

AGENDA
FLORIDA DEPARTMENT OF LAW ENFORCEMENT
August 5, 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 June 23, 2015 Cabinet Meeting.**

(See Attachment 1)

RECOMMEND APPROVAL

ITEM 2 Respectfully submit the **Florida Department of Law Enforcement's FY 2016-17 Legislative Budget Request.**

(See Attachment 2)

RECOMMEND APPROVAL

ITEM 3 Respectfully submit the **Florida Department of Law Enforcement's 2016 Legislative Proposal.**

(See Attachment 3)

RECOMMEND APPROVAL

ITEM 4 Respectfully submit **Agency Measures and Review of Delegated Authority for the Florida Department of Law Enforcement.**

(See Attachment 4)

FOR INFORMATION ONLY

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STATE OF FLORIDA

IN RE: MEETING OF THE GOVERNOR AND
CABINET

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

DATE: TUESDAY, JUNE 23, 2015

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

REPORTED BY: NANCY S. METZKE, RPR, FPR
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INDEX

	PAGE NO.
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

**Discussion and Decision on
Recommended Settlement in
Weidner Litigation**

5

**Appointment of DEP Secretary and
FDLE Executive Director**

12

**Appointment - Agency for State
Technology Advisory Council**

16

**Discussion and Decision on
Recommended Settlement in
Weidner Litigation Continued**

18

**Highway Safety and Motor Vehicles
By Executive Director Rhodes**

20

**Florida Department of Law Enforcement
By Interim Commissioner Swearingen**

28

**Board of Trustees of the Internal
Improvement Trust Fund**

By Secretary Steverson

73

Department of Revenue

By Executive Director Stranburg

80

Office of Financial Regulation

By Commissioner Breakspear

84

Office of Insurance Regulation

By Commissioner McCarty

88

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX

PAGE NO.

Administration Commission
By Mark Kruse

94

State Board of Administration
By Executive Director Williams

95

* * * *

1 GOVERNOR SCOTT: Is there a second?

2 ATTORNEY GENERAL BONDI: Second.

3 GOVERNOR SCOTT: Any comments or objections?

4 (NO RESPONSE).

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

7 Thank you very much.

8 MR. NORDBY: Okay. Thank you.

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1 **DISCUSSION OF APPOINTMENTS FOR DEP SECRETARY**
2 **AND FDLE EXECUTIVE DIRECTOR**

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4 GOVERNOR SCOTT: At our last meeting, the
5 Cabinet approved my selection of John Steverson as
6 Interim Secretary of DEP and Rick Swearingen as
7 Interim Executive Director of FDLE.

8 In accordance with our Cabinet Governance
9 Guidelines, we posted both positions on the
10 People First website and solicited applications on
11 association websites throughout the nation. In
12 total, we received more than 100 applications for
13 the positions.

14 The law requires that I make the appointments
15 and the Cabinet approve. Earlier this year I
16 appointed John Steverson and Rick Swearingen, and I
17 think they both have been extremely effective at
18 their respective agencies. The new Cabinet
19 requirements state that we should have a public
20 interview for those two positions upon my permanent
21 appointments, so we can schedule those interviews
22 for the next Cabinet meeting unless there are other
23 Cabinet applications any Cabinet members would like
24 me to review at this time.

25 (NO RESPONSE).

1 GOVERNOR SCOTT: In the interest of
2 transparency, I'd like to discuss any other Cabinet
3 applications Cabinet members would like reviewed
4 during this public meeting so we can plan public
5 interviews to have discussion in the open. So
6 there are no other -- no one has any other?

7 Commissioner.

8 COMMISSIONER PUTNAM: Thank you, Governor. I
9 appreciate particularly building on the reforms
10 that we've adopted. I look forward to that public
11 interview process. We've had an opportunity to
12 narrow the applicants and internally interviewed
13 five for one of the positions and three for the
14 others, and I'm comfortable moving forward with
15 the public interviews of the two that you've
16 nominated.

17 GOVERNOR SCOTT: Okay.

18 COMMISSIONER PUTNAM: So I would support us
19 agenda'ing those interviews for the next Cabinet
20 meeting.

21 ATTORNEY GENERAL BONDI: So you're suggesting
22 we just interview the two that the Governor
23 appointed, and no others?

24 COMMISSIONER PUTNAM: I'm comfortable with
25 that.

1 ATTORNEY GENERAL BONDI: Okay. I'd like to
2 interview additional for DEP.

3 COMMISSIONER PUTNAM: Okay.

4 ATTORNEY GENERAL BONDI: And I'll submit
5 those.

6 GOVERNOR SCOTT: Do you have --
7 Attorney General, do you have any right now?

8 ATTORNEY GENERAL BONDI: Not with me, but I
9 have them -- I can get them to you by the end of
10 the week.

11 GOVERNOR SCOTT: So why don't we do this: So
12 let's -- if everybody is okay with FDLE, then we'll
13 go ahead and do the public interview with that one
14 at the next Cabinet meeting; and at the next
15 Cabinet meeting, everybody will bring forward any
16 applicants they have for DEP. So keep -- my goal
17 is just make sure it's all transparent.

18 ATTORNEY GENERAL BONDI: And post them in
19 advance, well in advance so you can review the
20 resume.

21 GOVERNOR SCOTT: So we'll do FDLE at the next
22 meeting, and then at the next meeting anybody will
23 bring any applicants for DEP.

24 ATTORNEY GENERAL BONDI: Great.

25 GOVERNOR SCOTT: And we'll discuss them then,

1 and we don't do the interviews for DEP at that
2 meeting.

3 ATTORNEY GENERAL BONDI: At the following one,
4 okay.

5 GOVERNOR SCOTT: All right. Thank you.

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FLORIDA DEPARTMENT OF LAW ENFORCEMENT

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3 GOVERNOR SCOTT: Now I'd like to recognize
4 Rick Swearingen with the Florida Department of
5 Law Enforcement.

6 INTERIM DIRECTOR SWEARINGEN: Good morning,
7 again.

8 Before I begin, it would be remiss of me not
9 to say thank you again for taking the time earlier
10 this morning to honor several of our members with
11 resolutions. The FDLE annual awards ceremony is a
12 time-honored tradition at our agency. Each year it
13 seems we continue to be impressed with the
14 exceptional array of nominees. We benefit from the
15 talents of loyal and dedicated public servants that
16 routinely go above and beyond to provide
17 extraordinary service.

18 I want to say thank you to all of the
19 dedicated members, as well as their families. I am
20 so proud of the work they do every day. Because of
21 the work of our FDLE members, FDLE continues to be
22 one of the premiere law enforcement agencies in the
23 nation.

24 We have five agenda items for you today.
25 First are the minutes from the March 10th and

1 May 5th, 2015, Cabinet meetings.

2 GOVERNOR SCOTT: Is there a motion on the
3 item?

4 ATTORNEY GENERAL BONDI: So move.

5 GOVERNOR SCOTT: Is there a second?

6 CFO ATWATER: Second.

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

9 INTERIM DIRECTOR SWEARINGEN: Next are the
10 third quarter performance report and contracts over
11 \$100,000. I would --

12 GOVERNOR SCOTT: Is there a motion to -- oh,
13 go ahead.

14 INTERIM DIRECTOR SWEARINGEN: I would say
15 overall performance continued at a steady rate
16 except for a few areas, including the labs, which
17 are performing below standard in seven of nine
18 disciplines due mostly to turnover.

