



**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF INSPECTOR GENERAL**

**ANNUAL REPORT  
FISCAL YEAR 2002-2003**

Pinky G. Hall, CIG  
Inspector General

David B. Struhs  
Secretary

September 30, 2003



# Department of Environmental Protection

## Memorandum

---

September 30, 2003

TO: David B. Struhs  
Secretary

FROM: Pinky G. Hall, CIG  
Inspector General

SUBJECT: OIG Annual Report for FY 2002-2003

In accordance with the Inspector General Act, Section 20.055, Florida Statutes, I am pleased to present the Annual Report of OIG's major work and activities for the 2002-2003 fiscal year. OIG continues to provide a central point for the promotion of accountability, integrity and efficiency throughout the agency. I would like to take this moment to thank OIG and agency staff for working together to enhance DEP programs, operations and services.

OIG will continue to work with agency managers and staff to identify areas of concern; analyze how well programs are functioning; make recommendations for improving program effectiveness and seek innovative, workable solutions to DEP's accountability issues. As always, OIG will continue to provide independent auditing, investigative and consulting services while adhering to the highest ethical standards and principles. I extend my sincere thanks to you for your vision, leadership and confidence in OIG's ability to conduct business in a fair, impartial and objective manner while addressing the often competing needs of agency managers, external parties and the general public.

cc: Derry Harper  
Chief Inspector General

## TABLE OF CONTENTS

<b>CONTENTS</b>	<b>PAGE</b>
<b>Executive Summary</b>	1
Agency Background	1
Purpose of Annual Report	
<b>Introduction</b>	
Mission Statement and Objectives	1
Professional Affiliations	4
Staff Training	4
<b>Internal Audit</b>	
Audit Section Summary	6
<b>Internal Investigations</b>	
Procedures for Receiving Complaints and Assigning Investigations	13
Internal Investigations Activity	13
<b>Program Review and Improvement</b>	
Services	32
Summary of Activities	33
<b>Other Activities</b>	
Performance Measures	36
Governor's Council on Integrity and Efficiency	36
Association of Inspectors General	37
Audit Director's Roundtable	37
<b>Why the Inspector General Function Is Needed</b>	37
<b>OIG Guiding Principles</b>	38
<b>Staff Directory</b>	Inside Back Cover

Florida Department of Environmental Protection  
Office of Inspector General  
2600 Blair Stone Road, MS 40  
Tallahassee, FL 32399-2400  
(850) 245-8013  
FAX (850) 245-8044  
[www.dep.state.fl.us/oig](http://www.dep.state.fl.us/oig)



## **EXECUTIVE SUMMARY**

### **Agency Background**

The Florida Department of Environmental Protection (DEP) is one of the more diverse agencies in state government. More than 3,500 DEP employees serve the people of Florida. In addition to protecting the state's air and water quality and ensuring proper waste management, the Florida DEP is also responsible for managing 157 state parks and other recreational trails and areas for outdoor activities. DEP also administers the Florida Forever land-buying program. Through this program, sensitive land is purchased for conservation and recreational purposes, preserving these lands from future development. Florida's land conservation program is one of the most progressive in the nation.

### **Purpose of Annual Report**

This report, required by the Inspector General Act of 1994, summarizes the activities and accomplishments of the Florida Department of Environmental Protection (Department), Office of Inspector General (OIG) during fiscal year 2002-2003.

Chapter 20.055, Florida Statutes (F. S.) defines the duties and responsibilities of each Inspector General, with respect to the state agency in which the office exists. The statute requires that the Inspector General submit an annual report of activities during the preceding fiscal year to the agency head. This report shall include but need not be limited to: (a) a description of activities relating to the development, assessment, and validation of performance measures; (b) a description of significant abuse 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; (c) a description of recommendations for corrective action made by the inspector general during the reporting period

with respect to significant problems, abuses, or deficiencies identified; (d) the identification of each significant recommendation described in previous annual reports on which corrective actions has not been completed; and, (e) a summary of each audit and investigation completed during the reporting period.

This document is presented to the Secretary to comply with statutory requirements and to provide departmental staff and interested parties information on how OIG accomplishes its mission as defined by Florida Law.

## **INTRODUCTION**

### **Mission Statement and Objectives**

The mission of the Office of Inspector General is to promote integrity, accountability and efficiency in the Department. Further, the OIG is to conduct independent and objective audits, investigations and reviews of agency issues and programs in order to assist the Department in protecting, conserving and managing Florida's environment and natural resources. These investigations, reviews and audits will be informed, logical, supportable, and timely about issues and matters of importance to the Department.

The duties and responsibilities of the Inspector General include: advising in the development of performance measures, standards and procedures for evaluating agency programs; reviewing actions taken by the agency to improve performance and meet standards; conducting, supervising, or coordinating other activities to promote economy and efficiency; preventing and detecting fraud and abuse in agency programs; keeping the agency head informed concerning fraud, abuse and deficiencies in programs and operations; ensuring effective coordination and cooperation between the Auditor General, federal auditors

*Office of Inspector General – Annual Report – FY 2002-2003*  
*“Promoting Integrity, Accountability and Efficiency”*

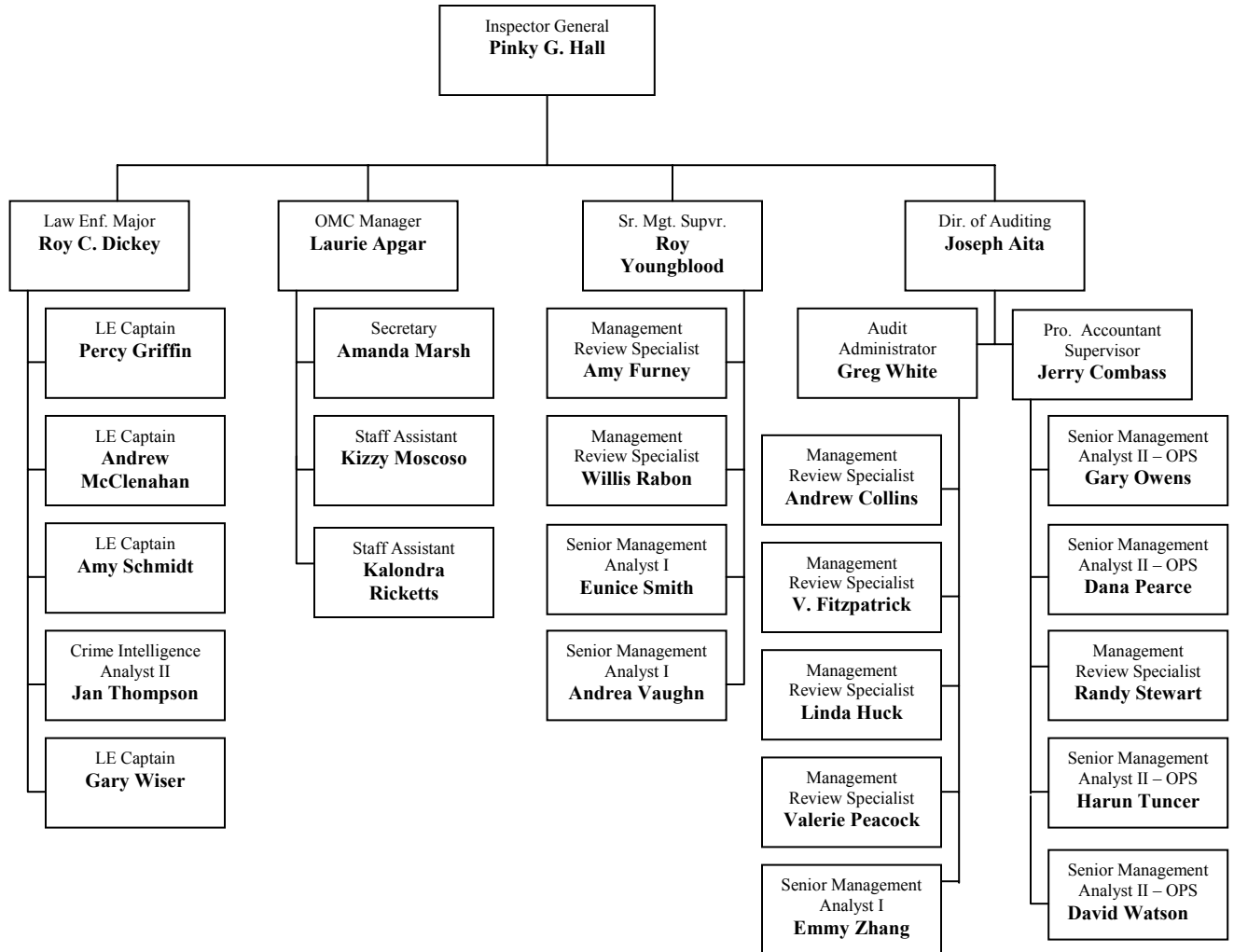
and other government bodies reviewing the rules of the agency; and, ensuring that an appropriate balance is maintained between audit, investigative, and other accountability activities.

