



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

September 27, 2011

The Honorable Jeff Atwater
Chief Financial Officer
The Capitol, PL-11
Tallahassee, Florida 32399-0301

Dear CFO Atwater:

In accordance with Section 20.055(7), Florida Statutes, I am submitting the Office of Inspector General's Annual Report which summarizes accountability activities during the 2010-2011 fiscal year.

We look forward to continuing to serve you, our Department of Financial Services colleagues and the citizens of Florida with objectivity, professionalism and integrity.

Respectfully submitted,

A handwritten signature in blue ink that reads "Ned Luczynski".

Ned Luczynski
Inspector General

NL:sc

Enclosure

Florida Department
of Financial Services



Jeff Atwater
Chief Financial Officer

Office of Inspector General

Ned Luczynski
Inspector General

ANNUAL REPORT

FISCAL YEAR 2010-2011

*"OUR MISSION IS TO PROMOTE INTEGRITY,
ACCOUNTABILITY AND PROCESS IMPROVEMENT
IN THE DEPARTMENT OF FINANCIAL SERVICES."*

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INTRODUCTION

BACKGROUND

The Office of Inspector General (OIG) provides a central point for coordination of, and responsibility for activities that promote accountability, integrity, and efficiency in the Department.

Section 20.055, Florida Statutes, defines the duties and responsibilities of agency inspectors general, and requires each inspector general to submit an annual report to the Department head by September 30 of each year. The purpose of this report is to summarize the OIG's activities during the preceding fiscal year.

This document is presented to the Chief Financial Officer in accordance with our statutory reporting requirements and to describe how the OIG accomplishes its mission as defined by Florida law.

MISSION STATEMENT

The mission of the Office of Inspector General is to promote integrity, accountability and process improvement in the Department.

VISION STATEMENT

The vision of the Office of Inspector General is to be recognized for performing its responsibilities with independence and professionalism, and for its contribution toward achieving the mission of the Department of Financial Services.

RESPONSIBILITIES

Pursuant to Section 20.055, Florida Statutes, the Inspector General is charged with accomplishing the following duties and responsibilities:

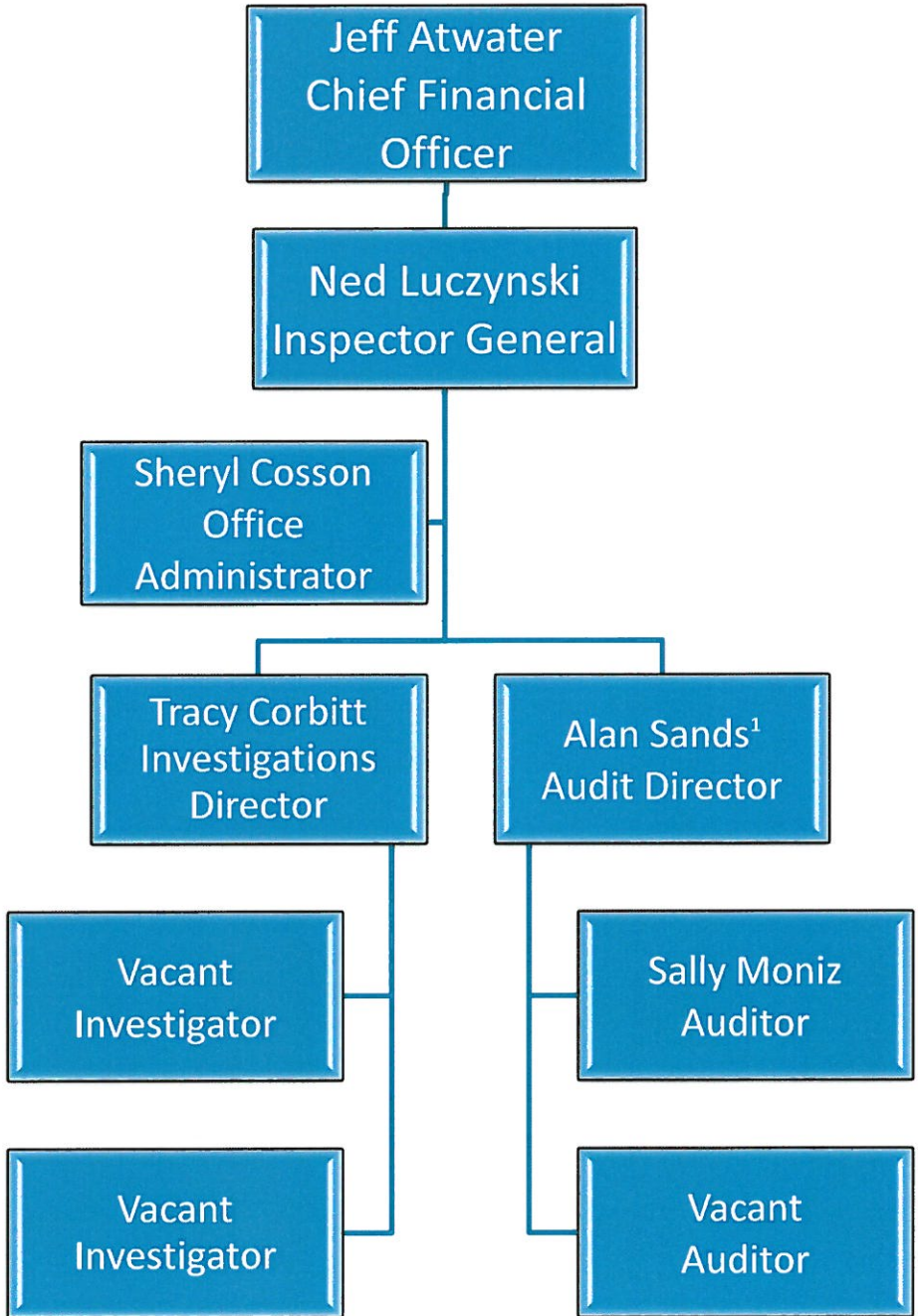
- Provide direction for, supervision, and coordination of audits, investigations, and management reviews relating to the programs and operations of the state agency.
- Keep the agency head informed concerning fraud, abuses, and deficiencies relating to programs and operations administered or financed by the state agency, recommended corrective action concerning fraud, abuses, and deficiencies, and report on the progress made in implementing corrective action.