19 The lab system as a whole is down
20 24% effective FTEs due to vacant positions and
21 training. Our firearms and DNA disciplines are
22 exceeding their quarterly standards.

23 I plan to discuss forensic improvements in my
24 vision for the agency as part of my midterm
25 evaluation. These metrics will be changed, amended

1 at the next Cabinet meeting, obviously, when we
2 present our new performance measures, but I'm happy
3 to try and answer any questions you have about
4 Number 2.

5 GOVERNOR SCOTT: Is there a motion to accept
6 the report?

7 CFO ATWATER: So moved.

8 GOVERNOR SCOTT: Is there a second?

9 ATTORNEY GENERAL BONDI: Second.

10 GOVERNOR SCOTT: Any comments or objections?

11 (NO RESPONSE).

12 GOVERNOR SCOTT: Hearing none, the motion
13 carries.

14 INTERIM DIRECTOR SWEARINGEN: Thank you.

15 Next is the final approval of 11 sets of
16 rules. This package is identical to those rules
17 noticed on the March 10th meeting. While the
18 package looks extensive, a majority of the changes
19 are cleanup or technical regarding the standards
20 and Training Commission Rules 11B. Also, we are
21 proposing a new section, 11D-10, which is the
22 Law Enforcement Officers Hall of Fame.

23 If you like, I can briefly go through the
24 chapters involving substantive changes. The one
25 thing I would note about the Hall of Fame is all

1 candidates will be vetted by FDLE before they come
2 to you.

3 GOVERNOR SCOTT: Is there a motion on the
4 item?

5 ATTORNEY GENERAL BONDI: So moved.

6 GOVERNOR SCOTT: Is there a second?

7 COMMISSIONER PUTNAM: Second.

8 GOVERNOR SCOTT: Any comments or objections?

9 (NO RESPONSE).

10 GOVERNOR SCOTT: Hearing none, the motion
11 carries.

12 INTERIM DIRECTOR SWEARINGEN: The next item is
13 my midterm evaluation. I appreciate the
14 opportunity to discuss my priorities for the
15 Department and the Agency's success across these
16 priorities since my appointment. As you know, I am
17 a lifetime FDLE member.

18 After being appointed Interim Commissioner, I
19 immediately began crafting my vision for the future
20 of FDLE. As I have stated in prior Cabinet
21 presentations, I did not inherit a broken agency.
22 I have benefitted from several innovative leaders
23 in FDLE's history, some who led the Agency through
24 periods of incredible growth, and others who
25 maintained stability during tough economic times

1 and challenging public safety issues. I'm excited
2 to be leading the Agency during a time that I would
3 describe as renewal.

4 In light of Florida's sound economy, FDLE is
5 poised to address areas for growth within the
6 spectrum of services we provide to both the
7 criminal justice community and the public. In
8 addition, all law enforcement agencies are facing
9 challenges in regard to public approval and trust.
10 In light of several high-profile incidents, we
11 understand that FDLE is not immune from this
12 scrutiny.

13 We must take proactive steps to renew both
14 the authority and the legitimacy of our actions.
15 We need to ensure that our professional standards
16 are both soundly defined and higher than ever to
17 meet increasing expectations. And as Commissioner,
18 I will always respond to the factual concerns about
19 the Department, our members, or our services.

20 Before I jump into my assessment of FDLE and
21 the priorities I see being part of the Department's
22 future, I think it's important to start with our
23 mission and history.

24 FDLE is indeed a unique agency. There are
25 very few state agencies nationwide that compare in

1 terms of authority, capacity, membership, and
2 governance. Our mission to promote public safety
3 and strengthen domestic security through
4 partnerships with local, state, and federal
5 agencies while protecting Florida's citizens and
6 visitors speaks to the origins of this agency.

7 Our members implement this mission through
8 various objectives, including examining forensic
9 evidence, conducting multi-jurisdiction,
10 multi-victim, and special investigations; providing
11 an infrastructure of critical criminal history
12 information; promoting competency and professional
13 conduct of criminal justice officers; and providing
14 security for the Capitol complex; and protecting
15 the Governor, First Lady, First Family, and other
16 dignitaries.

17 The Agency was created in 1967 by combining a
18 variety of entities: The Florida Sheriff's Bureau,
19 the State's narcotics bureau, and the
20 Attorney General's anti-bookie squad. And in 1969,
21 it was reorganized to become a Cabinet agency.

22 I tell you all of this because in order to
23 know where we're going, it's important to know
24 where we've been. It's also important to note that
25 in fiscal year '07/'08 the Department had a total

1 of more than 2,000 FTEs. And like many Florida
2 state agencies, we lost a significant portion of
3 these resources, more than 300 FTEs, by fiscal year
4 '11 and '12 during the state's budget crisis.

5 It's worth noting that more than 85 percent of
6 these position cuts were taken in our
7 investigations and forensics area. For the first
8 time in the Agency's history we were forced to
9 significantly cut agent and lab positions.

10 Like many other agencies, this led to a
11 reprioritization of our services. Over the past
12 few years, the Legislature has begun
13 reappropriating resources as the demand continues
14 to grow.

15 Since fiscal year '07/'08, we have been
16 handling roughly the same number of lab service
17 requests, about 76,500 a year, and are actually
18 working more criminal investigations, approximately
19 2,100 a year. In fiscal year '07/'08 we had almost
20 1,300 investigations in forensics FTEs. Our
21 current budget stands at just over 310,000,000, and
22 1,771 FTE, including about 1,000 investigations in
23 forensic FTEs.

24 As you know, I'm a big believer in Lincoln's
25 leadership principles, and Lincoln once said: You

1 must set and respond to fundamental goals and
2 values that move your followers.

3 So one of my first orders of business, when I
4 assumed the Commissioner's role, was to take
5 inventory of the Agency's current duties,
6 responsibilities, and performance. This included
7 meeting with many chiefs, sheriffs, community
8 leaders, and customers.

9 As timing would have it, legislative session
10 was right around the corner, so my assessment
11 included spending significant time meeting with and
12 listening to Florida's legislators and staff. This
13 wasn't just about the FDLE budget and our
14 legislative priorities, it was seeking input from
15 them about FDLE and any questions, suggestions, or
16 concerns that they had regarding public safety
17 topics.

18 During the same time period, I attended the
19 Florida Sheriffs' and Police Chiefs' Association
20 meetings, seeking feedback on how the Department
21 can better serve the needs of local law enforcement
22 agencies. Collaboration with and support to local
23 criminal justice agencies is an important component
24 of the FDLE mission. I am dedicated to exploring
25 innovative enhancements to the services FDLE

1 provides these agencies.

