

**AGENDA**  
**FLORIDA DEPARTMENT OF LAW ENFORCEMENT**  
**January 13, 2015**

Attachments to the items below can be viewed at the following link:  
<http://www.fdle.state.fl.us/Content/Cabinet/Cabinet-Packages.aspx>

ITEM 1. Respectfully submit the **Minutes of the December 9, 2014 Cabinet Meeting.**

(See Attachment 1)

RECOMMEND APPROVAL

ITEM 2. Respectfully submit the **Florida Department of Law Enforcement's FY 2015-16 Legislative Budget Request.**

(See Attachment 2)

RECOMMEND APPROVAL

ITEM 3. Respectfully submit the **Florida Department of Law Enforcement's 2015 Legislative Proposal.**

(See Attachment 3)

RECOMMEND APPROVAL

## FLORIDA CABINET

IN RE: CABINET AGENDA

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APPEARANCES: GOVERNOR RICK SCOTT  
ATTORNEY GENERAL PAM  
BONDI  
CFO JEFF ATWATER  
COMMISSIONER ADAM PUTNAM

DATE: TUESDAY, DECEMBER 9, 2014

TIME: COMMENCED AT: 9:30 A.M.  
CONCLUDED AT: 1:30 P.M.

LOCATION: THE CAPITOL  
CABINET MEETING ROOM

REPORTED BY: NANCY S. METZKE, RPR, FPR  
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**FLORIDA DEPARTMENT OF LAW ENFORCEMENT**

GOVERNOR SCOTT: I'd like to recognize Jerry Bailey with the Florida Department of Law Enforcement.

COMMISSIONER BAILEY: Good afternoon.

GOVERNOR SCOTT: Good morning.

COMMISSIONER BAILEY: FDLE has two agenda items for you this morning. First off, I recommend approval of the minutes from the September 23rd Cabinet meeting.

GOVERNOR SCOTT: Is there a motion to approve?

ATTORNEY GENERAL BONDI: So move.

GOVERNOR SCOTT: Is there a second?

CFO ATWATER: Second.

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

COMMISSIONER BAILEY: Thank you.

The second item is our first quarter performance report. I want to point out, if I may, several accomplishments supporting these numbers. In partnership with the CFO's Office of Financial Integrity, we shut down an operation that was defrauding the state through a phantom company scheme. The Office of Statewide Prosecution is now

1 seeking both prison terms and restitution of  
2 \$1.5 million.

3 In partnership with the AG's office, we  
4 arrested three as part of a baby formula theft ring  
5 working off Craig's List. Governor, loss to  
6 Florida business on this one scam was over  
7 \$2 million.

8 We arrested a Central Florida man after he had  
9 contracted with one of our undercover agents to  
10 murder his wife.

11 We arrested a child welfare case worker for  
12 falsifying visitation records.

13 We arrested a Northeast Florida police chief  
14 on 18 counts of drug possession and trafficking.

15 And using DNA evidence, we solved a  
16 35-year-old rape/murder cold case out of  
17 Plant City.

18 Stats that were released last month show yet  
19 another dip in crime volume in our state. This is  
20 for the first six months of 2014.

21 Overall, crime has dropped another 2.4%, with  
22 nonviolent crime down 2.8%. There was a slight  
23 uptick, one tenth of one percent in violent crime  
24 during this reporting period.

25 A final item I want to mention is the

1 performance of our firearms background section  
2 where we set new records this past Thanksgiving  
3 weekend. Black Friday was the busiest day after  
4 Thanksgiving ever, and our third busiest day on  
5 record. On Black Friday we handled more than  
6 8,300 background requests from firearms retailers  
7 around our state.

8 More importantly, in comparison with the  
9 two record days, December 20 and 21 of 2012, we  
10 cut the on-hold times for these retailers from ten  
11 minutes to just over one minute. This was done  
12 through the implementation of an on-line system,  
13 and additional staffing supported and recommended  
14 by you and actually allocated to us in the 2014  
15 legislative session.

16 ATTORNEY GENERAL BONDI: That's unbelievable.

17 COMMISSIONER BAILEY: To recap that, during  
18 the Thanksgiving week, we actually processed 23,000  
19 background investigations. With that, I recommend  
20 approval of our first quarter report.

21 GOVERNOR SCOTT: Is there a motion to accept  
22 the report?

23 ATTORNEY GENERAL BONDI: Accept.

24 GOVERNOR SCOTT: Is there a second?

25 COMMISSIONER PUTNAM: Second.

1 GOVERNOR SCOTT: Any comments or objections?

2 ATTORNEY GENERAL BONDI: Just a comment. I  
3 don't know if you all caught what the Commissioner  
4 said about that time frame, from ten minutes to  
5 one minute --

6 COMMISSIONER BAILEY: Yes.

7 CFO ATWATER: -- in retail theft over the  
8 holidays?

9 COMMISSIONER BAILEY: That's correct.

10 ATTORNEY GENERAL BONDI: That's unheard of. I  
11 mean that's virtually impossible what you did, and  
12 I mean that's catching the bad guys; that's helping  
13 the consumers. That's huge. Thank you,  
14 Commissioner.

15 COMMISSIONER BAILEY: Thank you.

16 ATTORNEY GENERAL BONDI: That's huge.

17 GOVERNOR SCOTT: Any other comments?

18 CFO ATWATER: Yeah. I'd like to -- well, one,  
19 first, it's certainly no accident that the success  
20 that Florida is realizing today, Commissioner, in  
21 the lowering of the crime rate is a -- it's a  
22 factor of the talent and the quality and the  
23 dedication of yourself and thousands -- your  
24 leadership and thousands in the area of law  
25 enforcement around the state, so thank you for that

1 in what has just been shared.

2 There is just something I just would like to  
3 ask, if between now and our next gathering, that at  
4 the minimum you and I might visit about what's I  
5 think becoming a concern in the turnaround from our  
6 crime lab with the expectations, and either we  
7 would -- the conversation might be either we look  
8 at the standard or what is the cause of us falling  
9 below the standards that we've set.

10 And I just, for one, would want again to put  
11 out there that a salary survey that was done just  
12 this year showed that the compensation for analysts  
13 within the Department are far below what is out  
14 there competitively offered both in the public and  
15 private sectors. So if we need to visit that, I  
16 would hope that you would place that burden upon  
17 the Cabinet to have that conversation.

18 COMMISSIONER BAILEY: We'd be happy to do  
19 that. If I could point out, there is more than one  
20 contributing factor.

21 CFO ATWATER: Sure.

22 COMMISSIONER BAILEY: I will point out first  
23 that with DNA, which is probably one of our most  
24 in-demand services now, we're ahead of where we  
25 should be.



1           In others, and I know you probably have heard  
2           this from bureaucrats before, but it's true, we're  
3           having tremendous turnover problems, and it's  
4           because of -- we're considered a training ground  
5           for other -- our county labs, Dade, Broward,  
6           Palm Beach, Indian River that recruit our people;  
7           and we -- back several years ago, we instilled a  
8           contract where you come to work for FDLE, you take  
9           a lab position, we invest in all of that training,  
10          you have to work for us three years. And we have  
11          some people that are sitting and waiting for the  
12          end of that three-year contract, and then they go  
13          to Broward County for pay raises that we cannot  
14          afford to do.