**RESPONSIBILITIES
(CONTINUED)**

- Review the actions taken by the state agency to improve program performance and meet program standards and make recommendations for improvement, if necessary.
- Advise in the development of performance measures, standards, and procedures for the evaluation of state agency programs.
- Ensure effective coordination and cooperation between the Auditor General, federal auditors, and other governmental bodies with a view toward avoiding duplication.
- Maintain an appropriate balance between audit, investigative, and other accountability activities.

ORGANIZATION

The Inspector General is appointed by, and reports to the Chief Financial Officer. Within the OIG, there are two sections: the Audit Section and the Investigations Section.



¹ Alan Sands was Audit Director during the time period for this Annual Report. Sandra Lipner was appointed Audit Director effective July 29, 2011.

TRAINING

The Association of Inspectors General specifies that each staff person who performs investigations, audits, inspections, evaluations, or reviews shall receive at least 40 hours of continuing professional education every two years that directly enhances the person's professional proficiency.

In addition, the *International Standards for the Professional Practice of Internal Auditing* and government auditing standards require internal audit staff to maintain their professional proficiency through continuing education and training. Each auditor must receive at least 80 hours of continuing education every two years.

Internal audit staff met or exceeded these training requirements in Fiscal Year 2010-11 by attending courses, webinars and audio conferences throughout the year.

CERTIFICATIONS AND ADVANCED DEGREES

The Inspector General and staff bring various backgrounds and expertise to the Department. Certifications or advanced degrees held by the Inspector General and his staff during the reporting period include:

- Certified Inspector General
- Certified Internal Auditor
- Certified Public Accountant
- Certified Fraud Examiner
- Two Certified Government Auditing Professionals
- Two Certified Inspector General Investigators
- Masters in Business Administration
- Masters in Public Administration
- Two Juris Doctor

PROFESSIONAL AFFILIATIONS

Members of the Office of Inspector General staff belong to a variety of professional associations to maintain currency, establish and advance professional networks, and participate in professional community activities.