2 In addition, I have engaged key community
3 partners. Based on these meetings and
4 communications, along with discussion with FDLE
5 members and command staff, I believe I have
6 assembled sound information from which to guide my
7 priorities and vision for the Agency. I believe
8 now is the time for the Department to refocus,
9 reprioritize, and renew. The new emphasis will
10 allow us to provide better services to our partners
11 and the citizens and visitors of this state.

12 For the remainder of my presentation, I would
13 like to discuss eight priorities and the progress
14 made over the past six months: One, establishing
15 cyber crime capabilities; two, enhancing
16 intelligence and domestic security partnerships and
17 investigations; three, leveraging new analytical
18 capabilities to better utilize data and
19 information; four, allocating additional assets to
20 public safety task forces; five, maintaining public
21 confidence in professional standards and character
22 of peace officers; six, providing objective use of
23 force and in-custody death investigations; seven,
24 evaluating Department infrastructure, updating
25 technology, our facilities and equipment; and

1 lastly, improving recruitment, retention, and
2 development of members.

3 We have been working cyber crime, mostly in
4 the realm of child pornography, for nearly
5 20 years. FDLE incorporated these types of cases
6 into our investigative strategy and began training
7 and partnering with the local law enforcement
8 agencies.

9 As you know, a few years ago we gained a
10 number of cyber crime positions from the
11 Attorney General's Office. This provided the
12 Department with additional expertise regarding
13 child pornography cases. I can assure you that
14 child pornography and sex trafficking cases will
15 remain a priority, especially with the nexus to our
16 responsibilities in regard to sexual offenders and
17 predators.

18 While these efforts continue to pay big
19 dividends in getting bad guys locked up, I believe
20 we need to extend these efforts into cyber
21 intrusion, hacking, and denial of service attacks.
22 We need to evolve both our skill sets and
23 partnerships into the types of cyber cases that we
24 expect will lead to the identification of
25 additional organized crime and domestic security

1 threats in Florida.

2 As technology has evolved, so have the
3 investigative challenges in these cases. FDLE
4 needs to remain on the cutting edge, ahead of the
5 criminal element on all fronts. This means a
6 continuing investment in our people, our training,
7 and our equipment.

8 Our country and the state continues to be
9 besieged by cyber crime. Everyday criminals are
10 invading homes and offices throughout the nation,
11 not just by breaking down doors and windows, but by
12 breaking into laptops, personal computers, and
13 wireless devices.

14 The collective impact is staggering. Billions
15 of dollars are lost every year repairing systems
16 hit by such attacks. Some take down vital systems,
17 disrupting and disabling both the public and
18 private sector, including critical infrastructure
19 such as power grids and water treatment plants.
20 Millions of people have had their personal
21 information compromised, to include their medical
22 and financial histories.

23 In 2014, we were allocated seven additional
24 agents and two analysts to extend our capabilities
25 into intrusion investigations. Their focus has

1 been cyber training for the public and private
2 sector and the Secure Florida Initiative. This was
3 restructured to more strategically align assets to
4 work cyber issues and a unique new training plan
5 was developed.

6 In January I met with all three special agents
7 in charge of the FBI's three divisions in Florida,
8 as well as the FBI assistant director. One of our
9 topics was partnering on cyber security intrusion.
10 We are currently establishing an MOU to work as a
11 partner on cyber security intrusion cases with the
12 FBI.

13 More recently, members of the Department
14 attended a national cyber security summit sponsored
15 by the National Governors' Association. As a
16 result, we have partnered with the Agency for State
17 Technology and the Governor's Inspector General to
18 develop a cyber response plan for state agencies
19 and critical infrastructure. The cyber threat
20 facing Florida is significant, and as Florida's
21 state investigative agency, we need to be more
22 fully prepared to detect, deter, and dismantle the
23 criminal organizations responsible.

24 As a part of my initial inventory, I
25 recognized a need to enhance how the Department

1 gathers domestic security intelligence and conducts
2 investigations. I know each of you has reviewed my
3 resume to vet me for consideration in permanently
4 filling the role as FDLE Commissioner.

5 Based on my prior leadership roles at the
6 Agency, it should come as no surprise as to why
7 this area is a priority to me personally. I have
8 become even more convinced that we can do more as
9 an agency to better protect the citizens, visitors,
10 and critical infrastructure in Florida from
11 terrorist threats. FDLE has a statutory
12 responsibility for domestic security in Florida
13 that goes well beyond our role on the Domestic
14 Security Oversight Council and the prioritization
15 of funding needs for state and local agencies
16 receiving DHS dollars.

17 The FBI has publicly indicated that we are at
18 more risk now for an attack on American soil than
19 we were preceding the tragedy on September 11th,
20 2001. These threats are too prolific for Federal
21 law enforcement to track without assistance from
22 local and state agencies.

23 History has taught us that Florida can be
24 utilized for training and funding for both foreign
25 and domestic threat groups. Recent events suggest

1 that the military and law enforcement are being
2 specifically targeted, again, making our state a
3 target-rich environment.

4 I have engaged in many conversations with
5 local and state enforcement leadership to discuss
6 how we can better focus our intelligence and
7 investigative efforts toward the threat in our own
8 backyard. We have reorganized our Office of
9 Statewide Intelligence including bringing on a new
10 director with military and federal domestic
11 security experience. As a part of this process, we
12 have transitioned our FDLE watch desk from a
13 communication center to a 24-hour watch and warning
14 center to enhance our intelligence and analytical
15 capabilities.

16 At FDLE headquarters we have unique
17 opportunities through our Florida Fusion Center to
18 directly engage the assets of our partner state and
19 federal agencies on our intelligence collection
20 requirements. We can improve our domestic security
21 threat detection if we more robustly engage our
22 local, state, and federal partners and share the
23 information in intelligence that we can through our
24 existing MOUs.

25 Weekly meetings are not enough. We need to

1 have standing priority information needs that we
2 can action into meaningful intelligence products.
3 These products must be shared with our partners and
4 the private sector as appropriate. In turn, we
5 should expect these products to naturally generate
6 prevention efforts, protective measures,
7 investigative leads, and additional intelligence,
8 as well as policy and resource deployment
9 decisions.

10 These information needs will become standing
11 priorities for FDLE agents and analysts, each of
12 whom, by FDLE policy, has a duty to be an
13 intelligence collector. And we have begun
14 production of more relevant and timely intelligence
15 for Agency command staff to better allocate
16 domestic security resources.

17 In addition, I have directed a new focus on
18 the efforts of the counter terrorism and the
19 financial crimes analysis centers. Both have
20 specific statutory responsibilities, but we need to
21 leverage the full capabilities of both of these
22 FDLE units.

23 To be clear, I am not seeking additional
24 authority for the collection of information or
25 intelligence. FDLE is very aware of the privacy

1 and civil liberty concerns associated with
2 law enforcement intelligence and fusion centers. I
3 would put our track record as a model agency in
4 this area up against any other state investigative
5 agency or fusion center nationwide.

6 We simply need to do a better job in the
7 analysis of and production efforts associated with
8 what has been legally collected. This will take
9 leadership, focus, training, and higher
10 expectations.