The OIG consists of three major units: Program Review and Improvement, Audit and Investigations. The Director of the Program Review and Improvement provides leadership to the Section that provides management consulting services to agency managers. These services are designed to provide management with information and tools necessary to improve program performance. This unit provides objective, third-party observation, examination and analysis designed to enhance program effectiveness and efficiency. The Director of Auditing has been delegated the authority and responsibility to direct, supervise, and coordinate financial, compliance, electronic data processing (EDP), and performance audits, and management reviews of department programs and activities in accordance with Chapters 20.055(1)(d) and 20.055(5), F.S. The Director of Investigations is responsible for the management and operation of the agency’s Internal Investigations Unit. This includes planning, developing and implementing an internal reviewing system to examine and investigate allegations of misconduct on the part of the agency’s law enforcement and civilian employees. Under the authority of Sections 112.3187 through 112.31895 and 20.055, F.S., the Inspector General may conduct investigations for the Secretary designed to deter, prevent and eradicate fraud, waste, mismanagement, misconduct, or other abuses. These investigations include complaints which meet the criteria set forth in the Whistle-blower’s Act. The Directors of Auditing and Program Review and Improvement may also be requested to provide assistance for these investigations. The investigative duties and responsibilities of the Inspector General (Section 20.055(6), F.S.) include:

- Receiving complaints and coordinating all activities of the agency as required by the Whistle-blower’s Act pursuant to Sections 112.3187 –112.31895, F.S.
- 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 Florida Department of Law Enforcement (FDLE) 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 shall include freedom from any interference with investigations and timely access to records and other sources of information.
- Submitting in a timely fashion final reports on investigations conducted by the Inspector General to the agency Secretary, except for Whistle-blower investigations, which shall be conducted and reported pursuant to Section 112.3189, F.S.

The OIG consults with management and provides technical assistance upon request. Such assistance may include providing information, conducting research or addressing various management concerns. A variety of reviews and projects are conducted in order to improve agency effectiveness and efficiency. The staff of the OIG have full, free, and unrestricted access to all Department activities, records, data, property, and other information it deems necessary to carry out audit assignments or investigations and request special reports or data as needed.

**Florida Department of Environmental Protection**  
**“More Protection, Less Process”**



## **Professional Affiliations**

Staff assigned to the OIG brings to the Department various backgrounds in the public and private sectors, which enhance their expertise. Staff have experience in auditing, accounting, law enforcement (LE), insurance, program evaluation, personnel management, computer science, organizational development, banking, health care, engineering, quality management, public administration, communications, various areas of military services, as well as work experience in federal, local and state agencies.

Professional certifications of staff are outlined below:

5 Law Enforcement Officers, of which  
1 is a Law Enforcement Instructor,  
1 is a Law Enforcement Firearms Instructor,  
1 is a Certified Dare Officer,  
1 is a Certified Dare Mentor, and  
1 is a Member of Florida Dare Center  
6 FCIC Basic Telecommunications Operators  
26 Members of the National and Tallahassee Chapter of Association of Inspectors General  
2 Certified Public Accountant (CPA)  
3 Certified Fraud Examiners (CFE)  
2 Certified Internal Auditors (CIA)  
3 Certified Inspectors General (CIG)  
1 Notary Public

Professional organizations that staff affiliate with are outlined below:

- American Institute of Certified Public Accountants
- Association of Certified Fraud Examiners
- Institute of Internal Auditors (IIA)
- International Association of LE Intelligence Analysts
- Southeastern Evaluation Association
- National Association of State and Local Inspectors General
- Tallahassee Chapter of the Association of Inspectors General (AIG)
- Toastmasters International
- The Florida Audit Forum
- National Internal Affairs Association
- American Society for Training And Development
- Project Managers Institute
- Institute for Certification of Computing Professionals

## **Staff Training**

The Program Review and Improvement Section members received training in: Critical and Technical Writing Skills, PowerPoint, Presentation Skills, Proofreading and Editing Techniques, Evaluation Skills, and the Certified Public Manager program. In addition, the PRI Team was involved in team building and individual skills assessment exercises.

Auditors received a variety of accounting, auditing, technical and behavioral training. The



*Florida Department of Environmental Protection  
"More Protection, Less Process"*

primary benefit derived from training is the improvement of job-related knowledge and skills. Increasing professional knowledge and skills improves job performance and productivity. Staff received training in emerging audit issues and trends such as improvements in fraud detection and updates on revisions to the standards promulgated by the Institute of Internal Auditors and the General Accounting Office. The Section attended numerous lectures and workshops sponsored by the IIA, AIG, CFE, and internally sponsored workshops. Areas included Fraud Prevention, Contract/Grant Manager Training, and Computer Security. Various courses in specialized areas to improve productivity were attended as well. These included the CIA and Certified Government Auditing Professional (CGAP) examination review courses, interviewing and profiling techniques, and usage of various software applications.

Continued participation in training allows members of the Internal Investigations Section to remain current with required certifications as well as staying up-to-date on the latest techniques and procedures in the profession. During fiscal year 2002-03 members of the Internal Investigations Section attended 342 hours of training or an average of 57 hours per member. All members of the Section received training to retain their certification to use the Florida Crime Information Center. The four captains in the Unit all attended a course in Statement Analysis and Communication Analysis. The five sworn staff received training to maintain their firearm certification. The two newest captains each received 40 hours of basic Police Internal Affairs training. The Crime Analyst received a 40-hour class in Crime Intelligence Analysis. Two captains received Cardio Pulmonary Resuscitation (CPR) refresher training. One captain attended training on the investigation of Officer Involved Shootings. The major received training in Computer Security Incident Response Team. Members of the unit also participated in short, in-service training in

the areas of Domestic Violence, Juvenile Sexual Offenders, Environmental Crimes, and Human Diversity.

## **INTERNAL AUDIT**

The Audit Section performs independent audits, reviews, and examinations to identify, report, and recommend corrective action for control deficiencies or non-compliance with laws, policies, and procedures. The Director of Auditing coordinates the development of an annual audit plan that identifies the areas within the Department scheduled for review using risk assessment tools. Both a long range or "strategic," and one year plan are included in the Audit Plan Report.

Audits are conducted in accordance with the current Standards for Professional Practice of Internal Auditing published by the Institute of Internal Auditors, Inc. (IIA). Where appropriate, the Audit Section adheres to the standards developed by the Comptroller General of the United States and codified in the Government Auditing Standards or "yellow book." Financial related audits may be subject to the standards promulgated by the American Institute of Certified Public Accountants (AICPA) which are commonly referred to as generally accepted auditing principles (GAAP) and generally accepted standards (GAAS). All audit reports issued by the Audit Section contain a statement that the audit was conducted pursuant to the appropriate standards. These reports of findings are prepared and distributed to the Secretary of the Department, Office of the Auditor General, Office of the Chief Inspector General and applicable departmental management.

### **Audit Section Summary**

The Audit Section provides a variety of services in addition to traditional audits. These include investigative assistance, reviews, research, management advisory services, performance measure assessments, policy and rule reviews, and other activities. Services provided are tracked with a project number and culminate in a written product, which is disseminated to the program area and other appropriate parties.

## **INTERNAL AUDIT SIGNIFICANT PROJECTS COMPLETED FOR FISCAL YEAR 2002-2003**

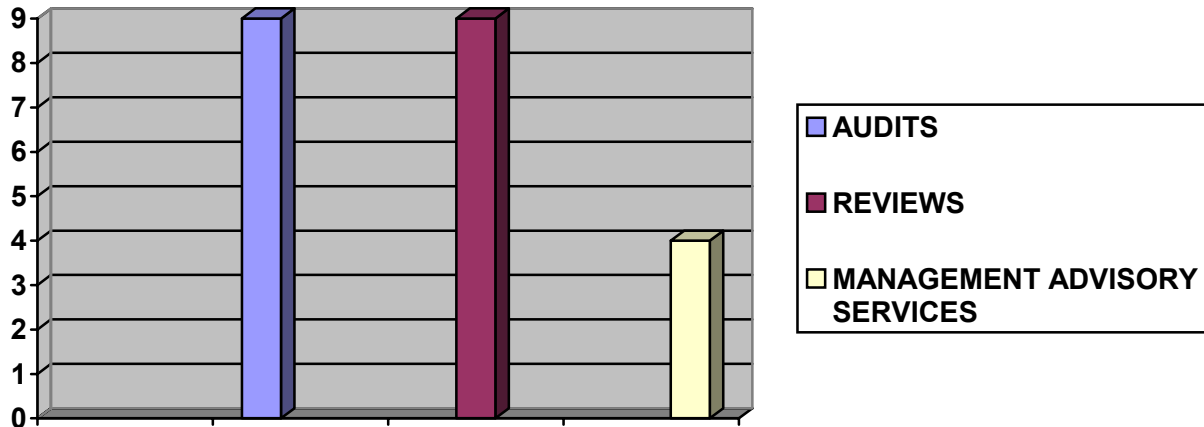
The following schedule depicts significant accomplishments for FY 2002-2003. A synopsis of each project or activity is provided following the schedule.