- Association of Inspectors General (AIG)
- Florida Chapter of the AIG
- Institute of Internal Auditors (IIA)
- Tallahassee Chapter of the IIA
- Association of Certified Fraud Examiners
- Association of Government Accountants (AGA)
- Tallahassee Chapter of the AGA

MAJOR ACTIVITIES

AUDIT SECTION FUNCTIONS

The Audit Section conducts independent and objective assurance and consulting activities that provide information on the adequacy and effectiveness of the Department's system of internal controls and reasonable assurances the Department's goals and objectives are achieved. This section performs audit and consulting engagements.

ENGAGEMENTS

Audit engagements are performed in accordance with the *International Standards for the Professional Practice of Internal Auditing* published by the Institute of Internal Auditors. Audit engagements result in written reports of findings and recommendations, including responses by management.

ENGAGEMENT TYPES

Financial audits provide reasonable assurance about the reliability and fairness of financial information. These engagements involve a review of the procedures to record, classify and report financial information, and may include a determination of compliance with applicable legal and regulatory requirements.

Compliance engagements evaluate whether a program or process is operating in compliance with applicable laws, rules, and regulations. Compliance auditing is generally a component of financial, information systems, and performance audits.

Information systems audits evaluate the organization's internal controls over its management, administration, and operation of electronic systems and applications.

Performance engagements analyze the efficiency and economy of Department programs, functions or activities. This type of engagement includes an evaluation of the adequacy of the control framework to manage the risk of not achieving program goals and objectives. Performance engagements may include elements of a financial, compliance, and/or information systems audit.

**ENGAGEMENT
TYPES
(CONTINUED)**

Consulting engagements are provided at management's request and are intended to provide value-added services to management through various alternative methods such as counsel, advice, facilitation, inspection, reviews, and training. The nature and scope of Consulting Engagements/Management Advisory Services are agreed upon with the client and are intended to help improve the Department's governance, risk management and control processes.

A summary of Audit Section engagements completed during Fiscal Year 2010-11 can be found in Exhibit A.

**EXTERNAL AUDIT
ACTIVITY**

The OIG is the coordinator for external audits or reviews conducted by the Auditor General, Office of Program Policy Analysis and Government Accountability, federal agencies, and other governmental and non-governmental review entities. The Audit Section coordinated 6 external audits completed by the Auditor General and had 5 ongoing audits during Fiscal Year 2010-11. A summary of the external audits completed in the fiscal year can be found in Exhibit B.

**RISK
ASSESSMENT**

The Audit Section completes an annual risk assessment of the Department's programs and activities to assist in developing the Annual and Long Term Audit Work Plan.

The Fiscal Year 2010-11 Risk Assessment used information from the fraud risk evaluations the Division Directors presented to the Chief of Staff in early 2011. The Audit Director then conducted interviews with each of the Division Directors and their management teams to quantify inherent risks and discuss existing controls. Based on the results of these discussions the Audit Director then calculated the residual risk of each Division and process area.

**ANNUAL AND
LONG RANGE
WORK PLAN**

The OIG developed a Work Plan covering the period July 1, 2011, through June 30, 2013, based on the annual risk assessment. The Work Plan identifies planned audit topics and consulting engagements with an estimate of the time needed to accomplish our work.

**OUTSTANDING
CORRECTIVE ACTIONS
FROM PRIOR ANNUAL
REPORTS**

As of June 30, 2011, no corrective actions remained outstanding from prior Annual Reports.

INVESTIGATIONS SECTION FUNCTIONS

DUTIES & RESPONSIBILITIES

The Investigations Section is responsible for receiving inquiries, evaluating complaints, and conducting internal investigations of Department employees. Inquiries and complaints may be received from Department employees, the Chief Financial Officer's "Get Lean" Hotline, other state agencies, and the general public.

Investigations are designed to deter and detect fraud, waste, mismanagement, misconduct and other abuses. The investigative duties and responsibilities of the Inspector General (Section 20.055, Florida Statutes) include:

- Receiving complaints and coordinating activities of the Department as required by the Whistle-blower's Act pursuant to Sections 112.3187 - 112.31895, Florida Statutes.
- Receiving and considering the complaints which do not meet the criteria for an investigation under the Whistle-blower's Act and conducting, supervising, or coordinating such inquiries, investigations, or reviews as the Inspector General deems appropriate.
- Reporting expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the Inspector General has reasonable grounds to believe there has been a violation of criminal law.
- Conducting investigations and other inquiries free of actual or perceived impairment to the independence of the Inspector General or the OIG. This includes freedom from any interference with investigations and timely access to records and other sources of information.
- Submitting in timely fashion final reports on investigations conducted by the Inspector General to the Department head, except for Whistle-blower's investigations, which are conducted and reported pursuant to Section 112.3189, Florida Statutes.

