



# FLORIDA DEPARTMENT OF LAW ENFORCEMENT

OFFICE OF  
INSPECTOR GENERAL

# ANNUAL REPORT

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

FISCAL YEAR 2015-2016

Lourdes Howell-Thomas, Inspector General

September 20, 2016





Florida Department of  
Law Enforcement

Richard L. Swearingen  
*Commissioner*

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Rick Scott, *Governor*  
Pam Bondi, *Attorney General*  
Jeff Atwater, *Chief Financial Officer*  
Adam Putnam, *Commissioner of Agriculture*

September 20, 2016

Richard L. Swearingen, Commissioner  
Florida Department of Law Enforcement  
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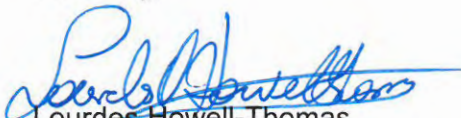
Dear Commissioner Swearingen:

I am pleased to present the Office of Inspector General's (OIG) Annual Report for fiscal year 2015-2016. This report has been prepared in accordance with Section 20.055(8), Florida Statutes. The report summarizes the activities performed by this office based on its statutory obligations and the responsibilities assigned during the last fiscal year. This report also reflects the professionalism of the OIG members who were instrumental in our accomplishments.

For the fiscal year 2016-2017, the OIG will continue to add value to FDLE by providing timely and professional auditing, investigative, and review services; assessment of management functions; and by promoting integrity, economy, efficiency, and effectiveness.

We want to thank all FDLE members for their support during the last fiscal year. The collaboration and assistance received is much appreciated. We look forward to continuing our work with you and the members of FDLE.

Sincerely,



Lourdes Howell-Thomas  
Inspector General

Attachment



## Introduction

The statutory role of the Office of Inspector General (OIG) is to provide a central point for coordination of and responsibility for, activities that promote accountability, integrity, and efficiency in the Department. Section 20.055, Florida Statutes (F.S.), requires each inspector general to prepare an annual report summarizing the activities of the office during the preceding state fiscal year (FY).

This report briefly summarizes the projects, activities and investigations conducted by the OIG during FY 2015-2016.

### Mission

It is the mission of the OIG to assist the Florida Department of Law Enforcement (FDLE) by providing timely and professional auditing, investigative, technical and review services; assessments of management functions; and the promotion of integrity, economy, efficiency and effectiveness of departmental programs, services and activities.

### Statutory Authority

Per section 20.055(2), F.S., the specific duties and responsibilities of the OIG include:

- Provide direction for, supervise, and coordinate audits, investigations, and management reviews relating to the programs and operations of the agency.
- Conduct, supervise, and coordinate other activities carried out or financed by the agency to promote economy and efficiency, and prevent and detect fraud and abuse in programs and operations.
- Keep the agency head informed concerning fraud, abuses, and deficiencies relating to programs and operations; recommend corrective action; and report on the progress made in implementing corrective action.
- Advise in the development of performance measures, standards, and procedures for the evaluation of agency programs.
- Assess the reliability and validity of the information provided on performance measures and standards, and make recommendations for improvement.
- Review actions taken to improve program performance and meet program standards, and make recommendations for improvement.
- Ensure that an appropriate balance is maintained between audit, investigative, and other accountability activities.



- Ensure effective coordination and cooperation between the Auditor General, federal auditors and other governmental bodies.
- Review rules relating to the programs and operations of the agency and make recommendations regarding their impact.

### Organization

The OIG is under the direction of the Inspector General who reports directly to the FDLE Commissioner. As of June 30, 2016, the OIG was comprised of nine positions. The members assigned to the OIG are organizationally independent of other Department entities/programs subject to audit, evaluation and investigation.