11 There is a wealth of information out there
12 that will allow our analysts to do their jobs more
13 efficiently and effectively, but they can't do this
14 without proper training and tools. Our potential
15 for better leveraging the data we have resides in
16 the capabilities of our analysts. Shortly after
17 911, FDLE developed a series of analyst training
18 programs that quickly became the standard for
19 training across the country.

20 In 2003, the Department developed the Florida
21 Law Enforcement Analyst Academy. This academy is
22 the first of its kind in the nation. It has now
23 evolved into a certification standard. Analysts
24 learn criminal and intelligence analysis skills to
25 successfully prevent crime and conduct complex

1 investigations. In 2014, this training program won
2 the prestigious award of excellence from the
3 International Association of Law Enforcement
4 Intelligence Analysts, IALEIA.

5 If you poll police chiefs and sheriffs
6 statewide, they will tell you the value of having
7 well-trained analysts at their agency. Many
8 graduates of our program indicate that the training
9 is now required for progression in their agencies.

10 The systems that warehouse volumes of crime
11 data do not generate trend, pattern, and lead
12 information on their own. The data in these
13 systems must be evaluated and interpreted by
14 critical-thinking, well-trained analysts.

15 I have committed to continuing these analyst
16 training programs, even though the federal money
17 which used to support this is no longer available.
18 We have recently worked to develop a cost-effective
19 mechanism for the delivery of these programs so
20 that even the smallest agencies in Florida can take
21 advantage of these trainings. I am committed to
22 supporting the analyst training and the
23 professional development of these key support
24 assets.

25 FDLE's mission hinges on our ability to work

1 in partnership with other criminal justice and
2 public safety partners. Our history as an
3 organization speaks to the need to collectively
4 leverage our assets to detect and dismantle the
5 greatest threats to public safety in Florida.
6 These threats include multi-jurisdiction,
7 organized criminal groups with increasingly
8 sophisticated and technological assets that have
9 the potential to overwhelm the means of law
10 enforcement. These criminals, however, will never
11 overcome the dedication and perseverance of law
12 enforcement.

13 FDLE has learned to utilize our limited assets
14 wisely in cooperation with our local, state,
15 federal, and tribal partners. In recent years, the
16 Department has withdrawn from essentially all
17 law enforcement task forces statewide. It is true
18 that some of these task forces had outlived their
19 need, but I believe there is value in many of them
20 in terms of leveraging resources and providing a
21 public safety services.

22 This was also impacted by the cuts to sworn
23 assets in recent years. As I mentioned earlier,
24 the Department lost over a quarter of our sworn
25 positions in lean budget times. This dramatically

1 changed the footprint of FDLE agents distributed
2 statewide, yet our investigative requests from
3 partner agencies continued to increase.

4 FDLE cannot accomplish its mission in
5 isolation: We need our partners, and they need us.
6 I have removed the moratorium on task force
7 assignments.

8 Beyond the statewide priorities that I have
9 delineated for our command staff, I trust that our
10 Regional Special Agent in charge can make
11 appropriate decisions regarding the allocation of
12 the sworn assets in their region.

13 I previously mentioned meeting with the FBI
14 special agents in charge. Following the meetings,
15 I made a commitment to reallocating resources to
16 their joint terrorism task forces. We have also
17 had discussions with the Secret Service and the
18 U.S. Marshals Service about reengaging in some of
19 their task forces.

20 We recognize that in today's environment many
21 of our partners also need and make increasing
22 requests for assistance and services of our
23 non-sworn assets. Our analytical, forensic,
24 training, information, and technology resources can
25 help support multi-disciplinary public safety

1 concerns. We will continue to seek out these
2 working partnerships that allow other agencies and
3 FDLE to benefit from the pooling of our collective
4 resources.

5 Law enforcement agencies across the country
6 are facing challenges. Given the Department's
7 role in providing public integrity investigations,
8 I believe we should take a leadership role in
9 ensuring public trust. We must ensure our
10 professional standards are both soundly defined
11 and higher than ever to meet increasing
12 expectations.

13 As Commissioner, I have communicated clearly
14 that an FDLE member who has an integrity violation,
15 that I will do all I can to ensure that they no
16 longer maintain employment with the Department.
17 But as an agency, we are also responsible for
18 assisting in the training, certification,
19 discipline, and professional standards of officers
20 and agencies.

21 The Department staffs the Criminal Justice
22 Standards and Training Commission which handles
23 disciplinary actions against officers failing to
24 meet prescribed standards. Recent Florida
25 headlines have highlighted examples of alleged

1 failures by officers to maintain what we would
2 characterize as good moral character.

3 The Commission, whose membership includes
4 19 of our finest officers, leaders, and citizens
5 statewide does an extraordinary job. It is not
6 light duty. But I believe we have room for
7 improvement in our definition of moral character in
8 Florida, and I trust that the Commission, working
9 in partnership with our critical citizen advocacy
10 groups, will seek the rule and statutory
11 adjustments they see fit.

12 Training, especially leadership courses, are
13 crucial to the enhancement of officer standards and
14 professionalism. FDLE is staff to the Florida
15 Criminal Justice Executive Institute. I am
16 committed to enhancing the programs offered by the
17 FCJEI.

18 I have also initiated a review of the Special
19 Agent Training Academy and our in-service training
20 requirements for all sworn members. As part of
21 this review, I have restructured our sworn training
22 assets at FDLE. The responsibilities for these
23 efforts have been transferred to our Bureau of
24 Professionalism, and the Academy has been revised
25 to reflect the new demands associated with

1 officer-involved shootings, public integrity, and
2 in-custody death investigations.

3 As you might guess, cyber investigations and
4 intelligence-driven case work, interviews, and
5 source development are now a priority in this
6 curriculum. We will welcome a new class of agents
7 in July.

8 We have also streamlined our audit function
9 regarding courses provided by training schools for
10 law enforcement officers. This will allow errors
11 to be discovered and corrected faster, reducing the
12 potential impact to students and agencies regarding
13 their training requirements.

14 And lastly, I prescribe national and state
15 accreditation for all law enforcement agencies.
16 Successful accreditation makes a statement to
17 law enforcement colleagues and the public that the
18 agency meets the very highest of standards.

19 This spring, FDLE underwent a gold standard
20 assessment by the Commission on Accreditation for
21 Law Enforcement Agencies, CALEA. The assessors
22 provided positive feedback about the Agency and
23 specifically mentioned our professionalism, our
24 commitment to our mission, and consistency of
25 processes and practices. We expect to receive our

1 seventh reaccreditation at an upcoming CALEA
2 meeting.

3 As a statewide independent law enforcement
4 agency, FDLE is uniquely positioned and has the
5 authority to investigate use of force by
6 law enforcement or correctional officers and
7 incidents of in-custody inmate deaths. Incidents
8 involving police and corrections personnel use of
9 force and in-custody death incidents attract media
10 attention and invite public scrutiny.

11 These independent, impartial investigations
12 are imperative to maintain public trust between the
13 criminal justice community and citizens. Still,
14 some agencies choose to handle these on their own.