TYPES OF INVESTIGATIONS

The Office of Inspector General has several categories of cases: substantive investigations, substantive law enforcement officer investigations, investigative support, memorandum to file, management referral, monitor investigations, and preliminary inquiries.

**SUBSTANTIVE
INVESTIGATIONS**

Substantive investigations typically stem from complaints involving alleged employee misconduct. The complaints may include allegations of violations of Department standards such as: conduct unbecoming a public employee; unauthorized disclosure of confidential information; theft/misuse of property, records or documents; violation of nepotism policy, and falsification of records.

During Fiscal Year 2010-11, 23 substantive investigations were opened and 22 completed. Of the 22 completed investigations, 3 were opened during Fiscal Year 2009-10. Of the substantive investigations completed, 19 were categorized as proved; 2 were disproved, and 1 had no applicable findings because the case was closed prior to obtaining all evidence necessary to make a categorization (employee resigned prior to conclusion of investigation). A summary of these investigations can be found in Exhibit C.

**LAW ENFORCEMENT
INVESTIGATIONS**

Substantive law enforcement officer investigations stem from complaints involving alleged misconduct by a sworn law enforcement employee (Division of Insurance Fraud or Division of State Fire Marshal, Bureau of Fire and Arson). These investigations require the Office of Inspector General to comply with the Law Enforcement Officers' Bill of Rights, the Firefighters' Bill of Rights and in some cases, with the Police Benevolent Association Union Contract or the Florida State Fire Service Agreement. By law, these cases are confidential in nature until the law enforcement officer is given notice of whether there is intent to discipline, or the investigative report is published, whichever is later.

During Fiscal Year 2010-2011, eight (8) law enforcement officer investigations were opened and 5 were completed. Of the 5 investigations completed, 2 were categorized as proved, and 2 were disproved. One had no applicable findings because the case was closed prior to obtaining all the evidence necessary to make a categorization. A summary of these investigations can be found in Exhibit C.

**MANAGEMENT
REFERRALS**

Management Referral cases are opened when the Office of Inspector General receives complaints which do not rise to the level of significance to warrant a substantive investigation (including substantive law enforcement officer investigations). These complaints are referred to the management of the appropriate division and monitored until a report of the outcome is received, reviewed, and approved by the OIG. During Fiscal Year 2010-11, the OIG referred 28 complaints to management.

**INVESTIGATIVE
SUPPORT**

Investigative Support cases are opened when the Bureau of Human Resource Management (HR) contacts the Office of Inspector General indicating they have received a complaint regarding allegations of discrimination. The Office of Inspector General assists in these cases by taking sworn statements from involved parties and forwarding them to HR to determine whether acts of discrimination occurred. During Fiscal Year 2010-11, the OIG received and completed 1 request for assistance from HR.

**MANAGEMENT
SUPPORT**

Management Support cases are opened in response to requests for assistance with issues which normally do not give rise to an OIG case of any type. During Fiscal Year 2010-11, the OIG received and completed 5 requests for assistance.

MONITORING

Monitoring cases involve issues monitored by the Office of Inspector General to receive and report the outcome to management. For example, the Office of Inspector General may monitor an employee's case in the criminal court system after an arrest. During Fiscal Year 2010-11, the OIG opened 3 monitoring cases.

MEMORANDUM TO FILE

Memorandum to File cases arise when the Office of Inspector General receives a complaint and the subject of the complaint is not something addressed by the Department of Financial Services. These complaints are referred to the agency having jurisdiction over the matter, if any. During Fiscal Year 2010-11, the OIG opened 30 such cases.

