

Florida Fish and Wildlife Conservation Commission

2019–2020 Annual Report



Florida Fish and Wildlife Conservation Commission
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September 10, 2020

Eric Sutton Executive Director
Florida Fish and Wildlife Conservation Commission
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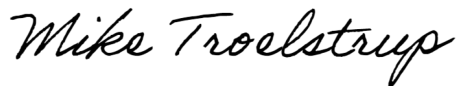
Executive Director Sutton,

On behalf of the dedicated employees of the Florida Fish and Wildlife Conservation Commission, Office of Inspector General (OIG), I am pleased to present to you the 2019/2020 OIG Annual Report. This report details the OIG audit and investigative activities for the fiscal year ending June 30, 2020.

In diligently detecting and preventing fraud, waste, and abuse, the OIG prides itself on its commitment to providing the most thorough, accurate, and objective audits and investigations possible.

Your unwavering support for the OIG and its mission allows us to help promote accountability, integrity, and public confidence in the Agency. We look forward to continuing our excellent relationship as we move forward during these challenging times.

Respectfully,

A handwritten signature in black ink that reads "Mike Troelstrup". The signature is written in a cursive, flowing style.

Mike Troelstrup
Inspector General

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Office of the Inspector General

Mission Statement

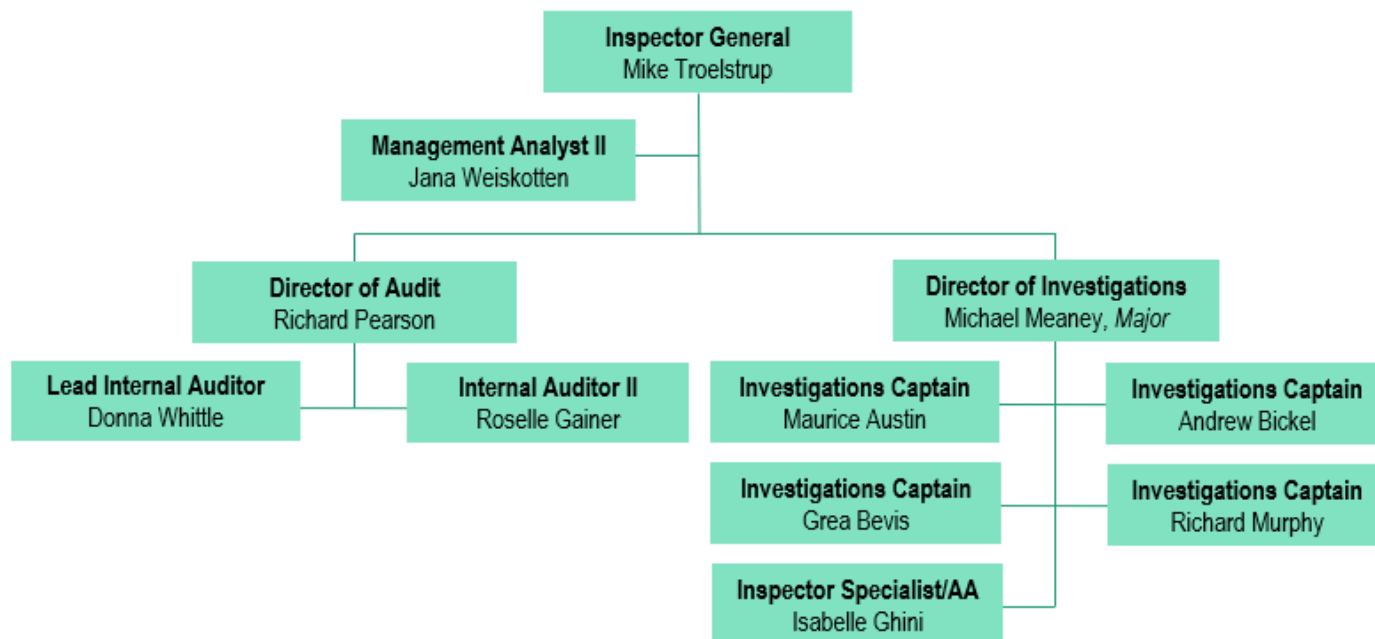
The mission of the FWC Office of Inspector General is to provide leadership in the promotion of accountability and integrity in state government.

Vision Statement

The vision of the FWC OIG is to enhance public trust in government.