15 We recently developed an in-custody death and
16 death investigative training course for these
17 entities to ensure that these cases are handled
18 properly. The training has been delivered
19 nine times statewide and is available through the
20 state's 40 training academies.

21 In February, DOC Secretary Jones and I signed
22 a new memorandum of understanding for FDLE to
23 respond to any serious injury, homicide, suicide,
24 or death of an inmate which occurs as a result of
25 anything other than apparent natural causes. While

1 the FDLE and DOC MOU was the focus during the last
2 legislative session, the MOUs we have in place to
3 assist us with deadly force cases involving local
4 law enforcement agencies have been a longstanding
5 part of FDLE operations.

6 Regardless of whether we have a standing MOU,
7 as long as I am commissioner, FDLE will continue to
8 respond to the request from any agency head that
9 seeks our assistance in these types of cases. My
10 support to the chiefs and sheriffs will not waiver.
11 But our role in these cases also makes FDLE's
12 connection to and communication with key community
13 stakeholders vital to the legitimacy, not just the
14 authority, of our Department in working these
15 investigations.

16 During the legislative session, I had several
17 conversations with membership to clarify our role
18 in these investigations and emphasized that
19 independent investigations, whether done by FDLE or
20 another neutral third party, are key to ensuring
21 the integrity of these cases.

22 I have also spent significant time cultivating
23 a relationship with key leadership from the NAACP
24 to ensure that we have a working dialogue and can
25 address concerns proactively and not just in a time

1 of crisis.

2 To date, the Department is currently working
3 140 DOC investigations. The Legislature's
4 appropriation for the upcoming year will help us
5 to meet this demand. You will see a request to
6 meet the demand regarding local law enforcement
7 officer shootings in our next legislative budget
8 request.

9 I have completed several evaluations and
10 implemented changes to the structure of the
11 Department. The intent has been to better align
12 resources to meet competing demands, to enhance
13 resources within new priority areas, and create
14 sustainable and significant efficiencies. And I
15 want to emphasize that I am open to change and
16 learning from the collective experiences and
17 expertise of our membership.

18 The culture of law enforcement organizations
19 tends to be rigid and hierarchal. Change is
20 difficult at best and often viewed pessimistically.
21 While I believe in chain of command, I also believe
22 in participatory management and being able --
23 available and accessible to FDLE membership. I
24 don't often stay confined to my office. I
25 frequently walk the halls at headquarters, and I

1 have visited all but one of our seven FDLE regions.

2 The changes I've made have shown the value of
3 membership input as I actively listen to member
4 concerns and suggestions before acting. I expect
5 this from all leaders at FDLE. Most importantly, I
6 feel as though there has been a positive shift in
7 morale of the Agency based on my leadership style
8 and expectations. I recognize that sometimes the
9 simplest of gestures can make a world of difference
10 in the lives of our FDLE members and the quality of
11 their work experience.

12 I believe in personally showing gratitude for
13 member service milestones. I believe that FDLE
14 members are part of a family. And given the
15 personal sacrifices our members must make to work
16 in law enforcement, I want them to feel like FDLE
17 respects their family as well. To this end, I
18 reinstated several key programs, such as Bring
19 Your Kids to Work Day.

20 At headquarters this event consisted of
21 four hours of events and activities that showed
22 children ages 8 to 15 how exciting a profession in
23 law enforcement can be. Over 80 kids participated,
24 and we received rave reviews. I intend to
25 implement additional member programs in the future.

1 Beginning in the late '80s and throughout the
2 '90s, FDLE experienced unprecedented growth and
3 expansion both in resources and responsibilities.
4 While these responsibilities continue to grow,
5 after nearly a decade's worth of budget shortfalls,
6 FDLE now must work within the competing realities
7 of budget limitations and increasing customer
8 service expectations. We need to refresh and
9 rebuild our technology and invest in our physical
10 infrastructure to avoid limiting our abilities.

11 While we are fortunate to see some significant
12 investments in technology, such as the ongoing
13 multi-million-dollar investment in the new
14 computerized criminal history system and proposed
15 funds for a rewrite of the automated training
16 management system, we are falling behind in our own
17 investigative efforts.

18 We have an investigative case management
19 system that was innovative when it was built over
20 20 years ago. It now limits our ability to
21 effectively utilize the data that it contains.
22 The antiquated platforms on which they have been
23 built do not support intelligence or trend
24 analysis.

25 I will seek solutions that allow our agency to

1 better leverage the data that is specifically part
2 of ongoing criminal cases or active criminal
3 intelligence in an effort to enhance our
4 investigative abilities. This will make for
5 stronger cases and enhance prosecutions.

6 We also have physical infrastructure needs.
7 We are at capacity in terms of space in almost
8 every region in the state. We cannot seek
9 additional forensic positions without asking for
10 additional laboratory space.

11 And we have a regional operation center, our
12 Pensacola facility, that has areas that are
13 literally crumbling. There are areas of the
14 building that have been closed off to avoid
15 injuries to members. The physical environment of
16 FDLE should not contribute to member stress. You
17 will see our concerns articulated in legislative
18 budget requests for the next session.

19 As part of the FDLE fundamental values, we
20 believe in respect for each member as our most
21 valuable asset, and we are implementing policies to
22 ensure we better develop and keep our high
23 performers and ensure employee morale continues to
24 improve. I have initiated a review of how the
25 Agency can approve professional pathways for

1 members that may start in one area of the Agency
2 but through training, education, may become
3 exceptional candidates for specialized positions in
4 other areas.

5 We have been doing this for some time at FDLE
6 with our Special Agent Trainee Program where we
7 take one or two applicants every few hiring cycles
8 and develop them into highly trained agents. As a
9 graduate of this program myself, I can assure you,
10 it works.

11 While the SAT Program has evolved
12 significantly over the years, we haven't taken the
13 time to see how this successful program might be
14 emulated in other job classes. It's time for us to
15 take stock of our most valuable investment:
16 Current FDLE members, and how they can be better
17 prepared for promotion into higher job classes.

18 I am also committed to continuing and
19 expanding our mentoring program. Last year FDLE
20 developed a program that included formal mentoring
21 pairing. We started with seven pairs statewide, to
22 engage in a six-month program.

23 Based on the results of this program, we have
24 revised the format and strengthened the pairing
25 process. We are currently vetting over

1 60 applicants who want to participate in the next
2 program which will start late this summer.

3 FDLE will continue to seek innovative
4 solutions to the professional development of our
5 members, which leads to enhanced services that we
6 can provide to our partners, but recruitment and
7 retention discussion also tends to revolve on pay
8 issues. I can tell you the starting salaries for
9 our sworn and forensic members are not competitive
10 with many of our local and state counterparts.

11 A recent survey by the Florida State Fire
12 Marshal shows the average salaries of FDLE
13 analysts, lab analysts, are \$24,000 less than the
14 salary survey mean. We cannot remain a premiere
15 law enforcement agency if we don't address these
16 competitive pay differentials.