15          That's the negative part of it. The positive  
16          part of it is, in some cases we're victims of our  
17          own success. With what we've done with digital  
18          evidence, it is growing. Those sheriffs and  
19          police chiefs on the front lines are using that  
20          more and more and more, and as they do, we need to  
21          grow with it.

22          The other thing is what we're doing with the  
23          biometric identification. We have installed a new  
24          system that identifies fingerprints but now palm  
25          prints, and it can identify fingerprints quicker

1 and better than the naked eye could before;  
2 however, when it's generating all of these cases  
3 to us, a human eye has to look at it and confirm  
4 it.

5 So, again, we're victims of our success there.  
6 I appreciate your attention on it and would be  
7 happy to present that to you, including a very good  
8 graph plan on increases for this particular class  
9 of people that we're going to float when the  
10 Session starts.

11 CFO ATWATER: Very good.

12 GOVERNOR SCOTT: All right. Anything --

13 COMMISSIONER PUTNAM: Have we seen y'all's  
14 legislative and budget priorities yet?

15 COMMISSIONER BAILEY: Commissioner, that will  
16 be at the next -- we were asked to present that at  
17 the next Cabinet meeting.

18 COMMISSIONER PUTNAM: Okay. Yeah, I think  
19 it's good -- good to follow up on what the CFO was  
20 saying.

21 COMMISSIONER BAILEY: Okay.

22 COMMISSIONER PUTNAM: My original question  
23 though was your record number of firearms  
24 purchased, background checks this Thanksgiving  
25 week, shopping week and, if I'm not mistaken, last

1 year was the record before this year was the  
2 record. Isn't that the case?

3 COMMISSIONER BAILEY: Yes, sir, it is.

4 COMMISSIONER PUTNAM: So you've got a 23%  
5 increase over the previous record year in the  
6 purchase of -- the lawful purchase of firearms,  
7 and coincident with that is a continued drop in  
8 the Florida crime rate. Did I hear you correctly?

9 COMMISSIONER BAILEY: Actually, the 23 -- we  
10 did 23,000 backgrounds in Thanksgiving week; and,  
11 yes, it does align with a drop in the crime rate  
12 in our state. We had one retailer out of  
13 Jacksonville that on Black Friday did 625 sales on  
14 there, so --

15 COMMISSIONER PUTNAM: Well, and along with  
16 that continues to be a growth in concealed carry  
17 licenses, so we --

18 COMMISSIONER BAILEY: I'm sure it does.

19 COMMISSIONER PUTNAM: So we appreciate the  
20 partnership that we have with your agency on that.  
21 Thank you.

22 COMMISSIONER BAILEY: Thank you.

23 GOVERNOR SCOTT: All right. Hearing none, the  
24 motion carries.

25 Thank you very much.

1 COMMISSIONER BAILEY: Thank you.

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# Florida Department of Law Enforcement

## FY 15-16

### Legislative Budget Request



| Priority | Issue  | FTE        | General Revenue     | Trust Fund         | TOTAL               |
|----------|--|------------|---------------------|--------------------|---------------------|
| 1        | Replace Computerized Criminal History System                             | 6          |                     | \$3,909,013        | \$3,909,013         |
| 2        | Improve Crime Lab Evidence Security                                      | 11         | \$2,479,883         | \$15,000           | \$2,494,883         |
| 3        | Add Investigative Staffing for Public Integrity and Death Investigations | 66         | \$8,380,360         |                    | \$8,380,360         |
| 4        | Expand Latent Prints Lab Discipline                                      | 6          | \$467,867           | \$3,000            | \$470,867           |
| 5        | Expand Digital Evidence Lab Discipline                                   | 5          | \$727,894           | \$20,000           | \$747,894           |
| 6        | Replace Vehicles   |            | \$500,000           | \$609,500          | \$1,109,500         |
| 7        | Improve Solvency of Criminal Justice Standards and Training Trust Fund   |            | \$3,500,000         |                    | \$3,500,000         |
| 8        | Maintenance of Laboratory Equipment                                      |            | \$500,000           |                    | \$500,000           |
| 9        | New Pensacola Regional Operations Center Facility                        |            | \$7,519,600         |                    | \$7,519,600         |
| 10       | Increase Background Unit Staffing  | 4          |                     | \$225,162          | \$225,162           |
| 11       | Increase Fixed Capital Outlay for Facilities                             |            | \$835,185           |                    | \$835,185           |
| 12       | Upgrade Automated Training Management System                             |            |                     | \$1,530,940        | \$1,530,940         |
| 13       | Increase Compliance Audits   | 4          |                     | \$312,260          | \$312,260           |
| 14       | Conduct Study of Headquarters Annex                                      |            | \$200,000           |                    | \$200,000           |
| 15       | Expand Pensacola Investigative Squads                                    | 7          | \$924,666           |                    | \$924,666           |
| 16       | Add Human Trafficking Squad  | 7          | \$876,061           |                    | \$876,061           |
| 17       | Adjust Grant Authority   |            |                     | \$1,754,800        | \$1,754,800         |
| 18       | Credit Card Processing Fees  |            |                     | \$424,714          | \$424,714           |
|          | <b>TOTAL REQUEST</b>   | <b>116</b> | <b>\$26,911,516</b> | <b>\$8,804,389</b> | <b>\$35,715,905</b> |



## Replace Computerized Criminal History System

\$3,909,013 Operating Trust Fund

6 FTEs



**Issue.** The Florida Department of Law Enforcement (FDLE) is responsible for operating and maintaining the State of Florida's central repository for criminal history records known as the Computerized Criminal History (CCH) system. Created in the 1970's, it contains records on more than 7 million subjects arrested by Florida law enforcement agencies. Each year, FDLE receives approximately 1 million additional arrest records from Florida law enforcement agencies.

Criminal records are used every day for a wide range of purposes by many organizations, both public and private. Criminal justice agencies use criminal records for investigations, security, prosecution, and sentencing decisions, and criminal records are used by government entities when making employment decisions, granting security clearances, and issuing licenses. Private firms also rely on criminal records to make informed hiring decisions.

Through the years, the CCH has undergone a number of significant changes; however, many of the underlying business processes and core technologies remain the same, and the current CCH structure does not efficiently support the daily operations of the state's criminal justice agencies. Constraints of the current system include manual entry, no image entry, mixed entry methods and formats (dispositions, custody, etc.), and redundant entries.

In 2012, FDLE completed a needs assessment of CCH which recommended the competitive procurement of a commercial system that could be customized to meet the department's needs. The Florida Legislature appropriated \$2.8 million in FY 14-15 to begin a three-year process to replace CCH.

**Resources.** The department is requesting \$3,909,013 in Operating Trust Fund authority (\$419,595 recurring and \$3,489,418 non-recurring) including six FTEs (two Government Analyst II and four Government Operations Consultant II positions).

