, 2004. (Exhibit 3) A remarkably apparent observation from the written confession is her limited ability to communicate effectively in writing.

### **Fullerton's Temporary Employment at MDT**

The OIG learned about Fullerton's arrest at the Stephen P. Clark Center after the results of a criminal background check revealed the outstanding warrant for her arrest. The background check, however, was conducted after she had already begun permanent employment with MDT, which raised questions as to how Fullerton could work for MDT, especially in the sensitive position of a Security Program Supervisor prior to completion of a background check. Our investigation revealed that Fullerton had been at MDT for the preceding eleven months, ten of those months as a temporary contract employee. We also came to learn that her placement through the temporary services agency had to have been a directed effort as she was hired "by name" and her application to the agency was made on the same day that MDT placed the request for her.

***Placement of Beatrice Fullerton at MDT through the temporary employment agency runs afoul of A.O. 7-35 and MDT's own policies and procedures.***

During our interview of Fullerton, she told the OIG that her husband, Charles, told her to submit an employment application at Westaff Technical Services, a temporary employment agency, and that they would take care of her. She did submit an application and on the same day she was essentially hired by MDT.

Charles Fullerton, Beatrice's husband, has been employed by the South Florida Employment Training Consortium (SFETC) since May 2003.<sup>2</sup> According to Fullerton, her husband is friends with Ms. Marian Smith, the SFETC's Assistant Director of Administration.

Ms. Smith has been employed with the SFETC since March 8, 2001, after her former employer, Wages Coalition, merged with the SFETC.<sup>3</sup> She acknowledged to OIG Special Agents that she has known Charles Fullerton since working with him at Travelers Insurance Company several years ago, and that she has maintained contact with him over the years. Ms. Smith also told the OIG that she has known Roosevelt Bradley since high school, and that the two of them are friends.

During our interview with Ms. Smith, she stated that Charles Fullerton approached her and said that his wife, Beatrice, was looking for a job. Ms. Smith told the OIG that she told Charles to go to one of the one-stops<sup>4</sup> and to try Miami-Dade Transit because, according to Ms. Smith, "everybody knows that they [MDT] have all the jobs." Ms. Smith, however, made no mention to the OIG Special Agents of Westaff Technical Services or any other temporary employment agency.

MDT Requisition No. 5-69854, prepared on January 24, 2005, sought the services of a Special Project Administrator One (SPA 1) for a maximum of six (6) months with a requested start date of January 31, 2005. The words "Security Program Supv" appear in parenthesis and the description of the duties further states: "*Supervise security officers. Must be familiar with security procedures.*" The hours listed are 8:00 AM to 5:00 PM,

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<sup>2</sup> Mr. Fullerton was originally hired as a Clerk 4, and it appears that his 2003/2004 performance evaluation was reviewed by Marian Smith. In June 2005, he was reclassified to the position of Administrative Officer 1.

<sup>3</sup> Employees of SFETC receive Miami-Dade County paychecks but are not considered Miami-Dade County employees since the County is reimbursed for their salaries and benefits. Miami-Dade County Finance Department records show that SFETC had been paid approximately \$5 million dollars through Miami-Dade County for grants and other programs.

<sup>4</sup> A one-stop is a facility that provides services for unemployment compensation, public assistance and job referrals.



Monday through Friday. Terry Grant is named as the supervisor and contact person. The requisition bears the authorized signature of Roosevelt Bradley, the MDT Director, and is also dated January 24, 2005. The requisition was approved by MDT Budget on January 25, 2005. The requisition was accompanied by Beatrice Fullerton's two-page resume. The three pages altogether were faxed to MDT Materials Management on January 25, 2005, at 9:59 AM from 305-372-6150 as evidenced by the fax stamp on the top of each of the three (3) pages. **(Exhibit 4)** This particular fax number 305-372-6150 is assigned to a fax machine located on the ninth floor of the Stephen P. Clark Center, in the same vicinity as the MDT Director's Office.