Goals

- Detect and deter fraud, waste, and abuse
- Identify trends
- Create ethical awareness within the Agency
- Improve accountability
- Ensure fair, thorough, and impartial investigations
- Ensure audits add value to the Agency
- Reduce Agency liability and risk
- Ensure reliability and validity to Agency Performance Measures



Office of the Inspector General

General Information

The Florida Fish and Wildlife Conservation Commission (FWC), Office of Inspector General (OIG), is located in the Farris Bryant Building in Tallahassee, Florida. The Inspector General Act of 1994 created an Office of Inspector General in each state agency. The purpose of the OIG is to act as a central point for coordination of, and responsibility for, activities that promote accountability, integrity, and efficiency in government. Section 20.055, Florida Statutes, defines the duties and responsibilities of each Inspector General.

Professional Involvement

The FWC OIG prides itself on maintaining a highly trained and motivated staff. The professional staff of the OIG includes the Inspector General, Director of Investigations (Law Enforcement Major), four investigative law enforcement Captains, an Investigator Specialist, a Management Analyst, the Director of Auditing, a Lead Internal Auditor, 1 half-time Internal Auditor II and an Administrative Assistant. One hundred percent of the ten full-time positions in the OIG possess college degrees from an accredited college or university, and two of those possess post-graduate degrees as well.

Staff members also possess the following professional certifications:

- State of Florida Sworn Law Enforcement Officer
- Certified Inspector General Investigator
- Certified Inspector General Auditor
- Certified Accreditation Professional
- Certified Inspector General
- Certified Fraud Examiner
- Certified Internal Auditor
- Notary Public

Some of these certifications are mandated by Florida law in order to be employed in the OIG. Virtually all certifications require regular mandatory training courses, such as annual in-service training for law enforcement officers. For the fiscal year 2019- 2020, the OIG staff completed 287 hours of training.

Office of the Inspector General

Statutory Requirements

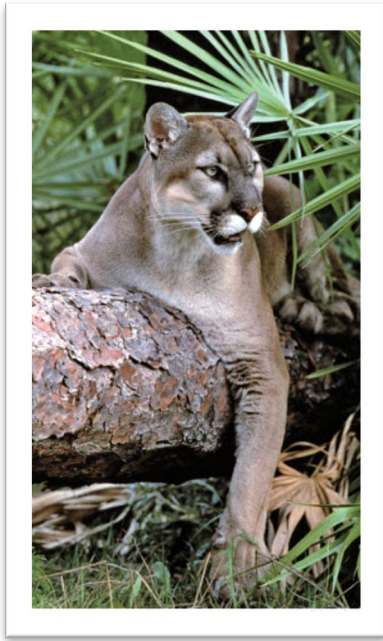
Section 20.055, F.S., requires that each state agency Office of Inspector General submit an annual report of significant activities during the preceding state fiscal year to the agency head. The report must include, but is not limited to, the following:

- A description of significant abuses and deficiencies relating to the administration of programs and operations of the agency disclosed by investigations, audits, reviews, or other activities during the reporting period.
- A description of recommendations for corrective action made by the Inspector General during the reporting period with respect to problems, abuses, or deficiencies identified.
- The identification of each significant recommendation described in previous annual reports on which corrective action has not been completed.
- A summary of each audit and investigation completed during the reporting period.



Audit Activities

Review of Audit Activities



The role of internal auditing is to provide an independent, objective assurance and consulting activity designed to add value and improve the organization's operations. The FWC OIG Internal Audit Section assists the Agency in accomplishing its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes. We provide assurances to senior management that all reviewed operations are working in a manner that is consistent with established organizational objectives, policies, and procedures.

Our internal audits and reviews are conducted in conformance with the *International Standards for the Professional Practice of Internal Auditing* and the *Principles and Standards for Offices of Inspector General* and are generally carried out in accordance with an annual work plan approved by the Executive Director.

The OIG Internal Audit Section consists of two full-time employees, the Director of Auditing and a Lead Internal Auditor; and one half-time Other Personal Services (OPS) Internal Auditor II.

In fiscal year 2019/2020, the OIG Internal Audit Section completed four audits, seven audit follow-ups, one management review, and provided audit assistance to the OIG Investigations Section. At the close of the fiscal year, two audits remained open. A summary of each completed audit project is as follows:

IA-1901 External Alligator Management Audit Follow-up

OIG reported on the progress and status of FWC's Division of Hunting and Game Management's (HGM) Alligator Management Program (AMP) efforts to complete action items identified in *A Comprehensive Review and Evaluation of the Florida Fish and Wildlife Conservation Commission's Alligator Management Program* conducted by Exum Associates, Inc. (Exum Review).