NO.	PROJECT TYPE	DIVISION	PROJECT TITLE	NUMBER
1	Audit	Recreation & Parks	Nature Quest, Inc., Contracted Concession at Wekiwa Springs State Park	IA-2-7-2003-61
2	Audit	Recreation & Parks	Tarpon Bay Recreation, Inc., Contracted Concession at Lover’s Key and Delnor Wiggins State Park	IA-2-7-2002-147
3	Review	Recreation & Parks	Contract with Reserve America, Inc. (Provide Reservation Services)	IA-3-7-2003-100
4	Review	Recreation & Parks	FRDAP Grant (Town of Sneads for Adam Tucker Wilson Youth Park)	IA-3-7-2003-52
5	Management Advisory Activities	Recreation & Parks	Multiple Project Numbers: Participation in Evaluation Panel for Contracted Concession Operations and RFP Process Improvement	
6	Management Advisory Activities	Recreation & Parks	Review CPA Audits ( State Park Contracted Concessions)	IA-11-7-2003-1
7	Audit	Resource Assessment & Management	Audit Contract Between DEP and University of Michigan (AQ136)	IA-2-24-2003-24
8	Review	Resource Assessment & Management	Review Oil and Gas Databases Relating to Number of Permit Applications	IA-3-24-2002-149
9	Audit	Waste Management	Jefferson County Recycling Grants	IA-2-12-2003-36
10	Audit	Waste Management	Manatee County Recycling Grants	IA-2-12-2002-190
11	Audit	Waste Management	SWIX Grant Expenditures made since July 1, 2001	IA-2-12-2002-244
12	Review	Waste Management	Mosquito Control Grants	IA-3-12-2003-116
13	Audit	Southeast District	Audit Contract Between DEP and Martin County Soil & Water District (SP544)	IA-2-18-2002-80

*Florida Department of Environmental Protection  
"More Protection, Less Process"*

NO.	PROJECT TYPE	DIVISION	PROJECT TITLE	NUMBER
14	Review	Southeast District	Review Contract Between DEP and Biscayne Bay Foundation (SP560)	IA-3-18-2002-169
15	Audit	State Lands	Contracting for Control of Invasive Aquatic Plants	IA-2-3-2003-135
16	Review	Water Resource Management	Assess Reliability of Data Related to Phosphorous Loading in Lake Okeechobee	IA-6-14-2003-75
17	Audit	Water Resource Management	State Revolving Fund Financial Statement Audit	IA-2-14-2002-142, 143
18	Management Advisory Services	Administrative Services	Contract/Grant Manager Training	IA-11-2-2003-160
19	Review	Administrative Services	Review Convicted and Suspended Vendors	IA-3-2-2003-20, 131
20	Review	Administrative Services	Review Department Indirect Cost Plan	IA-3-2-2002-187
21	Review	Multiple Divisions	Review Audits of Local Governments	IA-12-23-2003-127
22	Management Advisory Services	Administrative Services	Research Information on Federal Contract Debarment	IA-11-1-2002-236

The following chart depicts the number and types of projects completed in the Internal Audit Unit during the past fiscal year.



## INTERNAL AUDIT PROJECT SYNOPSIS

### DIVISION OF RECREATION AND PARKS

**IA-2-7-2003-61 Nature Quest, Inc. Contracted Concession at Wekiwa Springs SP.** The scope of this audit focused on the contract between the Department and Gulf Services, Inc. (subsequently incorporated as Nature Quest, Inc.) at Wekiwa Springs State Park for the period January 1, 2001, through December 31, 2001. The objectives were to evaluate the extent of the concessionaire’s compliance with the provisions of the contract, determine if gross sales had been properly reported and if commission fees were properly remitted to the Department. OIG concluded that internal controls should be improved in order to assure the Department that gross sales have been properly collected and accurately reported. The concessionaire’s financial reporting could not provide these necessary assurances. It was hampered by the lack of inventory records and vending accountability records, a checking account not used solely for the concession operation, and inaccurate and inconsistent charging for equipment rentals.

**IA-2-7-2002-147 Tarpon Bay Recreation, Inc. Contracted Concession at Lover’s Key and Delnor-Wiggins SP.** This audit focused on the concessionaire’s compliance with provisions of the concession agreement and the accuracy of gross sales reported to the Department for the period January 1, 2000 through June 30, 2001. OIG concluded that reported revenue for the audit period and commissions due the state were materially accurate. However, the concessionaire was not providing all of the services proposed in the contract on a full-time basis. Additionally, OIG found that the concessionaire did not regularly submit concession fees on a timely basis.

**IA-3-7-2003-100 Contract with Reserve America (Provide Reservation Services).** OIG reviewed state park reservation fee collection and reporting by Reserve America, Inc. during September through December 2002. The objectives were to determine whether Reserve America, Inc. was accurately reporting reservation transactions, collecting fees and remitting Department distributions, and reporting and collecting sales tax. However, a comparison showed that while camping/cabins occupancy had increased over time, camping/cabins revenue decreased slightly between the summer months of 2001 and 2002. RA had collected fees and distributed Department revenues that are supported by RA system generated reports. Amounts provided by RA on distribution reports agree with actual fee amounts withheld according to bank statements and FLAIR treasury statements. OIG identified areas of risk related to the potential for contractor abuse that must be addressed. These include: access to customer transaction detail, contractor fees reported out of period, fees assessed for incomplete transactions, field cancellations, definition of “transaction”, and refunds. While the Department has established controls, the nature of the issues included in OIG’s report highlight the need for additional monitoring and risk assessment. OIG questioned the compensation arrangement established in the contract, which allows the contractor to collect its fees prior to review and approval by the Department. OIG determined that potential overcharges to the Department could reach \$213,000.

**IA-3-7-2003-52 FRDAP Grant (Town of Sneads for Adam Tucker Wilson Youth Park).** OIG reviewed expenditures submitted by the Town of Sneads related to the Adam Tucker Wilson Youth Recreational Park grant for the period of August 18, 1999 through August 31, 2001. The objectives were to determine the accuracy of reported expenditures listed in

billing submittals and whether project elements had been completed. OIG identified supported project expenses of \$108,670. Payments of \$67,500 had been issued for the purpose of the grant. The project budget was \$100,000 with a 75%-25% match providing a maximum payment of \$75,000. OIG recommended the Division release the final \$7,500 subject to final review and inspection procedures.

**Multiple Project Numbers: Participation in Evaluation Panel Contracting for Concession Operations and RFP Process Improvement.**

At the request of Division of Recreation and Parks management, OIG participated on committees evaluating concession proposals for Wekiwa Springs, Delnore-Wiggins/Lover's Key and Madison Blue Springs State Parks. OIG also advised the Division on RFP process improvement.

**IA-11-7-2003-1 Review CPA Audits (State Park Contracted Concessions).** An annual CPA audit report is required by the concession contract when gross sales exceed \$400,000. Eleven concessionaires reported annual gross sales exceeding that amount. OIG compared gross sales reported in the audit to gross sales reported by the Bureau of Finance and Accounting. OIG also determined whether that the audit report contained a statement regarding compliance with the concession agreement and reviewed audit comments and findings presented in the reports.

**Division of Resource Assessment and Management**

**IA-2-24-2003-24 Contract Between DEP and the University of Michigan (AQ136).** The audit scope included the administration of contract AQ136 with the University of Michigan for monitoring, modeling and research studies relating to dry deposition of mercury in South Florida. The contract was executed March 26, 1998 and extended through June 30, 2002. Final

expenditures under this contract totaled \$790,291. The objectives of the audit were to determine whether: the contract management and oversight process was adequate to ensure that expenditures are allowable; contracted deliverables were received as agreed; and completed work complies with applicable laws and other requirements. In general, the monitoring procedures employed by the project manager were effective and resulted in meeting the terms and achieving the goals of this research contract with no material inefficiencies or non-compliance. OIG identified specific areas where internal controls could be improved. OIG's observations, which include ensuring that contract-monitoring efforts are sufficiently documented and the contractor adheres to travel requirements, were provided in a separate letter to Division management.

