

AGENDA
FLORIDA DEPARTMENT OF LAW ENFORCEMENT
September 20, 2016

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

ITEM 1 Respectfully submit the **Minutes of the August 2, 2016 Cabinet Meeting.**

(See Attachment 1)

RECOMMEND APPROVAL

ITEM 2 Respectfully submit the **Florida Department of Law Enforcement's FY 17-18 Legislative Budget Request.**

(See Attachment 2)

RECOMMEND APPROVAL

ITEM 3 Respectfully submit the **Florida Department of Law Enforcement's 2017 Legislative Proposal.**

(See Attachment 3)

RECOMMEND APPROVAL

ITEM 4 Respectfully submit the **Commissioner's FY 15-16 Annual Report and Leadership Assessment and Contracts, Agreements and Purchases over \$100,000 for April 1 to June 30, 2016.**

(See Attachment 4)

RECOMMEND APPROVAL

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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, AUGUST 2, 2016

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

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

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

6 COMMISSIONER SWEARINGEN: Good morning, again;
7 and thank you, again, for your recognition earlier
8 to our annual award winners.

9 Today the Department has three agenda items.
10 First, I respectfully submit the minutes of the
11 March 2nd, 2016, Cabinet meeting for your approval.

12 GOVERNOR SCOTT: Is there a motion on the
13 item?

14 ATTORNEY GENERAL BONDI: So moved.

15 GOVERNOR SCOTT: Is there a second?

16 COMMISSIONER PUTNAM: Second.

17 GOVERNOR SCOTT: Comments or objections?

18 (NO RESPONSE).

19 GOVERNOR SCOTT: Hearing none, the motion
20 carries.

21 COMMISSIONER SWEARINGEN: The next item is
22 final adoption of rules which were presented at my
23 last appearance. While the package looks
24 extensive, a majority of the changes are cleanup,
25 changes to forms; or statutory changes to 11A and B

1 regarding the Criminal Justice Standards and
2 Training Commission; also slight changes to 11C-6
3 regarding the Department's firearms check program;
4 and 11D-8 regarding the implied consent program are
5 proposed for final approval.

6 GOVERNOR SCOTT: Is there a motion on the
7 item?

8 CFO ATWATER: So moved.

9 GOVERNOR SCOTT: Is there a second?

10 ATTORNEY GENERAL BONDI: Second.

11 GOVERNOR SCOTT: Any comments or objections?

12 (NO RESPONSE).

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

15 COMMISSIONER SWEARINGEN: The last item is my
16 third quarter performance report and contracts over
17 \$100,000. Of course, as I'm presenting this data
18 to you, we have already completed the fiscal year.
19 The annual data will be included in my performance
20 review at the next meeting.

21 With three quarters of the way through the
22 year, our performance was strong. Six of our
23 measures met or exceeded the standards. We did see
24 a slight dip in Performance Measure Number 4, the
25 criminal history record check responses within

1 defined timeframes compared to first and second
2 quarters. This was due to the increased volume of
3 firearm criminal history background checks we
4 received during the extra busy peak season, as well
5 as the post recent terrorist incident in Orlando.
6 These events always seem to have a significant
7 impact on our firearm purchasing program.

8 During the third quarter, the Department
9 processed about 44,000 more firearms checks
10 compared to the same period last year; and year to
11 date we are 200,000 above where we were last year.

12 The three measures marked NA will also be part
13 of my annual review at the September 20th meeting,
14 and that concludes my presentation.

15 GOVERNOR SCOTT: All right. Is there a motion
16 to accept the report?

17 ATTORNEY GENERAL BONDI: So moved.

18 GOVERNOR SCOTT: Is there a second?

19 COMMISSIONER PUTNAM: Second.

20 GOVERNOR SCOTT: Any comments or objections?

21 (NO RESPONSE).

22 GOVERNOR SCOTT: Hearing none, the motion
23 carries.

24 Thank you, Rick.

25 COMMISSIONER SWEARINGEN: Thank you.

1 GOVERNOR SCOTT: Next I'd like to -- go ahead.

2 ATTORNEY GENERAL BONDI: Commissioner, again
3 thank you for everything, you and your great
4 Department, you do every day. Thank you.

5 COMMISSIONER SWEARINGEN: Thank you.

6 GOVERNOR SCOTT: You guys do a great job.

7 COMMISSIONER SWEARINGEN: Thank you.

8 (APPLAUSE) .

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Florida Department of Law Enforcement

FY 17-18 Legislative Budget Request



#	Issue	FTE	General Revenue	Trust Fund	TOTAL	Recurring
1	Enhance Counterterrorism Resources	46	\$6,191,056		\$6,191,056	\$4,602,178
2	Improve Agent Recruitment		\$4,201,592		\$4,201,592	\$4,201,592
3	Adjust Capitol Police Officer Pay			\$324,555	\$324,555	\$324,555
4	Enhance Missing Children Response and Investigations	9	\$91,566	\$621,924	\$713,490	\$677,499
5	Continue Sexual Assault Kit Backlog Reduction Plan	5	\$785,984		\$785,984	\$440,384
6	Meet Public Records Processing Demands	2	\$111,566		\$111,566	\$111,566
7	Improve Sexual Offender and Predator Registry Database			\$1,938,180	\$1,938,180	
8	Replace Computerized Criminal History System (Year 4 Funding)			\$5,200,000	\$5,200,000	
9	Increase Rental Fees		\$694,376		\$694,376	\$694,376
10	Adjust Credit Card Processing Fees			\$248,809	\$248,809	
11	Increase Tenant Broker Commissions			\$2,030	\$2,030	\$2,030
TOTAL REQUEST		62	\$12,076,140	\$8,335,498	\$20,411,638	\$10,611,766