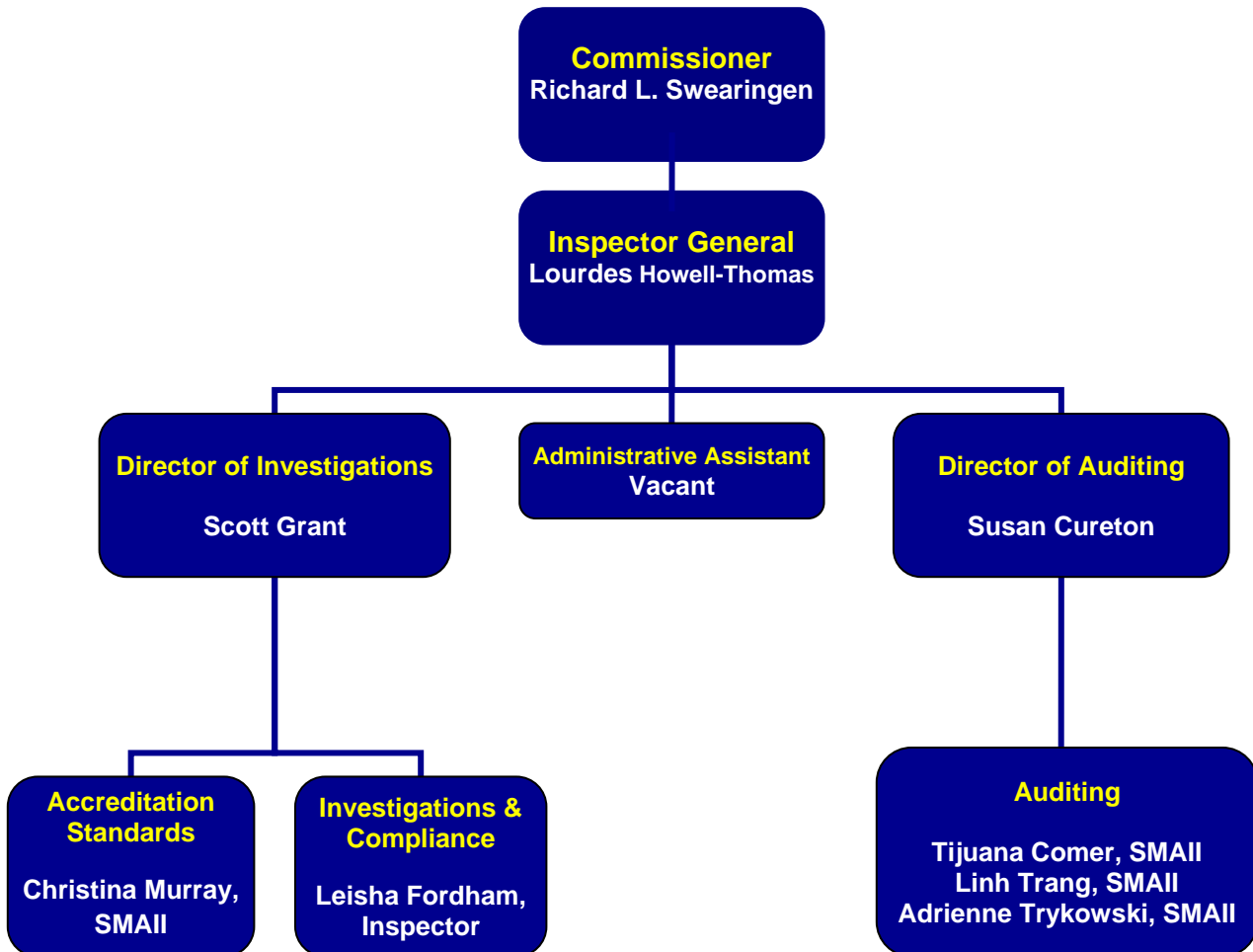
To carry out assigned duties and responsibilities, the OIG is comprised of three sections: Auditing, Accreditation Standards, and Investigations and Compliance. Audit and investigative work in the OIG is conducted in accordance with the *Principles and Standards for Offices of Inspector General*, published by the Association of Inspectors General (AIG).

The **Audit Section** provides independent, objective assurance, and consulting services designed to add value and improve the Department's operations, and also coordinates activities with external auditors. This section is supervised by the Director of Auditing, and consists of three Senior Management Analyst II positions. The Audit section is responsible for conducting audits, management reviews, and special projects. Audit engagements are conducted in accordance with *Generally Accepted Government Auditing Standards* (GAGAS), published by the United States Government Accountability Office.

The **Accreditation Standards Section** oversees FDLE's state and national accreditation efforts. The **Investigations and Compliance Section** is responsible for conducting staff inspections, evidence inventories, special projects, and Whistle-blower determinations and investigations. Both sections are supervised by the Director of Investigations and consist of an Inspector and a Senior Management Analyst II.



## Office of Inspector General\*



\*As of June 30, 2016



## Staff Qualifications

OIG members have a wide range of backgrounds and experience in a variety of disciplines including accounting, auditing, law enforcement, investigations, program evaluation, and project management. OIG members continually enhance their professional skills by attending continuing education, maintaining professional certifications and actively participating in a number of professional organizations.

### Training

OIG members must complete the following training requirements:

- Per GAGAS standards, every two years auditors must complete 80 hours of continuing professional education that enhances the auditor's professional proficiency to perform audits.
- Per CALEA<sup>1</sup> accreditation standards, accreditation managers must complete refresher training every three years.
- Per CFA<sup>2</sup> OIG accreditation standards, investigation members must receive a minimum of 40 hours of continuing professional education every two years, with at least 12 hours in subjects directly related to their primary responsibility.
- Sworn members must attend 40 hours of training every four years as prescribed for law enforcement certification.