**IA-3-24-2002-149 Review Oil and Gas Databases Relating to Number of Permit Applications.**

A review was performed of data collection systems used in the Bureau of Geology to gather and store regulatory data relating to oil and gas drilling in Florida. The objective of OIG's audit was to answer questions regarding the data system for oil and gas regulatory data. OIG recommended that incomplete database fields should be analyzed and prioritized for completion and additional fields added or modified; management should provide a standard definition of a well record or guidance to indicate whether to include pre-permit well records, incomplete applications, denied applications and wells not drilled in well counts; annotation of the final status of wells such as wells never drilled and dry wells should be inserted into the source files and updated in the database; management should complete implementation and utilization of a relational database for oil and gas regulatory activities; databases should reside on a common drive with regularly scheduled back-up; and written procedures should be developed regarding protecting databases from unauthorized access.

## Division of State Lands

**IA-2-3-2003-135 Contracting for Control of Invasive Aquatic Plants.** OIG evaluated the policies and procedures in effect for contracting for control over invasive aquatic plants. The audit period was October 1, 2001 to September 30, 2002. Invoices and field evaluations from this time period were reviewed and verified to evaluate compliance and proper management of funds. Additionally, the Bureau has recently separated the contracting process from yearly task assignments. This contracting procedural change was reviewed in the scope of the audit. OIG concluded that during the audit period the program materially complied with the laws and regulations governing this function. Furthermore, a comprehensive review of all *Cooperative Aquatic Plant Control Evaluation Reports* during the audit period established the adequacy of the field reporting process and commitment of Bureau of Invasive Plant Management (BIPM) regional biologists. Finally, the program has recently completed a transition from grant agreements to multi-year contracts encouraging management efficiencies and streamlining annual reviews. Overall, the transition from the old grant agreement process to the extended contracting method is seen as an important efficiency improvement.

## Division of Water Resource Management

**IA-6-14-2003-75 Assess Reliability of Data Related to Phosphorous Loading to Lake Okeechobee.** Based on OIG’s review of the data collection and reporting system, the process used to collect, record, analyze and report phosphorus loading data is sound and appropriate. Safeguards are in place to ensure integrity of the data. OIG’s data testing revealed that phosphorus loading numbers can be reproduced with accuracy; the numbers were found to be valid and reliable. While the data reporting

system is complex, it is also of high quality and the staff who are charged with data collection tasks were found to be well-qualified and dedicated to their responsibilities. There is consensus among the parties involved in this undertaking that phosphorus loading to the lake continues to be problematic. There is no evidence; however, that DEP or DISTRICT staff are reporting false or inaccurate pollution loading information as had been alleged.

**IA-2-14-2002-142, 143 State Revolving Fund Financial Presentations.** The OIG audited the financial presentations of the operations of the State Revolving Fund for the fiscal year ending June 30, 2001. The special purpose financial presentations are presented to comply with the provisions of a grant agreement between the Department and the U. S. Environmental Protection Agency. OIG’s audit determined that the Department’s special purpose financial presentations presented fairly the financial position of the Drinking Water Revolving Loan Fund as of June 30, 2001, and the revenues, expenditures, and changes in fund balance for the period July 1, 2000, through June 30, 2001. The results of OIG’s tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*. There was no matters involving the Department’s internal controls over financial reporting and its operation that were considered material weaknesses.

## Southeast District

**IA-2-18-2002-80 Audit Contract Between DEP and Martin Soil and Water Conservation District (SP544).** The scope of this audit focused on agreement number SP544, effective December 20, 1999, and subsequent amendments. The objectives were to determine whether the: grant agreement conditions followed Department guidelines; reimbursed expenditures were for project related purposes; and items and services procured with grant funds

were being used in the grant project. Based on an examination of financial and project files and other research, OIG concluded that grant conditions were not met and the Department should consider terminating the agreement. OIG also questioned project expenditures of \$130,644. Additionally, the contractual arrangement was not conducive to effective project management.

**IA-3-18-2002-169 Review Contract Between DEP and Biscayne Bay Foundation.** OIG determined that the Biscayne Bay Foundation (BBF) is in an inactive organization. The Department of Banking and Finance provided OIG with copies of the foundation's bank statements, which indicated a balance of \$32,360 in contract funds remaining. OIG recommended that legal action to recover the funds should be initiated through the Office of General Counsel. The grant balance was recovered.

## **Division of Waste Management**

**IA-2-12-2003-36 Jefferson County Recycling Grants.** The scope of OIG's financial and compliance audit covered Solid Waste Management Program Recycling and Education Grants awarded to Jefferson County for the period October 1, 1999 through September 30, 2002. The objectives were to determine whether expenditures/reimbursement from grant funds were for allowable and eligible items and services and assets procured with grant funds exist and are being used in the grant program. Based on our review, Jefferson County properly accounted for expenditures of grant funds and maintained adequate internal controls over assets during the audit period. The County materially complied with selected grant award conditions of the Solid Waste Management Recycling and Education Program.

**IA-2-12-2002-190 Manatee County Recycling Grants.** The scope of OIG's financial and compliance audit covered the Solid Waste

Management Program Recycling and Education Grants awarded to Manatee County for the period October 1, 1999 through September 30, 2001. The objectives were to determine: whether expenditures/reimbursement from grant funds were for allowable and eligible items and services; assets procured with grant funds exist and are being used in the grant program, and to evaluate the extent of compliance with selected grant agreement conditions. Based on OIG's review, Manatee County properly accounted for expenditures of grant funds and maintained adequate internal controls over assets during the audit period. The county materially complied with selected grant award conditions.

**IA-2-12-2002-244 SWIX Grant Expenditures Made Since July 1, 2001.** The scope of this audit included expenditures claimed for reimbursement under grant # SWIX02-01 for the period July 1, 2001 through June 30, 2002. The objectives were to: determine whether expenditures are consistent with the intent of the grant agreement; ascertain if they were made within the grant period (7/1/01-6/30/02) and address Comptroller concerns. OIG concluded that management attention in the following areas would result in improved fiscal reporting, a stronger internal control environment, and closer compliance with the contract and applicable statutes and rules:

- Allocation of indirect costs;
- Reimbursement of wages as a percent of employee salaries rather than an hourly rate;
- Periodic expenditure review by the Division;
- Travel documentation in accordance with Section 112.061, F.S.;
- Cost of SWIX office space;
- Payments for unallowable expenditures; and,
- Payments for professional memberships.

**IA-3-12-2003-116 Mosquito Control Grants.** At the request of the Division of Waste Management, OIG researched issues regarding the pass through of mosquito control grant funds to the Florida Department of Agriculture and

Consumer Services. OIG reviewed an audit of this program performed by the Office of the Comptroller, Bureau of Auditing, which recommended improved monitoring of grant expenditures by the Department of Agriculture and Consumer Services. The results of the review were communicated to the Division of Waste Management.

### **Division of Administrative Services**

**IA-11-2-2003-160 Contract/Grant Manager Training.** OIG participated in sessions designed to train contract and grant managers on legal requirements and best practices.

**IA-3-2-2003-20, 131 Review Convicted and Suspended Vendors.** At the request of top management OIG reviewed the convicted and suspended vendors listed by the Department of Management Services. OIG compared the list to department purchasing records and determined that the department had not conducted business with any of the vendors listed.

**IA-3-2-2002-187 Review Department Indirect Cost Plan.** OIG reviewed calculations supporting the 2002-2003 Indirect Cost Proposal for correctness and consistency with supporting documentation. Any corrections and other needed changes that were detected in OIG’s review were immediately communicated to the grant administrator who made necessary modifications. OIG’s comparison of the Department Indirect Cost Proposal to the supporting documentation provided suggested that the Division should consider development and implementation of additional procedures to ensure that the calculation of the indirect cost proposal rates is accurate.

**IA-11-1-2002-236 Research Information on Federal Contract Debarment.** OIG researched federal and state guidelines regarding suspension and debarment of contractors. The General Services Administration provides an Internet

listing of individuals and entities excluded from receiving federal grants and contracts. The Department of Management Services provides listings for state grants and contracts. OIG determined that DEP Division of Administrative Services staff routinely checks these listings to ensure that the department does not transact business with debarred or suspended individuals and entities.

### **Department-Wide**

**IA-12-23-2003-127 Review Audits of Local Governments.** OIG reviewed single audit reports for the fiscal year ending September 30, 2002 submitted by grant recipients as required by Federal OMB Circular A-133 and the Florida Single Audit Act. The audit reports were reviewed to detect findings of fraud or misuse of grant money, inadequate internal controls, questionable reimbursements, and other findings as they relate to Department grants. Programs are notified of OIG’s review and informed of grant receipts reported.



## **INTERNAL INVESTIGATIONS**

### **Procedures for Receiving Complaints and Assigning Investigations**

The Internal Investigations Section (IIS) receives complaints that cover many aspects of departmental activity from a wide variety of sources. The sources of these complaints range from the Governor's Office through the Chief Inspector General or the Whistle-blower Hotline, the Comptroller's Get Lean Hotline, from upper management to line personnel throughout the Division or Districts or from concerned members of the general public. Many complaints are broad and may address entire programs while others are very specific and focus on a single action of a departmental employee. The forms in which complaints may be received include a letter or telephone call from a concerned citizen, an inquiry form completed by a director requesting an investigation, referrals from other agencies, or information which is developed internally by an OIG staff member while addressing other issues.