**Results.** Increase functionality for criminal justice agencies. Improve quality of Florida's criminal history records. Ability to process criminal records faster and more efficiently. Reduce manual processing. Improve data management. Improve ability to update and modify data elements to meet customer needs, statutory requirements, criminal history standards, and privacy concerns. Reduce internal and external workload. Improve integration capabilities of the CCH system with other information systems.

**Risks.** Limit ability to implement improved business processes. Limit auditing and reporting tools. Rely on proprietary software to operate and maintain the state's criminal history records repository. Limit flexibility to deal with changes in legislation and business processes.

**Effective Dates.** The system replacement is scheduled for completion in June 2017. The new positions are anticipated to be filled October 2015.

*This issue is consistent with the Florida Strategic Plan for Economic Development to: (1) ensure state, regional, and local agencies provide collaborative, seamless, consistent, and timely customer service to businesses and workers and (2) improve the efficiency and effectiveness of government agencies at all levels.*



## Improve Crime Lab Evidence Security

\$2,479,883 General Revenue / \$15,000 Operating Trust Fund  
11 FTEs



**Issue.** The Florida Department of Law Enforcement (FDLE) has six regional crime laboratories that are staffed with 286 crime lab analysts and supervisors. Each crime lab is nationally and internationally accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board. The department places a high priority on quality of the laboratory services provided. Quality issues are immediately addressed as they arise and an assessment of the incident is initiated to determine if policy or procedural changes are needed to prevent similar future incidents. A recent self-assessment identified several initiatives that could enhance security within the laboratory system.

**Resources.** The department is requesting \$2,479,883 in General Revenue (\$1,017,325 recurring and \$1,462,558 non-recurring) and \$15,000 in Operating Trust Fund authority for the following:

- Random re-testing of chemistry evidence (five Crime Lab Analyst positions) – Currently there are 27 crime lab analysts performing chemistry analysis in five of FDLE's six crime laboratories. Last year these analysts received 27,151 requests for chemistry service. FDLE chemists analyze evidence, document the results, re-package and return the evidence to the contributor. Most evidence is not seen again until the case goes to trial, and some evidence may never be re-opened. To minimize the opportunity for mishandling of evidence, FDLE proposes a random re-testing program under the direction of the Forensic Services Director. To effectively implement the program and continue to process incoming work, an additional FTE position will be added to each of the five chemistry sections statewide.
- Manage evidence sections (six Crime Lab Analyst Supervisor positions) – FDLE crime laboratories receive approximately 76,500 requests for forensic service each year. Evidence is submitted to FDLE crime laboratories by criminal justice agencies in connection with criminal investigations. Currently, the evidence sections do not have dedicated supervisors, but are managed by the supervisor of another discipline. Members assigned to evidence sections are responsible for ensuring evidence received is properly submitted in accordance with FDLE case acceptance policy and it is properly packaged and marked. These members consult with the contributor regarding appropriate services to request for a piece of evidence and are responsible for returning the evidence to the contributor. Additionally, they manage both the laboratory and the investigative evidence rooms. To more efficiently and effectively manage the evidence sections, a supervisor FTE position will be added to each of FDLE's six crime labs. To recruit and retain qualified employees in these critical positions, FDLE employs crime lab analyst supervisors at an agency-established base of \$60,000 annually.
- Evidence tracking – The Laboratory Information Management System (LIMS) tracks crime laboratory evidence when it comes into the lab, is processed by appropriate disciplines and returned to the contributor. However, LIMS can only show who should have custody of the item of evidence and cannot identify the physical location of a piece of evidence at any given time. To improve evidence tracking within the crime laboratory, FDLE proposes the purchase and installation of a Radio Frequency Identification (RFID) barcode tag system for \$672,500. Additionally, RFID tags will cost approximately \$100,000 annually (500,000

barcodes/year at 20 cents/tag) and annual maintenance and support of the system is \$15,000, beginning in FY 16-17.

- Security of evidence lockers – There are currently 1,028 evidence lockers (169 chemistry evidence lockers) located in FDLE's six crime laboratories. They are secured by a manual key/lock system. Upgrading to security proximity swipes will allow FDLE to electronically document the time, date and person who accessed a particular evidence locker, improving FDLE's ability to monitor evidence handling. The evidence locker security upgrade (purchase and installation) for all evidence lockers will cost \$747,365.

**Results.** Improvement of evidence security protocols, minimizing the opportunity for mishandling or misplacement of evidence and enhancing the security of the crime laboratory system.

**Risks.** Laboratory more vulnerable to security breaches. Evidence backlog due to added security enhancements without additional staffing (department has already implemented several changes, but cannot make others without funding).

**Effective dates.** Upon receipt of funds.

*This issue is consistent with the Florida Strategic Plan for Economic Development to improve the efficiency and effectiveness of government agencies at all levels.*





## Add Investigative Staffing for Public Integrity and Death Investigations

\$8,380,360 General Revenue  
66 FTEs



**Issue.** Incidents involving police and Department of Corrections (DOC) personnel use of force and in-custody death incidents attract media attention and invite public scrutiny. Florida law enforcement agencies often request independent investigations to alleviate citizen concerns and eliminate perceptions internal investigations are biased. Independent, impartial investigations are imperative to maintain trust between the criminal justice community and citizens.

Investigations are currently pursued at the request of a sheriff, police chief, administrator of a criminal justice agency, the State Attorney or designee and with the approval of the Office of the Commissioner. Investigations can also be initiated pursuant to a Governor's Executive Order or by an existing Memorandum of Understanding with criminal justice agencies, including DOC. As a statewide independent law enforcement agency, the Florida Department of Law Enforcement (FDLE) is uniquely positioned and has the authority to investigate use of force by a law enforcement or correctional officer and incidents of in-custody inmate deaths.

The number of FDLE use of force and in-custody death investigations has increased by 29 percent over the past five years. Last year the department saw a 20 percent increase over the previous year, which required 24,971 investigative man hours. DOC reports the number of use of force incidents within the state prison system has risen by 20 percent over the past five years. FDLE projects continued demand for investigative and forensic services to investigate use of force and in-custody deaths.

**Resources.** The department is requesting \$8,350,360 in General Revenue (\$5,849,696 recurring and \$2,530,664 non-recurring) for 66 FTEs (six Special Agent Supervisor, 53 Special Agent and seven Senior Crime Intelligence Analyst positions). An average of 430 in-custody deaths was reported over the past five years. In-custody death investigations require an average of 169 hours/case to investigate. As a result, 39 investigators would be added to handle in-custody death investigations (430 cases x 169 hours/case = 72,670 hours/1,854 FTE standard). Based on use of force data, 14 additional investigators would be added (24,971 hours/1,854 FTE standard). In addition, six supervisors are needed to adequately supervise the additional agents and seven analysts are needed to provide analytical support. The standard sworn expense package is part of the non-recurring costs, which includes funds for a vehicle, laptop and radio equipment. To recruit and retain qualified employees in these critical positions, FDLE employs special agent supervisors at an agency-established base of \$60,000 annually.