FLORIDA DEPARTMENT OF LAW ENFORCEMENT

2017 Legislative Proposal

Basic Abilities Test. In 2000, the Legislature created the Basic Abilities Tests (BAT) for applicants entering into a criminal justice basic recruit program in Florida. Currently the department oversees three private providers authorized by the Criminal Justice Standards and Training Commission to create, manage and administer the BAT statewide. In light of recent issues with the test, the 2016 Legislature required the department to develop a plan for assuming development and administration of the BAT. The plan will include associated costs for implementing the test in cooperation with one of the three private providers (Miami-Dade College) and will be provided to the Governor and Legislature by January 1. To implement the plan, the department will propose legislation to change to Sections 943.12 and 943.17, FS. Advantages of the proposed legislation include:

- Ensure equal opportunity and access for all law enforcement and corrections applicants seeking entry into the respective training programs;
- Standardize content and difficulty level;
- Eliminate redundant processes;
- Create consistency in fees/site charges (not to exceed \$50);
- Streamline communication and information dissemination;
- Increase efficiency, expediency, and consistency of processes and tests; and
- Add revenue to the training trust fund.

Terrorism Prevention. The department will propose legislation to criminalize certain terrorism-related activities at the state level, providing Florida's law enforcement authorities with a series of tools to hopefully prevent future terrorist activities. Our current threat environment has seen a vast expansion and evolution of terrorist-related threats in recent years. It is imperative that our law enforcement officials have similar authorities to investigate and prosecute criminal matters concerning domestic security. Much of the proposed language directly stems from some of the primary tools used by federal agencies and prosecutors. The following proposed changes will give state and local law enforcement the ability to investigate matters not currently covered in statute:

- Amending Section 775.30, FS, to include penalties;
- Creating Section 775.32, FS, to prohibit the use of military-style training received from foreign terrorist organizations;
- Creating Section 775.33, FS to prohibit certain forms of material support to terrorist actors and organizations;
- Creating Section 775.34, FS, to prohibit active membership in a foreign terrorist organization; and
- Creating Section 775.35, FS, to create penalties for agroterrorism.

Inmate Medical Records. Currently, there are three ways to obtain a person's medical and treatment records in Florida (written consent, subpoena with notice and search warrant). Each of the three proves difficult for FDLE agents investigating an inmate's injury or death at a Florida Department of Corrections (FDC) facility, significantly inhibiting their ability to conduct an efficient and effective investigation. The department will propose legislation allowing agents to request and utilize inmate medical or treatment records held by FDC, while investigating their injury or death.

FDLE Performance Measures - Annual FY 15-16

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	72.0%	5	1.00
2	Percentage of service requests completed as function of staffing and optimal performance	15%	5 = 15% and above 4 = 6-14% 3 = 0-5% 2 = -5 to -1% 1 = -5% and below	24.4%	5	0.75
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	97.0%	4	0.40
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	95.5%	3	0.15
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	96.9%	3	0.15
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	99.95%	5	0.50
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	849	5	0.25
8	Percentage of officer certification applications processed within defined timeframe	5%	5 = 97-100% 4 = 94-96% 3 = 90-93% 2 = 89-86% 1 = 85% and below	95.4%	4	0.20
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	97.0%	5	0.25
Total		80%				3.65

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	below



CONTRACTS, AGREEMENTS AND PURCHASES OVER \$100,000

Q4- FY 2015-16 (April 1 – June 30, 2016)

<u>P.O.#</u>	<u>VENDOR/SERVICE</u>	<u>AMOUNT</u>
AF4E81	ADI Technologies ISR, Inc. Mobile camera surveillance package for aircraft. <ul style="list-style-type: none">▪ Single Source▪ One Time Purchase	\$224,872
AEC72E	Bode Cellmark Forensics, Inc. Testing of Sexual Assault Kit (SAK) casework. <ul style="list-style-type: none">▪ Single Source▪ Term: 4/11/16-8/31/16	\$ 299,333
AF2763	Dell Marketing LP Dell Computers, 120 laptops and 273 desktops for the FY 15-16 hardware replacement plan. <ul style="list-style-type: none">▪ Alternate Contract▪ One Time Purchase	\$ 343,884
AF3192	DLT Solutions, LLC 28 Informatica Identity Resolution software licenses and maintenance support. <ul style="list-style-type: none">▪ Alternate Contract▪ One Time Purchase	\$ 113,655
AF2306	Fisher Scientific Company, LLC Purchase of 3 comparison forensic microscopes for Tampa and Orlando Regional Crime Labs. <ul style="list-style-type: none">▪ Alternate Contract▪ One Time Purchase	\$168,673
FDLE-036-16	Georgia Tech Applied Research Corporation Development of feasibility study/implementation plan for transition to the National Incident Based Reporting System (NIBRS). <ul style="list-style-type: none">▪ Government Agency▪ Term: 5/12/16-5/11/17	\$412,000
AF4F0A	Gladiator Forensics, LLC Surveillance and detection equipment. <ul style="list-style-type: none">▪ Single Source▪ One Time Purchase	\$120,000