Each complaint or concern is reviewed in order to determine how it should be addressed. Is it criminal or administrative in nature? Who should be responsible for the investigation, department managers or the IIS? The more serious complaints that require greater resources to complete the investigation efficiently are assigned to IIS. All cases are monitored and tracked by the staff of the IIS whether handled by internal staff or referred to district or division managers. Those cases investigated by IIS are assigned to Law Enforcement Captains whose responsibility is to examine the allegations and determine if there is a factual basis to support the allegations. If the case is criminal, it is reviewed by the prosecutor in the appropriate jurisdiction to determine its prosecutorial merit.

Completed investigations are reported in a case summary; the disposition of the case is presented

to the appropriate district or division director. If a case is closed with a finding of *Sustained*; which is a validation that the alleged violation of a policy occurred, it is then management's responsibility to determine the necessary corrective action. The OIG does not participate in recommending disciplinary action. Management consults with the Bureau of Personnel and the Office of General Counsel when effecting disciplinary action.

### **Internal Investigations Activity**

During the reporting period for fiscal year 2002-2003, the OIG completed 96 investigative assignments. There were 19 cases closed that were initiated prior to FY 2002-03. Of the cases closed, 44 cases were closed within 45 days of initiation. The caseload of the office varies from very technical, program-specific, procedural or operational issues to the most basic conduct-related allegations. The outcomes of the assigned cases have varied from arrests being made for criminal activity to providing support for the employees in the affected work unit. There were two arrests that resulted from criminal case investigations this fiscal year. Investigative findings resulted in many allegations being unfounded; in other cases employees' actions were exonerated. Several cases resulted in disciplinary actions ranging from counseling to dismissal. There were also some issues that were referred to outside entities with more direct jurisdictional authority over the actions in question.

All internal investigations activity was not driven by complaints. Some assignments were based on requests of managers or program staff in the form of reviews of procedural practices or past actions that had been the source of questions or outside scrutiny. Other reviews were conducted at the direction of the Secretary in order to address issues and improve program operations. Many of the assignments require investigators to gain broad technical familiarity with

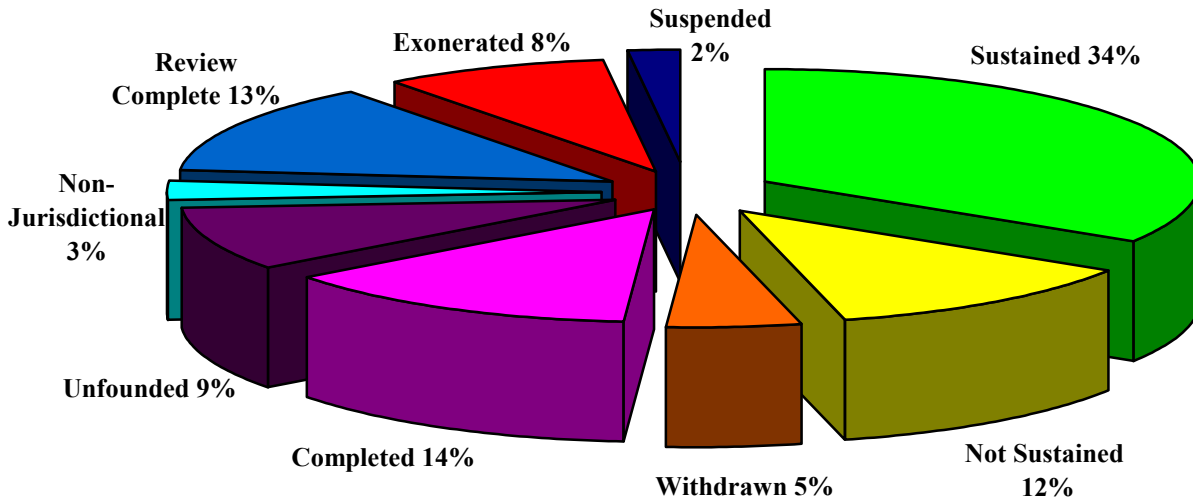
programmatic issues. It is through this greater familiarity with agency procedures and issues that the Internal Investigations Unit strives to better serve the needs of agency management. Members of the Internal Investigations Section also participated in two statewide initiatives to address external threats to the agency or other State government interests. The Section was represented by one or more members participating in the statewide Computer Security Incident Response Team and the Continuity of Operations Planning workshops that helped the State become better prepared to protect its resources and operations. The Unit works to accomplish these tasks with a professional approach while maintaining objectivity.

In addition to conducting administrative and criminal investigations, IIS staff also periodically serve as members of OIG teams who conduct special project reviews. In conducting these reviews, staff complete interviews, literature reviews, and various research efforts to determine the facts pertaining to the issue at hand. In many instances, chronologies of the events are developed and experts are assembled to focus on lessons to be learned for the future. Review findings are analyzed and recommendations are made for improvements in program operations. Many of the special project reviews involve staff from each of OIG’s three units as well as designated DEP program staff.



# INVESTIGATIVE FINDINGS

July 1, 2002 - June 30, 2003



<span style="color: green;">■</span> Sustained - 49	<span style="color: yellow;">■</span> Not Sustained - 18	<span style="color: orange;">■</span> Withdrawn - 7
<span style="color: magenta;">■</span> Completed - 20	<span style="color: purple;">■</span> Unfounded - 13	<span style="color: cyan;">■</span> Non-Jurisdictional - 4
<span style="color: blue;">■</span> Review Complete - 19	<span style="color: red;">■</span> Exonerated - 12	<span style="color: darkblue;">■</span> Suspended - 3

**Total Investigations – 96**

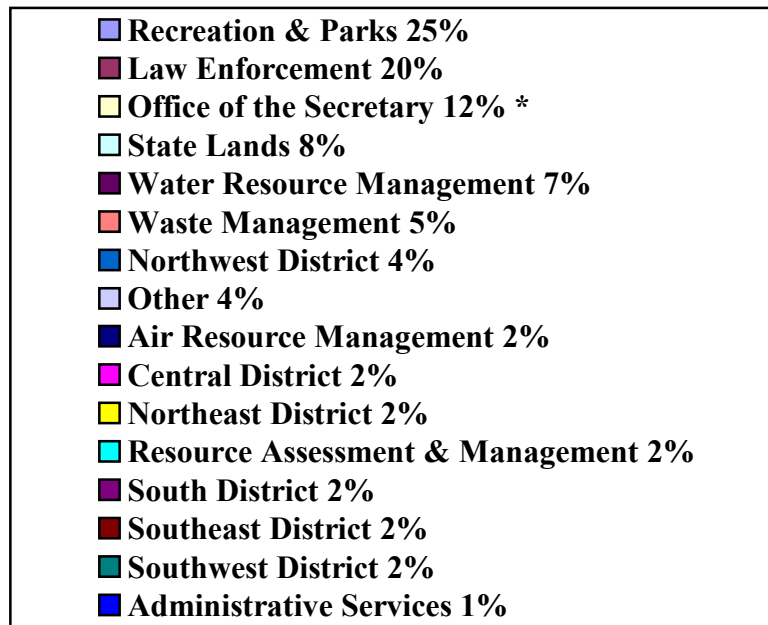
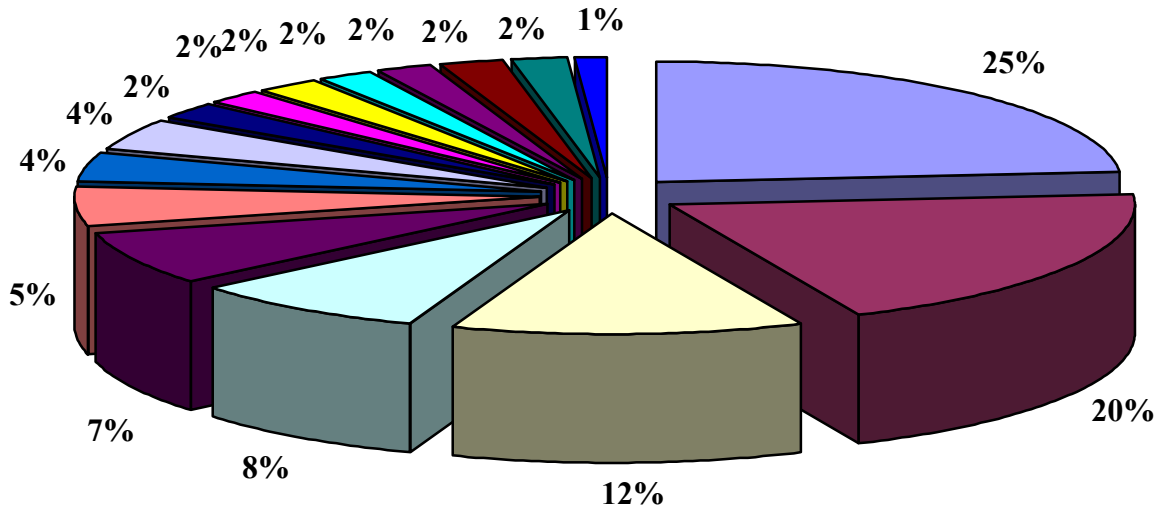
**Total Investigative Findings - 145**