Based on the results of our audit follow-up review, OIG determined that HGM management took adequate, effective, and timely actions in response to five of the twenty-five Exum Review's opportunity for improvements (recommendations).

During our audit follow-up review, OIG also identified three additional issues that required management attention, which included: improving the methods and measurements of outreach and communication with the public, insufficient stipend funds, and incomplete alligator bite information reported. As a result, there were nine additional recommendations. AMP management provided OIG a detailed written response with supporting documentation to the Exum Review and OIG findings and recommendations. OIG considers this engagement

Audit Activities

IA-2001 Triple N Ranch Shooting Range Audit

OIG conducted an audit of FWC Contract Number 16214 (Contract), which was for the construction of a multi-purpose building at the Triple N Ranch Shooting Range. The Contract with Canaveral Construction Co., Inc. was administered by the FWC Division of Hunting and Game Management, Hunter Safety and Public Shooting Ranges Section (HSPSRS).

OIG determined that overall, HSPSRS effectively monitored the Contract, with the exception of two minor non-conformity issues. These two minor issues were resolved prior to the issuance of the final Audit Report. OIG also noted two contract best practices and one contract monitoring best practice used by HSPSRS.

IA-2002 Prescribed Burn Program Review Follow-Up Advisory Memorandum

The purpose of this memorandum was to report the progress and status of FWC efforts to complete action items established to address issues identified in FWC OIG investigative review case number 2018-INV-0030 and OIG engagement number IA-1902, regarding the FWC's prescribed burn program.

Based on the results of our follow-up review, we determined that FWC Division of Habitat and Species Conservation (HSC) management took adequate, effective, and timely actions in response to one of the eleven OIG recommendations; the remaining ten are in the process of being finalized regarding investigative review case number 2018-INV- 0030. Additionally, the OIG had four new recommendations after reviewing the draft of the FWC Internal Operating Policy, Prescribed Burning and Wildfire Suppression Standards.

The seven OIG recommendations from engagement number IA-1902 are considered closed due to FWC suspending the use of contractors for prescribed burning. HSC management did mention that if contractual services for prescribed burning resume in the future, then the seven audit recommendations will be addressed. FWC OIG will conduct an additional follow-up review in six months.

IA-2003 Florida Auditor General (AG) FWC Quality Assessment Review

The Florida Auditor General conducted a Quality Assessment Review of the OIG. Report No. 2020-058, entitled FWC OIG's Internal Audit Activity, was issued in November 2019. The report stated that the quality assurance and improvement program related to the FWC OIG's internal audit activity was adequately designed and complied with during the review period July 2018 through June 2019 to provide reasonable assurance of conformance with applicable auditing standards and the Code of Ethics issued by the Institute of Internal Auditors.

Audit Activities

IA-2004 Aquatic Plant Management Audit

OIG conducted an audit of FWC HSC's Aquatic Plant Management Program (APMP), Invasive Plant Management Section (IPM), regarding FWC Contract No. 10304 with Applied Aquatic Management (Contractor).

OIG determined that overall, the contract costs were adequately supported, appropriate, and in compliance with applicable state laws, rules and regulations, and Agency policies and procedures regarding FWC Contract No. 10304 (Contract) for the sampled year (FY 2018/2019).

Additionally, the OIG audit team determined that all revisions to the original contract between FWC and the Contractor were properly approved and reasonably justified in compliance with applicable state laws, rules and regulations, and Agency policies and procedures.

Some minor areas of non-compliance were identified and are discussed in the four individual Findings. The audit also identified opportunities for improvement, which are included in the Recommendation section, following the individual Findings.

A new contract is due to be executed in February 2021. The OIG will review that contract to ensure the OIG recommendations are implemented.

IA-2005 Florida Single Audit Act (FSAA)

OIG reviewed financial packages for Single Audit eligibility for fiscal year 2019/2020. None of the city or county financial packages that we received indicated the eligibility threshold for a Single Audit was met.

IA-2006 AG-2018-206 Property Management Operational Audit Second Follow-up Review

The purpose of this audit second follow-up review was to report the progress and status of FWC efforts to complete action items established to address issues identified in the Florida Auditor General's Operational Audit (Report Number 2018-206) and FWC's OIG Follow-Up Advisory Memorandum Number IA-1905.