### Professional Certifications

OIG members collectively maintain the following certifications:

- Certified Inspector General
- Certified Law Enforcement Officer
- Certified Inspector General Auditor
- Certified Internal Auditor
- Certified Fraud Examiner
- Certified Government Auditing Professional
- CALEA Accreditation Manager
- Certified CFA Assessor
- CFA Accreditation Manager
- CJSTC<sup>3</sup> Certified Instructor
- Florida Certified Law Enforcement Analyst
- Florida Certified Contract Manager

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<sup>1</sup> Commission on Accreditation for Law Enforcement Agencies

<sup>2</sup> Commission for Florida Law Enforcement Accreditation

<sup>3</sup> Criminal Justice Standards and Training Commission



### **Professional Affiliations**

Members of the OIG maintain membership or association with the following organizations:

- National Association of Inspectors General (AIG)
- Florida Chapter of the Association of Inspectors General (FCAIG)
- The Institute of Internal Auditors, Inc. (IIA)
- Tallahassee Chapter of the Institute of Internal Auditors, Inc. (TCIIA)
- The Association of Certified Fraud Examiners (ACFE)
- Commission for Florida Law Enforcement Accreditation (CFA)
- Commission on Accreditation for Law Enforcement Agencies (CALEA)
- National Organization of Black Law Enforcement Executives (NOBLE)
- Florida Police Accreditation Coalition, Inc. (FLA-PAC)
- International Association of Chiefs of Police (IACP)



## Summary of Projects Completed / Active during FY 2015-2016

The following briefly summarizes the OIG activities completed and/or coordinated during the FY 2015-2016.

### THE AUDIT SECTION

The purpose of the Audit Section is to help FDLE accomplish its objectives by providing management with independent and objective assurance and consulting reviews regarding risk management, internal control, and governance processes of financial, operational, information technology, and other relevant areas. Per section 20.055(6), F.S., each inspector general shall review and evaluate internal controls necessary to ensure the fiscal accountability of the state agency.

During FY 2015-2016, the Audit Section conducted the following activities:

#### Audits

##### **Capitol Complex - Building Access and Screening**

IG-0067 – Administratively Closed November 2015

This project was initiated based on the FY 2014-2015 Audit Plan. The objectives of this audit were to review the current access and screening protocols to determine if there are any opportunities to improve the safety of the Capitol Complex. After completion of the preliminary survey phase, the project was placed on hold due to resources needed for another management requested project. Further, we were notified that FDLE's Legislative Budget Request for FY 2016-2017 included \$182,000 for security enhancements to the Capitol Complex. Due to the anticipated changes, including modifications to the access screening process, as well as hardware/software upgrades, this audit was administratively closed. After new protocols are put into effect, the OIG will reevaluate the need for a new audit.

##### **Compliance Audit of the Statewide Criminal Analysis Laboratory System Grant**

IG-0066 - March 2016

The objective of this audit was to determine if FDLE complied with statutes and rules governing state financial assistance as it relates to the Statewide Criminal Analysis Laboratory System Grant. Our review identified opportunities to improve accountability and enhance internal controls. The report included eight findings and ten recommendations. Management agreed with all of our recommendations. In summary, we recommended management consider:

- revising state funding agreements to include statutorily required provisions, references to standardized forms, and appropriate statutory references;
- revising standardized forms to include tracking information;
- ensuring final reconciliation reports are completed as required by statute;
- reviewing the accuracy of refunds received;





- designating an organization unit responsible for receipt and review of state financial reporting packages;
- ensuring crime labs provide sources of workload data as required by statute;
- ensuring the annual audit process is completed as required by statute;
- updating the catalog of state financial assistance information; and
- revising policy to include grant manager duties and responsibilities as it relates to state financial assistance.

### **FDLE Armory Audit**

IG-0058 – June 2016

The objectives of the FDLE Armory Audit were to evaluate the adequacy of the internal controls over firearms and equipment tracking. Specific objectives were to determine whether: armory assets were properly accounted for and tracked; distribution, maintenance and disposition of weapons was in accordance with policy; weapon records were accurate; and to identify any efficiencies or cost savings.

This audit identified opportunities to improve accountability, enhance controls, and reduce the potential for theft and misuse of agency assets. The report included seven findings and fourteen recommendations. Management agreed with all but one of our recommendations. In summary, we recommended management consider:

- the utilization of an electronic inventory system;
- conducting periodic armory inventories;
- ensuring consistent tracking and reporting of weapons;
- documenting the use of armory transaction forms, ammunition needs and the armory inspection process;
- inclusion of armorer responsibilities in position descriptions;
- policy changes that would allow for enhanced and timely tracking of weapons given to retiring members; and
- policy changes that may improve accountability of access to the off-site warehouse.

### **Alcohol Testing Program**

IA-1516-01 – In Progress

This project was initiated based on the FY 2015-2016 Annual Plan. We anticipate completion of the final report in October 2016. The objectives of this audit are to determine if the Alcohol Testing Program complied with policies and procedures pertaining to the following areas:

- approval / denial process of the breath test permit applications;
- approval / denial process of blood analyst permit applications; and
- breath test permit continuing education requirements.



## **Information Security Audit**

IA-1516-02 – In Progress

This project was initiated based on the FY 2015-2016 Annual Plan. The objective of this audit is to test and evaluate compliance with the requirements established in FDLE policy, statutes, and administrative code for the network and application access process. We anticipate completion of the final report in October 2016.