**Results.** The thorough investigation of police and corrections officer use of force and in-custody deaths without diverting hours needed for other core mission responsibilities.

**Risks.** Investigative resources will continue to be diverted from other critical core mission responsibilities to meet the demands of DOC and other law enforcement agency use of force and in custody death investigations.

**Effective dates.** Upon receipt of funds.

*This issue is consistent with the Florida Strategic Plan for Economic Development to create and sustain vibrant, safe and healthy communities that attract workers, residents, businesses and visitors.*



## Expand Latent Prints Lab Discipline

\$467,867 General Revenue / \$3,000 Operating Trust Fund  
6 FTEs



**Issue.** Latent print analyses are offered in all six Florida Department of Law Enforcement (FDLE) regional crime laboratories. A 2006 crime laboratory self-assessment determined the latent prints discipline should be targeted for backlog reduction strategies. Implementation of the planned strategies, particularly the new case acceptance guidelines, began to show improvement very quickly. By June 2007, the backlog of latent print service requests was down 62 percent. The rapid decrease in backlog was attributed to a new policy requiring contributors to separate drugs from the packaging on which latent prints examination was being requested. This streamlined processing by avoiding print examiners from handling drugs and repackaging for chemistry analysis. Terminating print evaluations and comparisons once an identification is made also improved efficiency.

Prior to 2009, 70 FTE provided latent prints service statewide. Due to budget reductions, this section was one of several lab disciplines to lose FTE in 2009. Additionally, as the evidence backlog improved over time, latent print vacancies were reprogrammed to other disciplines to augment manpower in those areas. Currently, the latent prints discipline is staffed with 24 percent less FTE (53) than in 2009.

In 2010, FDLE added enhanced analytical capabilities by replacing the Automated Fingerprint Identification System and implementing the Biometric Identification (ID) System, which offered improved search, comparison and matching software. Additionally the system allowed the addition of palm prints to the fingerprint standards already being searched and compared. This has resulted in an increase in the number of potential matches and hits. For instance, Biometric ID added capability has increased the number of latent hits by 108 percent. Policies were also instituted to improve the probative outcomes of latent print examinations. These changes have added value to the service, but have also decreased productivity. Vacancies and turnover have also increased the number of pending latent prints service requests by 38 percent and Biometric ID service requests by 168 percent since June 2009.

**Resources.** The department is requesting \$467,867 in General Revenue (\$420,575 recurring and \$47,292 non-recurring) and \$3,000 in Operating Trust Fund authority for six FTEs (Crime Laboratory Analysts) and six stereomicroscopes, for use by the new analysts, and associated maintenance costs.

**Results.** Ability to process additional incoming service requests from latent print/Biometric ID contributors more quickly, decreasing the number of pending service requests and turnaround time.

**Risks.** Pending service requests and turnaround times will continue to escalate.

**Effective dates.** Upon receipt of funds.

*This issue is consistent with the Florida Strategic Plan for Economic Development to: (1) ensure state, regional, and local agencies provide collaborative, seamless, consistent, and timely customer service to businesses and workers and (2) improve the efficiency and effectiveness of government agencies at all levels.*



## Expand Digital Evidence Lab Discipline

\$727,894 General Revenue / \$20,000 Operating Trust Fund  
5 FTEs



**Issue.** The digital evidence laboratory discipline involves retrieval and analysis of data stored on (and deep within) cell phones, tablets, hard drives, removable media, as well as simple and very complex computer networks. The advancement in capability within the digital evidence discipline has contributed to a significant increase in the work load of digital evidence analysts. In the past five years, incoming requests for service have increased 36 percent and the volume of data analyzed (measured in gigabytes) has risen 25 percent. Given the growth in digital media usage, it is anticipated that the demand for digital forensic analysis services will continue.

Currently, the Florida Department of Law Enforcement (FDLE) offers digital evidence analysis services in two crime laboratories, Tallahassee and Tampa. There are a total of nine analysts providing digital evidence analysis services to criminal justice agencies statewide. The number of pending digital evidence service requests have increased 26 percent since June 2010 due to the increased volume and lack of analysts to cover the workload.

**Resources.** The department is requesting \$727,894 in General Revenue (\$390,479 recurring and \$377,415 non-recurring) and \$20,000 in Operating Trust Fund authority for five FTEs (Crime Laboratory Analysts). The analyst positions will enable FDLE to offer digital evidence services in the Jacksonville Regional Crime Laboratory and would increase the total number of analysts assigned to digital evidence to 14 statewide. Estimated cost for equipment to establish a new digital forensics laboratory staffed with five FTE is \$264,080 and \$20,000 in annual maintenance.

**Results.** Ability to process additional incoming service requests from digital evidence contributors more quickly, decreasing the number of pending service requests and turnaround time.

**Risks.** Pending service requests and turnaround times will continue to escalate.

**Effective dates.** Upon receipt of funds.

*This issue is consistent with the Florida Strategic Plan for Economic Development to: (1) ensure state, regional, and local agencies provide collaborative, seamless, consistent, and timely customer service to businesses and workers and (2) improve the efficiency and effectiveness of government agencies at all levels.*



## Replace Vehicles

\$500,000 General Revenue / \$609,500 Operating Trust Fund



**Issue.** The Florida Department of Law Enforcement (FDLE) maintains a statewide fleet of 501 conventional purchase vehicles which includes 328 vehicles issued to sworn personnel, 56 pool vehicles for sworn use, and 13 vehicles for protective operations. Additionally, 78 passenger vehicles are distributed throughout the state for use by legal, crime laboratory, training, and other non-sworn personnel when travel is necessary to carry out assigned duties. The remaining 26 are specialty vehicles utilized for crime scene, surveillance, emergency response and mobile command.

Prior to FY 05-06, FDLE's Investigative Services received \$512,348 annually in General Revenue for investigative motor vehicle acquisitions. In FY 08-09, the annual appropriation was reduced to \$90,091, which has severely impacted the department's ability to replace vehicles when they meet the threshold for surplus. At the current funding level, Investigative Services can replace approximately four vehicles each year. According to Department of Management Services (DMS) guidelines, state vehicles are eligible for surplus when they reach 120,000 miles or 12 years old. Currently 73 of the 501 vehicles meet DMS guidelines for surplus but are still in use. Of these, 62 vehicles (85 percent) are assigned to the regions and being driven by sworn members.

Capitol Police's Hazardous Devices Unit is a highly specialized team that responds to bomb threats, critical incidents and natural disasters. As a member of the Big Bend Regional Bomb Squad, it also provides assistance to 13 North Florida counties. Two Capitol Police vehicles are responsible for pulling 12,500 pound trailers in response to incidents. Both are projected for replacement in FY 15-16 according to DMS guidelines. Additionally, Capitol Police's annual appropriation of \$30,500 was previously sufficient to replace two vehicles per year. As the cost of vehicles has increased to an average of \$24,500, FDLE has been limited to replacing only one Capitol Police vehicle per year.

