

**AGENDA**  
**FLORIDA DEPARTMENT OF LAW ENFORCEMENT**  
**February 6, 2014**

ITEM 1. Respectfully submit the **Minutes of the December 10, 2013 Cabinet Meeting.**

(See Attachment 1)

RECOMMEND APPROVAL

ITEM 2. Respectfully submit the **Florida Department of Law Enforcement's FY 2013-14 2<sup>nd</sup> Quarter Report, with Contracts, Agreements and Purchases over \$100,000 for October 1 to December 31, 2013.**

(See Attachment 2)

RECOMMEND APPROVAL

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STATE OF FLORIDA

IN RE: MEETING OF THE GOVERNOR AND  
CABINET

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CABINET MEMBERS: GOVERNOR RICK SCOTT  
ATTORNEY GENERAL PAM BONDI  
CHIEF FINANCIAL OFFICER JEFF  
ATWATER  
COMMISSIONER OF AGRICULTURE  
ADAM PUTNAM

DATE: TUESDAY, DECEMBER 10, 2013

LOCATION: CABINET MEETING ROOM  
LOWER LEVEL, THE CAPITOL  
TALLAHASSEE, FLORIDA

REPORTED BY: NANCY S. METZKE, RPR, FPR  
COURT REPORTER

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**FLORIDA DEPARTMENT OF LAW ENFORCEMENT.**

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3 GOVERNOR SCOTT: Now I'd like to recognize  
4 Commissioner Jerry Bailey with the Department of  
5 Law Enforcement to present his agenda. And he  
6 probably ought to talk a little bit more about his  
7 42 and a half year low in crime rate.

8 COMMISSIONER BAILEY: Good morning, Governor,  
9 Cabinet. I have five items on your agenda this  
10 morning.

11 First is my recommendation for your approval  
12 of the minutes from the September 24th, 2013,  
13 Cabinet Meeting.

14 GOVERNOR SCOTT: Is there a motion to approve?

15 ATTORNEY GENERAL BONDI: So move.

16 GOVERNOR SCOTT: Is there a second?

17 CFO ATWATER: Second.

18 GOVERNOR SCOTT: Moved and seconded, show the  
19 minutes approved without objection.

20 COMMISSIONER BAILEY: The second item is our  
21 first quarter report. Highlights from this quarter  
22 include our participation in a month-long  
23 sex-offender sweep in Central Florida that resulted  
24 in the arrest of 26 sex offenders, primarily for  
25 child endangerment.

1           We arrested the City Marshall of Arcadia and  
2           the Superintendent of Schools of Liberty County  
3           both for grand theft and official misconduct.

4           Further, we dismantled a Central Florida cargo  
5           theft ring responsible for stealing millions of  
6           dollars in electronics, food, tires, clothing and  
7           pharmaceuticals.

8           During this quarter, we arrested two  
9           physicians in Palm -- relative to deaths in Palm  
10          Beach County. One of the doctors has been charged  
11          with first degree murder, and each was charged with  
12          providing prescription narcotics without a medical  
13          need.

14          Finally, again, what we had shown you with the  
15          declining crime rate in both violent and nonviolent  
16          crime continues as this year comes to a close, and  
17          we hope to have good news for you when we actually  
18          do the annual report.

19          I'll be happy to answer any questions about  
20          Item Number 2.

21          GOVERNOR SCOTT: Are there any questions?

22          (NO RESPONSE).

23          GOVERNOR SCOTT: Is there a motion to accept  
24          the report?

25          ATTORNEY GENERAL BONDI: So move.

1 GOVERNOR SCOTT: Is there a second?

2 (NO RESPONSE).

3 GOVERNOR SCOTT: Any comments or objections?

4 (NO RESPONSE).

5 GOVERNOR SCOTT: Hearing none, the motion  
6 carries.

7 COMMISSIONER BAILEY: I'm sorry?

8 GOVERNOR SCOTT: No one had any questions.

9 COMMISSIONER BAILEY: Okay. Our third item is  
10 our '14/'15 legislative budget request. We're  
11 requesting an increase of \$19 million, which is a  
12 six-percent increase in our budget. A significant  
13 item in this in terms of personnel funding is  
14 increase in staffing for our firearms purchase  
15 program.