## **Management Reviews**

### **Review of FDLE Grant Financial Management Process**

MR-1516-01 – February 2016

At the request of management, the OIG conducted a review of FDLE's grant financial management process. The purpose of this review was to assess program efficiencies and determine if appropriate internal controls were in place. Our review identified opportunities to improve accountability and enhance internal controls. The report included three findings and six recommendations. Management agreed with all of our recommendations. In summary, we recommended management consider:

- adhering to federal guidelines by only drawing down the amount necessary to meet immediate needs;
- developing oversight procedures and internal controls that include performing reconciliations of grant funds approved, requested, and paid;
- discontinuing preparation and submission of claims for reimbursement for FDLE grant subrecipients, or realignment of the subrecipient claims process away from the SAA funding request and payment process;
- either requesting a legislative increase in the Operating Trust Fund spending authority, allowing FDLE subrecipients the ability to charge grant expenditures to their own operating funds until the federal reimbursements are received or drawing down grant funds in advance and placing those funds in an interest bearing account; thereby helping to eliminate the negative cash balance; and
- alternative methods of funding FDLE grant expenditures in order to alleviate the burden of a loan repayment at the end of each fiscal year.

## **Internal Projects**

### **Risk Assessment and Annual Plan for FY 2016-2017**

RA-1617 – In Progress

Section 20.055(i), F.S., requires the OIG to develop annual and long-term audit plans based on the findings of periodic risk assessments. The purpose of the OIG Annual Plan is to identify, select, and plan the allocation of resources for the upcoming fiscal year. The overriding consideration during the development of the plan is to provide the greatest benefit to the Department with our limited resources.



The OIG conducted an annual risk assessment in order to identify the department's programs and activities, and evaluate risk associated with those activities. Based on the results of the risk assessment as well as input from management, the OIG developed the Annual Plan for FY 2016-2017. This plan was completed and approved by the Commissioner on July 18, 2016.

### **Civil Asset Forfeiture**

IP-1506-01 - Ongoing

Per section 932.7061, F.S., every law enforcement agency (LEA) shall submit an annual report to FDLE indicating whether the agency has seized or forfeited property under the Florida Contraband Forfeiture Act. FDLE shall submit an annual report to the Office of Program Policy Analysis and Government Accountability (OPPAGA) compiling the information and data in the annual reports submitted by the LEAs. The OIG is coordinating development of processes and reporting forms that will be used by LEAs to report the data. The first annual reports will be due from the LEAs on October 10, 2017.

### **Special Projects / Attestation Engagements**

#### **DAVID Annual Affirmation Statement - 2015**

SP-1516-01 - August 2015

In accordance with the FY 2015-2016 Annual Plan, the OIG conducted a review of FDLE's compliance with the Driver and Vehicle Information Database (DAVID) Memorandum of Understanding (MOU), entered into with the Department of Highway Safety and Motor Vehicles (DHSMV).

The MOU requires FDLE to submit an annual affirmation statement indicating compliance with the requirements of the MOU no later than 45 days after the anniversary date of the agreement. Based on audit work performed, the OIG determined FDLE complied with the DAVID MOU and the annual affirmation statement was submitted to DHSMV on August 7, 2015.

#### **Review of Performance Measures**

PM-1506-01 - May 2016

The objectives of this review were to assess the reliability and validity of the information provided on new performance measures, and make recommendations for improvement, if appropriate. In 2015, the Florida Cabinet approved performance metrics as a method of regularly reviewing the work of Cabinet appointees. The OIG reviewed seven new measures and made sixteen recommendations that could improve their validity and reliability. Overall, our review concluded the following:

- Validity – five of the measures appeared to be valid and two measures needed further development in order to be evaluated properly.
- Reliability – could not be assessed for the five valid measures since they are new and no historical data exists; however, the OIG determined that if the measures continue to be calculated in the same manner over time, the measures would be reliable.



### **A Child is Missing Grant - Financial Review**

SP-1516-03 – Administratively Closed

At the request of management, the OIG began a review of invoices and supporting documentation for the A Child is Missing Grant - Catalog of State Financial Assistance Number 71.009. Due to upcoming changes in the recipient's requirements, this project was administratively closed.

### **DAVID Annual Affirmation Statement - 2016**

SP-1516-04 – In Progress

This project began in June 2016 but had not concluded during FY 2015-2016. The MOU with DHSMV requires FDLE to complete an annual audit and an annual affirmation indicating compliance with the requirements of the MOU no later than 45 days after the anniversary date of the agreement. The annual affirmation statement was submitted to DHSMV on August 4, 2016.

## **Follow-Up Audits/Reviews**

### **Continuity of Operations Plan Audit - 24-Month Status Report**

IG-0037-F24 – September 2015

The objectives of this project were to assess implementation of audit recommendations made in the OIG final report, *Continuity of Operations Plan Audit*, issued in June 2013. The report included six findings. The status of the findings was reviewed at six months and twelve months. At that time, corrective actions had been taken to address four of the six findings, and those findings were closed. The status of the two remaining open findings was reviewed during this twenty-four month follow-up. Our review concluded that while management had taken steps toward corrective action, the two findings remained open. Due to the lapse in time since the initial audit, those two findings were administratively closed and a new COOP and Disaster Recovery Plan audit will be conducted at a future date.