**Resources.** The department is requesting \$500,000 in General Revenue (recurring) and \$500,000 in Operating Trust Fund authority (non-recurring) for investigative vehicles and \$109,500 in Operating Trust Fund authority (\$19,500 recurring and \$90,000 non-recurring authority) for Capitol Police vehicles. Investigative Services will replace approximately 40 of its 73 eligible vehicles in FY 15-16. The increase in recurring funds will allow the replacement of approximately 20 vehicles each year, which will address the estimated 15 vehicles that become eligible each year and replace the remaining currently eligible vehicles over the next six years.

**Results.** Timely replacement of FDLE fleet vehicles is paramount to the safety of members. Allow Hazardous Devices Unit to effectively respond to bomb threats, critical incidents and natural disasters and continue as a member of the Big Bend Regional Bomb Squad.

**Risks.** Fleet will become increasingly aged every year. The aged fleet is a risk to member and public safety and will result in exorbitant repair and maintenance costs.

**Effective dates.** Upon receipt of funds.

*This issue is consistent with the Florida Strategic Plan for Economic Development to ensure state, regional, and local agencies provide collaborative, seamless, consistent, and timely customer service to businesses and workers.*



## Improve Solvency of Criminal Justice Standards and Training Trust Fund \$3,500,000 General Revenue



**Issue.** Since FY 07-08, the Florida Department of Law Enforcement (FDLE) Criminal Justice Standards and Training Trust Fund (CJSTTF) revenue has declined from \$18.2 million to \$11.5 million, a 37 percent loss. The trust fund also lost \$2.7 million during FY 08-09 due to fund shifts and a trust fund “sweep”. Revenue from court penalty assessments, traffic infractions, and exam and tuition charges are deposited into the fund in accordance with Chapters 938 and 943, FS.

CJSTTF was established to educate and train Florida’s criminal justice community. Funding is distributed to the state’s 40 criminal justice training centers to support advanced and specialized training of Florida’s 75,000 certified law enforcement, corrections, and correctional probation officers. It also supports FDLE’s Professionalism operations, Alcohol Testing Program, Florida Criminal Justice Executive Institute, Drug Abuse Resistance Education, Medical Examiners Commission, and Criminal Justice Standards and Training Commission.

Steadily declining revenues over the last six fiscal years and legislative redistributions have resulted in dramatic reductions to the training dollars distributed statewide to the training centers. This funding is critical to ensuring Florida’s officers are properly trained to protect Florida’s citizens and visitors. Prior to FY 07-08, the seven-year average distribution was \$102 per officer. Over the last seven fiscal years, the distribution declined to an average of \$64 per officer, with FY 13-14 marking the lowest amount in the history of the fund at \$40 per officer.

The Florida Legislature provided a \$3.9 million cash infusion in FY 14-15 to maintain solvency and restore training dollars to \$67 per officer. However, without another cash infusion in FY 15-16, the fund will remain solvent only through a portion of FY 15-16 without further reduction of the per officer training distribution.

**Resources.** The department is requesting \$3.5 million in General Revenue (recurring).

**Results.** Maintain officer training funds at \$67 per officer. Ensure that the CJSTTF remains solvent through FY 15-16.

**Risks.** Insolvency of the CJSTTF will decrease officer training, negatively impact public safety, create potential liabilities for local and state governments and result in the elimination of certain FDLE services to the criminal justice community.

**Effective dates.** Upon receipt of funds.

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## Maintenance of Laboratory Equipment

### \$500,000 General Revenue



**Issue.** The Florida Department of Law Enforcement (FDLE) has received an average of 76,500 forensic service requests each year for the past five years. The crime laboratory system is staffed with 286 crime lab analysts and supervisors who provide Biology, Chemistry, Crime Scene, Digital Evidence, Firearms, Impression Evidence, Latent Prints, Questioned Documents, Toxicology and Trace Evidence analysis to criminal justice agencies throughout the state.

To perform these service requests, each of the six FDLE crime laboratories use scientific instruments that must be properly maintained and calibrated to ensure accuracy and reliability and to comply with American Society of Crime Laboratory Directors/Laboratory Accreditation Board standards. This maintenance is outside the scope of FDLE's capabilities and must be provided through maintenance agreements with vendors who are authorized and certified by the equipment manufacturers.

Over the past several years, the cost of maintenance contracts for laboratory equipment has increased significantly, from \$785,000 in FY 07-08 to an estimated \$1.8 million in FY 14-15. This is due to both an increase in the number of items that need to be maintained and a general rise in cost per instrument. Additionally, maintenance costs are no longer allowable under several federal grants that are used to fund crime laboratory equipment. These costs must be paid by the agency.

Last year, the Legislature appropriated \$880,000 to increase contracted services budget for laboratory maintenance contracts. Currently, FDLE's existing budget for laboratory maintenance contracts totals \$1.8 million. However, the total estimated need in FY 14-15 is \$2,371,942. Because equipment purchased in FY 13-14 was not funded with recurring maintenance, the estimated deficit is \$493,314.

**Resources.** The department is requesting \$500,000 in General Revenue (recurring).

**Results.** Continue maintenance contracts and ensure the reliability and accuracy of the analytical equipment used to process forensic casework.

**Risks.** Inability to continue the maintenance contracts on laboratory equipment, which risks accreditation and undermines credibility of forensic results for use in criminal investigations and legal proceedings. Lost productivity due to equipment malfunction or failure could impact the laboratories' ability to produce timely case work analysis, increase service request backlogs, delay ability to contribute profiles to state and national DNA databases and potentially impact criminal investigations and successful prosecutions.

**Effective dates.** Upon receipt of funds.

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## New Pensacola Regional Operations Center Facility

\$7,519,600 General Revenue



**Issue.** The Pensacola Regional Operations Center (PROC) occupies a 30,620 square feet facility leased in 1994 by the State of Florida. This 25-year lease ends in September 2019, with no renewal options and includes an escalation clause effective every October. Current lease cost is \$33.33 per square foot, much higher than current Department of Management Services (DMS) rate of \$17.18 and the current Escambia County commercial rate of \$18.00. The lease rate escalates annually and will reach \$35.88 per square foot in October 2018.

In addition to the escalating rent charges, the Florida Department of Law Enforcement (FDLE) has absorbed costs as wear and building age (80+ years) have occurred including maintaining an emergency power generator, replacing the phone system, fixing water leaks and mold issues and assuming responsibility for the security monitoring system. This has been detrimental to job performance and productivity.

Attempts to renegotiate rates to mirror current market or state rates and/or suspend the escalation clause in the contract have been unsuccessful. FDLE can legally terminate the lease agreement early if there is state owned space in Escambia County to accommodate the agency's need. Sufficient state owned space is not currently available within the county.

PROC houses three main operations at its current facility: Investigations & Forensic Science (includes the Regional Crime Laboratory), Criminal Justice Information Services and Criminal Justice Professionalism. These services serve local, state and federal criminal justice agencies and citizens in 10 counties: Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, Jackson, Calhoun and Gulf. These programs are critical to public safety in Florida.