16 We're requesting the moving of 18 currently  
17 OPS positions to full-time equivalents. These were  
18 positions that were originally federally funded,  
19 and we are expecting the federal funds to greatly  
20 be decreased or to completely go away and we're  
21 also -- the addition of 18 positions to this  
22 program. These would be funded by additional -- by  
23 already available trust funds based on the \$5 fee  
24 for firearms records check.

25 You'll recall that we are approaching a

1 million firearms background checks for 2013. Just  
2 this past Black Friday, we conducted almost 68  
3 hundred background requests for gun purchases in  
4 the state; and Black Saturday, we set a new record  
5 for that day for firearms purchases in the state.

6 For the Thanksgiving holiday weekend, we did  
7 13,500 background requests for firearm purchases.  
8 In order to do this, we had to bring in people from  
9 other parts of the Department to make it work.  
10 Much of it is being done on line now.

11 We had a little glitch when the internal  
12 system for Wal-Mart went down, but all in all, we  
13 had quick response times throughout this weekend  
14 where we were getting slammed with these background  
15 requests. We expect this kind of numbers for the  
16 firearms purchase program to continue through the  
17 holiday season and into the tax refund season.

18 I'd be happy to answer any questions about our  
19 LBR in Item Number 3.

20 GOVERNOR SCOTT: Is there a motion to accept  
21 the legislative budget request?

22 ATTORNEY GENERAL BONDI: So moved.

23 GOVERNOR SCOTT: Is there a second?

24 CFO ATWATER: Second.

25 GOVERNOR SCOTT: Florida requires the Governor

1 to independently submit budget proposals;  
2 accordingly, I am abstaining from the vote on this  
3 item. The record should reflect my abstention.

4 Any objections to accepting the legislative  
5 budget request?

6 (NO RESPONSE).

7 GOVERNOR SCOTT: Hearing none, the motion is  
8 approved with one abstention.

9 COMMISSIONER BAILEY: Governor, our next  
10 item -- and as was mentioned when the Florida  
11 Highway Patrol was receiving its honor this  
12 morning, synthetic drugs continue to be a problem.  
13 New iterations of these synthetics continue to be  
14 sold in smoke shops, truck stops, convenience  
15 stores, and on the internet. We will be working  
16 with Attorney General Bondi to put a range of new  
17 synthetic iterations on to the schedule one. And  
18 that currently is the only piece of substantive  
19 that we're working with.

20 GOVERNOR SCOTT: All right. Is there a motion  
21 to accept the legislative proposals?

22 ATTORNEY GENERAL BONDI: So move.

23 GOVERNOR SCOTT: Is there a second?

24 CFO ATWATER: Second.

25 ATTORNEY GENERAL BONDI: And could I comment

1 on that, Governor? The good news is this time we  
2 only -- I signed an emergency outlaw -- an  
3 emergency order outlawing four compounds; and  
4 two of those were -- we were very proactive. They  
5 were -- they're very active in Georgia, these two  
6 compounds, so that's the good news.

7 The good news is also that we've driven them  
8 underground, but they still are out there.  
9 Parents, if you see this stuff, if you see it in  
10 stores, if you see it in your kids' backpacks, take  
11 it away from them; it's synthetic heroin; it's LSD;  
12 it's acid. So, thank you.

13 GOVERNOR SCOTT: Florida law requires the  
14 Governor to independently review legislation upon  
15 passage; accordingly, I am abstaining from the vote  
16 on this item. The record should reflect my  
17 abstention.

18 Any objections to accepting the legislative  
19 concepts?

20 (NO RESPONSE).

21 GOVERNOR SCOTT: Hearing none, the motion is  
22 approved with one abstention.

23 COMMISSIONER BAILEY: Our final item for today  
24 are 11 sets of rule amendments that are being  
25 noticed to you. If requested, opportunities for

1 public comment will be offered at a later date, and  
2 we anticipate coming back to you in February for  
3 your approval.

4 Seven of these rules involve the Criminal  
5 Justice Standards and Training Commission, and four  
6 significant ones are we are adding a certification  
7 for underwater crime scenes. We're revising the  
8 certifications for K-9 handlers and K-9 operations.  
9 We are revising the moral character standards to  
10 include misuse of electronic databases, and we're  
11 changing the name of the Law Enforcement Basic  
12 Recruit Academy Program to the Florida Law  
13 Enforcement Academy.

14 Two other items not Criminal Justice Standards  
15 and Training Commission related are we're bringing  
16 the proficiency testing of the FDLE toxicologists  
17 in line with our other laboratory disciplines. And  
18 others are simple cleanups based on our information  
19 systems and the sheriffs' salary supplement  
20 programs.