## CLASSIFICATIONS OF INVESTIGATIVE FINDINGS

- 1) **Sustained** – Allegation supported by sufficient evidence to justify a reasonable conclusion that the actions occurred and were violations.
- 2) **Completed** – Closure for background checks, public records requests, and miscellaneous complaints that do not warrant an investigation, or cases closed by arrest.
- 3) **Review Complete** – Closure for management review, an investigative review or the review of a management issue.
- 4) **Not Sustained** – Insufficient evidence available to prove or disprove allegation. In some instances, not sustained may reflect that the alleged actions occurred but were not addressed by department policy.
- 5) **Unfounded** – Allegations which are demonstrably false or not supported by facts.
- 6) **Exonerated** - Alleged actions occurred but were lawful and proper.
- 7) **Withdrawn** – Complainant requests to withdraw the complaint or is unresponsive and no further action is required.
- 8) **Non-Jurisdictional** – Not within the jurisdiction of the Department of Environmental Protection.
- 9) **Suspended** – Continuing investigation of allegations set aside, possibly pending action at a later date.

# INVESTIGATIVE ISSUES INITIATED

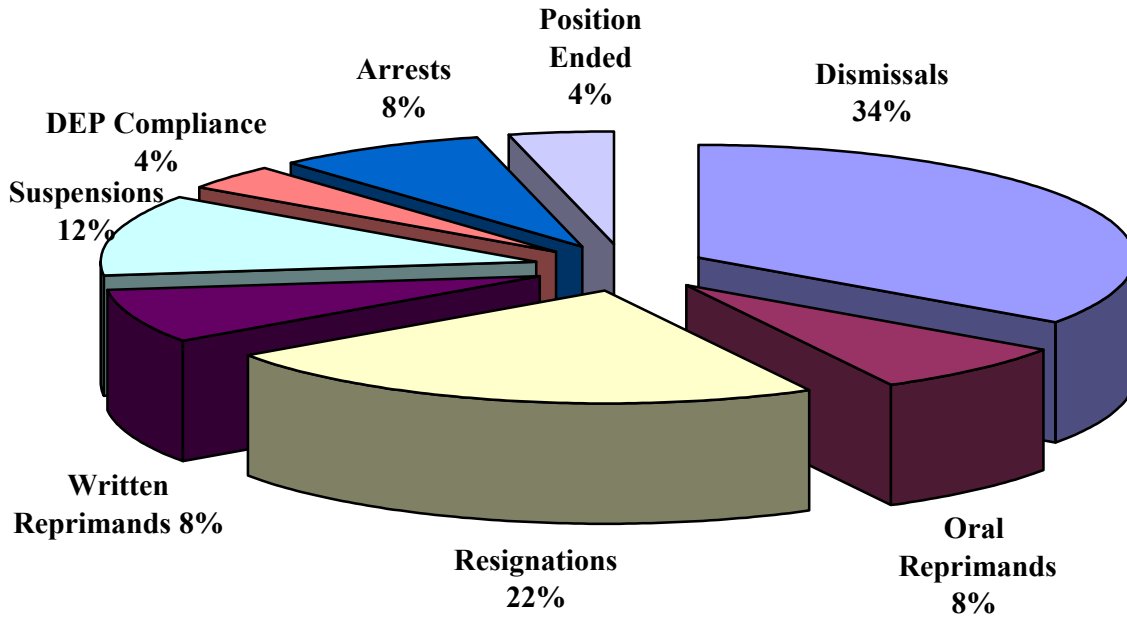
July 1, 2002 – June 30, 2003



\*Inquiries in the Office of the Secretary were backgrounds and the COOP project.

# DISCIPLINARY ACTIONS

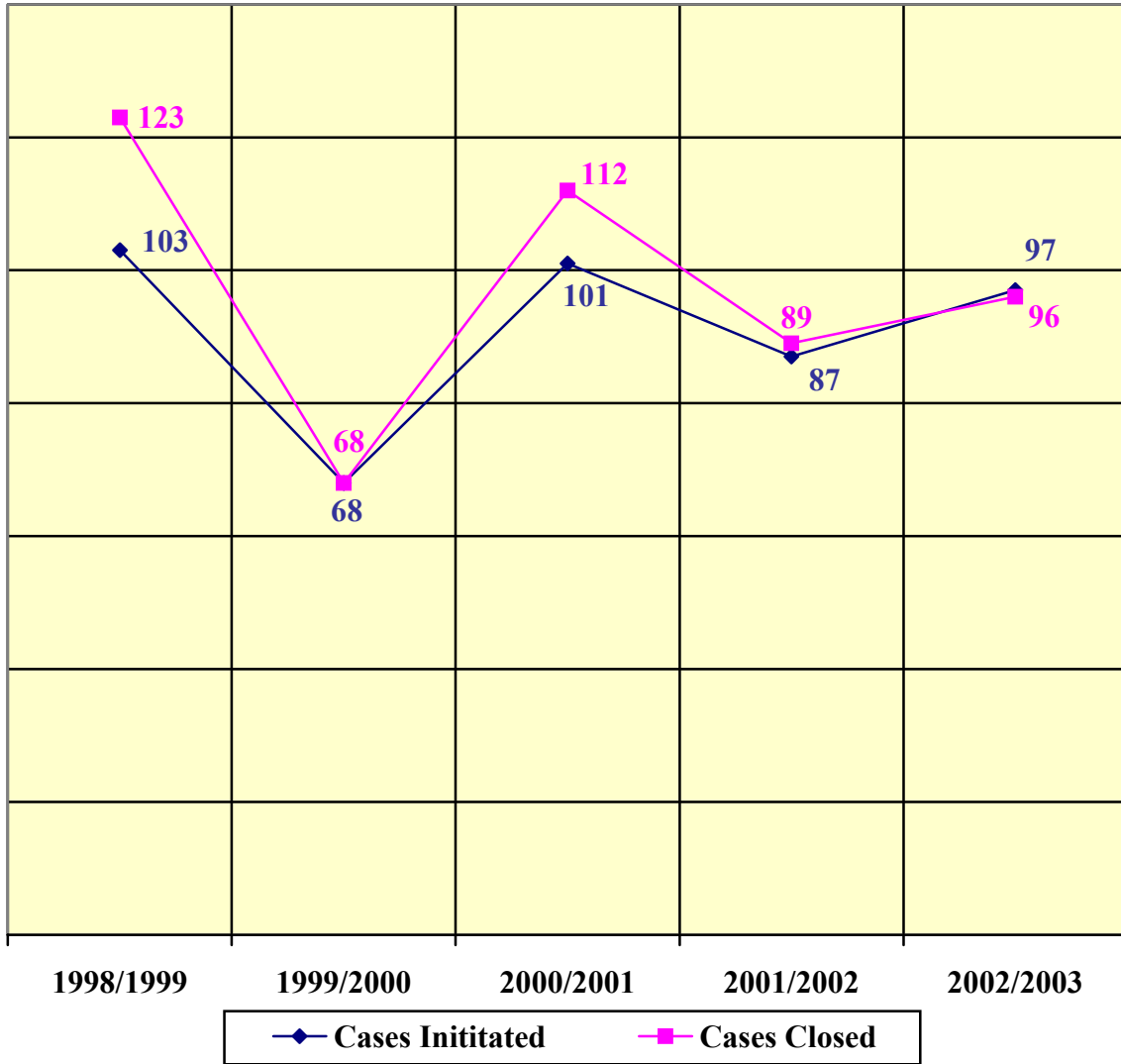
Fiscal Year 2002-2003



9 Dismissals	2 Oral Reprimands
6 Resignations	2 Written Reprimands
3 Suspensions	1 DEP Compliance
2 Arrests	1 Position Ended

TOTAL ACTIONS - 26

## Cases Initiated and Closed Five-Year Trend



*Florida Department of Environmental Protection*  
*“More Protection, Less Process”*

The table below depicts the number of issues completed by the Internal Investigations Section for the FY 2002-2003 **within each program area** of the Department of Environmental Protection.

<b>DIVISION/DISTRICT</b>	
Recreation and Parks	23
Law Enforcement	16
Office of the Secretary	11
Waste Management	11
State Lands	7
Water Resource Management	7
Other	4
Northwest District	3
Southeast District	3
Resource Assessment and Management	2
Northeast District	2
South District	2
Southwest District	2
Air Resource Management	1
Central District	1
Office of Coastal & Aquatic Managed Areas	1
Administrative Services	0
<b>Total Number of Cases Closed</b>	<b>96</b>

The table below depicts the **type of issues completed** by the Internal Investigations Section for the FY 2002-2003 of the Department of Environmental Protection.