**Resources.** The department is requesting \$7,519,600 in General Revenue (non-recurring) to purchase property in Escambia County, Florida with an existing building sufficient to accommodate the provisions of services to the region. Purchasing an existing building is estimated to cost \$1 million and renovation costs are estimated to cost \$6 million. The purchase and renovation project will follow DMS guidelines.

**Results.** Purchase property in Escambia County with existing building space and renovate space to improve and expand services for the benefit of the region. This will replace a current private lease with a state-owned facility which will realize significant cost savings and acquire ownership of a real estate asset.

**Risks.** By 2019, the state will have paid approximately \$20 million in rent for a privately owned building (\$8 million to cover the lease for next seven years). The current building is in need of serious costly renovations, which the landlord has been unwilling to provide. At the end of the current lease, FDLE will have to either lease space in another area or sign a new lease with the same owner, despite the building condition, high costs and lack of room for expansion.

**Effective dates.** Upon receipt of funds.

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## Increase Background Unit Staffing

\$225,162 Operating Trust Fund

4 FTEs



**Issue.** In recent years, the Florida Department of Law Enforcement (FDLE) Background Unit of the Office of Executive Investigations (OEI) has experienced dramatic increases in the number of background investigation requests submitted to the agency by both internal and external customers. This increase has significantly affected the response time for completion of the background process and hindered numerous projects and other duties assigned to the OEI background unit.

The unit conducts background investigations requested by external agencies including the Office of the Governor, Office of the Attorney General, Parole Commission, Judicial Nominating Commission, Public Service Commission and Florida Senate. In addition, it conducts and/or coordinates all FDLE (sworn and non-sworn) applicant background investigations.

OEI has experienced difficulty in managing the increase in background investigation requests over the past several years. Despite efforts to mitigate the increased number of requests, the response time for completion of these backgrounds has increased significantly. This increase in response time impedes the hiring and appointment processes.

In FY 13-14, the unit conducted 2,294 Level 1 background investigations. This reflects a 10 percent increase over the previous year. The collection and examination of information gathered during a Level 1 background investigation, including Florida criminal history, driver license, Immigration and Customs Enforcement/INTERPOL, and national criminal history information requires approximately three hours. The unit also conducted 769 comprehensive background investigations, representing a seven percent increase over the previous year. In addition to the elements of a Level 1 background, comprehensive background investigations require criminal and civil court records, law enforcement queries, employment verification, credit history, professional licensure and education verification, property tax record checks, and fingerprint screening. Each comprehensive background requires approximately 17 hours to complete.

**Resources.** The department is requesting \$225,162 in Operating Trust Fund authority (\$209,634 recurring and \$15,528 non-recurring) for four FTEs (one Senior Crime Intelligence Analyst I and three Crime Intelligence Analyst I positions).

**Results.** Meet current demand, continue to reduce backlogs, and improve completion time for all background investigation requests.

**Risks.** Timeliness of service provided to external agencies and the community will decrease, negatively impacting the hiring and appointment process for the state.

**Effective dates.** Upon receipt of funds.

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## Increase Fixed Capital Outlay for Facilities

\$835,185 General Revenue



**Issue.** The Florida Department of Law Enforcement (FDLE) opened the current 260,000 square foot headquarters facility in October 1990. At that time, headquarters consisted of 855 members supporting the department's public safety mission. FDLE headquarters now consists of 1,061 members, reflecting an increase of 24 percent. The building is no longer able to accommodate all members. As a result, 52 members are housed at the Fort Knox Office Complex building through a private lease and 104 members are housed in the Capitol.

Since 1990, it has been essential to make tenant improvements, conduct renovations/build-outs, update technological equipment, and provide security upgrades to harden critical infrastructure in the headquarters facility. FDLE has previously funded these improvements through its operating budget. Given the continued growth and expanded mission of the agency, it has become necessary to conduct further renovations.

FDLE's Tampa Bay Regional Operations Center (TBROC) provides investigative and forensic services to eight counties in West Central Florida. It is housed in the Ed Blackburn Building which was also opened in 1990 and is wholly owned and maintained by FDLE. The department is responsible for all the maintenance and upkeep of the building and does not receive any Department of Management Services funding for this purpose.

In FYs 04-05 and 09-10, the department received appropriations to replace a chiller system, remediate mold and seal the building envelope, upgrade HVAC controls and air handling systems and to replace the roof on the TBROC building. However, because the building and its primary fixtures are almost 25 years old, they frequently require unforeseen repairs or replacement. When these issues occur, FDLE must divert funds allocated for investigative and forensic services to cover the costs.

**Resources.** The department is requesting \$835,185 in General Revenue / Fixed Capital Outlay. Proposed headquarters renovations are estimated to cost \$698,185 and include additional offices and modular workstations in the Office of General Counsel, Criminal Justice Information Services, Information Technology Services and Professionalism. TBROC repairs and maintenance total \$137,000, to fund various projects that include replacement of HVAC compressors, parking lot/sidewalk repairs, and resealing of windows and skylight.

**Results.** Fund headquarters building renovations to create additional workspace to ease overcrowding. Address unforeseen repairs and ensure the TBROC building is well-maintained.

**Risks.** Divert existing funds appropriated for other mission-critical services to cover headquarters renovations and TBROC repair costs. Buildings no longer accommodate FDLE members or fall into a state of disrepair. Drive up the costs and create safety concerns for members and visitors.

**Effective dates.** Upon receipt of funds.

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## Upgrade Automated Training Management System

\$1,530,940 Operating Trust Fund



**Issue.** The Automated Training Management System version II (ATMS II) is a centralized repository mandated by Chapter 943.12(12), FS, and is comprised of law enforcement, corrections and correctional probation officer records. The system was developed as a statewide repository of information that could be accessed to ascertain the status of an officer's current employment and certification status and any pending or resolved disciplinary actions.

It is used by 500 law enforcement agencies and training academies throughout the state of Florida and contains 1.6 million records. FDLE operations are dependent upon the accuracy of its information. In addition, high liability sections, like the Alcohol Testing Program, depend upon the records contained in the system. Local agencies use it to manage employment registrations and separations and to enter mandatory retraining completion information. The Florida Department of Law Enforcement (FDLE) handles 600 calls per week regarding records within this system.

The system came on-line in January 1998 and is a web-based online system written in Hyper-Text Markup Language / Active Server Page (HTML/ASP), operating on windows based application servers. Its platform is more than 15 years old and relies on outdated technology. Updates to officer training requirements cannot be quickly integrated. In addition, document management and the automation of multiple functions cannot be completed within the current architecture of the system.

**Resources.** The department is requesting \$1,530,940 in Operating Trust Fund authority (non-recurring) as part of a 2-phase re-building process. These funds will rebuild the infrastructure for its core functionality currently maintained in ATMS II. Additional funding will be requested in FY 16-17 to add enhanced functionality to the system to benefit the criminal justice community.