PRELIMINARY INQUIRY

Preliminary Inquiry cases are opened when the Office of Inspector General is not certain the known facts warrant a full investigation. In these type cases, some fact gathering is conducted and a determination is made whether to proceed with an investigation (facts indicate a substantive violation may have occurred) or to end the inquiry (facts indicate a substantive violation did not occur). In some instances another type of case may be opened when the inquiry ended without a substantive investigation being pursued; e.g., a management referral. During Fiscal Year 2010-11, fourteen (14) Preliminary Inquiry cases were opened.

OTHER OIG ACTIVITIES

EXTERNAL THREAT WORKING GROUP

The Inspector General is the coordinator for the Department's External Threat Working Group and publishes cautionary threat advisories to DFS employees when warranted.

STATUS OF DISCIPLINE MEETINGS

The Inspector General participates in scheduled status of discipline meetings to inform managers and legal counsel of facts regarding ongoing or recently completed investigations.

NEW EMPLOYEE ORIENTATION

The Inspector General briefs all new employees on expected standards of conduct and examples of violations of these standards to deter employee misconduct.

BASIC SUPERVISORY TRAINING

The Inspector General emphasizes ethical conduct and stresses the significance of supervisors as role models for their subordinates at every Basic Supervisor Training Program session.

CSIRT

The Inspector General is a core member of the Department's Computer Security Incident Response Team (CSIRT).

EXHIBIT A

INTERNAL AUDIT SECTION ENGAGEMENTS

Performance Audit

Project Number 10004: Florida State Fire College Should Improve Cash Handling, Bookstore Inventory Management, Tuition Fee Collection Practices, and Related Policies and Procedures

This audit reviewed internal controls over cash collection and student enrollment management and reporting within the Florida State Fire College for the period July 2008 through April 2010. Our audit determined that Fire College Bookstore cash-handling control weaknesses may have contributed to the mishandling of funds noted in the OIG's September 2009 investigation of a reported discrepancy in the Fire College's cash collections and possible theft of funds by Fire College employees. Our review disclosed significant control weaknesses over the deposit of collections processed through the bookstore cash register. Weaknesses included the lack of separation of employee duties, supervisory approval, documented transfer of employee responsibility, and safeguarding of assets, resulting in an increased risk that fraud or error could occur and not be timely detected. We recommended that the Fire College strengthen these procedures to ensure accountability of funds received.

We also determined that merchandise inventory control weaknesses increased the possibility that Fire College moneys may be used for unauthorized purposes without detection. We recommended that the Fire College finalize its policies and procedures to ensure that merchandise inventory purchases and sales are tracked, and missing items investigated.

We also reviewed the Fire College's record-keeping procedures for enrolling students in courses and accounting for fees received. Our review found that records were not always in sufficient detail to demonstrate that student fee payments or refunds were actually made. We recommended that the Fire College strengthen procedures to demonstrate that student fees were accurately accounted for.

Pursuant to the Bureau of Fire Standards and Training report of corrective action taken as of May 2011, all recommended procedures have been incorporated into Bureau policies. Fire College staff also ensures all student fees are paid and that documentation is retained on file to demonstrate payments and transactions.

Consulting Engagements

Vehicle Utilization: We analyzed Department-owned vehicles to determine if they were utilized in an effective and efficient manner. We collaborated with the Division of Administration to provide OPPAGA with detailed information on the amount of commuting mileage vs. business mileage. We found that some vehicles were driven primarily from home to work and that management had an opportunity to reevaluate Department vehicle policy.

Division of Risk Management: We were asked by the General Counsel and Chief of Staff to evaluate two areas in the Division:

1. Determine whether the Division's claims adjusters were timely working their claims to avoid unnecessary payment to plaintiff attorneys.
2. Determine the adequacy of the Finance Section's internal controls and make recommendations for improvement, if applicable. The Finance Section is responsible for accounting for receipts from, and payments to claimants.

After conducting preliminary work, we found that to make these determinations we would need to evaluate the entire claims management process. A project to review the Division's core business processes is scheduled for Fiscal Year 2011-12.

Public Assistance Fraud (PAF): PAF became a new division during the 2010-11 Fiscal Year. We were asked to identify PAF risk factors and controls and make recommendations during the transition to ensure that the Department's operations would continue to operate smoothly and without undue risk. We provided the Deputy CFO a written memorandum of our conclusions.