Ms. Armorel Guishard works directly for Mr. Bradley in the position of "Transit Administrative Coordinator." She is a member of the Director's Office, and in interviews with the OIG she characterized herself as Mr. Bradley's right hand. She also stated that she reviews all hiring packages. A review of her performance evaluations reveal that Ms. Guishard has reported to and been rated by Roosevelt Bradley from 1989 to present.

We inquired into the origination of the requisition and resume that were sent to MDT Materials Management. Ms. Guishard acknowledged to the OIG that she completed the requisition and faxed it to MDT. However, in her statement, she denied faxing Fullerton's resume to Materials Management. The fax date and time stamp, however, conclusively show that the three pages were faxed together.

Approximately an hour and a half later, around 11:30 AM, a *Contract Blanket Order Release Form for Temporary Employees* was prepared and sent to Westaff from MDT Materials Management Buyer, Shyryllyn Vaughan, specifically requesting Beatrice Fullerton by name to fill the aforementioned SPA 1 temporary position. The billing rate of pay is listed on the form at \$19.86/hour. The form showed the dates of temporary employment as January 25, 2005 to August 2, 2005, but there was also a typed notation stating: "VENDOR MUST NOTIFY THE BUYER OF THE START DATE OF THIS EMPLOYEE." The bottom of the form that was faxed back to MDT Materials Management bears a hand written note of "start date 1-31-05." **(Exhibit 5)**

We obtained Fullerton's application file from Westaff Technical Services, 419 West 49<sup>th</sup> Street, Suite 111, Hialeah, Florida, 33012. The file contains a completed employment application in the name of Beatrice Fullerton dated January 25, 2005, which curiously is the very same date that the *Contract Blanket Order Release Form For Temporary Employees* was faxed to Westaff, which was also in the file. The notation "begins 1/31/05" was also written on the bottom of the employment application. Also contained in the file was a copy of a Resident Alien card in the name of "Beatriz Ritchie Fullington." Her resume, under any name, was not part of the Westaff file.

On January 31, 2005, Beatrice Fullerton showed up at the MDT OSS reporting for work. According to OSS Chief Bonnie Todd, neither she nor her Security Manager, Terry

Grant, made a request for or completed any paperwork related to requesting the services of a temporary employee. Chief Todd told the OIG that approximately one week before Beatrice Fullerton showed up at the OSS, she was told by Director Bradley that he was going to send her a resume to review. Chief Todd stated that she never received a resume, and after Fullerton unexpectedly showed up on January 31, 2005, she contacted Director Bradley regarding the assignment of Fullerton. Chief Todd related to the OIG Special Agents that she had asked Director Bradley what she was to do with Fullerton. According to Chief Todd, Director Bradley told her something to the effect of "I'm sure you will figure something out."

OSS Security Manager, Terry Grant, stated that he did not have a position for Beatrice Fullerton when she arrived. He stated to the OIG that during Fullerton's placement in the OSS, he assigned her to monitor a program called "Be Counted." The program assigns MDT employees who are on light duty status to count the number of patrons using the handicap gates at the 23 rail stations. According to Mr. Grant, the job of monitoring the light duty workers did not require the skills and abilities of a Security Program Supervisor. He stated that the job could have been assigned to a clerk. Mr. Grant also tasked Fullerton with photocopying assignments as needed.

*The extension of Beatrice Fullerton's temporary employment past the maximum six month period was made in violation of A.O. 7-35*

On August 17, 2005, Beatrice Fullerton's six (6) month temporary employment was extended for the period August 8, 2005 to February 8, 2006, through requisition number 5-66430. The authorized signature of Roosevelt Bradley appears on the requisition and is dated August 17, 2005. In the description section of the requisition form it states:

Fullerton serves in capacity [sic] of security services support for the MDT, Office of Safety and Security, providing oversight for the security services contract, oversight of the Be Counted Program, as well as other services within the division. **(Exhibit 6)**

Even though the above written description states that Fullerton provides security oversight for the security and services contract, according to Security Manager Grant, she was neither assigned this duty nor performed these responsibilities. According to Chief Todd, the extension requisition was initiated by the Director's Office through Mayra Bustamante, Assistant Director of Administration. Chief Todd advised the OIG that she told Assistant Director Bustamante that she did not have a position for Beatrice Fullerton. The requisition was, nonetheless, forwarded to the MDT Materials Management Division for processing on August 17, 2005.