### **Medical Emergency Preparedness and Response Audit - 12-Month Status Report**

IG-0050-F12 – September 2015

The objectives of this project were to assess implementation of audit recommendations made in the OIG final report, *Medical Emergency Preparedness and Response Audit*, issued June 2014. The final report included five findings and several recommendations. The status of the findings was reviewed at six months and at that time, all findings remained open. This twelve-month follow-up concluded that while management had taken steps toward corrective action, all five findings remained open. Due to the lapse in time since the initial audit, all findings were administratively closed and a new audit will be conducted at a future date.





## External Projects

The OIG serves as liaison with external auditors, acting as the coordinating point for external audits and reviews. During FY 2015-2016, the OIG coordinated with the Auditor General, the Office of Program Policy Analysis and Government Accountability, the Department of the Treasury, and the Office of the Chief Inspector General (CIG) as follows:

### Auditor General

#### **Surplus Computer Hard Drive Disposal Processes**

Report No. 2016-166 – March 2016

- This operational audit focused on evaluating selected information technology (IT) controls applicable to the storage and safeguarding of surplus computer hard drives awaiting disposal at the Department of Environmental Protection (DEP), Department of Law Enforcement (DLE), and State Board of Administration (SBA) and included a review of the surplus computer hard drive disposal processes followed by the DEP, DLE, and SBA when sanitizing (erasing data from or destroying) and disposing of hard drives. The audit contained the same two findings for each agency and made two recommendations. Management agreed to both recommendations.

#### **Florida Federal Awards Audit FY 2014-2015**

Report No. 2016-159 – March 2016

- The Auditor General conducted its annual review of Federal Awards and there were no findings for FDLE.

#### **Background Screenings for District School Boards**

In Progress

- This review began in August 2015. FDLE provided background screening data to assist the Auditor General with their review. The anticipated completion date for this review is not available.

#### **Operational Audit of FDLE**

In Progress

- This audit began in February 2016 and has an anticipated completion date of October 2016. The Auditor General's objectives for this audit are to evaluate management's performance in establishing and maintaining internal controls and in administering assigned responsibilities in accordance with applicable laws, rules, contracts, grant agreements, and other guidelines.

#### **Florida Federal Awards Audit FY 2015-2016**

In Progress

- The Auditor General is conducting its annual review of Federal Awards and anticipated completion date is March 2017.



## **Office of Program Policy Analysis and Government Accountability**

### **Review of Department of Corrections and Criminal Justice Standards and Training Commission Processes for Correctional Officer Misconduct**

Report Number 15-08 - October 2015 (revised February 2016)

- At the direction of the Legislature, the OPPAGA conducted a review of processes and procedures relating to correctional officer misconduct and discipline in Florida and other states. The report contained two issues for the Legislature to consider regarding the membership composition of the Commission.

### **Civil Asset Forfeiture in Florida: Policies and Practices**

Report Number 15-10 - November 2015

- At the direction of the Legislature, OPPAGA conducted a review of the current policies and practices of law enforcement related to the Florida Contraband Forfeiture Act (ss. 932.701-932.706, Florida Statutes). The report included issues for the Legislature to consider regarding increasing the evidentiary standard to beyond a reasonable doubt, and restricting the use of civil asset forfeiture proceeds.

### **Triennial Review of Sexual Predator/Offender Registration**

Report Number 15-16 - December 2015

- As required by s. 943.04353, F.S., OPPAGA conducted their triennial review on the effectiveness of Florida's sexual predator and sexual offender registration process and community and public notification provisions. The report included two issues for FDLE to consider regarding monitoring the accuracy of the registry information for offenders and predators in confinement, and working with public colleges and universities to develop best practices for comparing their student, employee, and volunteer information to the sex offender registry.

### **Human Trafficking Study**

In Progress

- As directed by Chapter 2014-161, Laws of Florida, OPPAGA is conducting a study on commercial sexual exploitation of children in the state. This study will include understanding the department's responsibilities and efforts to address this problem and identifying relevant data that the department tracks and collects. This review began in September 2014 and an anticipated completion date is not available.

## **Department of the Treasury**

### **Treasury Forfeiture Fund Audit**

In Progress

- FDLE was notified in February 2016 that the Department of the Treasury Executive Office for Asset Forfeiture would be conducting a review of FDLE Treasury Forfeiture Fund. The objectives of their review are to ensure that Treasury policy is followed with regard to the maintenance and use of Treasury equitable sharing funds received



## **Office of the Chief Inspector General**

### **Florida Single Audit Act – Enterprise Project**

Report Number 2016-02 – June 2016

The Executive Office of the Governor, Office of the Chief Inspector General initiated an enterprise project to assess single audit activities at selected state agencies. FDLE participated in the project by providing information to the lead agency. The report identified areas for improvement of processes and activities related to the Florida Single Audit Act. The report recommended a team be assembled to review the findings of the report and develop solutions to address the concerns. FDLE will participate in the follow-up team.

### **Open Audit Findings**

There are no additional significant recommendations described in previous annual reports from entities such as FDLE OIG, OPPAGA, and the AG for which corrective actions have not been implemented.