Security Awareness: Pursuant to Department policy, the Information Security Manager will provide an ongoing awareness program to ensure that employees are informed about information technology resource security risks, policies, and management's interest and commitment to information technology resources security. Our Office collaborated with the Division of Information Services to review the proposed initial DFS Security, Awareness, and Reference Tool. While the Information Security Manager had opted for the use of a "generic" awareness tool, we believe the tool is more likely to meet its objective of providing the new employee with the information they need to protect DFS IT resources and information with a more specific concentration on the provisions of agency policies and procedures.

EXHIBIT B

EXTERNAL AUDIT ACTIVITY

Auditor General Audits

- **Project Number 10088 (AG Report Number 2011-030)**
This information technology audit focused on FLAIR and other Department IT activities for the period July 1, 2009 through June 30, 2010.
- **Project Number 10106 (AG Report Number 2011-196)**
This performance audit focused on the Department's management of its responsibilities under the Uniform Local Government Financial Management and Reporting Act.
- **Project Number 10129 (AG Combined Report Number 2011-167)**
This compliance audit focused on 2009-2010 Federal Awards for the Homeland Security Cluster.
- **Project Number 11201 (AG Combined Report Number 2011-167)**
This was an audit of the basic financial statements of the State of Florida for the year ended June 30, 2010.
- **Project Number 09104 (AG Report Number 2011-069)**
This operational audit was a multi-agency Payroll and Personnel audit for the period July 1, 2007 through January 31, 2009.
- **Project Number 11201 (AG Report Number 2011-173)**
This information technology audit focused on selected Treasury systems for the period August 2010 through December 2010.

EXHIBIT C

INVESTIGATIONS SECTION PROJECTS

Substantive Investigations Completed

■ **Project Number 10124**

An employee was accused of knowingly releasing a stop work order on an employer who did not have valid workers' compensation insurance coverage, and of failing to timely enter documentation in the Division of Workers' Compensation Coverage and Compliance Automated System. Both allegations were proved and the employee received a five day suspension.

■ **Project Number 10125:**

It was alleged a supervisor displayed conduct unbecoming a public employee by pounding on a desk while yelling at a subordinate. The supervisor was also accused of displaying violence in the workplace by grabbing and jerking the arm of the subordinate leaving red marks and bruises. Both allegations were proved and the employee resigned in lieu of termination.

Investigated in the same case were the actions of the subject supervisor's subordinate who was accused of displaying conduct unbecoming and insubordination by barging into a closed door meeting after being instructed by a superior not to do so. Both allegations were proved and the employee received a three day suspension.

■ **Project Number 10138:**

Four allegations were made against an employee. First, it was alleged the employee demonstrated conduct unbecoming a public employee by submitting a falsified People First timesheet which indicated time worked, when the time was not worked. Second, the employee was accused of being insubordinate by consistently failing to email daily arrival and departure times to the employee's supervisor as instructed. Third, it was alleged the employee demonstrated poor performance by admittedly coming to work some days and not doing any work. Fourth, it was alleged the employee committed perjury by making false statements in regard to a material fact, while under oath, in an OIG investigation. All four allegations were proved and the employee was dismissed.

Arising from the allegation the employee did not email arrival and departure times as instructed, it was alleged the supervisor demonstrated negligence by failing to exercise due care and reasonable diligence in the performance of supervisory duties by failing to ensure the subordinate followed instructions, resulting in the supervisor employee

approving the subordinate's People First timesheets with inaccurate entries. The allegation was proved and the employee was demoted from a supervisory position.

■ **Project Number 11303:**

An allegation was made an employee provided an unclaimed property claimant with confidential information (the claimant's social security number) during a customer service telephone inquiry, without having verification the customer was who they said they were. The allegation was proved and the employee received a one day suspension.

■ **Project Number 11305:**

An employee was accused of failing to exercise due care and reasonable diligence when handling and processing fingerprint cards and outgoing mail by shredding the documents or failing to post outgoing correspondence and keeping the mail in various areas within the employee's cubicle. Additionally, it was alleged the employee failed to maintain high standards of honesty and integrity when responding to inquiries from the chain of command about the fingerprint cards and mail, specifically indicating the whereabouts of the documents were not known. Both allegations were proved and the employee was terminated.