**Results.** Re-write the existing ATMS II system using latest technologies to provide improvements, efficiencies, enhancements, eliminate manual processes, and allow extensibility and scalability of the system as business needs change due to mandates and or rule changes that govern the Criminal Justice Standards and Training Commission (CJSTC). Redesigned and architected system will avoid system failure and increase efficiencies and improvements to the officer certification process, training center auditing process, officer discipline process and curriculum updates. Improve agency relationships and transactions.

**Risks.** FDLE cannot ensure the current system will continue to meet current and future demands. In addition, FDLE cannot streamline any of the manual processes currently in use without a new system platform. Due to the antiquated programming language of this system, data corruption, security breaches, and other issues could emerge.

**Effective dates.** Upon receipt of funds, the department will begin the development process. The department anticipates requesting \$1.2 million in FY 16-17 to complete the project by June 30, 2017.

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## Increase Compliance Audits

\$312,260 Operating Trust Fund  
4 FTEs



**Issue.** The Florida Department of Law Enforcement (FDLE) Field Support Section of Criminal Justice Information Services performs triennial audits of criminal justice and non-criminal justice agencies accessing state and national criminal history record information. The Federal Bureau of Investigation (FBI) CJIS Security Policy (CSP) provides minimum security requirements to create, view, modify, transmit, disseminate, store, and destruct criminal justice information. Agencies that access criminal justice information are required to adhere to the CSP, as well as state statute, federal law, policies, rules and regulations.

In FY 11-12, the Legislature allocated funds to conduct technical audits of criminal justice agencies. Since then, Florida has seen an increase in the number of outsourced data centers, with more agencies allowing private vendors access to their criminal justice information systems. In addition, the scope of these audits has become more complex due to outsourcing and the use of joint dispatch centers.

In August 2013, the FBI revised the CSP to require non-criminal justice agencies meet technical standards to ensure compliance and the security of criminal justice information. Currently there are approximately 4,800 entities in Florida that meet the criteria to be audited by FDLE, and the number of non-criminal justice agencies conducting state and national criminal history record checks continues to increase annually.

Due to the increasing complexity of the criminal justice information systems and the growing number of non-criminal justice agencies accessing criminal justice information, the department can no longer absorb the workload required to conduct these audits.

**Resources.** The department is requesting \$312,260 in Operating Trust Fund authority (\$271,732 recurring and \$40,528 non-recurring) for four FTEs (Government Operations Consultant III positions) and a vehicle to accommodate the travel associated with the positions.

**Results.** Perform complex professional and technical audits, including inspection of appropriate computer and network equipment of each agency. These positions will also maintain knowledge of network configurations and specifications, in addition to the rules, regulations and procedures applicable to agencies, and train agency staff to access criminal justice data.

**Risks.** The department will not be in compliance with the CSP.

**Effective dates.** Upon receipt of funds.

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## Conduct Study of Headquarters Annex

### \$200,000 General Revenue



**Issue.** Since the Florida Department of Law Enforcement (FDLE) moved into the headquarters facility in Tallahassee in 1990, FDLE's population has increased 24 percent. More than 1,060 members are currently assigned to Tallahassee; however, because the headquarters facility can no longer accommodate all members and functions, 52 are housed at a building in the Fort Knox Office Complex through a private lease.

The department leases 23,933 square feet in the complex to house the Criminal Justice Grants, DNA Database, and Alcohol Testing Program units. These services are critical to public safety in Florida. The current annual cost is \$450,384, but will increase to \$452,587 in 2015. The lease ends in April 2017 and limits the agency in configuring/remodeling the space to meet agency needs. FDLE also leases an off-site warehouse/storage facility in Havana, Florida at an annual cost of \$33,462, but will increase to \$36,357 in 2015. The storage facility occupies 5,000 square feet and is filled to capacity. There is currently insufficient space to store FDLE specialty vehicles. Next year the agency will pay almost \$500,000 under the two current private lease agreements.

Given the continuing agency growth, it is necessary to conduct further renovations to accommodate new members as well as complex and vital equipment needed to support critical functions. It is essential for FDLE to make tenant improvements, conduct renovations/build-outs, update technological equipment and provide security upgrades to harden critical infrastructure through client-agency agreements with DMS. The department owns a parcel of land in close proximity to headquarters that is sufficient to construct an annex facility.

**Resources.** The department is requesting \$200,000 General Revenue (non-recurring)/Fixed Capital Outlay for the design of a new annex building.

**Results.** A new 50,000 square foot annex building to house the Criminal Justice Grants, DNA Database, Florida Accreditation Office, and Firearm Purchase Program and provide additional space necessary to store and secure valuable and sensitive specialty vehicles and equipment. The agency will be removed from two privately held leases, moving into one state owned facility.

**Risks.** Lease space in another area or re-sign a lease with the same owner, despite not being able to configure/remodel the space to meet the needs of the agency.

**Effective dates.** Upon receipt of funds.

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## Expand Pensacola Investigative Squads

\$924,666 General Revenue  
7 FTEs



**Issue.** The Pensacola Regional Operations Center (PROC) has never been adequately staffed as a regional operations center. Until the late 1990's, it operated as a field office reporting to the Tallahassee region. When the Florida Department of Law Enforcement (FDLE) reorganized to streamline operations, it was converted to a full regional operations center to allow greater access to FDLE services. A minimally-staffed field office is located in Panama City.

PROC provides investigative, forensic, information, and training services to criminal justice agencies in a ten-county region which includes Bay, Calhoun, Escambia, Gulf, Holmes, Jackson, Okaloosa, Santa Rosa, Walton and Washington counties. According to U.S. census figures, the population of the region is just over 1 million. The region crosses two judicial circuits, and although there are a few medium sized cities, most of the regional area is rural with relatively small law enforcement agencies without the capability for some of the high technology investigative solutions that can be provided by FDLE.

The region's investigative efforts focus on violent crime, economic crime, organized criminal groups, and public integrity. Similar to other regional operations centers, they handle officer-involved shooting investigations, deployment of statewide specialty response teams such as the Electronic Surveillance Support and Cyber Response teams and protection of the Governor and First Family.

PROC is only allocated 22 special agent positions, seven fewer than FDLE's next smallest regional operations center. This makes it difficult for PROC to provide the level of investigative service required by its law enforcement partners.

**Resources.** The department is requesting \$924,666 in General Revenue (\$629,423 recurring and \$295,246 non-recurring) for seven FTEs (Special Agent positions) to supplement staffing in PROC. The standard sworn expense package is part of the non-recurring costs, which includes funds for a vehicle, laptop and radio equipment.

**Results.** Positions will allow PROC the flexibility to assign special agents to develop expertise, (primarily in technology) needed to implement FDLE's statewide initiatives in the region.

**Risks.** Region will continue to be understaffed resulting in longer response times and an inability to develop and/or adequately staff investigative capabilities provided in other regions.