As this was a requisition extending temporary employment past the maximum six month period, it required the approval of both the Directors of ERD and OSBM. The OIG has confirmed that the request for extension was not approved by ERD or OSBM as required by A.O. 7-35. In fact, Liliana Fernandez, Assistant to ERD Director Don Allen, told the OIG that ERD has not received or approved any extensions of temporary employment for MDT since 2003.

**Chronology Of Events After January 31, 2005 In Attempting To Secure Fullerton A Full-Time Permanent Position At MDT**

***First attempt at the Security Program Supervisor position (posted Requisition #5670083)***

A few weeks after Fullerton's arrival at OSS, on or about February 14, 2005, a job announcement for the position of MDT Security Program Supervisor was posted on the County's Employment Opportunity Bulletin and placed in the Miami Herald classified section. The position referenced Requisition #5670083 and stated the salary range as: Entry \$48,537 - Max \$81,482 Annually.

Beatrice Fullerton submitted her resume. According to a screening and scoring spreadsheet for this particular requisition, Fullerton placed 36<sup>th</sup> out of 74 applicants. (Exhibit 7) According to the spreadsheet criteria, she met two out of three minimum requirements. She did not possess the required Bachelor of Science degree in any of the required fields but she scored positively in the third criterion of having additional experience substituting for education on a year-for-year basis. However, she did not meet the preference established by MDT of "sixteen additional years (20 years total including the required) of experience in security operations, protective services, or military or civilian law enforcement." Thirteen of the fourteen candidates selected for interview met this preference. Fullerton did not receive an interview. This particular vacancy was subsequently filled in August 2005.

From the request for the establishment of the aforementioned MDT Security Program Supervisor position (Requisition # 5670083) on November 2, 2004, to the filling of the position on August 15, 2005, several memorandums, emails, and other documents were generated. In fact, a complete recruitment file was maintained by MDT Security Program Supervisor Jose Guerra. Oddly, however, for the same position of Security Program Supervisor under Requisition # 4670129 that was subsequently filled by Beatrice Fullerton on or about October 17, 2005, Mr. Guerra does not have a recruiting file for the position or any documents relating to the establishment, recruitment, interviewing or filling of the position. According to Mr. Guerra, he was kept "out of the loop" for the recruiting/hiring process that resulted in the appointment of Beatrice Fullerton as a MDT Security Program Supervisor.

***Reclassification of a Transit Security Specialist position, under Requisition # 4670129, to one of Security Program Supervisor benefiting Beatrice Fullerton***

Our investigation revealed that Requisition # 4670129 was originally created on January 30, 2004, to fill a vacant Transit Safety Specialist position. The position was advertised in November 2004 and selected candidates were interviewed on or about January 24, 2005. One candidate was selected, however, a final review by ERD determined that the individual was not qualified due to the lack of a college degree or substitution of years of experience in the field as required. The position of Transit Safety Specialist remained vacant and the requisition was left open.

According to Angela Concepcion, Personnel Specialist in the MDT Human Resources Department, she recalls being directed by Ms. Guishard to obtain an eligibility determination for Beatrice Fullerton for the position of Transit Safety Specialist. Judith Deutsch, ERD Personnel Specialist, received Fullerton's resume and made an official determination that Fullerton was not qualified for the position of Transit Safety Specialist. This determination was communicated to Ms. Concepcion via email on July 13, 2005. **(Exhibit 8)**

On August 3, 2005, a *Request For Classification Action* form was completed by Ms. Guishard and signed by Director Roosevelt Bradley. The request sought to reclassify the vacant Transit Safety Specialist position (that Fullerton did not qualify for) to the position of MDT Security Program Supervisor, utilizing the same requisition number. **(Exhibit 9)** The signed request was forwarded to Sandra Gamble, Manager, MDT Human Resource Department. A hand written post-it note was attached that read:

Sandy, this is reclassing a Transit Safety Specialist to a MDT Security Program Supv. I did it and the Director already signed it. Thanks, Armored. **(Exhibit 10)**

The next day, on August 4, 2005, Ms. Concepcion sent an email to Ms. Guishard regarding the position of Transit Safety Specialist that read: "Since Beatrice Fullerton (temp) was disqualified by ERD, can we proceed with the advertisement?" **(Exhibit 11)** Ms. Concepcion explained to the OIG that since the Transit Safety Specialist position had still not been filled, she planned on re-advertising it. That never happened as the position was reclassified to the position MDT Security Program Supervisor on or about August 17, 2005.