17 I would like to spend the last few minutes
18 elaborating on the impact this has had on our
19 forensic services. Forensics presents one of the
20 greatest risks to our Agency in the short and long
21 term. FDLE's crime laboratory system is staffed
22 with 286 crime lab analysts and supervisors. Our
23 crime labs receive an average of 76,500 forensic
24 service requests each year. They are never fully
25 staffed.

1 Over the past six years, the Agency has lost
2 127 crime lab analysts and crime lab analyst
3 supervisions, representing a turnover ratio of
4 44 percent. Recruitment, hiring, and training to
5 replace this lost experience is the greatest
6 contributing factor to lost productivity and the
7 growing number of pending service requests.

8 Although turnover is a factor in productivity
9 for any organization, it has a greater than
10 average negative impact in the labs because of the
11 lengthy training required to prepare new scientists
12 with the skills and knowledge to be fully
13 productive in case analysis and court testimony.
14 Some of our training regimens take two years to
15 complete.

16 High analyst turnover translated to a high
17 number of new hires, higher number in training and
18 lost productivity, to equal almost 18,000 service
19 requests in 2013. To maximize the state's
20 investment in training forensic scientists,
21 improve laboratory productivity, and reduce the
22 backlog, FDLE must retain its experienced analysts
23 and be able to compete with other crime labs in
24 recruiting and hiring the best and brightest new
25 analysts.

1 As Commissioner, I am committed to addressing
2 this issue, as well as other barriers, to
3 recruitment and retention of additional employee
4 classes, but my first priority is forensics.

5 My forensic plan will be accomplished in
6 several ways: We will utilize existing salary
7 dollars to implement a series of competitive pay
8 adjustments for crime lab analysts meeting 3-, 4-,
9 and 6-year anniversary dates with the Agency.
10 While our current fiscal projections for next year
11 suggest we can make these initial adjustments
12 within our current allocations, we may need to come
13 back with a subsequent legislative proposal for
14 long-term sustainability.

15 Currently, our analysts have a 3-, 4-,
16 5- program that gets them an additional \$5,000
17 over that time span. We're going to move that to
18 a 3-, 4-, 6-, which will give them \$8,000 over that
19 time span.

20 Beyond this, we need to address salary
21 differentials. We will propose a plan that will
22 include multi-year legislative budget request items
23 to address this problem. We will submit a
24 legislative budget request for an innovative
25 private training solution to free up time devoted

1 by senior analysts in training new analysts. This
2 will have an immediate impact on productivity lost
3 to analysts being pulled away from the bench to
4 train others.

5 The Agency is at capacity in terms of space in
6 almost every region in the state. We cannot seek
7 additional forensic positions without also asking
8 for additional space. You will see a refresh of a
9 proposal we sought this past year for an annex to
10 FDLE headquarters in our next legislative budget
11 request.

12 There may be additional areas of the state
13 where we also seek to expand our building space
14 relative to forensics. We will develop a plan
15 similar to the state's recruiting of businesses
16 from the northeast which seeks to recruit forensic
17 personnel from the northeast U.S. where we have
18 already found candidates who are willing to move to
19 our state.

20 That concludes my presentation regarding
21 performance over the past six months. I believe
22 the progress we have seen is notable, and I am
23 excited about where the Agency could go in the
24 future given the priorities I have laid out.

25 While I have been evaluating and assessing the

1 Agency in my new role, I have no doubt FDLE
2 membership has, in turn, been evaluating me. I
3 feel comfortable in saying that I believe I have
4 the support of the vast majority of FDLE
5 membership. This support is clearly evidenced in
6 the Department as increasing morale and the
7 positive energy of the Agency membership.

8 What has served the agency so well for nearly
9 50 years, the FDLE way of doing business, the
10 culture and values of the Department, isn't
11 something that is simply passed along or inherited
12 with position or title, it is gleaned through
13 experience within the organization. I am blessed
14 to have been with FDLE for 31 years, and I'm
15 hopeful that my institutional knowledge, leadership
16 principles, and diversity of experience within the
17 Department will continue to enhance the value of
18 the organization to Florida.

19 Thank you.

20 GOVERNOR SCOTT: Thank you very much.

21 Are there any questions, any comments?

22 COMMISSIONER PUTNAM: I do, but I'll defer to
23 the Attorney General.

24 ATTORNEY GENERAL BONDI: Yeah, I just have a
25 couple of comments.

1 Thank you for making forensics your priority.
2 I know that the lab is so crucial. It's the core
3 function really of what you do. I mean DNA on
4 sex cases, DNA on homicide cases, fingerprints on
5 homicide and all cases, they're solving cold cases,
6 and the cyber crimes. I mean but the lab -- we've
7 got to keep that lab running, and we've got to
8 increase it, especially now because of these new
9 synthetic drugs.

10 You know that Flakka is flooding the market.
11 They call it the \$5 drug, and I just think we're
12 going to see that going through the roof, and
13 prosecutors cannot prosecute these cases and
14 law enforcement officers can't charge them without
15 FDLE's cooperation, and they're just amazing.

16 And I know all around the state I'm hearing --
17 if there's a homicide case they pull everything off
18 the machines to analyze that DNA to get these bad
19 guys in custody, so thank you. I mean you've been
20 making tremendous strides with what little
21 resources you have. Thank you there.

22 And, also, one other thing. I've been working
23 some cases jointly with the FBI, ATF, and DEA
24 throughout the state, especially in south Florida,
25 and it's so great to see FDLE as part of that team,

1 partnering with our federal agencies, so thank you
2 for that, Commissioner.

3 INTERIM DIRECTOR SWEARINGEN: Thank you.

4 GOVERNOR SCOTT: Commissioner.

5 COMMISSIONER PUTNAM: Thank you, Governor.

6 Commissioner, this was a very well done
7 self-evaluation. I appreciate the clarity and the
8 detail where you laid out the objectives that you
9 will hold yourself accountable for and that we can
10 hold you accountable for. And I know we're going
11 to get another shot at interviewing you at the next
12 meeting, but I do have some questions based on your
13 presentation.

14 You referenced the withdrawal of FDLE from
15 task forces. Why did FDLE withdraw from these
16 task forces?

17 INTERIM DIRECTOR SWEARINGEN: I can't
18 specifically answer that, Commissioner. Some of
19 it, obviously, was attributed to the reduction in
20 the number of agent positions we had statewide, but
21 I can tell you in my conversations with the chiefs
22 and the sheriffs, that that is one thing that all
23 of -- most of them have said to me, is FDLE has
24 been viewed over the last few years as being almost
25 isolationists in removing ourselves from these task

1 forces.

2 So I have committed to reengaging into, not
3 just federal task forces. There are some other --
4 in OROC, for example, in our Orlando region, the
5 Metropolitan Bureau of Investigation has a task
6 force that -- so I'm leaving that to the SACS to
7 determine in the region where those assets best
8 fit, but I don't know specifically why we withdrew.

9 COMMISSIONER PUTNAM: Well, I'm glad you're
10 turning that around.

11 Your early slide indicated that you're down
12 over 330 FTEs since '08, so why is space such a
13 problem if you're down over 300 FTEs?