AF1379	Life Technologies Corporation	\$301,934
AF24DF	Reagents and supplies for offender DNA (Biology) casework performed by Tallahassee and Tampa Regional Crime Labs. <ul style="list-style-type: none"> ▪ Single Source ▪ One Time Purchase 	\$217,593
FDLE-038-16	Porter Lee Corporation	\$426,150
	Radio Frequency Identification Technology system for the Barcoding, Evidence, Analysis, Statistics and Tracking and Laboratory Management System software modules. <ul style="list-style-type: none"> ▪ Single Source ▪ Term: 5/26/16-10/25/16 	
AF4925	Presidio Networked Solution, LLC	\$231,563
	Replacement of Cisco switches that support FDLE member network access. <ul style="list-style-type: none"> ▪ Alternate Contract ▪ One Time Purchase 	
PO1134501*	SHI International Corporation	\$274,403
	COBRA.net platform software license package to unify FDLE data systems. <ul style="list-style-type: none"> ▪ State Term Contract ▪ One Time Purchase 	
PO1111857	Sorenson Forensics, LLC	\$786,240
	Testing of Sexual Assault Kit (SAK) casework. <ul style="list-style-type: none"> ▪ Invitation to Bid ▪ Term: 5/3/16-12/31/16 	
AF5C44	Southeast Aerospace, Inc.	\$252,260
	Modifications for King Air aircraft. <ul style="list-style-type: none"> ▪ Invitation To Bid ▪ One Time Purchase 	
PO1122044	Ultra Electronics Forensic Technology, Inc.	\$191,408
	Safeguard extended warranty and hardware maintenance for laboratory equipment located in Tampa, Jacksonville and Tallahassee Regional Crime Labs. <ul style="list-style-type: none"> ▪ Single Source ▪ Term: 5/15/16-6/30/17 	
AF3892	Van Bortel Aircraft, Inc.	\$238,300
	Purchase of 2004 Cessna 182T Skylane aircraft. <ul style="list-style-type: none"> ▪ Invitation To Bid ▪ One Time Purchase 	

*Minority Vendor

**FDLE Annual Cabinet Report
FY 15-16 Subjective Questions**



Number	Measure	Ranking 1-5
1	<p>How do you define success in your agency?</p> <p>Our mission is to promote public safety and strengthen domestic security through partnerships with local, state and federal agencies, while protecting Florida’s citizens and visitors. This speaks to the origins of this agency. FDLE is a unique agency. There are very few state agencies nationwide that compare in terms of authority, capacity, membership and governance. There are many dimensions of our success as an agency. Some can be measured objectively, through performance metrics, goals and outcomes. Others indicators of success, which are not as easily measured or controlled, can also be used.</p> <p>I believe public safety is a shared responsibility. FDLE’s success as an agency depends heavily on our partnerships and how we are contributing to the overall effectiveness of the network of local, state and federal agencies that play a role in preventing, investigating and solving crime in Florida. Success is not as simple as measuring the crime rate in Florida. There are so many factors that go into preventing crime, it is impossible to draw direct correlations to just one or two. For example, success can be measured by ensuring officers have the training they need to do their jobs effectively, which in turn, impacts public safety.</p> <p>Another significant portion of our success hinges on the quality, availability and timeliness of the services we provide to other agencies to support their missions. For example, the speed and accuracy of the results of a criminal history check being conducted by an officer during a traffic stop may make the difference between an officer making it home safely to his or her family at the end of a shift or tragedy. These same services may help a citizen during a traffic stop communicate that they aren’t the subject a felony warrant, but rather the victim of identity theft.</p> <p>Our success is also demonstrated by the trust and confidence of the public and the agencies seeking our assistance in some very specific missions like domestic security, intelligence and in-custody death investigations. Transparency in our operations, fair and impartial investigations, expertise in complex and protracted intelligence and domestic security operations are some of the areas where FDLE can make unique contributions to public safety statewide.</p> <p>Finally, success at any organization is often the result of an engaged, positive and motivated workforce supported by managers striving to be leaders and not just “bosses.” In the world of public safety, pay will never be the ultimate motivator for those dedicated to finding a missing child or stopping a terrorist act. Those who choose to go into this “business” do so with the goal of doing something more, something that is larger than just doing a job – what they do in some small ways and sometimes in very large ways protect and saves lives <u>every single day</u>. For FDLE members to do this with the required focus, commitment and accountability expected means they must feel appreciated and part of a family and not a numbered state employee. To ensure our long-term success, FDLE adheres to a fundamental principle; our members are indeed our most valuable asset. We invest in this through professional development, creating career pathways, mentoring as well as</p>	