■ **Project Number 11310:**

An accusation was made an employee failed to exercise due care and reasonable diligence when completing an investigation by writing up a report finding a regulated party violated Florida Statutes when the employee did not take pictures, interview individuals and take notes while on-site where the alleged violation was occurring, per normal procedures. Additionally, it was alleged the employee made a false statement on a Department record which led to action against the regulated party which later had to be rescinded by the Department. Both allegations were proved and the employee was terminated.

■ **Project Number 11311:**

An allegation was made an employee failed to renew a statutorily required Fire Safety Inspector Certification and inspected buildings without the certification. The allegation was proved and the employee received a thirty day suspension.

■ **Project Number 11315:**

Allegations were made an employee falsely took an acknowledgement of an instrument as a notary public, falsely made a certificate as a notary public, and falsely took or received an acknowledgement of a signature on a written instrument. The allegations were proved and the employee resigned in lieu of termination.

■ **Project Number 11316:**

An accusation was made an employee was negligent in the performance of assigned duties; specifically failing to properly process payment drafts received as a result of investigations into regulated parties failing to have requisite insurance coverage. The allegation was proved and the employee resigned.

■ **Project Number 11321:**

An employee was accused of conduct unbecoming by participating in the hiring of a consulting firm (to work for the Department) where the employee worked before coming to the Department. The employee resigned one day after the investigation was begun and the consulting job was 99% completed. Thus, the case was closed with no investigative action conducted.

■ **Project Number 11327:**

An employee was accused of having a firearm on state property without authorization. Specifically, the employee drove a state vehicle while carrying a concealed weapon. During the subject interview, the employee admitted to routinely carrying the weapon into the office as well as in a state vehicle. The employee was not a law enforcement officer and did not have management's permission to carry the firearm into the workplace. The allegation was proved and the employee received a written reprimand.

■ **Project Number 11328:**

Allegations were made an employee circumvented the Department's password requirements for five users and knowingly provided false information to the Auditor General. Both of the allegations were proved and the employee resigned from the Department.

■ **Project Number 11329:**

Initially one allegation was made against a supervisor employee. It was alleged the supervisor used the Capitol Check Cashing Center in a check kiting scheme. The allegation was disproved.

Following the supervisor employee's first subject interview two allegations were added. First, it was alleged the employee provided false testimony during an Office of Inspector General interview. The allegation was disproved. Second, the employee was accused of displaying misconduct by writing checks on an account with insufficient funds while working in, and overseeing, the Capitol Check Cashing Center. The allegation was proved.

After the supervisor's second subject interview two allegations were added; displaying conduct unbecoming a public employee and insubordination. Both allegations were

added because during the second interview it became apparent the subject had failed to cooperate with the Office of Inspector General investigation. Both allegations were proved.

After the second subject interview, a charge of negligence in the performance of duties was added. It was alleged the employee began presenting checks for cashing on an account not disclosed on the employee's original Capitol Check Cashing Center application form. This allegation was disproved.

The employee received an inter-agency transfer.

■ **Project Number 11333:**

An allegation was made an employee displayed conduct unbecoming by repeatedly using racial slurs even after being told by coworkers the employee's language was offensive and should cease. The allegation was proved and the employee resigned in lieu of termination.

■ **Project Number 11339:**

An accusation was made an employee made false, incomplete, or misleading statements under oath during the course of an official investigation by falsely testifying to having no knowledge of personal password change parameters, and falsely testifying lack of knowledge as to why (the employee's) personal password was not set to expire as required by Department policy; and providing inconsistent testimony regarding knowledge of certain users being excluded from the Department's password requirements. The allegation was proved on all counts and the employee received a ten day suspension.

■ **Project Number 11345:**

An allegation was made an employee displayed conduct unbecoming a public employee by throwing a banana peel onto the vehicle of a colleague. The allegation was proved and the employee received a written reprimand.

■ **Project Number 11354:**

An allegation was made an employee made inappropriate threatening remarks to a coworker. The allegation was disproved.

■ **Project Number 11356:**

An employee was accused of displaying conduct unbecoming by stealing Wal-Mart gift cards from the outgoing mail. The employee was also accused of operating a state vehicle without a valid driver license. Both allegations were proved and the employee was terminated.