## **THE ACCREDITATION STANDARDS SECTION**

The purpose of the Accreditation Standards Section is to oversee FDLE's state and national accreditation efforts as well as the OIG state accreditation. FDLE was the first investigative state agency in the nation to be accredited by CALEA, achieving this distinction in July 1990. In October 1996, FDLE received its initial CFA accreditation. In addition, the OIG Investigations and Compliance Section received its initial CFA accreditation in February 2011.

During FY 2015-2016, the following accreditation activities were coordinated:

- CALEA Law Enforcement Accreditation: FDLE received reaccredited status for the seventh time at the CALEA conference in Miami in November 2015.
- CFA Law Enforcement Accreditation: FDLE received reaccredited status for the sixth time at the CFA conference in St. Augustine in February 2016.
- CFA OIG Accreditation: The OIG prepared for a scheduled mock assessment of its practices and procedures to occur in August 2016 in preparation for the November 2016 on-site assessment of the OIG.
- OIG staff members conducted six on-site assessments of external agencies.
- OIG staff members conducted three mock assessments of external agencies.
- Two OIG staff members participated as members of the CFA Manual Re-write Committee.
- Two OIG staff members assisted with the Comparative Compliance review of the new CFA Manual.





## **THE INVESTIGATIONS AND COMPLIANCE SECTION**

The Investigations and Compliance Section is responsible for conducting staff inspections, evidence inventories, special projects, Whistle-blower determinations, and investigations. Per section 20.055(7), F.S., each inspector general shall initiate, conduct, supervise, and coordinate investigations designed to detect, deter, prevent, and eradicate fraud, waste, mismanagement, misconduct, and other abuses.

During FY 2015-2016, the following activities were conducted:

### **Investigations And Special Projects**

#### **Midway Police Department In-Custody Property & Evidence Inventory**

December 2015

The OIG received an assistance request from the Midway Police Department (MPD) regarding an inventory of their in-custody property and evidence. The OIG team completed a 100% inventory of agency property and investigative evidence at the MPD evidence facility in December 2015. The report included fifteen recommendations for consideration regarding:

- Overall organization of the evidence
- Training of personnel
- Labeling, packaging, and maintenance of the evidence
- Evidence documentation
- Use and maintenance of weight scales
- Use of an evidence room sign in/out Log
- Security of the evidence room

#### **Early Intervention System (EIS)**

January 2016

The OIG completed a review of the EIS for the period of January 1, 2015, through December 31, 2015, pursuant to CALEA Standard 35.1.9 and FDLE Policy 3.5, Professional Standards Investigations/Disciplinary Actions. The review indicated that twenty EIS alerts were triggered for the 2015 calendar year. Seventeen of the alerts were triggered by the new "performance issue" indicator. All alerts were received and reviewed by the member's supervisor. Sixteen of the alerts were closed with no action being needed. In one circumstance, the member resigned prior to any supervisory response. Regarding the three alerts issued for reasons other than Performance Issues, one alert was issued based on the member's involvement in two not at fault vehicle accidents and was closed with no action required. Two other alerts were issued based on the members' receiving two internal complaints. One of the complaint-based alerts was closed with no action taken based on progressive discipline being implemented. The other complaint-based alert was closed with the member being evaluated and assigned remedial training.

The EIS process was reviewed in light of the significant increase in EIS alerts. From this, it was determined that the EIS alert system was functioning well and no adjustments to the alert



criteria appeared to be warranted at this time. The increase in alerts was attributed to the addition of the “performance issue” as an indicator in late 2014.

### **Bias-Based Profiling Review**

January 2016

In accordance with FDLE Policy 4.14, Bias-Based Profiling, the OIG conducted an annual administrative review focused on agency practices and citizen concerns regarding compliance with Department policy. A review of departmental records for calendar year 2015 revealed no cases involving bias-based profiling as referenced in Department policy. A review of the Customer Service Standards Act complaint database maintained by the Office of Executive Investigations (OEI) revealed no incidents involving bias-based profiling for calendar year 2015. A review of OEI Professional Standards Unit records for calendar year 2015 revealed no cases involving bias-based profiling as referenced in Department policy. The annual Traffic Enforcement Activity Report documented seven traffic stops and no bias-based complaints.

### **Review of Intelligence Operations**

January 2016

In accordance with FDLE Policy 1.15, Criminal Intelligence, the OIG is required to review the intelligence procedures of the agency annually to ensure the legality and integrity of its operation. The OIG review noted that the Office of Statewide Intelligence (OSI) was made a stand-alone program and was reorganized to enhance efficiencies. The review determined that the FDLE is operating in compliance with associated policies, procedures and federal guidelines. Using an FDLE Investigations and Forensic Science (IFS) Division established plan, the purging of intelligence files beyond the required five-year record retention period was completed during this fiscal year.

### **Review of Confidential Informant/Source Procedure and Practices**

January 2016

As required by FDLE Policy 4.5, Confidential Sources, and Section 914.28, F.S., the OIG conducted a review of FDLE’s confidential source practices to ensure conformity with agency policy and statutes. FDLE policy and training records were thoroughly reviewed and assessments were conducted by each regional Special Agent in-Charge. The OIG confirmed that the Bureau of Professional Development continues to offer a web-based training titled *The Use & Control of Informants*. The OIG review found the agency to be in compliance.