21 I'd be happy to answer any of your questions  
22 on our rule recommendations.

23 GOVERNOR SCOTT: Is there a motion to approve?

24 CFO ATWATER: So moved.

25 GOVERNOR SCOTT: Is there a second?

1           ATTORNEY GENERAL BONDI:  Second.

2           GOVERNOR SCOTT:  Any comments or objections?

3           (NO RESPONSE) .

4           GOVERNOR SCOTT:  Hearing none, the motion  
5 carries.

6           Thank you, Jerry.

7           COMMISSIONER BAILEY:  Thank you.

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# 2<sup>nd</sup> QUARTER PERFORMANCE REPORT

Number / percent of lab service requests completed
Average number of days to complete lab service requests
BIS (Biometric Identification System)
CER (Computer Evidence Recovery)
Chemistry
Crime Scene
Firearms
Latent Prints
Trace Evidence
Serology / DNA
Toxicology
Number of hits, samples added and total samples in DNA Database
Number of hits
Samples added
Total samples
Percent of investigative resources dedicated to conducting major investigations
Number of criminal investigations
Number of domestic security cases
Number of intelligence initiatives
Number of calls for Capitol Police service
Number of criminal incidents per 1,000 employees
Percent of criminal history record check requests responded to within defined timeframes
Number of criminal history record checks processed
Number of registered sexual predators / offenders added and total identified to the public
Number of missing persons cases
Missing Child Alerts activated
Amber Alerts activated
Silver Alerts activated
Percent of time FCIC is accessible
Number of arrest records created and maintained
Average reliability index for state officer certification examination
Number / percent of individuals who pass the basic professional certification examination
Percent of training centers in compliance with established administrative and financial standards
Number of professional law enforcement certificates issued
Number of criminal justice officer disciplinary actions

Quarterly Performance	Quarterly Standard
37,671   103%	39,000   95%
62	63
131 <sup>1</sup>	60
65	70
36 <sup>1</sup>	30
19	30
53	80
84 <sup>1</sup>	60
138 <sup>1</sup>	115
80	111
48 <sup>1</sup>	40
2,161	1,000
38,959	45,000
957,903	700,000
74%	70%
1,507	1,000
12	15
575	350
1,714 <sup>2</sup>	2,250
.81	<10
100%	96%
1.5 million	1.25 million
2,049   62,893	1,500   62,000
2,479	2,125
18	4
5	3
80	25
100%	99.5%
24.9 million	24 million
0.87	0.90
3,040 <sup>3</sup>   81%	3,200   80%
71% <sup>4</sup>	80%
8,139 <sup>5</sup>	10,000
330	226



## Justifications

<sup>1</sup> **Forensic measures** – During this period, turnaround times exceeded standards in some disciplines, mostly due to staffing deficiencies. In order to mitigate this issue, the department is proactively hiring and training new lab personnel and transferring cases between regional labs to increase efficiency and assist with backlog service requests.

<sup>2</sup> **Number of calls for Capitol Police service** – Due to a more proactive patrol approach by officers, the number of calls for service is less than anticipated. Throughout the year, this measure fluctuates depending upon events scheduled at the Capitol.

<sup>3</sup> **Number of individuals who pass the basic professional certification examination** – This measure reports the performance results of external individuals taking and passing the examination. During this quarter, fewer individuals took the exam than anticipated.

<sup>4</sup> **Percent of training centers in compliance with established administrative and financial standards** – This measure has three component parts: facility inspections, monitoring of training delivery and perfect financial audits. During this period, several training centers failed to achieve a perfect financial audit, which resulted in performance for this measure falling below the standard.

<sup>5</sup> **Number of professional law enforcement certificates issued** – Certificates are issued to all individuals meeting training requirements for basic and post-basic programs offered at Criminal Justice Standards and Training Commission certified training schools. During this period, the department issued certificates for all individuals meeting requirements.



## Highlights



**Crime in Florida Down 5% in 2013** – The 2013 Semi-Annual Uniform Crime Report shows Florida’s crime volume dropped 5.2 percent compared to the first six months of 2012. This marks the lowest crime volume since the department began tracking data 43 years ago. According to the report, the number of violent crimes was down by 3.5 percent, including a 10.6 percent drop in murders, a 2 percent decrease in robberies and a 4.2 percent decrease in aggravated assault. Non-violent crime fell 5.5 percent; burglary and larceny were down 9.5 percent and 3.7 percent respectively and motor vehicle thefts decreased by 9.6 percent. Commissioner Bailey presented the report to the Governor and Cabinet at the November 19, 2013 Cabinet meeting.