Based on the results of our follow-up review, we determined FWC's Finance and Budget Office (FBO) management took adequate, effective, and timely actions in response to none of the seven remaining AG findings/recommendations.

According to FBO management, FWC Internal Management Policies and Procedures (IMPP) 5.8 Property and IMPP 4.4 Use of State Purchasing Card (P-Card) and the P- Card Manual are in the process of being revised. The anticipated completion dates for the IMPPs and P-Card Manual are October 2019 and November 2019, respectively.

Audit Activities

IA-2007 FWRI FLHSMV Data Exchange Memorandum Of Understanding Review

OIG completed a Management Review of FWC Fish and Wildlife Institute's (FWRI) internal controls for safeguarding confidential Florida Department of Highway Safety and Motor Vehicles (FLHSMV) driver's license and/or motor vehicle records.

OIG determined after testing selected FWRI data protection internal controls that sufficient safeguards are in place to adequately protect the confidential data supplied by FLHSMV to FWRI via electronic data exchange.

IA-2008 AG-2019-009 Information Technology Operational Audit Second Follow-up Review

The purpose of this audit second follow-up review was to report the progress and status of FWC efforts to complete action items established to address issues identified in the State of Florida Auditor General's (AG) Operational Audit Report Number 2019-009 and FWC OIG Follow-up Advisory Memorandum Number IA-1911 on information technology (IT) controls.

Based on the results of our follow-up review, we determined that FWC's Office of Information Technology management took adequate, effective, and timely actions in response to the six remaining AG findings/recommendations. OIG considers this engagement closed.

IA-2009 SMCS Contract Audit Second Follow-up Review

The purpose of this audit second follow-up review was to report the progress and status of FWC efforts to complete action items identified in the FWC OIG, Surveying and Mapping Continuing Services (SMCS) Audit Report Number IA-1801 and OIG Follow-up Advisory Memorandum Number IA-1907.

Based on the results of our follow-up review, we determined that FWC's Finance and Budget Office management took adequate, effective, and timely actions in response to the five remaining OIG recommendations. OIG considers this engagement closed.

IA-2010 Twin Dolphin Marina Audit

OIG conducted an audit of FWC Agreement No. 16181 (Twin Dolphin Marina), which was for the replacement of existing concrete docks A and C at the Twin Dolphin Marina in Bradenton. This Agreement with the City of Bradenton was administered by the FWC Division of Law Enforcement (DLE) Boat Access Grants (BAG) Section. OIG determined that overall, the DLE BAG Section effectively monitored the Twin Dolphin Marina Agreement, with the exception of three minor non-conformity issues. The OIG also noted two grant agreement best practices and two grant monitoring best practices used by the DLE BAG Section.

OIG will conduct a six-month follow-up review to check the status of corrective actions taken by the DLE BAG Section in response to the three minor non-conformity issues.

Audit Activities

IA-2011 Prescribed Burn Program Review Second Follow-Up Advisory Memorandum

The purpose of this memorandum was to report the progress and status of the FWC's efforts to complete action items established to address issues identified in OIG investigative review case number 2018-INV-0030 and OIG advisory memorandum number IA-2002 regarding the FWC's prescribed burn program.

Based on the results of our second follow-up review, we determined HSC management took adequate and effective actions in response to ten of the fourteen OIG recommendations; the remaining four are in the process of being finalized.

OIG will conduct an additional follow-up review during the Summer of 2020.

IA-2012 Purchasing Card Audit Third Follow-up Review

The purpose of this audit third follow-up review was to report the progress and status of FWC efforts to complete action items identified in FWC OIG P-Card Audit Report Number IA-1614, OIG Follow-Up Advisory Memorandum Number IA-1805, and OIG Follow-Up Advisory Memorandum Number IA-1909.

Based on the results of our follow-up review, we determined that FBO took adequate, effective, and timely actions in response to nine of the sixteen OIG recommendations. These nine recommendations were closed as a result of P-Card Works being implemented on October 8, 2019.

OIG will conduct an additional follow-up review of these seven findings in six months.