### **Review of Traffic Enforcement Activities**

January 2016

In accordance with FDLE Policy 4.17, Traffic Enforcement, the OIG is responsible for reviewing all traffic enforcement activities conducted by members of the FDLE. Additionally, the OIG is charged with generating an annual report detailing all traffic enforcement activities engaged in by FDLE members. Based on the review, FDLE members were found to have been involved in



seven traffic enforcement events that were reviewed and found to be in compliance with applicable policy relating to traffic enforcement.

### **Use of Force Analysis**

January 2016

As required by FDLE Policy 4.1, Use of Force, Weapons and Defensive Tactics, the OIG compiled information regarding reported Use of Force incidents during the 2015 calendar year for the purpose of determining if patterns or trends exist. Additionally, this information is shared with the IFS Division and the Department's Armorer/Chief High Liability Instructor for input as it relates to training needs, equipment and/or policy revisions. During 2015, there were a total of four reported Use of Force incidents. All of the incidents were reviewed by the OEI and closed with a finding that the involved FDLE members' action was reasonable and in compliance with the requirements of Florida statutes and FDLE policy. There were no patterns or trends identified and current training, equipment, and Department policy were found to meet the needs of the agency.

### **Suwannee County Sheriff's Office - In-Custody Property and Investigative Evidence Inventory**

March 2016

The OIG received an assistance request from the Suwannee County Sheriff's Office (SCSO) regarding an inventory of their in-custody property and investigative evidence. The request was related to an ongoing investigation into alleged criminal activities on the part of the SCSO Evidence Custodian. The OIG team assisted in inventorying all firearms in the SCSO main evidence room and by identifying and verifying a sampling of high-value and drug evidentiary items. The report included fifteen recommendations for consideration regarding:

- Overall organization of the evidence
- Training of personnel
- Labeling, packaging, and maintenance/storage of the evidence
- Storage of weapons
- Evidence documentation
- Use and maintenance of weight scales
- Use of an evidence room sign in/out Log
- Security of the evidence room

### **Columbia County Sheriff's Office - In-Custody Property & Evidence Inventory**

March 2016

The OIG received an assistance request from the Columbia County Sheriff's Office (CCSO) regarding an inventory of their in-custody property and investigative evidence. The OIG attempted to conduct an inventory in July 2015, however the CCSO evidence tracking system was not operational. The inventory was postponed until the system became operational. In March 2016, the OIG team returned to CCSO and completed an inventory of high-value



evidence held by the agency. The report included eight recommendations for consideration and three areas of concern regarding:

- Overall organization of the evidence
- Training of personnel
- Labeling, packaging, and maintenance of the evidence
- Security of the evidence room
- Storage of weapons and evidence

### **Non-Whistle-blower Investigation**

June 2016

During FY 2014-2015, the OIG received a Whistle-blower complaint; after further review, it was determined that it did not meet the requirements under the Whistle-blower Act. However, the complaint was fully investigated as it related to alleged member misconduct.

### **Whistle-blower Investigation**

In Progress

The OIG received a Whistle-blower complaint in FY 2014-2015. The review was completed July 14, 2016.

### **Motor Vehicle Crash Review**

In Progress

At the request of OEI, the OIG conducted an independent review of a motor vehicle crash involving an OEI member. The review was completed July 26, 2016.

### **Citizen Contacts/Assists**

During this fiscal year, the OIG received and responded to 59 individual requests for assistance as follows:

- 6 citizen assistance requests received via email.
- 3 citizen assistance requests received via the Whistle-blower web portal.
- 8 assistance referrals received from the Office of the Chief Inspector General.
- 19 citizen assistance requests received via telephone.
- 22 citizen assistance requests received via US Mail. Five of these included Public Record Request referrals to the FDLE Office of General Counsel.





### Staff Inspections

The Investigations and Compliance Section conducts comprehensive staff inspections throughout the agency. The staff inspection function is intended to ensure the integrity and effectiveness of FDLE's operations. The inspections not only seek to ensure that department regulations are adhered to but also seek to make recommendations regarding methods that will improve working conditions for the agency.

Between September and November 2015, annual evidence inventories were conducted by the OIG Inventory Team in each Regional Operations Center. The inventories accounted for 100% of the in-custody investigative evidence maintained in the evidence facilities and showed an increase of 287 items, bringing the total to 25,401 items statewide. Management in each region was encouraged to continue taking proactive steps to conduct evidence disposals in accordance with policy.

Staff inspections relating to Quarterly Evidence Facility Inspections, Transfer of Investigative Evidence, and Evidence Signed out for Investigative Review (INV status) by an agent for more than 180 days were also conducted at each Regional Operations Center.

Statewide, two of the 28 required quarterly evidence facility inspections were not completed timely. Additionally, ten items of evidence were identified as in INV status for longer than 180 days. Upon review, eight of the ten items were found to be in the custody of independent forensic laboratories.