According to Chief Todd, neither she nor her Security Manager, Terry Grant, requested the Transit Safety Specialist position to be reclassified. In fact, Chief Todd stated that she wanted to fill the existing vacant Transit Safety Specialist position.

On August 22, 2005, a draft advertisement was prepared for the position of MDT Security Program Supervisor under the reclassified Requisition # 4670129. The draft

advertisement showed that the position was open to the public, applicants were to apply by resume, and the closing date was listed as November 5, 2005. The OIG found a hand written note which read: "8-24-05 per Armorel to request to adv for 1 wk in the job bulletin only (DO NOT FAX AD DRAFT) AC." (**Exhibit 12**) The initials AC were made by Angela Concepcion. On August 24, 2005, Ms. Concepcion sent an email to ERD requesting that the advertisement be run for one week only in the Job Bulletin.

***Fullerton's hiring under Requisition # 470129 for the position of Security Program Supervisor was a de facto appointment and in violation of A.O. 7-21.***

From August 29, 2005 to September 2, 2005, the MDT Security Program Supervisor position was advertised under Requisition # 4670129. The recruitment produced a total of 105 applicants. Beatrice Fullerton was placed on the applicant list on September 29, 2005. According to Ms. Deutsch at ERD, Fullerton submitted her resume at 140 W. Flagler Street and was not placed on the original list. After investigating the issue, it was determined by the ERD that she did submit her resume during the advertised period and was added to the list of applicants. The resumes of the 105 applicants for MDT Security Program Supervisor were never forwarded to the MDT Office of Safety and Security. The OIG's investigation determined that no screening took place of any of the submitted employment applications and no interviews, formal or informal, were ever conducted.

On September 30, 2005, one day after Fullerton was placed on the applicant list, Ms. Concepcion was verbally directed by Ms. Guishard of the Director's Office to prepare a memorandum for the immediate placement of Beatrice Fullerton in the position of MDT Security Program Supervisor at an intermediate step 5 rate of \$60,512.40 annually. According to Ms. Concepcion, she prepared the requested memorandum based on the information provided by Ms. Guishard and Mr. Guerra. Mr. Guerra, MDT Security Program Supervisor, told the OIG that he had received an email from Ms. Concepcion asking for Beatrice Fullerton's duties and responsibilities. Mr. Guerra explained that what he provided was the description of the general duties and responsibilities for the position of MDT Security Program Supervisor—not the duties that Fullerton was actually performing. According to Ms. Guishard, the department director is the only person who can authorize an intermediate pay rate and make an appointment. While this is correct, by memorandum dated September 10, 2002 from ERD Director Don Allen, "[a]n offer of employment at an intermediate rate should be based upon some **extraordinary circumstances** such as extensive pertinent experience, advanced credentials or a demonstrated recruitment difficulty." (Emphasis added by OIG.)

Later that same day, Ms. Concepcion sent via email a memorandum that she drafted to Ms. Guishard. Copies of the attached memorandum were also provided to William Foster, Sandra Gamble and Yolanda De Leon, all from MDT's Human Resources Department. The memorandum itself is dated September 30, 2005, from William C.

Foster, Chief, Human Resources to Roosevelt Bradley, Director MDT. (**Exhibit 13**) By appearance, it looks as if William Foster is making a request of Director Bradley, when, in fact, the creation of the memorandum was directed by Mr. Bradley's Executive Office. According to Mr. Foster, he did not author, authorize or conceive the memorandum, and neither his signature nor initials appear on the memorandum which was ultimately signed as approved by Director Bradley.

On October 3, 2005, Fullerton's resume was forwarded to ERD for an official determination of eligibility. Based solely on the content of the resume provided, Ms. Deutsch determined Beatrice Fullerton to be qualified for the position of MDT Security Program Supervisor.

