



STATE OF FLORIDA  
DEPARTMENT OF JUVENILE JUSTICE

CLOSURE MEMORANDUM

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**DATE:** January 20, 2016

**TO:** Laura K. Moneyham, Assistant Secretary of Residential Services  
Paul Hatcher, Assistant Secretary of Probation & Community Intervention

**THRU:** Robert A. Munson, Inspector General *RAM*  
Brian A. Donaldson, Chief of Investigations *BA*

**FROM:** Tracey Shearer, Inspector Specialist, CIGI

**SUBJECT:** Closure Memorandum IG 15-0112 / CCC 2015-06769

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On December 7, 2015, Department of Juvenile Justice (DJJ) Probation Officer Francoise Petit notified the Office of Inspector General (OIG) Central Communication Center (CCC) that she received a phone call from Department of Children and Families (DCF) Child Network Supervisor Heather Davis. Davis stated youth \_\_\_\_\_'s aunt found inappropriate pictures and messages on the youth's cell phone from Fort Myers Youth Academy (Fort Myers YA) staff JoEllen Gardner-Baxter. Gardner-Baxter was also added as a mentor to youth \_\_\_\_\_'s friend's list for post commitment probation. *(Exhibit 1)*

**[Inspector's Note:** Youth \_\_\_\_\_ spent 7 months at Fort Myers YA and was released on November 24, 2015 into the care of Pathways for post commitment probation. According to Fort Myers YA Facility Administrator Michael Mathews, Gardner-Baxter's job description did not require her to have continued contact with youth upon their release from the program. *(Exhibit 2)*

The Collier County Sheriff's Office investigated the allegations (#1500031756), and concluded Gardner-Baxter sent obscene photographs to a minor who she knew was seventeen years of age. Gardner-Baxter admitted to the kissing and holding hands with the youth but stated they were waiting until the youth turned eighteen to have sexual relations. A completed digital forensic download of the youth's cell phone showed photographs of Gardner-Baxter's breasts and vagina. On December 17, 2015, Gardner was arrested and charged with three counts of Obscene Material-Distributing to a Minor F.S.S. 847.0133. *(Exhibit 3)* This case is currently in the Collier County Circuit Court, case #1502313CFA.

2737 Centerview Drive • Tallahassee, Florida 32399-3100 • (850) 488-1850

Rick Scott, Governor

Christina K. Daly, Secretary

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On January 7, 2016, the DCF closed case, #2015-326689-01 with a verified finding of Sexual Abuse-Exploitation as the child received sexual explicit material from Gardner-Baxter.

Based upon the evidence found in the youth's cell phone and Gardner-Baxter's admission that she kissed the youth, further investigation into this matter is unwarranted. Therefore, this matter is administratively closed with a **SUSTAINED** finding for Improper Conduct/Sexual Nature.

It is recommended that Probation & Community Intervention review the process of approving staff contact with youth in post commitment programs, and ensure that staff requesting placement on a youth's contact sheet be carefully vetted prior to approval.

#### **EXHIBITS**

1. CCC Report 201506769
2. Gardner-Baxter Job Description
3. Collier County Sheriff's Office Redacted Police Report #1500031756
4. Youth Sign Out Sheet
5. Email Correspondence
6. Friend Approval Request