**Effective dates.** Upon receipt of funds.

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## Add Human Trafficking Squad

\$876,061 General Revenue  
7 FTEs



**Issue.** The primary investigative mission of the Florida Department of Law Enforcement (FDLE) is to conduct major criminal investigations that target crime and criminal organizations whose illegal activities and/or associates cross jurisdictional boundaries, include multiple victims, represent a major social or economic impact to Florida, and/or address a significant public safety concern. Human trafficking involves the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion.

The Florida Coalition Against Human Trafficking (FCAHT) states that human trafficking is a growing problem worldwide, recently rising to the second most common criminal activity behind the illegal drug trade. Due to the geographic versatility of Florida, many forms of human trafficking are occurring throughout the state. FCAHT estimates that approximately 27 million people are enslaved throughout the world, including 2.5 million in the U.S., and specified Florida as the second largest hub of this illegal activity in the country.

Human trafficking investigations are very resource and time intensive and difficult to work. An FDLE case agent working a human trafficking investigation requires additional investigative support to conduct surveillances, track vehicles, interview victims, handle confidential informants and conduct covert operations. In FY 13-14, FDLE spent 36,544 investigative hours on human trafficking investigations, a 152 percent increase over FY 12-13. Of the 36,544 hours, 10,906 hours (30 percent) involved intelligence gathering for the development of cases.

**Resources.** The department is requesting \$876,061 in General Revenue (\$619,111 recurring and \$256,950 non-recurring) for seven FTEs (one Special Agent Supervisor, five Special Agents and one Senior Crime Intelligence Analyst positions) to establish and conduct human trafficking investigations within the Jacksonville Regional Operations Center. The standard sworn expense package is part of the non-recurring costs, which includes funds for a vehicle, laptop and radio equipment. To recruit and retain qualified employees in these critical positions, FDLE employs special agent supervisors at an agency-established base of \$60,000 annually.

**Results.** Help achieve goals set forth by the Attorney General's Statewide Council on Human Trafficking. Develop human trafficking investigative expertise to attack the criminal groups responsible for the gross exploitation of a vulnerable population. Agents trained to understand laws relating to human trafficking recognize indicators and potential victims of human trafficking and conduct multi-jurisdictional investigations on those who are perpetuating all forms of human trafficking in Florida, to include sex trafficking, domestic servitude and forced labor. Initiative could be replicated statewide if necessary.

**Risks.** FDLE will not have the expertise to investigate and prosecute human trafficking crimes.

**Effective dates.** Upon receipt of funds.

*This issue is consistent with the Florida Strategic Plan for Economic Development to create and sustain vibrant, safe and healthy communities that attract workers, residents, businesses and visitors.*





## Adjust Grant Authority \$1,754,800 Federal Grants Trust Fund



**Issue.** The Florida Department of Law Enforcement (FDLE) Office of Criminal Justice Grants administers a portion of the federal Homeland Security Grant funds and makes disbursements for sub-grants under the program. Annually, Federal Grants Trust Fund authority for these disbursements is provided based on specific sub-grants detailed in the General Government section of the General Appropriations Act. At the end of each fiscal year, the unexpended balance of these funds is reverted and re-appropriated for the new fiscal year. Because the estimated re-appropriation amount is reported before all certified forward payables have been established, it difficult to precisely estimate the final amount to be expended in the current year and the exact balance to re-appropriate the following year. This timing overlap, carried over multiple years, has resulted in a budget authority deficit in the Grant and Aid – Domestic Security category.

**Resources.** The department is requesting \$1,754,800 in non-recurring Grant and Aid – Domestic Security authority.

**Results.** Complete disbursements on existing and ongoing sub-grants under the federal Homeland Security Grant program.

**Risks.** Unable to fulfill obligated disbursements for Homeland Security sub-grants that have been previously approved by the Domestic Security Oversight Council and the Florida Legislature.

**Effective dates.** Upon receipt of funds.

*This issue is consistent with the Florida Strategic Plan for Economic Development to improve the efficiency and effectiveness of government agencies at all levels.*



## Credit Card Processing Fees \$424,714 Operating Trust Fund



**Issue.** Budget authority to pay credit card processing fees was first granted to the department in FY 05-06. Since then, the annual cost has increased 121 percent. While additional authority was granted in FYs 10-11 and 12-13, the continual increase in costs still leaves a projected funding shortfall of \$427,714.

Increased charges are projected to continue due to a rise in credit card fees by some of the major credit card companies (i.e. Visa, MasterCard, Discover, American Express) and an increase in credit card users. Additionally, large groups of criminal history record check customers moved to electronic submission of fingerprints and as a result, the method of payment transitioned to credit cards.

The Florida Department of Law Enforcement (FDLE) anticipates more customers will transition to electronic submission because of an increase in the number of agencies required to conduct background checks and the number of individuals who are now required to undergo state and national background screening. Upcoming changes in national submission/processing requirements by the Federal Bureau of Investigation (FBI) may also result in increased credit card usage.

**Resources.** The department is requesting \$424,714 in Operating Trust Fund authority.

**Results.** Continued payment of charges to the major credit card companies.

**Risks.** Inability to pay the major credit card companies may result in not being able to process charges for FDLE services.

**Effective dates.** Upon receipt of funds.

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# FLORIDA DEPARTMENT OF LAW ENFORCEMENT

## 2015 Legislative Proposal

### **Dissemination of Juvenile Criminal History Records**

On September 6, 2012, in *G.G. v. FDLE*, the First District Court of Appeal ruled FDLE juvenile criminal history records, maintained in an automated database, were available to the general public only to the extent that individual arrest records kept by local law enforcement agencies would be available, under Section 985.04(2), FS, essentially when the juvenile subject had been found to have committed three or more misdemeanors or had been taken into custody for or found to have committed an offense that would be a felony if committed by an adult. The first criterion cannot fairly be applied to juvenile criminal history records because of the incomplete reporting of juvenile disposition information to FDLE under Section 943.052(2), FS. Attempting to apply this criterion to the juvenile criminal history record system maintained by FDLE would require extensive and expensive programming changes.

To comply with *G.G.*, FDLE currently releases juvenile criminal history records to the public and entities other than criminal justice agencies only if the subject was taken into custody for or charged with an offense that would be a felony if committed by an adult, or if the juvenile was treated as an adult. For juveniles not treated as adults, only the felony charges are released, regardless of any other charges that might be related to the arrest or court case. Sealed records and notices of expunged records for the juveniles not treated as adults are provided only to criminal justice agencies. It is the department's belief that agencies responsible for the welfare of vulnerable populations need access to juvenile misdemeanor records.

***Proposed Changes.*** Those agencies and entities which are currently eligible to receive sealed and notice of expunged criminal history records will be given access to juvenile criminal history records. Other agencies and the general public will receive juvenile criminal history records only if the juvenile was found to have committed or was taken into custody for an offense which, if committed by an adult, would be a felony. In that event, the entire record will be disclosed. The criminal history record of a juvenile who is treated as an adult will be disseminated in the same manner as the criminal history record of an adult. Access to criminal history records sealed or expunged under the various provisions which afford this relief will not change. Criminal justice agencies will continue to receive juvenile criminal history records as under current law.