On October 12, 2005, an offer of employment letter was addressed to Beatrice **Fullington** (previous employment documentation and resumes bore the name **Fullerton**). The offer provides for an effective date of hire of October 17, 2005 at the intermediate rate salary, approved by the Director, of \$60,512.40 annually. The letter falsely states that the offer of employment was based on an interview and it also states: "Please Note: You have already undergone a criminal background check." Neither of the statements were true. Chief Todd has clearly stated to OIG Special Agents that Beatrice Fullerton was not interviewed for the position of MDT Security Program Supervisor by any member of the OSS, or for that matter, was interviewed by a panel established by the OSS for this position. The offer was accepted and signed on October 13, 2005. (**Exhibit 14**)

The OSS did not have any input in this selection. In fact, the Chief explained to the OIG that she did not concur with the reclassification of the position from Safety Specialist to Security Program Supervisor. As mentioned above, those within the OSS were kept out of the loop on this hiring and there was no recruitment file on this position. Clearly, none of the other candidates were interviewed for the position, nor were any other resumes even reviewed for consideration. Even Fullerton was not interviewed, and she certainly did not go through a background check as the offer letter of October 12, 2005 falsely purported.

**Material alterations were made to Beatrice Fullerton's resume to falsely qualify her for the position of MDT Security Program Supervisor.**

As previously mentioned, Beatrice Fullerton's resume was forwarded to ERD for its official determination that she qualified for the position of MDT Security Program Supervisor. That determination was made by Ms. Deutsch based solely on the content of the resume. She explained to the OIG that it is the responsibility of the hiring department to determine the validity of the information contained within the resume. In this particular case, two MDT officials in the OSS were directly responsible for falsely enhancing Fullerton's resume so that, on face value, it would appear that she qualified for the position.

Fullerton admitted to the OIG that Charles Wellons, a current MDT Security Program Supervisor, assisted her in writing the resume that ultimately qualified her for the position. Fullerton conceded that she was not qualified to be a MDT Security Program Supervisor based on the job description. Mary Wardell, MDT Loss Prevention Coordinator, stated that she was provided a copy of Fullerton's duties and resume by Mr. Wellons and was asked to review the documents for structure and grammar.

The OIG retrieved a series of emails between Fullerton, Mr. Wellons and Ms. Wardell that reveal the efforts to materially enhance Fullerton's resume for the purpose of falsely qualifying her for the position. On June 10, 2005, at 7:41 AM, Mr. Wellons sent an email to Fullerton titled *Beatrice Fullerton Resume.doc*. Attached to the email was a copy of a resume in the name of Beatrice Fullerton. **(Exhibit 15)** The resume describes her current duties (from January 30, 2005 to present) as:

Assists in managing more than fifty Miami-Dade Transit employees on a daily basis. Additionally, oversees compliance of the Wackenhut Security Corporation contract with Miami-Dade Transit, performs security checks of MDT facilities, assets and conducts special project assignments.

On July 6, 2005, at 2:49 PM, Mr. Wellons sent an email to both Fullerton and Ms. Wardell titled *Bea's duties.doc*. The email reads: "corrected/revised." Attached to Mr. Wellon's email was a memorandum addressed to Judy Deutsch, ERD, from Beatrice Fullerton, with the captioned subject: *Clarification of My Work History*. The memorandum purports to elaborate Fullerton's official responsibilities as a Security Shift Supervisor while employed at Memorial Heath Care Systems. **(Exhibit 16)**

On August 30, 2005, at 9:14 AM, Mr. Wellons sent an email to both Fullerton and Ms. Wardell titled *Beatrice Fullerton Resume.doc*. The email reads: "Please store safely in a warm dry place." **(Exhibit 17)** Attached to the email was a newer version of Mr. Fullerton's resume. Several minutes later (at 9:36 AM), Ms. Wardell sent Fullerton a revised resume that had some minor changes. **(Exhibit 18)** However, a significant enhancement was made from the June 30<sup>th</sup> version to the August 30<sup>th</sup> resume. In addition to the above-noted description of her "current" duties as a Security Program Supervisor, the following sentence was added:

Additional duties include but are not limited to risk assessment analysis as it relates to facilities, vehicles, accident prevention, accident investigation, report preparation, makes recommendation to mitigate or eliminate personal injury to patrons and or employees and conducts training in referenced areas.