Transfer of evidence in the Evidence Management System upon the termination, retirement, or transfer of a member was found to be problematic in six of the seven regions. Evidence from Long Term cases (i.e. Capital felony cases, fugitive cases, or those with extensive court-ordered retention periods) was identified as a concern because the evidence is often held for decades, and the assigned agents may change every few years. A policy revision was proposed to assign the Long Term cases to the regional Assistant Special Agent in Charge and to require a semi-annual evidence retention review of Long Term cases instead of a quarterly review.



## Other OIG Activities

### **Legislative Analysis**

The OIG conducted analysis of legislative bills affecting the Department and OIG issues, providing advice and feedback as requested.

### **Partnership Meetings**

Our office hosted and participated in meetings in partnership with the CIG, agency inspectors general, and other federal and state agency partners to discuss common audit and investigative interests.

### **Training Coordination**

The OIG coordinated training classes and seminars hosted at FDLE for the AIG, IIA, ISACA, and Association of Government Accountants among other organizations.

### **OIG Website Maintenance**

The OIG maintains a corporate internal and external website. Updates to the internal and external OIG websites are ongoing, as reports and information are continuously being added.

### **OIG Procedures Manual Revision**

The OIG Procedures Manual was revised and divided into two separate manuals: the OIG Investigation Procedures Guide and the OIG Audit Procedures Guide. The manuals were revised to incorporate newly adopted accreditation standards, as well as audit processes.

### **Audit Management System**

Our office transitioned to a new automated workpaper management system, in July 2015. MK Insight replaced Audit Leverage, our former system. Throughout the fiscal year, templates were developed for the new system and training for staff is ongoing.

### **Safety Committee**

A representative of the OIG participated in quarterly Safety Committee meetings.

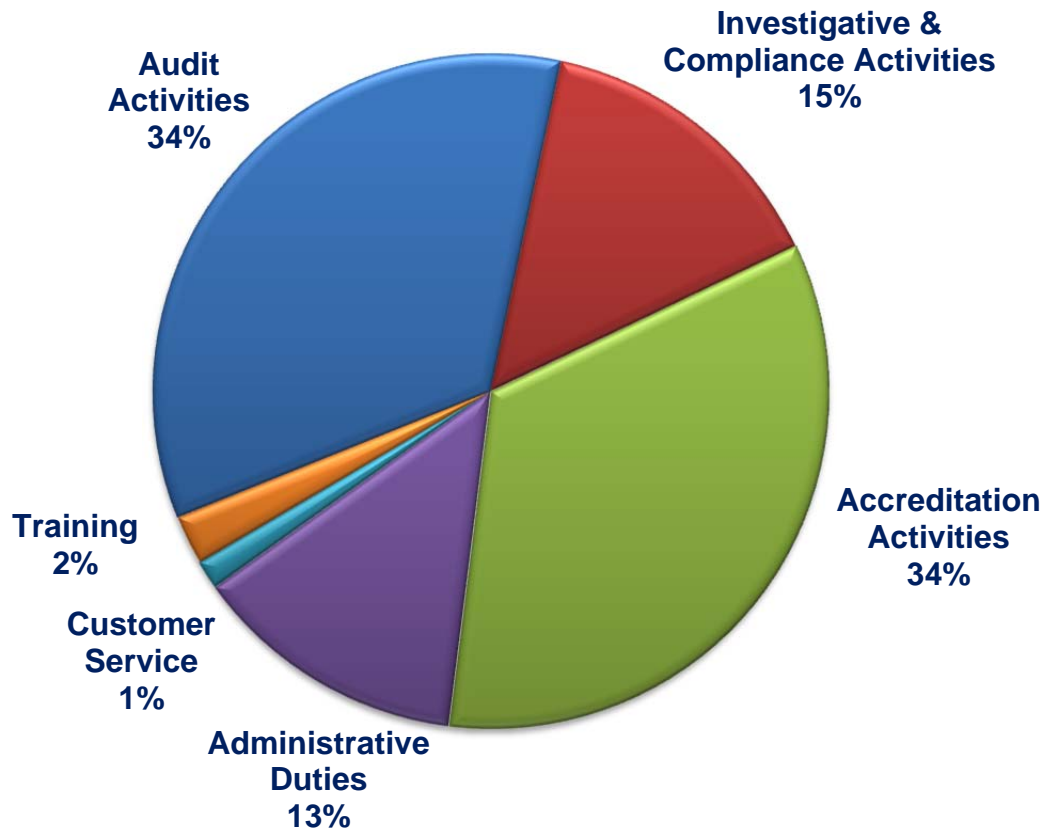
### **Spanish Translation**

As FDLE's designated Spanish translator for headquarters, the Inspector General (IG) was called on twenty-one times to provide assistance to Spanish speaking customers. In addition, the IG translated various written correspondences as requested.



### PERCENTAGE OF TIME STAFF SPENT ON OIG ACTIVITIES\*

The chart below depicts a breakdown of how the OIG allocated its resources during FY 2015-2016.



\*Excluding IG's Time, Management Oversight, and Leave and Holidays