IA-2013 Lee County Artificial Reef Audit

The OIG conducted an audit of the FWC/Lee County Artificial Reef Agreement No. 18102, which was for the construction of a marine artificial reef. The artificial reef was to be constructed by deploying at least 1,000 tons of concrete construction materials in one patch reef within the Chris Koepfer Artificial Reef permitted area. This Agreement with the Lee County Board of County Commissioners was administered by the FWC Division of Marine Fisheries Management (DMFM) Fisheries Services Section, Artificial Reef Program (ARP).

OIG determined that overall, the DMFM ARP effectively monitored the LCAR Agreement, with the exception of two minor non-conformity issues. These two minor issues were resolved prior to the issuance of the final Audit Report. OIG also noted four grant monitoring best practices used by the DMFM ARP.

Audit Activities

IA-2016 Performance Measures Review

The purpose of this memorandum was to report the results of the OIG's review of Agency Performance Measures pursuant to Section 20.055(2), Florida Statutes.

Assessment of Agency Performance Measures is a component of the OIG's annual work plan. Our review consisted of assessing the validity and reliability of three 2019/2020 fiscal year performance measures included in the Agency's Long-Range Program Plan for 2020/2021 through 2024/2025.

Notes:

In June of 2020, the OIG Audit Section prepared a risk assessment and audit plan (IA- 2017) for fiscal year 2020/2021, and a long-term audit plan for fiscal years 2021/2022 and 2022/2023. The main purpose and benefit of conducting this assessment was to plan audit activities (through a risk-based process) to provide the most effective audit coverage of the FWC's programs given the resources allocated.

The following audit projects are ongoing and incomplete as of June 30, 2020: IA-2014 and IA-2018.



Investigations

Background Information

The Investigations Section of the Office of Inspector General (OIG) investigates allegations of misconduct by Commission employees, monitors field investigations, and reviews the Division of Law Enforcement's Use of Force Reports.

The OIG also investigates alleged violations of Florida's Whistle-Blower Act and serves as the Commission's Ombudsman to address concerns of employees that cannot be resolved through the normal chain of command.

The OIG Investigations Section received initial Accreditation from the Commission for Florida Law Enforcement Accreditation, Inc. (CFA) in 2013 and was Re-Accredited in June 2016 and again in June 2019.

Minor Complaints

The OIG will decide the appropriate level of investigation based on established criteria. Minor misconduct complaints include allegations of rudeness, use of obscene or profane language, personal appearance, improper operation of a state vehicle or vessel; a citizen complaint that can be resolved in the initial contact; and routine disciplinary action by a supervisor which results in an oral or written reprimand. The originating Division/Office (DO) can conduct the field investigation of a minor complaint after notifying the OIG of the complaint. The OIG will provide supervisory investigative assistance to the DO throughout the investigation and completion of the investigative report.

Major Complaints

The OIG Investigations Section will conduct investigations of all major complaints. Major complaints are allegations of criminal misconduct by an employee, misconduct that will result in suspension or dismissal, violation of Florida's Whistle-Blower Act, misconduct that crosses DO lines, Sexual Harassment; or if the Commission's Executive Director or Inspector General determines that an investigation is warranted.

Inquiries

Inquiry case numbers are designated with a "Q." These complaints are reviewed when there is not enough information provided to determine if an investigation is warranted. The inquiry is limited to obtaining enough information to make an informed decision as to how to designate the complaint.

Investigations

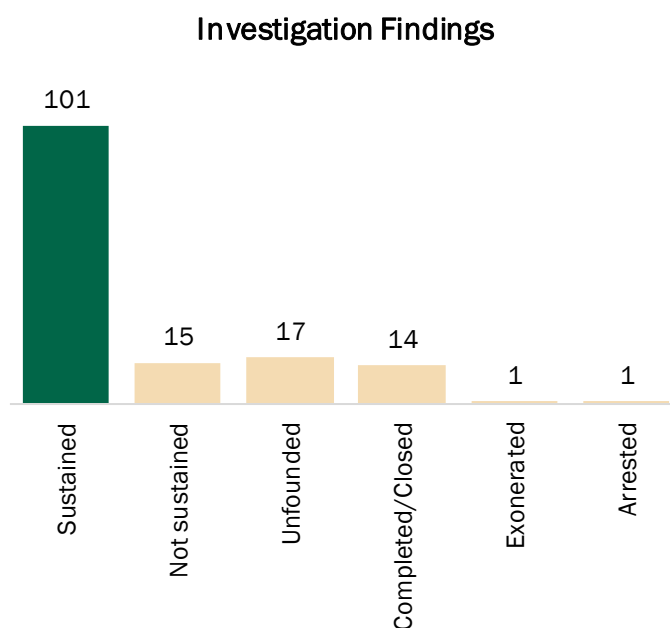
Definitions of Investigation Findings

Note: Several cases had multiple findings for various policies. Multiple policies with a single finding are counted once.