<b>ACTIVITY</b>	
Investigations	52
Investigative and Management Reviews	20
Background Investigations	12
Public Record Requests	7
Miscellaneous Complaints	5
<b>Total Number of Issues Completed</b>	<b>96</b>

*Office of Inspector General – Annual Report – FY 2002-2003  
“Promoting Integrity, Accountability and Efficiency”*

<b>Case Number</b>	<b>Allegations</b>	<b>Findings</b>
II-01-07-01-051	DEP Directive 435(pp) Violation of Statutory Authority, Rules, Regulations, Directives, Procedures, General Orders, Policies	Exonerated
II-01-07-01-061	DEP Directive 435(c) Abuse of Position DEP Directive 435(ff) Sexual Harassment	Exonerated Exonerated
II-03-19-01-095	Investigative Review	Withdrawn
II-01-07-02-008	DEP Directive 435(kk) Unauthorized or Improper Use of State Property, Equipment or Personnel	Withdrawn
II-03-16-02-009	Investigative Review	Review Complete
II-01-12-02-013	Florida Statute 376.30711 Preapproved Site Rehabilitation, Effective March 29, 1995. Florida Statute 777.04 Attempts, Solicitation, and Conspiracy.	Review Complete Review Complete
II-01-12-02-014	Florida Statute 376.30711 Preapproved Site Rehabilitation, Effective March 29, 1995 Florida Statute 777.04 Attempts, Solicitations, and Conspiracy	Review Complete Review Complete
II-01-12-02-015	Florida Statute 713.35 Making or Furnishing False Statement	Review Complete
II-01-12-02-017	Florida Statute 713.35 Making or Furnishing False Statement	Review Complete
II-01-26-02-019	DEP Directive 435(g) Conduct Unbecoming a Public Employee DEP Directive 435(pp) Violation of Statutory Authority, Rules, Regulations, Directives, Procedures, General Orders, Policies	Exonerated Exonerated
II-03-07-02-029	Investigative Review	Review Complete
II-01-03-02-032	Florida Statute 817 Fraudulent Practices DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Not Sustained Sustained
II-13-18-02-035	Miscellaneous Complaint	Completed
II-01-14-02-036	Florida State 810.08 Trespass in Structure or Conveyance.	Suspended
II-01-12-02-037	DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Sustained
II-01-12-02-038	DEP 435 8. (1) Poor Performance. DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Sustained Sustained
II-01-07-02-039	DEP 435 8. (1) Poor Performance. DEP 435 8. (6) Violation of Law or Agency Rules.	Unfounded Unfounded
II-01-21-02-040	Florida Statute 316 State Uniform Traffic Control DEP 435 8. (6) Violation of Law or Agency Rules.	Withdrawn Withdrawn
II-01-07-02-041	DEP 435 8. (1) Poor Performance. DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (7) Conduct Unbecoming a Public Employee. DEP 435 8. (8) Misconduct.	Sustained Sustained Sustained Sustained Sustained
II-01-14-02-042	DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Exonerated Exonerated
II-03-16-02-043	Investigative Review	Review Complete
II-03-18-02-044	Investigative Review	Review Complete
II-13-08-02-045	Miscellaneous Complaint	Completed
II-07-08-02-046	Background Investigation	Completed
II-08-07-02-047	Public Records Request	Completed
II-03-07-02-048	Investigative Review	Review Complete
II-01-14-02-049	DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (6) Violation of Law or Agency Rules.	Sustained Sustained
II-08-03-02-050	Public Records Request	Completed
II-03-08-02-051	Investigative Review	Suspended



**Florida Department of Environmental Protection**  
**“More Protection, Less Process”**

<b>Case Number</b>	<b>Allegations</b>	<b>Findings</b>
II-01-08-02-052	DEP 435 8. (1) Poor Performance. DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Sustained Sustained
II-01-08-02-053	DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Not Sustained
II-08-08-02-054	Public Records Request	Completed
II-13-04-02-055	Miscellaneous Complaint	Non-Jurisdictional
II-01-04-02-056	DEP 435 8. (7) Conduct Unbecoming a Public Employee. DEP 435 8. (8) Misconduct.	Sustained Sustained - (Policy Failure)
II-08-21-02-057	Public Records Request	Completed
**	Subject 1: DEP 435 8. (8) Misconduct.	Exonerated
II-01-07-02-058	Subject 2: DEP 435 8. (8) Misconduct.	Not Sustained
II-03-21-02-059	Investigative Review	Not Sustained
II-03-19-02-060	Investigative Review	Withdrawn
II-03-12-02-061	Investigative Review	Non-Jurisdictional
II-01-07-02-062	DEP 435 8. (5) Insubordination. DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (7) Conduct Unbecoming a Public Employee. DEP 435 8. (8) Misconduct. DEP 620 Motor Vehicles/Watercraft Assignment and Utilization	Sustained Sustained Sustained Sustained Sustained
II-01-08-02-063	DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (7) Conduct Unbecoming a Public Employee. DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Exonerated Not Sustained Not Sustained
**	Subject 1: DEP 435 8. (8) Misconduct.	Sustained
II-01-08-02-064	Subject 2: DEP 435 8. (8) Misconduct.	Sustained
II-03-08-02-065	Management Review	Review Complete
II-01-12-02-066	DEP 435 8. (1) Poor Performance. DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Sustained Sustained
II-01-07-02-067	DEP 435 8. (6) Violation of Law or Agency Rules.	Withdrawn
II-01-14-02-068	DEP 435 8. (6) Violation of Law or Agency Rules.	Sustained
II-03-15-02-069	Investigative Review	Review Complete
**	Subject 1: DEP 435 8. (6) Violation of Law or Agency Rules.	Unfounded
II-01-07-02-070	Subject 2: DEP 435 8. (6) Violation of Law or Agency Rules.	Unfounded
II-01-20-02-071	DEP 435 8. (6) Violation of Law or Agency Rules.	Not Sustained
II-03-14-02-072	Investigative Review	Not Sustained
II-01-03-02-073	DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Unfounded
II-01-08-02-074	DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Not Sustained
II-01-07-02-075	DEP 435 8. (6) Violation of Law or Agency Rules.	Sustained
II-03-07-02-076	Investigative Review	Review Complete
II-03-15-02-077	Investigative Review	Review Complete
II-07-01-02-078	Background Investigation	Completed

*Office of Inspector General – Annual Report – FY 2002-2003  
“Promoting Integrity, Accountability and Efficiency”*

<b>Case Number</b>	<b>Allegations</b>	<b>Findings</b>
II-01-07-02-079	DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (7) Conduct Unbecoming a Public Employee. DEP 435 8. (8) Misconduct.	Sustained Sustained Sustained
II-01-07-02-080	DEP 435 8. (6) Violation of Law or Agency Rules. (Sexual Harassment) DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Sustained Sustained
**	Subject 1: DEP 435 8. (6) Violation of Law or Agency Rules.	Exonerated
II-01-08-02-081	Subject 2: DEP 435 8. (6) Violation of Law or Agency Rules.	Exonerated
II-01-08-02-082	DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Not Sustained
II-01-08-02-083	DEP 435 8. (6) Violation of Law or Agency Rules.	Suspended
II-03-18-02-084	Investigative Review	Review Complete
II-07-01-02-085	Background Investigation	Completed
II-01-08-02-086	DEP 435 8. (6) Violation of Law or Agency Rules.	Exonerated
II-01-12-02-087	DEP 435 8. (1) Poor Performance. DEP 435 8. (6) Violation of Law or Agency Rules.	Sustained Sustained
II-07-01-03-001	Background Investigation	Completed
II-07-01-03-002	Background Investigation	Completed
II-01-07-03-003	DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Not Sustained
II-07-01-03-005	Background Investigation	Completed
II-01-08-03-006	DEP 435 8. (5) Insubordination. DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (7) Conduct Unbecoming a Public Employee. General Order 2-1 Code of Conduct, Code of Ethics and the Oath of Office Florida Statute 316.1925 Careless Driving	Sustained Sustained Not Sustained Not Sustained Not Sustained
II-03-20-03-007	Investigative Review	Review Complete
II-07-01-03-008	Background Investigation	Completed
II-01-13-03-009	DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Sustained
II-07-01-03-010	Background Investigation	Completed
II-07-01-03-012	Background Investigation	Completed
II-01-12-03-013	DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Unfounded
II-07-01-03-014	Background Investigation	Completed
**	Subject 1: DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Sustained
II-01-03-03-015	Subject 2: DEP 435 8. (8) Misconduct.	Unfounded
II-03-12-03-016	Management Review	Review Complete
II-13-14-03-017	Miscellaneous Complaint	Unfounded
II-01-17-03-018	DEP 435 8. (6) Violation of Law or Agency Rules.	Unfounded
II-01-08-03-020	DEP 435 8. (6) Violation of Law or Agency Rules.	Not Sustained
II-07-01-03-021	Background Investigation	Completed
II-13-21-03-022	Miscellaneous Complaint	Non-Jurisdictional
II-01-03-03-024	DEP 435 8. (9) Habitual Drug Use.	Sustained