	supporting the personal goals of members engaged in higher education, charitable work and community volunteerism.	
2	<p>What services does your agency provide that are most undervalued?</p> <p>Special agents make arrests and crime lab analysts process evidence every day to put the bad guys away. But there are numerous other positions within the department whose contributions are significant in the scheme of our success, but because of their lower profile, are often undervalued by external entities. These include members such as our information delivery team and criminal justice auditors, field service representatives, fingerprint analysts, customer support analysts, intelligence analysts and criminal justice grants specialists. These members interact with our local law enforcement agencies on a daily basis in ways to help these partner organizations enhance their services.</p> <p>Our information delivery teams helps provide crucial information security training to agencies and make sure these agencies take full advantage of the multitude of information sources available to them via the Criminal Justice Network. Similarly, our criminal justice auditors help agencies comply with the FBI's Criminal Justice Information Services Security Policy to ensure data is secured effectively and efficiently.</p> <p>Our field representatives within our professionalism division are assigned to help agencies hire and retain police officers, correctional and correctional probation officers that meet all Florida requirements and maintain professional compliance within training and disciplinary frameworks. They also support the 40 training centers statewide tasked with the basic, specialized and advanced courses that keep our public safety officers prepared for an ever changing environment.</p> <p>Three sections of the agency provide support 24 hours a day/7 days a week/365 days a year. They often go unrecognized as they are quietly working in the background of the department. The identification section compares fingerprints on all arrests submitted to the department to determine whether an individual has a current record to which the new arrest will be added or a new record will be created and added to the Computerized Criminal History System. Fingerprints are the backbone of this system. The customer support center answers calls from agencies on everything from how to decipher administrative messages within FDLE's Florida Crime Information Center systems to how to properly update entries into the sexual offender/predator registry. And the intelligence watch and warning desk supports our domestic security and intelligence efforts providing vital situational awareness and intelligence, and providing after hours analytical support to all partner agencies. It also serves as the primary point of contact for all seven FDLE regions for emergencies.</p> <p>And finally, our office of criminal justice grants identifies opportunities to support new initiatives and programs while also administering state and federal pass through funds to almost 500 agencies totaling \$45 million annually. For example, in the wake of The Pulse Nightclub shooting this summer, the members proactively identified over \$500,000 in residual federal funding that could be used to offset the costs for locals. Members in this office are also coordinating the distribution of \$12 million in other federal monies regarding the Pulse incident.</p>	

3

What outcomes do you plan to accomplish as agency head as it relates to your short and long term priorities?

In June 2015, I outlined my eight key priorities for the department:

- 1-Establishing Cybercrime Capabilities;
- 2-Enhancing Intelligence and Domestic Security Partnerships and Investigations;
- 3-Leveraging new Analytical Capabilities to better Utilize Data and Information;
- 4-Allocating Additional Assets to Public Safety Task Forces;
- 5-Maintaining Public Confidence in Professional Standards and Character of Peace Officers;
- 6-Providing Objective Use of Force / In-Custody Death Investigations;
- 7-Evaluating Department Infrastructure / Updating Technology, Facilities and Equipment;
- and
- 8-Improving Recruitment, Retention and Development of Members.

Over the past year, we have begun implementing these priorities. With your support, the department received legislative funding for additional special agent positions to conduct objective in-custody death and use of force investigations; competitive pay for the retention of forensic personnel; additional technology positions; continued upgrading of two key technology systems; and building a new Pensacola Regional Operations Center.

But there is more work to be done, involving some short-term priorities for the department. First, the department needs to strengthen resources dedicated to the detection and investigation of individuals and organizations that are planning and supporting acts of terrorism in Florida. FDLE has a statutory responsibility for domestic security in Florida that goes well beyond our role in the Domestic Security Oversight Council and the prioritization of funding needs for state and local agencies receiving Department of Homeland Security dollars. Over a year ago, the FBI publicly indicated that we are at more risk now for an attack on American soil than we were preceding the tragedy on September 11, 2001. And then the Pulse Nightclub attack occurred in Orlando. Even though I have dedicated significantly more resources to domestic and cyber security, we still do not have FDLE agents assigned to all of the FBI's Joint Terrorism Task Force squads throughout Florida. We are critically understaffed in this area. Nor do we have all the tools we need. This is a vulnerability we cannot afford; it will be addressed in this year's legislative budget request.

Second, we need to better leverage data we have in a several disparate systems. While I have committed to on-going training and professional development of our analysts within current funding constraints, we now need to find funding for the analytical system tools to help them do their jobs more efficiently. We are currently evaluating this issue to better identify the scope of the resources required to fulfill this responsibility.

Third, law enforcement agencies across the country are under enhanced scrutiny. Due to statutory requirements, we play an integral role in the training, certifying and disciplining of Florida's law enforcement and correctional officers and agencies. The department must take a leadership role to help ensure public trust and maintain peace. Next year the department will propose rules to allow the Criminal Justice Standards and Training Commission to take disciplinary actions against an officer's certification when they commit acts of prejudicial behavior. In addition, the department is facilitating workshops to improve officer training at all levels regarding concerns about explicit biases. Recent Florida headlines have highlighted examples of alleged failures by officers to maintain what we