■ **Project Number 11357:**

An employee was accused of violating the Capitol Check Cashing Center Policies and Procedures by failing to verify fund availability prior to cashing a customer's check on two occasions, verifying funds on checks under \$1,000, and requiring customers of the Capitol Check Cashing Center to provide information for all the financial institutions their checks would be drawn against. All three allegations were proved and the employee was verbally counseled.

■ **Project Number 11360:**

An employee was accused of displaying conduct unbecoming by asking a coworker personal, sexually related questions, potentially causing embarrassment to the State; not treating coworkers with courtesy and respect by drawing inappropriate pictures and writing inappropriate notes on a coworker's belongings; by engaging in prankish behavior; and by teasing a coworker with independently discovered personal information the coworker refused to provide. All of the allegations were proved and the employee resigned in lieu of termination.

■ **Project Number 11367:**

An allegation was made an employee displayed violent, aggressive, or threatening behavior resulting in emotional injury to various Department employees and embarrassment to the state as the display was overheard by Help Desk customer(s). It was further alleged the employee was insubordinate by going to the Help Desk area after receiving instructions from superiors to not visit the area. The employee was accused of untruthfully testifying under oath in an Office of Inspector General investigation as to the nature of the display of conduct and denying going to the Help Desk area after being instructed not to do so by superiors. The employee was accused of being untruthful with superiors by informing them an employee was wanted by Department management. All allegations were proved and the employee resigned in lieu of termination.

■ **Project Number 11368:**

A supervisor employee was accused of misuse of position by threatening to give a subordinate a poor evaluation if the subordinate did not do a personal favor for the supervisor employee, and the supervisor employee was accused of conduct unbecoming by treating the subordinate rudely and disrespectfully while singling out the subordinate for counseling. Both allegations were disproved.

Substantive Law Enforcement Investigations Completed

■ Project Number 11301:

A law enforcement officer employee was accused of operating a state motor vehicle fitted with law enforcement equipment while not being a sworn law enforcement officer, operating a state motor vehicle having a confidential license plate while not being a sworn law enforcement officer, using management level staff as chauffeurs for local and long distance travelling while incurring additional travel expenses in the process, and failing to meet mileage requirements while being assigned a state vehicle. All of the allegations were disproved.

■ Project Number 11312:

A law enforcement officer employee was accused of displaying conduct unbecoming a public employee by calling a coworker an inappropriate name. The allegation was disproved.

■ Project Number 11322:

Allegations were made a law enforcement officer employee displayed misconduct by being involved in an unprofessional relationship with a complainant/witness in a criminal investigation, demonstrated conduct unbecoming a public employee by failing to respond honestly and unambiguously to a request from an Assistant State Attorney for copies of all professional or personal emails sent to or received from the complainant/witness in the criminal investigation, and violated policy by removing a case file from the office. All three allegations were proved and disciplinary action is pending.

It was further alleged the employee demonstrated conduct unbecoming a public employee, by relaying questions asked by a defense attorney during deposition, and giving instructions on how to answer questions, to an individual yet to be deposed by the attorney. The allegation was disproved.

The law enforcement officer was accused of demonstrating poor performance by failing to identify and investigate evidence a complainant/witness in a criminal investigation was an accessory after the fact, and of demonstrating conduct unbecoming a public employee by misrepresenting information to a Department attorney. The dispositions of both allegations were inconclusive.

■ Project Number 11355:

A law enforcement officer employee was accused of demonstrating poor performance by consistently failing to record sufficient hours of investigative activity in the Augmented Criminal Investigative Support System after being advised to do so repeatedly by supervisors. The allegation was disproved.

The employee was also alleged to have demonstrated conduct unbecoming a public employee for lying to a supervisor and making a false written entry in the Augmented Criminal Investigative Support System by stating an investigation was presented to the County State Attorney's Office for consideration for filing criminal charges when the investigation had not been presented. The allegations were proved and the employee resigned prior to any implementation of disciplinary action.

■ **Project Number 11361:**

An allegation was made a law enforcement officer employee was tipping off a subject whenever the Florida Department of Law Enforcement planned a sting. The written complaint was vague and the anonymous complainant was contacted via email with a request for additional information so an investigation could be conducted. No reply was received and the case was closed.