Several minutes later (at 9:58 AM) another email was sent from Ms. Wardell to Fullerton, which stated:

Bea, What you have on the resume is fine. It is a high profile summary of what your responsibilities are. I would leave it like that and use the detailed description for interview purposes. If you're asked to provide more detail, then and only then would I do so. Use this copy as I made one more correction and that is capitalized Hospital and Healthcare facility. (Exhibit 19)

According to the modified resume ultimately submitted by Fullerton for the position, she possessed "more than 17 years of administrative management experience in protective security services, safety, law enforcement, customer service and policy development." Moreover, the resume falsely described her tenure as a temporary employee with the MDT Office of Safety and Security, both in job title and in her duties and responsibilities. Both Chief Todd and Security Manager Grant have clearly stated to the OIG that Fullerton was not assigned to the position of MDT Security Program Supervisor and that she certainly did not perform the tasks listed on her resume. It was reiterated that Fullerton was only assigned to monitor the "Be Counted" program for light duty employees and performed photocopying duties for Mr. Grant.

Moreover, the re-written resume was also false as it related to her previous position and job description at Memorial Regional Hospital/Memorial Health Care System. The re-written resume shows her position as "Supervisor, 1992 to 2004." The job description states that she managed a staff of 12 Security Officers, prepared all management reports, acted as the company liaison for the police department, radio and television networks, and was responsible for all human resource functions. The OIG met with John Wilson, Director of Security for Memorial Regional Hospital and provided him a copy of Fullerton's re-written resume, which he reviewed. According to Mr. Wilson, she did not perform all the tasks listed on the resume. He explained that she served in the position of security guard and an acting supervisor and performed the duties commensurate with those positions. Our review of her personnel file confirmed Fullerton's official job positions as being Sergeant from 1994 to 1996 and as a Protective Services Officer from 1996 to 2004, when she was terminated for theft. Fullerton did act as an acting supervisor on the midnight shift two nights a week when the regular supervisor was off. It was in this position that she was caught stealing money.

After realizing that Fullerton could not qualify for the then vacant position of Transit Security Specialist, efforts were made to reclassify the position for one that was easier to place her in. The position of Security Program Supervisor, however, was still beyond her actual qualifications, and, thus, it was necessary to falsify Fullerton's current and former job positions and related duties in order pass ERD's prima facie review.



**Telephonic communications just prior to Fullerton's start date and immediately after her arrest**

Beatrice Fullerton admitted to OIG Special Agents that she got the job because her husband is friends with Ms. Marian Smith, who, in turn, is good friends with Director Bradley. Ms. Smith also confirmed to us that she is good friends with Mr. Bradley.

On the morning of October 15, 2005 (the Saturday before Fullerton was to begin her full-time permanent position at MDT) the OIG noted several phone calls being placed either to or from Mr. Bradley's cell phone which are all indicative of conversations relating to Fullerton's new employment. We noticed that a call between Mr. Bradley and Ms. Smith was immediately followed by a call from the Fullerton residence to Mr. Bradley's cell phone. That conversation (presumably between Charles or Beatrice Fullerton and Roosevelt Bradley) was 21 minutes long, and then was immediately followed up by four telephone calls between Mr. Bradley and Chief Bonnie Todd.

The telephone call from the Fullerton residence to Mr. Bradley is indicative of his knowing the Fullerton's (either Charles, Beatrice or both). The calls made immediately thereafter to Chief Todd convincingly demonstrates Director's Bradley's interest in Fullerton's impending employment with MDT come Monday morning.