	<p>would characterize as good moral character.</p> <p>And fourth, we are not able to hire enough of the best and brightest investigators due to our salary limitations. With FDLE’s public integrity, cyber and domestic security investigative focus our agents continue to require expertise that come from high levels of experience on the job along with a heavy investment in specialized training. For example, the cost and the additional training for cyber analysts, cyber agents and cyber task forces is an investment that we can’t afford to lose. FDLE gets thousands of applicants for our special agent positions but a very small number qualify for these positions. This is part of a long-term priority to enhance the entire agency workforce, but we are proposing an increase in agent salaries in this year’s legislative budget request because of our dire need.</p> <p>A couple of the priorities, such as enhancing the department’s physical capacity and refining and reinvesting in our members, will require a longer-term fix. First, FDLE cannot remain a premier law enforcement agency if it doesn’t maintain its physical resources, including buildings, equipment and technology. We are at capacity in terms of space in almost every region in the state. To that end, the department has engaged with the Department of Management Services and an architectural firm to assess current headquarters facilities and internally we evaluated our forensic footprint. We will be seeking funding to expand headquarters, to move critical functions like the DNA Database out of privately leased facilities and to renovate our forensic space to accommodate additional growth.</p> <p>And second, next year the department will celebrate its 50th anniversary. Throughout the years, our policies, procedures, practices and processes have evolved. Unfortunately, the workforce has not necessarily evolved at the same pace to support emerging business processes. For example, the department has recently begun enhancing our information technology functions. When the completed Computerized Criminal History Information System comes online in late 2018, many of the business processes that previously were data entry, hard copy driven will now be automated. The sections charged with ensuring the accuracy of the data in these systems, making updates and corrections will now require more analytically driven skillsets. In coordination with the Department of Management Services, and the support of the Legislature, we need to begin transitioning to a more robust and innovative workforce, not only in the technology area, but agency-wide.</p>	
	<p>a. Do your resources align with your priorities in order to achieve these outcomes?</p> <p>Yes, my priorities are aligned with the current operational needs of the department and are a reflection of services requested by our partner agencies that FDLE is best suited to provide. The priorities also align with current and former legislative budget requests and legislative intent.</p> <p>The department is still recovering from the loss of positions nearly a decade ago during budget shortfalls. Between FYs 07-11, FDLE experienced a 20 percent reduction in sworn investigative positions and a 29 percent reduction in intelligence analyst positions. As a result, it’s been difficult to maintain a commitment to increasingly demanding investigative priorities. Our recent legislative budget requests are a reflection of an extensive review of our current staffing, customer service requests, investigative priorities, statutory and legislative mandates.</p>	

	<p>In addition, we have seen a significant increase in several key areas of customer service requests, mostly in criminal justice information services and forensics. We will continue to seek the resources necessary to provide the quality services expected, while also investing in our infrastructure.</p> <p>You will not see a request from FDLE that does not reflect a true need for positions and salary, infrastructure, equipment and technology that could otherwise be accomplished through another funding source, operational or organizational change, or restructuring of work flows.</p>	
	<p>b. How do your priorities align with the agency's legislative proposals and legislative budget requests?</p> <p>My priorities were developed based on an inventory of the department's current duties, responsibilities, conversations, and meetings with many chiefs, sheriffs, community leaders, legislators and customers regarding department performance. This dialogue is a means to discuss emerging questions, suggestions or concerns they have about public safety topics and FDLE's role.</p> <p>For example, I am not often found in my office. I am dedicated to discussing member issues and ideas which only can be heard if you are willing to be present and listen. To that end, I dedicate a good percentage of my time to interacting with members across many areas of the agency. They provide a wealth of ideas that add value to the services provided to our partner agencies and customers and their input is critical to our priorities.</p> <p>Last year, the department worked with the Legislature to pass two pieces of legislation involving the sexual offender/predator registry and criminal history records. Both will help ensure public safety while improving the effectiveness of their respective areas. In the upcoming session, we anticipate proposing legislation to improve the entrance exam for individuals interested in becoming law enforcement or correctional officers. It will also help ensure public safety.</p> <p>The priorities were used as a guide in developing our annual legislative budget request for the upcoming year. You will notice a number of consistent themes, including enhancing domestic security and intelligence, improving department infrastructure and improving opportunities for members.</p> <p>I believe my priorities help provide a vision for the agency to fulfill our responsibilities. The legislative proposals and budget requests are extension of them and will provide the necessary resources to get the job done.</p>	
	<p>c. What are the drivers and resistors that will help or hinder you from meeting these priorities?</p> <p>As I have previously shared publicly, I believe my priorities encourage and support the department's refocusing, reprioritization and renewal. The key drivers to accomplish that are agency leadership and identifying/meeting the needs of our customers and partners. Some key resistors we need to be aware of include limited resources, negative public sentiment, unsuitable assignments and unpredictable external events.</p>	