Division/Office	2018 - 2019	2019 - 2020
Community Relations	0	1
Division of Marine Fisheries Management	0	1
Executive Director's Office	0	1
Finance and Budget Office	0	4
Fish and Wildlife Research Institute	2	3
Freshwater Fisheries Management	1	0
Habitat and Species Conservation	4	6
Human Relations	0	3
Hunting and Game Management	5	1
Information Technology	0	1
Law Enforcement	31	35
Legal	0	1
Regional Operations	0	1

Classifications of Closed Cases: Investigative findings about the allegations based upon investigative activities.

1. **Exonerated** – The alleged conduct occurred, but was lawful and proper.
2. **Unfounded** – There was no evidence identified in the Investigation to support the allegation in the complaint.
3. **Not Sustained** – There was insufficient evidence to prove or disprove the allegation.
4. **Sustained** – The allegation was supported by proper and sufficient evidence.
5. **Policy Failure** – The alleged actions occurred but were not addressed by agency policy.
6. **Complete** – Used for instances where no specific wrongdoing was discovered and Unfounded does not apply.



*Note: Some investigations have multiple findings and may involve multiple different Divisions or Offices.

Coyote Euthinization Investigative Review



On February 5, 2020, the Florida Fish and Wildlife Conservation Commission (FWC) Office of Inspector General (OIG) received multiple complaints regarding the euthanasia of a coyote captured at the Port of Miami by Miami-Dade Fire Rescue the previous day.

At approximately 7:23 a.m. on February 4, 2020, the FWC Regional Communications Center (RCC) in Miami received a call from the Miami-Dade Police Department regarding a coyote stuck on the seawall at the Port of Miami.

Approximately four minutes later it was reported to the RCC that the coyote entered the water. Miami-Dade Fire Rescue launched a vessel and was able to rescue the coyote and bring it aboard. The coyote was brought to shore and turned over to FWC Division of Law Enforcement (DLE) personnel for transport to a wildlife rehabilitator. While the coyote was being transported to the wildlife rehabilitator it was decided that the coyote should not be taken to a wildlife rehabilitator and should be euthanized instead. In response to the volume of complaints regarding this decision, FWC OIG conducted a review to ensure that all applicable statutes, administrative codes, FWC rules, policies, and procedures were followed. The administrative review did not examine how or why the coyote became stuck on the seawall or what caused the coyote to enter the water, initiating a response by Miami-Dade Fire Rescue. The administrative review focused specifically on the FWC's response and involvement after it was reported to the FWC RCC.

The review resulted in 8 Findings and 13 recommendations for strengthening training, policies, guidelines, communication, and the intake process that are in the process of being implemented.

Investigations

Review of Investigations

- 2018-INV-0034** A criminal investigation was conducted into an allegation of fraudulent invoices being submitted by an MFM employee.
- 2019-INV-0005** An allegation of inefficiency, falsifying timesheets, and loafing by an FWRI employee was investigated.
- 2019-INV-0016** An allegation of sexual harassment by an LE lieutenant was investigated.
- 2019-INV-0017** An investigation was conducted into an unwarranted use of force by an LE officer.
- 2019-INV-0018** It was alleged a DLE lieutenant failed to report a vehicle pursuit.
- 2019-INV-0019** An LE officer was investigated for alleged stalking and harassment.
- 2019-INV-0020** An allegation of offensive language and conduct unbecoming by an FWRI employee was investigated.
- 2019-INV-0021** Alleged insubordination by an LE officer was investigated.
- 2019-INV-0022** An anonymous complaint alleged rude behavior and conduct unbecoming against an LE officer.
- 2019-INV-0024** An LE supervisor failed to report allegations of sexual harassment against an officer.
- 2019-INV-0025** An investigation into an allegation against an LE duty officer releasing confidential employee background check information was investigated.
- 2019-INV-0026** An allegation of sexual harassment was investigated.
- 2019-INV-0027** An HSC independent contractor was investigated for an allegation of sexual harassment.
- 2019-INV-0028** An allegation of use of racist language on Facebook by an HSC employee was investigated.
- 2019-INV-0029** An HSC employee was investigated for alleged use of alcohol on duty and abusive language and actions.
- 2019-INV-0030** An investigation was conducted into an allegation of insubordination and falsifying statements to a supervisor against an LE officer
- 2019-INV-0031** An investigation into an allegation of sexual harassment was conducted.