14 INTERIM DIRECTOR SWEARINGEN: Keep in mind
15 some of our build -- our headquarters building is
16 over 20 years old now, so even with that
17 reduction -- now we lost over 300, we've gained
18 some of those back. I think we gained back a total
19 of maybe -- I know in the agent positions we lost
20 72 over that time frame, but we got 19 back from
21 the Attorney General's Office in 2011 for -- to
22 work child exploitation cases.

23 So we've gotten some of those back. But if
24 you notice, the one slide -- in 2000 we had
25 1,300 investigations and forensics positions.

1 We're down to about a thousand of those, so we are
2 still close to 300 down in that area. But many of
3 our buildings we've just outgrown. Even with the
4 reduction in those personnel, we've just simply
5 outgrown the buildings.

6 COMMISSIONER PUTNAM: Is the fusion center
7 concept working the way that it was designed to do,
8 or has complacency crept in since 911?

9 INTERIM DIRECTOR SWEARINGEN: As a society, I
10 think we -- as time passes between the significant
11 event, it's inevitable there is a level of
12 complacency. I think you're seeing that turn
13 around now, not just at the state level but at the
14 local level.

15 With the current threats we're facing, the
16 on-line threat, the availability of technology,
17 social media, the threats to this state, I mean I
18 can't overstate how significant they are.

19 So I think you're seeing a refocus now, which
20 is absolutely necessary, and that will be a
21 priority. As I said, we brought in -- the new head
22 of our Office of Statewide Intelligence has not
23 only military but federal experience, domestic
24 security experience. So there is going to be a
25 refocus in our Agency on that effort.

1 COMMISSIONER PUTNAM: Are the sheriffs and the
2 chiefs participating, or do they still have pockets
3 of concern about liability of sharing that
4 intelligence?

5 INTERIM DIRECTOR SWEARINGEN: The way our
6 fusion process is set up here in the state, each
7 region has a regional fusion center, and so the
8 local sheriffs and police chiefs are assigned --
9 they assign personnel at their discretion to those
10 regional fusion centers.

11 The state fusion center is made up of our
12 state and federal partners, so we don't have local
13 entities assigned to the state fusion center.
14 That's our state and federal partners. We have an
15 FBI representative there, and we have a DHS
16 representative there.

17 Like everybody else, you know, the sheriffs
18 and chiefs have lost resources. When the economy
19 tanked, they lost resources just like we did. So
20 some of that is a -- it's a budget decision.

21 So while I can't say that every sheriff and
22 police chief assigns people to fusion centers, I
23 think overall each region is represented. And I
24 think you're going to see a refocus of those
25 efforts as well.

1 COMMISSIONER PUTNAM: You made a number of
2 references to the increased level of chatter out
3 there and your concerns about counter terrorism.
4 Would you say that it is on the increase, your
5 assessment of the threat in the state?

6 INTERIM DIRECTOR SWEARINGEN: Without
7 hesitation. And that is the thing that keeps me up
8 most at night.

9 COMMISSIONER PUTNAM: What about recruitment
10 and radicalization within the inmate population in
11 the state, is that something that y'all monitor and
12 address?

13 INTERIM DIRECTOR SWEARINGEN: Quite honestly,
14 we need to do a better job of that in working with
15 the DOC. The FBI has a nationwide program that
16 looks at some of that, but here in the state,
17 that's one of the things I would like to sit down
18 and discuss with Secretary Jones, is how we can
19 better partner to identify those folks, not only
20 that are in prison that are radicalized, but who
21 they're meeting and talking with. So we definitely
22 need to do a better job in that area.

23 ATTORNEY GENERAL BONDI: Can I address
24 something on that point, Governor?

25 GOVERNOR SCOTT: Sure.

1 ATTORNEY GENERAL BONDI: And, Commissioner,
2 the case that we just made with the KKK trying to
3 kill a former inmate, we did that in conjunction
4 with the FBI. The FBI, they were very actively
5 involved in that case. I think the FBI is pretty
6 active in our corrections system. I don't want to
7 say a whole lot more than that.

8 COMMISSIONER PUTNAM: And finally, I would --
9 you know, the other topic I wanted to be sure and
10 go on record on is, you know, officer-involved
11 shootings and in-custody deaths. And I know that
12 you have signed a number of MOUs with local
13 agencies. How many MOUs do you have?

14 INTERIM DIRECTOR SWEARINGEN: I don't have
15 that specific number for you, Commissioner, but I
16 can get that to you by close of business today.

17 But what I have said, and what FDLE has always
18 done -- this is not new to me -- regardless of that
19 MOU, whether it's signed or not, FDLE will respond
20 if a chief or a sheriff calls us and asks for that
21 service. The MOU simply helps.

22 A lot of times if you don't have an MOU and
23 you normally work these things yourself, and then
24 all of a sudden you call and you want FDLE to do
25 it, what the suspicion is: What's wrong with this

1 shooting? There must be something going on here.

2 So the MOU just takes away that suspicion if,
3 for whatever reason, they wanted us to work a
4 specific case. But we'll never turn down a request
5 for service from a sheriff or a police chief in
6 that regard.

7 COMMISSIONER PUTNAM: It's just so important
8 for public trust that FDLE be the Good Housekeeping
9 Seal of Approval for Florida law enforcement so
10 that when those investigations occur there is no
11 reason to question those who investigate the local
12 officials, and so I just hope that you'll continue
13 to make that a priority and make sure that
14 internally FDLE is meeting its own expectations and
15 providing the kind of leadership, meeting the
16 accreditation standards, and then some, so that
17 there is no question that your investigators, when
18 they're reviewing those types of cases, are above
19 reproach.

20 INTERIM DIRECTOR SWEARINGEN: I agree,
21 Commissioner. The other side of that coin is you
22 have to have a relationship with the community that
23 you serve. I've met three times now with
24 representation from the NAACP, the local chapter
25 president here, as well as the state president a

1 couple of days ago, after the Charleston shooting.

2 If you don't have those relationships on the
3 front end, before something happens, if you're not
4 proactive in establishing those relationships, it's
5 too late when something happens. You have to have
6 that trust with the community before something like
7 a Charleston or a Ferguson happens, and so that's
8 another thing that I intend to put a lot of effort
9 into, is making sure that we are engaged in the
10 community before something happens.

11 COMMISSIONER PUTNAM: I'm delighted to hear
12 that. Thank you, Commissioner.

13 GOVERNOR SCOTT: CFO.

14 CFO ATWATER: Yes, thank you. Thank you,
15 Governor.

16 Commissioner, I just would like to express my
17 pleasure in the presentation that you've made, its
18 completeness; that you've been on it -- but I
19 appreciate that you have shared with us thoughts on
20 the entire personnel scheme that you're working
21 with. And that's organizational design, that's
22 management, that's the comparison, the analysis as
23 to alternatives that our talented people may have
24 in a marketplace that is trying to seek them out,
25 and our ability to maintain the talent that we must

1 maintain and go find and grow; as well as all the
2 infrastructure you spoke of, both technology,
3 obviously our presence around the state, the
4 relationships that you have spoken about with other
5 agencies that we must partner with on a
6 day-in-and-day-out basis.