	<p>d. How does the agency organizational structure support these priorities?</p> <p>Like many law enforcement agencies, FDLE is organized in a traditional hierarchical manner. Agency headquarters is located in Tallahassee and there are seven regional operations throughout the state (Pensacola, Tallahassee, Jacksonville, Orlando, Tampa, Ft. Myers and Miami). The department is comprised of five areas (Executive Direction and Business Support, Investigations and Forensics, Criminal Justice Information, Criminal Justice Professionalism and Florida Capitol Police) which are focused on accomplishing several key objectives:</p> <ul style="list-style-type: none"> • Conducting multi-jurisdictional, multi-victim and special investigations; • Examining forensic evidence; • Providing an infrastructure of critical history information; • Developing and maintaining the networks and databases that support or enhance core information needs; • Promoting competency and professional conduct of criminal justice officers; and • Providing security for the Capitol Complex and protecting the Governor, First Lady, First Family and other dignitaries. <p>Approximately 50 percent of the department’s membership is allocated to the regions. This allows the department to promote decision making at levels more closely to our partners and customers. My leadership team is familiar with the agency’s priorities and they are empowered to implement the strategies necessary to meet our goals and objectives. In addition, our members are encouraged to be change agents and to speak up if they feel there are unmet opportunities for enhancements or efficiencies in our operations. The long established culture of respect at FDLE for the value of our members in all positions helps to foster the development of the services. As a relatively small agency, we tend to be fluid and flexible in our operations.</p>	
	<p>e. How are you measuring progress toward outcomes?</p> <p>Since the mid-90’s when the state began implementing performance-based program budgeting, FDLE has been at the forefront of performance measurement. In FY 96-97, the department submitted its first budget request involving performance measures and standards. Since then, performance data has been used to illustrate department performance and help make policy and budget decisions. In some instances, measures and standards even extend down to member performance evaluations. This type of information has also been part of our quarterly reports to the Governor and Cabinet since they were established and have included output and outcome measures, standards and data regarding our services.</p> <p>In June 2015, these performance reports transitioned to nine agency outcome measures, as approved by the Governor and Cabinet, which represent a majority of agency services and include a customer service rating. Every three months I share the department’s performance with the Governor and Cabinet and the report is posted on FDLE’s website. In addition, the department continues to track a number of agency outputs and other outcomes, as reported in the department’s annual Long –Range Program Plan.</p> <p>Development of effective agency outcome measures (report overall results or benefits) can be complicated. Our services are generally intended to increase public safety in Florida. Yet</p>	

	<p>outcomes such as crime rates or arrest rates are not useful department measures because the data is affected by many agencies and factors outside of FDLE control. Another example involves our attempts to develop an outcome for agency criminal intelligence, one of my key priorities. While we can effectively track the number of meaningful intelligence products we produce and share with our partners, it is much more challenging to identify the impact of these products as the source for additional prevention efforts, protective measures, investigative leads, resource deployment decisions and other intelligence.</p> <p>Performance measurement continues to be an accepted part of management within the department. Measures and data are regularly reviewed by leadership. Quarterly and annual standards are set to determine our progress towards meeting these goals. The use of this information is ingrained in various tools and monitored in our agency's Performance Accountability Management System (PAMS). Any member of the department may access PAMS through the department's internal website to identify agency progress in meeting various internal output and outcome performance measures.</p>	
<p>4</p>	<p>What program areas of your agency face challenges in achieving desired outcomes?</p> <p>In the previous response, I noted challenges regarding developing good outcome measures. For instance, I believe the department is making a positive impact on the collection and use of criminal intelligence. However, that can be difficult to illustrate in an objective measure.</p> <p>On the other hand, there are a few areas of the department where we have identified outcomes, yet we face challenges in achieving desired outcomes. A good example is in the laboratory system. For a number of years, we have experienced recruiting and retaining crime laboratory analysts. Over the last five years, the turnover in the lab was 37 percent. This negatively affected the agency's ability to process forensic service requests in a timely manner. In FY 14-15, the average number of days to complete a lab service request was 69 days, which was 10 percent above the 63 day agency standard. And while the 2016 Legislature appropriated almost \$4 million to the department to address salary issues in the labs, it will take some time to hire and train analysts and impact these performance outcomes.</p> <p>Another challenging area involves requests for criminal history record checks, specifically for the purpose of buying a firearm. In FY 14-15, the department processed almost 3.2 million total record checks; 800,000 were processed for the purpose of buying a firearm. And the department handled 100 percent of the requests within defined timeframes. For firearm checks, the standard is four minutes. Unfortunately in FY 15-16, the percent of checks responded to within defined timeframes dropped to 96 percent, primarily due to an increase in firearm checks. In FY 15-16, the department processed almost 3.6 million total record checks; almost one million were for the purpose of buying a firearm. Factors outside of the department's control increased the number of checks, resulting in a decreased response time. The 200,000 increase in checks used to purchase firearms was due an extra-busy peak season and recent political and terrorist incidents.</p>	
	<p>a. What major issues are contributing to each area's weaknesses?</p> <p>A few weaknesses which present challenges for the department include leadership turnover, member hiring and retaining and assuming new roles. First, the department has experienced significant leadership changes at all levels of the organization the last few</p>	