On Monday, October 17, 2005, Beatrice Fullington started working as a full-time County employee prior to her criminal background check being completed. Therefore, she was not entered into the County's payroll system and could not get paid, even though she was being carried as a County employee on the payroll attendance records. On November 16, 2005, a Florida Department of Law Enforcement (FDLE) criminal background check initiated by ERD as part of the standard new hire processing procedures for County employees revealed that Beatrice Fullington was wanted by the Broward County Sheriff's Office (BSO). ERD notified MDT of the results of the criminal background check. BSO confirmed that Beatrice Fullington, a.k.a. Fullerton, had an outstanding warrant for her arrest for Grand Theft. The following morning, around 10:00 AM, the Miami-Dade Police Department arrested her at the Stephen P. Clark Center.

Similarly, the OIG reviewed telephone logs to and from Mr. Bradley's cell phone shortly after her arrest. We noted five placed phone calls, all of very short duration, between Mr. Bradley and Ms. Smith (both to her cell phone and her work phone number at the SFETC) from the time 12:54 PM to 1:37 PM. Through the rest of the afternoon and early evening, we noted five other phone calls between Mr. Bradley and Ms. Smith, and two placed phone calls between Mr. Bradley and Chief Todd.

### **Fullerton's Resignation In Lieu Of Termination**

On November 18, 2005, a termination letter for Ms. Fullington signed by Director Bradley stated, in part:

This letter is to inform you that, effective close of business today, your employment with Miami-Dade County Transit as an MDT Security Program Supervisor will be terminated. This action is the result of your violation of Miami-Dade County Personnel Rules, including conduct unbecoming. **(Exhibit 20)**

However, according to Chief Todd, she [Todd] was directed by Mr. Bradley to allow Ms. Fullington to resign in lieu of termination. An *Employment Resignation Form* dated November 18, 2005, was completed and signed by Chief Bonnie Todd and Beatrice Fullington. **(Exhibit 21)** The County's time and leave system shows Beatrice Fullington's employment status as "BA," which is the code for "Voluntary Resignation."

### **CONCLUSION**

In providing public transportation services throughout Miami-Dade County, MDT's responsibilities to the public in all matters of safety and security are critical. These responsibilities merit even more urgency and seriousness since the terrorist events of September 11, 2001. To aggressively address situations and circumstances which may facilitate potential acts of terror, there is a real and immediate need for MDT to recruit for its OSS operations only the most **qualified** and **experienced** law enforcement and security personnel to conduct investigations, perform vulnerability studies, develop programs and procedures, and to ensure contracted security personnel perform their duties as required. The appointment of Beatrice Fullerton, a.k.a. Fullington, made a mockery of this mandate.

The initial information about Fullerton's arrest at the Stephen P. Clark Center was alarming enough, but the events revealed through this investigation clearly show that there is something wrong with the hiring practices at MDT. The temporary employment process was abused to circumvent the standard recruiting process and then the standard recruiting process was also subverted. A totally unqualified individual was given a security sensitive position responsible for overseeing contracted security personnel. As revealed in this investigation, these efforts to undermine the recruitment process emanated from and were directed out of the Director's Office.

## **RECOMMENDATIONS**

1. We are concerned about the overall qualifications of personnel assigned to the Office of Safety and Security. Careful consideration should be given to prospective assignments and personnel currently assigned should be re-evaluated to determine whether they possess the requisite qualifications and experience to perform the assigned responsibilities.
  
2. Even after careful consideration of MDT's response explaining the circumstances of Beatrice Fullerton's hiring, the OIG is not dissuaded in its conclusion that certain MDT staff circumvented established personnel procedures to "hand-pick" Ms. Fullerton for employment from the temporary employment agency and to eventually secure her permanent employment absent any competitive selection. Therefore, appropriate administrative action should be considered to address these abuses.
  
3. The Director of the South Florida Employment and Training Consortium (SFETC) should pay particular attention to the remarks made in the responses of both the MDT Director and the SFETC Assistant Director concerning the moral character and ethical behavior of Mr. Charles Fullerton, a SFETC employee.

**MIAMI-DADE OFFICE OF THE INSPECTOR GENERAL**  
**Final Report Re: MDT Hiring of Beatrice Fullerton**

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**APPENDIX**

- A. Response from MDT Director Roosevelt Bradley**
- B. Response from South Florida Employment and Training Consortium, Assistant Director Marian Smith**