**FDLE Busts Inmate Escape Scheme** – FDLE agents, along with officers from the Bay County Sheriff’s Office, Panama City Police Department and US Marshals Service, arrested two Department of Corrections (DOC) inmates who forged court documents to secure their escape from the Franklin Correctional Institution on Sept. 27, 2013 and Oct. 8, 2013, respectively. Both were serving life without the possibility of parole for murder convictions in Orange County. Charles Walker and Joseph Jenkins were arrested without incident at the Coconut Grove Motor Inn, in Panama City Beach, on Oct. 19, 2013.

On Dec. 19, 2013, FDLE charged Walker and Jenkins with additional offenses and four current or former DOC inmates in connection with the inmates’ escape: Nydeed Nashaddai was charged with conspiracy to commit escape and principal to escape, Jeffrey Forbes was charged with forgery, uttering a forgery and conspiracy to commit escape, Willie Slater, Jr., was charged with principal to escape, conspiracy to commit escape, uttering a forgery and tampering and Terrance Goodman was charged with harboring a fugitive and conspiracy to commit escape..

The investigation shows Nashaddai taught and assisted Jenkins in his escape attempt, who then forged release documents for Walker. Former inmate Slater helped on the outside ensuring the forged documents were delivered to the Orange County Clerk’s Office. And Goodman, a friend of Jenkins, drove Jenkins and Walker to Panama City and rented the motel room.





## CONTRACTS, AGREEMENTS AND PURCHASES OVER \$100,000

Q2 - FY 2013-14 (Oct. 1 – Dec. 31, 2013)

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<u>P.O.#</u>	<u>VENDOR/SERVICE</u>	<u>AMOUNT</u>
C1634-R1459	<b>Fisher Scientific Company LLC</b> 750 packs of Indicating FTA micro cards. <ul style="list-style-type: none"><li>▪ Alternate Contract Source</li><li>▪ One Time Purchase</li></ul>	\$ 178,140
PO418073*	<b>Global Information Services</b> 1,344 hours of Information Technology (IT) staff augmentation - Systems Analysis & Programming for Rap-Back service. <ul style="list-style-type: none"><li>▪ State Term Contract</li><li>▪ Term: 11/18/13-6/30/14</li></ul>	\$ 106,176
PO437509	<b>DLT Solutions, LLC</b> Maintenance and technical support for Informatica SSA Name 3 software. Software supports name search functions for the Florida Crime Information Center (FCIC) Message Switch/Hot Files and the Falcon-Integrated Criminal History systems. <ul style="list-style-type: none"><li>▪ Invitation to Bid</li><li>▪ Term: 1/1/14-12/31/15</li></ul>	\$ 134,977
PO444862*	<b>Global Information Services</b> 1,300 hours of IT staff augmentation - Applications Development Analyst for Computerized Criminal History (CCH) system. <ul style="list-style-type: none"><li>▪ State Term Contract</li><li>▪ Term: 12/2/13-6/30/14</li></ul>	\$101,400
PO446399*	<b>Global Information Services</b> 2,000 hours of IT staff augmentation - Applications Development Analyst for Computerized Criminal History (CCH) system. <ul style="list-style-type: none"><li>▪ State Term Contract</li><li>▪ Term: 11/1/13-9/30/14</li></ul>	\$150,000
FDLE-014-14	<b>MorphoTrak, Inc.</b> Phase II upgrade hardware purchase and system implementation for the Biometric Identification System (BIS). <ul style="list-style-type: none"><li>▪ Single Source</li><li>▪ One Time Purchase</li></ul>	\$ 2,650,000
FDLE-020-14	<b>MorphoTrak, Inc.</b> Maintenance and technical support for existing Biometric Identification System (BIS) equipment. <ul style="list-style-type: none"><li>▪ Single Source</li><li>▪ Term: 11/15/13-11/14/16</li></ul>	\$ 3,411,792
FDLE-021-14	<b>MorphoTrak, Inc.</b> Maintenance and technical support for Ten Print matchers. <ul style="list-style-type: none"><li>▪ Single Source</li><li>▪ Term: 11/13/13-11/12/15</li></ul>	\$ 371,196