	<p>years. The department has established a mentoring program to help ensure a consistent pool of well-qualified members is prepared to step into future leadership positions.</p> <p>Second, the department is having difficulty recruiting and retaining new members because non-competitive salaries and inability to provide other incentives. Without additional budget flexibility and/or resources to recruit and retain productive members, the department may face performance challenges and be at a competitive disadvantage in the future. As a state agency, our ability to provide hiring or retention incentives is somewhat limited. With that being said, the department has attempted to implement some internal measures to improve employee retention and expand and improve morale. An example is the department’s mentoring program which is designed to identify, mentor and motivate future agency leaders.</p> <p>And finally, as I noted in an earlier response, the threat of terrorist acts such as what recently occurred at the Pulse Nightclub in Orlando is real. FDLE is the state agency responsible for domestic security in Florida. However, given the large amount of terror-related indicators, this is not something the department can prepare for, prevent from or respond to with current resources. While FDLE employs some agents and analysts to handle domestic security/terrorism cases, a need exists for better connectivity to regional intelligence and domestic security squads and enhanced investigative activities in the field. The department anticipates requesting additional resources as part of its FY 17-18 legislative budget request to address this increasing role.</p>	
	<p>b. What internal or external threats exist?</p> <p>There are a number of potential threats that exist, including emerging crime trends, member safety, availability of resources and unpredictable external catastrophes. First, due to emerging crime trends, the department is focusing resources on issues such as cyber intrusion, retail and identity theft, public integrity/corruption, officer involved shootings, human trafficking and terrorism/domestic security threats. Abuse of synthetic substances and the rising epidemic of heroin addiction continue to present a severe health risk and an immediate danger to the health, safety, and welfare of Floridians.</p> <p>Second, the attacks on law enforcement and self-radicalizing of individuals to anti-government views could increase potential danger to FDLE members, negatively impacting the department’s ability to accomplish its mission.</p> <p>Next, FDLE’s capacity to adequately investigate new mandates and maintain the level of commitment to other core mission responsibilities will be threatened if requested resources are not appropriated. This includes appropriate expense monies necessary to upgrade facilities and physical infrastructure statewide as well as adequate equipment for department personnel. In addition, while the department has seen a decline in the state’s Criminal Justice Trust Fund, that’s not the case with FDLE’s Operating Trust Fund, which generates revenue from agency services. Historically, the department has utilized this revenue very effectively. As the need to expand department services increases, greater reliance on this fund may need to be considered in lieu of general revenue. About 34 percent of the department’s appropriations come from general revenue.</p> <p>And finally, major catastrophic events, natural or man-made that divert a significant portion of our resources away from our other core functions will always be a threat. If we</p>	

	<p>experienced multiple events simultaneously, we would be hard pressed to cover these effectively, especially if they were geographically distant. As a “lean” agency, certain regions would be unable to meet competing demands of caseloads coupled with response and long term investigative needs created by a major event.</p>	
	<p>c. What are the strategies you have planned to address these issues?</p> <p>Our mission is to promote public safety and strengthen domestic security through partnerships with local, state and federal agencies, while protecting Florida’s citizens and visitors speaks to the origins of this agency. I am committed to implementing the strategies required to address the weaknesses and the threats the department faces, as long as they meet the needs of our customers and are consistent with our statutory mission.</p> <p>Like many state agencies, we are in need of additional budget flexibility and resources. One of my strategies is to gain your support in an effort to lobby the Legislature for this assistance. At the same time, we are evaluating our workforce to ensure we are making the most effective use of our resources. I am dedicated to exploring innovative enhancements to the services FDLE provides these agencies. Over the past few years, the Legislature has begun re-investing in the department as the demand for services has grown. I am committed to requesting the necessary and appropriate resources to ensure FDLE meets these needs, while also ensuring we are good stewards of taxpayer monies. You will not see a request from FDLE that does not reflect a true need nor does not better enable us to meet our mission.</p> <p>One of the things I discussed at my six-month status report in June 2015, was meeting with FDLE members, customers and partners, including legislators, legislative staff, chiefs, sheriffs and community leaders. The meetings didn’t just focus on our current services, but we also discussed my agency priorities (outlined earlier) and strategies to implement these priorities. A key strategy is to ensure collaboration with and support to local criminal justice agencies. FDLE is poised to address areas for growth within the spectrum of services we provide to both the criminal justice community and the public.</p> <p>And finally, in light of several high profile incidents, law enforcement faces challenges regarding public approval and trust. A strategy must be to ensure our practices and policies implemented are soundly defined and exceed professional standards. FDLE must take proactive steps to renew both the authority and the legitimacy of our actions.</p>	
	<p>d. What major changes need to occur to achieve the desired outcomes?</p> <p>I don’t believe major change is necessary. As I noted during my six-month status report, it is time for the department to refocus, reprioritize and renew. I believe our ability to implement the priorities and strategies will allow us to achieve the outcomes we all desire. But we must maintain collaboration with our public safety partners we have worked so diligently to establish over the past 50 years. The demographics of our state and the resources and capabilities of these agencies often dictate where and when FDLE resources are most crucial in what areas they will have the most significant impact. It’s not one-size fits all for all agencies statewide. The type of assistance we may provide a police department in the panhandle of the state, may not be required from us for a department in the southeast part of the state. For example, we may provide immediate investigative assistance to the scene of a homicide with a single victim for one agency, but another</p>	