Investigations

- 2019-INQ-0032** An inquiry was conducted into an allegation an FWC helicopter pilot gave unauthorized tours.
- 2019-INV-0033** An alleged violation of FWC social media policy was investigated.
- 2019-INV-0034** An LE duty officer was alleged to have conducted outside business while on-duty.
- 2019-INV-0035** An investigation into alleged conduct unbecoming and insubordination against an LE employee was conducted.
- 2019-INQ-0036** An inquiry was conducted into potential violations of FWC residency policy.
- 2019-INV-0037** Irregularities concerning revenue checks handled by an FBO employee was investigated.
- 2019-INV-0038** An investigation was conducted into an allegation of an LE employee discussing an active investigation.
- 2019-INV-0039** An HR employee allegedly released confidential medical information.
- 2019-INV-0040** An investigation was conducted into an alleged improper arrest by an LE officer.
- 2019-INV-0041** An LE officer allegedly claimed off-duty and on-duty simultaneously.
- 2019-INV-0042** Falsification of permits and an appearance of conflict of interest was alleged against an HSC biological scientist.
- 2019-INV-0043** An investigation was conducted into alleged inefficiency and negligence against an FWC employee.
- 2019-INQ-0044** An inquiry into an allegation of targeted boat citations was conducted.
- 2019-INV-0045** An allegation of misuse of authority and supervisory failure to address misconduct against an LE officer was investigated.
- 2019-INV-0046** An investigation was conducted into an allegation of a coerced witness statement in a criminal investigation.
- 2019-INV-0047** Allegations of sexual harassment and abusive language against an IT employee were investigated.
- 2019-INV-0048** An investigation into a Community Relations employee who allegedly falsified doctors' notes was conducted.
- 2019-INV-0049** An LE duty officer allegedly released information regarding an ongoing OIG investigation.

Investigations

- 2019-INV-0050** Allegations against 3 LE officers regarding use of force reporting procedures and off-duty employment was investigated.
- 2019-INV-0051** A complaint concerning a dispatch of a snake was investigated.
- 2019-INV-0052** An investigation was conducted into an allegation of a threatening email sent by an HSC biological scientist.
- 2019-INV-0053** An LE marine mechanic allegedly provided false statements regarding vessel maintenance.
- 2019-INV-0054** Interference with an ongoing investigation by an LE lieutenant was investigated.
- 2019-INV-0055** An allegation of sexual harassment by an HR employee was investigated.
- 2020-INV-0001** An LE officer received a positive drug test and an investigation was conducted.
- 2020-INV-0003** An allegation of sexual harassment by an FBO employee was investigated.
- 2020-INV-0004** An allegation of gross mismanagement against a division director was investigated.
- 2020-INV-0005** Two FWRI employees were investigated for violation of FWC vessel safety policy, violation of timesheets and a stalking arrest.
- 2020-INV-0006** An allegation of destruction of property and theft by a LE captain was investigated.
- 2020-INV-0007** A review of an incident concerning euthanasia of a coyote was conducted.
- 2020-INV-0009** An HSC employee alleged mishandling of report of injury process concerning a dog bite.
- 2020-INV-0010** An investigation was conducted into an LE officer's alleged faked an injury during a physical abilities test and failure to follow instructions.
- 2020-INV-0011** Several allegations concerning HR and FBO employees were investigated including an unreported arrest and a falsified employment application.
- 2020-INV-0012** An LE lieutenant was investigated for alleged false arrest, false statements, and improper release of body camera video.
- 2020-INV-0013** An administrative review of concerns regarding HSC invasive plant management activities was conducted.
- 2020-INV-0014** An allegation of off-duty reimbursement and body camera violations against an LE officer was investigated.

Investigations

- 2020-INV-0015** An FBO employee was investigated for an allegation of sexual harassment.
- 2020-INV-0017** An off-duty arrest and allegation of verbal abuse toward an FHP officer by an LE officer was investigated.
- 2020-INV-0020** A violation of LE vehicle pursuit policy against an officer was investigated.
- 2020-INV-0025** An investigation was conducted into an allegation of misuse of state cell phones against Legal Office employees.