7 So I have been impressed with the energy that
8 you have exerted and how intellectually you have
9 tried to take the entire scope of the role in these
10 first six months. I do believe you've laid out for
11 us some real needs, and so I think I'm just echoing
12 what's been said; that as you know, we will be
13 beginning the very conversation that was just
14 completed now in days to prepare ourselves for a
15 new fiscal year that will be coming before we know
16 it.

17 And you have a tremendous responsibility to be
18 sure that you have burdened us with additional
19 facts that will be necessary to accomplish both,
20 again, that infrastructure need that you're going
21 to have, the lab that has been spoken of eloquently
22 as to its value to the people of Florida, and that
23 we don't find ourselves being the farm system for
24 other places where these talented people are
25 heading off to, okay? Thank you very much.

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GOVERNOR SCOTT: All right. Thank you.

Item 5 was withdrawn.

INTERIM DIRECTOR SWEARINGEN: Thank you,
again, for the opportunity to serve as
Interim Commissioner of the greatest state agency.

GOVERNOR SCOTT: Thanks.

* * * *



FLORIDA DEPARTMENT OF LAW ENFORCEMENT

FY 16-17 Legislative Budget Request

The Department is currently working on completing its Legislative Budget Request (LBR) for FY 16-17. The focus of these requests will align with several of Commissioner Swearingen's priorities for the department. Specifically these requests will be associated with the recruitment and retention of qualified forensic, information technology and sworn personnel; the replacement or improvement of aging infrastructure and technology; enhancing Florida's domestic security prevention and intelligence efforts; and maintaining the professionalism of our public safety officers. The following areas will be addressed in the department's LBR:

Forensics

- Competitive pay adjustments
- Replace aging laboratory equipment
- Increase expense for DNA Database
- Support of training and expense within Biology case work
- Additional OT for Biology analysts

Investigations and Domestic Security

- Increase investigative staffing for use of force investigations
- Sustain domestic security preparedness efforts
- Enhance security at the Capitol Complex
- Supplement Enforcement and Investigative Services Unit

Replace or Improve Aging Infrastructure or Equipment

- New Pensacola Regional Operations Center
- Replace fleet including Crime Scene and Capitol Police specialty vehicles

Enhance Technology

- Support information technology staffing
- Maintain the Libra System software lease and support
- Year 3 funding for replacement of Computerized Criminal History System
- Year 2 funding for upgrade and re-write of the Automated Training Management System

Improve Public Safety Professionalism

- Staffing for Florida Accreditation Office

Additional Items. The department will also be seeking additional spending authority within the Operational Trust Fund as well as an adjustment to our grant authority. This is necessary to address yearly fiscal changes associated with the Federal Grants Trust Fund, and grants wherein FDLE is the recipient or the pass through for local agencies, and our tenant broker commissions. FDLE will also seek authority for at least one FTE position within the Office of Criminal Justice Grants to assist with the administration of these monies. The position will be supported through federal funding.



FLORIDA DEPARTMENT OF LAW ENFORCEMENT

2016 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 Change. 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.

Others. The department is considering other legislation regarding development of a single basic skills examination to be delivered electronically statewide through an agreement with Miami-Dade College and clean-up language for Sexual Offender/Predator and Career Offender registration statutes.

Proposed FDLE Performance Measures (Revised 7.28.15)

Number	Objective	Weight	Range	Result	Score	Weighted Score
1	Percentage of investigative resources dedicated to conducting major investigative activities	20%	5 = 70% or more 4 = 68-69% 3 = 66-67% 2 = 64-65% 1 = 63% and below			
2	Percentage of service requests completed as function of staffing and optimal performance	15%	5 = 15-20% 4 = 10-15% 3 = 5-10% 2 = 5% and below 1 = 0			
3	Percentage of criminal history records compiled accurately	10%	5 = 98-100% 4 = 95-97% 3 = 92-94% 2 = 89-91% 1 = 88% and below			
4	Percentage of criminal history record checks responded to within the defined timeframe	5%	5 = 100% 4 = 98-99% 3 = 96-97% 2 = 94-95% 1 = 93% and below			
5	Percentage of Biometric Identification System searches performed in 10 minutes or less	5%	5 = 100% 4 = 98-99% 3 = 96-97% 2 = 94-95% 1 = 93% and below			
6	Percentage of time critical technology systems are online and accessible	10%	5 = 95-100% 4 = 90-94% 3 = 85-89% 2 = 80-84% 1 = 79% and below			
7	Number of training hours delivered to local, state and federal agencies	5%	5 = 800 or more 4 = 750-799 hours 3 = 700-749 hours 2 = 650-699 hours 1 = less than 650 hours			
8	Percentage of officer certification applications processed within define timeframe	5%	5 = 97-100% 4 = 94-96% 3 = 90-93% 2 = 89-86% 1 = 85% and below			
9	Percentage of customers with positive service rating	5%	5 = 95-100% 4 = 90-94% 3 = 85-89% 2 = 80-84% 1 = 79% and below			
	Total	80%				

Subjective Leadership Assessment

Number	Measure	Ranking 1-5
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1	How do you define success in your agency?	
2	What services does your agency provide that are most undervalued?	
3	What outcomes do you plan to accomplish as agency head as it relates to your short and long	
	a. Do your resources align with your priorities in order to achieve these outcomes?	
	b. How do your priorities align with the agency's legislative proposals and legislative budget	
	c. What are the drivers and resistors that will help or hinder you from meeting these priorities?	
	d. How does the agency organizational structure support these priorities?	
	e. How are you measuring progress toward outcomes?	
4	What program areas of your agency face challenges in achieving desired outcomes?	
	a. What major issues are contributing to each area's weaknesses?	
	b. What internal or external threats exist?	
	c. What are the strategies you have planned to address these issues?	
	d. What major changes need to occur to achieve the desired outcomes?	
5	What do you view as the greatest risk in the next fiscal year or calendar year?	
	a. How do you plan to mitigate the risk and address this issue?	
6	What current agency responsibilities do you consider unnecessary or obsolete, or would be	
7	Stakeholders:	
	a. Identify your stakeholder groups and opportunities for stakeholders to interact/provide input	
	b. What are the top issues communicated by stakeholders, and what plans are in place to	
	c. How do you assess whether or not your stakeholder needs are met?	
Total Average of Rankings (20% Weight)		

Florida Department of Law Enforcement	Weight	Score	Weighted Score
Objective Performance Measures Score	80%		
Subjective Leadership Assessment Score	20%		
TOTAL			

Subjective Leadership Assessment Score Breakdown	
<i>Governor</i>	
<i>Attorney General</i>	
<i>Chief Financial Officer</i>	
<i>Commissioner of Agriculture</i>	
Governor & Cabinet Scores Added/4	
Total Score	

Weighted Average Scale	
Significantly Exceeds Expectations	4.6 and above
Exceeds Expectations	3.6 - 4.5
Meets Expectations	2.6 - 3.5
Does Not Meet Expectations	1.6 - 2.5
Fails Expectations	1.5 and below