	agency may request assistance on a cold homicide case. Both death investigations, but the immediacy, amount and type of assistance is quite different.	
5	<p>What do you view as the greatest risk in the next fiscal year or calendar year?</p> <p>The greatest risk to FDLE is the ability to invest in our greatest resource – our members. The ability to hire, train and retain uniquely qualified members and to provide them with the equipment they need to do the job. An external risk of a domestic security threat would be of great concern involving public safety.</p>	
	<p>a. How do you plan to mitigate the risk and address this issue?</p> <p>As I indicated in my response to item #3, we are approaching this issue via a couple strategies. First, we are identifying those areas within the department where we face hiring and retention issues. Next, we are evaluating the reasons for those issues and what we can do to improve the situation. This may require a need for additional salary capacity for specific classes or cohorts within the agency. Last year we requested and received additional appropriations for crime lab salaries to assist with the turnover problems in the laboratory. Similarly, our legislative budget request for FY 17-18 will include a couple of issues to address salaries of our sworn members. And finally, we are working to enhance the knowledge, skills and abilities of our workforce. Over the years, our requirements for many agency positions have not evolved along with our practices. Unfortunately, our workforce has not necessarily evolved at the same pace to support emerging technology.</p>	
6	<p>What current agency responsibilities do you consider unnecessary or obsolete, or would be best accomplished by another agency?</p> <p>I don't believe that any services we provide are obsolete because we regularly evaluate services in relation to our mission. We also regularly review whether any services could be done more efficiently or at less cost. Evaluations occur informally through our periodic leadership meetings and formally through our Office of Inspector General audits and evaluations.</p> <p>One service that doesn't fall under FDLE's general mission is the Alcohol Testing Program (ATP), which is responsible for facilitating Florida's implied consent laws by ensuring the accuracy and scientific reliability of evidentiary breath and blood alcohol tests. It was created by the Legislature in 1968 and originally housed in the former Department of Health and Rehabilitative Services. On October 1, 1993, ATP was legislatively transferred to the department. There are 41 similar state-run programs in the country; 19 are run by health departments, 16 by public safety or law enforcement and six by a state science department. Additionally there are county and municipal agencies operating alcohol testing programs in some larger states. Outside of this program, FDLE does not have oversight of any other areas involving traffic, motor vehicles or drivers licenses.</p>	
7	Stakeholders:	
	<p>a. Identify your stakeholder groups and opportunities for stakeholders to interact/provide input to your agency.</p> <p>As noted in some earlier responses, collaboration with and support to local criminal justice</p>	

	<p>agencies and their leadership is an important component of the FDLE mission. Local law enforcement agencies, states attorneys and the courts represent our most significant customer base. Agency leadership has significant daily interaction with the managers of our customers. They consistently seek input and feedback on our services. I personally attend meetings and conferences of professional associations representing these agencies with the specific intent of seeking feedback on FDLE programs, services and membership.</p> <p>In April 2016, the department conducted an online customer service survey of the state’s police departments, sheriff’s offices, state attorneys and state law enforcement agencies. We intend to utilize this survey mechanism to continue to assess customer satisfaction on a yearly basis as part of these Cabinet performance metrics.</p> <p>The public is another important FDLE stakeholder group. We utilize a variety of media and communications mediums to interact with the public. The department has employed the use of social media though a Facebook page and will begin to utilize Twitter in September 2016. FDLE uses these platforms to communicate public safety tips like cybersecurity awareness and back to school safety, and provide up-to-date information regarding alerts such as AMBER, missing child and silver alerts. A variety of online and print mediums are also used to provide information about the department’s resources. Public comments and concerns can be submitted online through the department’s public website, as well as via email, phone and/or postal mail.</p>	
	<p>b. What are the top issues communicated by stakeholders, and what plans are in place to address these issues?</p> <p>One issue identified by customer service survey respondents involves the need to improve crime lab turn-around times. Recent increases in turnaround times were caused by significant turnover of lab analysts resulting in a significant loss of productivity. This resulted in a backlog of requests and increased the amount of time to analyze evidence and return it to the contributor. I believe the department has implemented strategies to address this issue, but it will take time. The 2016 Legislature appropriated \$4 million to increase salaries of existing lab personnel, thereby providing a greater incentive for experienced analysts to remain with the department. The department also received \$3.8 million for lab supplies, overtime pay to help meet service demands and equipment to expand the DNA Database and replace outdated technology.</p> <p>There are also external factors contributing to the increase in lab turnaround times. The need to employ new forensic technology requires analysts to spend significant time validating and training on new equipment and processes, which can in turn decrease productivity for a period of time. However, these upgrades and improvements are necessary for us to continue to provide accurate, high quality forensics services to our partners.</p>	
	<p>c. How do you assess whether or not your stakeholder needs are met?</p> <p>The department has some informal and formal methods of assessing whether our customers’ needs are met. As I noted earlier, my leadership team, including regional directors and assistant directors, has significant daily interaction with our customers to seek input and feedback about our services. Additionally, the agency has become active on social media. The customer service survey was sent to 403 law enforcement entities and 48</p>	

	<p>percent responded and provided input regarding various department services in six focus areas: forensics, investigations, technology, training, domestic security/intelligence and specialized resources. Based on the overall satisfaction question, 97 percent of respondents expressed a positive service rating. Our crime lab system utilizes a survey to address customer satisfaction. Each regional crime laboratory sends an annual email survey to contributors. They also solicit feedback from state’s attorneys regarding the testimony of forensic personnel. And our agency website allows the public to submit questions, complaints and compliments regarding FDLE services. Our Office of Executive Investigation’s customer service unit is responsible for the review, referral and responses of this input and any hard copy correspondence regarding customer service addressed to FDLE.</p> <p>As I indicated throughout a number of previous responses, collaboration and communication with our stakeholders is key to the success of the department. And we must ensure this is done in a respectful and professional manner. Service, respect, integrity and quality have been the values our members work and live by for a number of years. My leadership team and I are committed to ensuring that continues.</p>	
	<p>Total Average of Rankings (20% Weight)</p>	