**Florida Department of Environmental Protection**  
**"More Protection, Less Process"**

<b>Case Number</b>	<b>Allegations</b>	<b>Findings</b>
II-01-03-03-025	DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Unfounded Non-Jurisdictional Unfounded
II-07-01-03-027	Background Investigation	Completed
II-08-14-03-028	Public Records Request	Withdrawn
II-03-07-03-029	Investigative Review	Unfounded
II-01-07-03-030	DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Sustained Sustained
II-01-07-03-032	DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (7) Conduct Unbecoming a Public Employee. DEP 435 8. (9) Habitual drug use.	Sustained Sustained Sustained
II-01-15-03-033	DEP 435 8. (6) Violation of Law or Agency Rules. DEP 435 8. (7) Conduct Unbecoming a Public Employee. DEP 435 8. (7) Conduct Unbecoming a Public Employee. DEP 435 8. (10) Conviction of any Crime, including a Plea of Nolo Contendere and a Plea of Guilty with Adjudication Withheld.	Sustained Sustained Sustained Sustained
II-03-03-03-034	Investigative Review	Review Complete
**	Subject 1: DEP 435 8. (7) Conduct Unbecoming a Public Employee. DEP 435 8. (7) Conduct Unbecoming a Public Employee. Subject 2: DEP 435 8. (7) Conduct Unbecoming a Public Employee. Subject 3: DEP 435 8. (7) Conduct Unbecoming a Public Employee. DEP 435 8. (7) Conduct Unbecoming a Public Employee. Subject 4: DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Not Sustained Sustained  Not Sustained  Not Sustained Sustained  Unfounded
II-01-07-03-036	DEP 435 8. (7) Conduct Unbecoming a Public Employee.	Unfounded
II-08-07-03-039	Public Records Request	Completed
II-08-07-03-042	Public Records Request	Completed

\*\*Indicates More Than One Subject

## **Significant Case Summaries for Fiscal Year 2002-2003**

The following summaries demonstrate the variety and type of issues investigated as well as the case dispositions addressed during the previous fiscal year.

**II-01-07-2003-036-** This case involved allegations by a participant in a training program that Departmental employees and members of the training class: were parties to the abuse of alcohol by underage subjects; appeared nude in public; and used drugs in State facilities after hours. The investigation revealed that there was no evidence of drug use; none of the parties were underage; and there was no evidence that anyone had become intoxicated. The allegation of nudity in the private pool area of the facility was verified and one employee was terminated while another was given a lengthy suspension. The allegations were determined to have come from a party who was not present, but had based the allegations on conversations they overheard about the activities. These incidents occurred after hours and were in no way part of an official activity. The investigation resulted in a change of practice that will require future training academies of this type to be conducted in an alcohol-free environment.

**II-01-03-2003-024-** This case was initiated when a manager requested the Office of Inspector General’s assistance in determining if an employee was drinking on the job. The employee had been observed acting strangely and was reportedly unsteady while in the office. Investigators approached the employee and determined that there were sufficient signs that the employee was under the influence of alcohol. The decision was made to have the

employee report for an immediate alcohol screening. The results of the screening revealed that the individual’s blood alcohol level was actually five times above the legal limit for operating a motor vehicle. The employee received an immediate medical screening, was driven home, and promptly enrolled in an alcohol treatment program.

**II-01-03-2003-015-** This investigation resulted from the transmission of damaging e-mails to several different locations that were critical of one Division’s senior managers. The e-mails were anonymous and an effort was made to identify the source so an investigation could be conducted into the alleged violations. The allegations were presented as broad innuendo with few specifics. As a result of the investigative steps, an employee’s computer histories were reviewed; this party was found to have visited several non-work related sites on the State computer. The employee was reprimanded for the computer security violation.

**II-01-12-2003-013-** An employee brought a pornographic, “spam” e-mail to the attention of the OIG Internal Investigations Section. As a result of this investigation the IIS established an open-ended case file to track the frequent occurrence of inappropriate “spam” coming into the department. To date most of the e-mails have been tracked by DEP’s Bureau of Information Systems (BIS) and it has been determined that the e-mails originated from foreign sites.

**II-01-13-2003-009-** This investigation resulted from an employee alleging that she had been assaulted in the work place after hours. The investigation revealed that the alleged attacker accompanied the employee to a DEP facility in the early hours of the morning for a secluded rendezvous. While in the office, the parties also used a state

*Florida Department of Environmental Protection  
"More Protection, Less Process"*

computer to access inappropriate web sites. When the employee was questioned regarding the assault, she recanted her story. The employee was dismissed for allowing unauthorized personnel into the state facility after hours, violating the agency's computer security policy as well as engaging in conduct unbecoming a public employee.

**II-03-20-2003-007-** This investigation resulted from a citizen's complaint against an employee for allegedly abusing their authority by using a marked law enforcement vehicle to make an inappropriate traffic stop. The investigation revealed that the employee was a non-sworn individual who was driving a marked vehicle assigned to a DEP Bureau. The employee was requested by citizen observers in the area to take action regarding an observed parking violation because he was driving a marked vehicle. When the employee tried to take action by giving the violator a verbal warning, the violator escalated the contact. The employee was reprimanded for improper use of the vehicle and taking action for which the employee had no authority or jurisdiction. The employee was also removed from the assignment, which included access to the marked vehicle.

**II-01-08-2003-006-** This investigation was the result of a citizen's complaint against a law enforcement officer following an enforcement action. The citizen alleged the officer was rude, cocky, discourteous, and unprofessional. The officer was found to have been insubordinate and to have violated agency rules. The officer's conduct toward the citizen was not found to be in violation of rules or procedures. The officer was suspended due to the violation and other related issues.

**II-01-07-2003-003-** This case was initiated by management in response to what was alleged to be disruptive behavior and an attempt to sabotage park management. The investigation revealed that the employee's communications and performance was disruptive. It was also determined that the employee had not committed some of the acts, nor made some of the statements that were attributed to him. Recommendations were made encouraging that a change of assignment be considered for this employee.

**II-01-12-2002-087-** This case stemmed from allegations that an employee was drinking on the job. The employee was absent without explanation and the supervisor was checking for some work on the employee's desk. There was a beverage left on the desk that was thought to contain alcohol. The beverage was tested and determined to be an alcohol and soft drink combination. A further check of the work area revealed a two-liter coke bottle with a clear liquid in it. The liquid was determined by laboratory tests to be an alcoholic beverage. When confronted with the information, the employee admitted to having the alcohol and stated it was for the "ride home after work". The employee resigned during the course of the investigation. The violation of drinking on the job was sustained.

**II-01-08-2002-086-** This complaint was filed against an officer for allegedly filing a false report and lying in court. The investigation revealed that the officer made a good faith effort regarding the charges that were filed. There was no violation of law even though the case was lost in court.

**II-03-08-2002-084-** This review resulted from a long-term conflict between program staff and a private citizen over a permitting matter on his property. The citizen petitioned for a permit but had not complied

*Office of Inspector General – Annual Report – FY 2002-2003*  
*“Promoting Integrity, Accountability and Efficiency”*

with the full requirements for the permit’s issuance. There were many technical glitches in the lengthy process; ultimately the citizen was granted the permit. The property development is being monitored by the district office.

**II-01-08-2002-082-** This allegation originated from a private citizen who alleged that an officer was abusing his authority in restricting the activities of members of a hunting club that adjoins state park property. It was also alleged that the officer harassed hunt club members after being denied hunting privileges on the property. The investigation revealed that the officer was acting under the direction of his supervisors to patrol park boundaries and ensure that there were no trespassing or hunting violations. The complaint was not sustained. The officer was cautioned, however, to be careful not to place himself in a conflict of interest position.

**II-01-08-2002-081-** This case resulted from a complaint against an Officer who took an enforcement action against a citizen. The complainant was a surf board repairman who had stopped along a stretch of roadway where there was a restriction on stopping. The Officer observed the individual on the shoulder of the road with the surfboard during the time that there was extensive surfing going on in the area. The Officer cited the individual for having stopped illegally. The complainant alleged that it was a false arrest because a judge later dismissed the case. This case included a review of the circumstances, the location and testimony of the complainant along with the local prosecutor’s observations. The prosecutor asserted that the arrest appeared to have been made in good faith. The officer in this case was exonerated.

**II-01-07-2002-080-** This investigation was the result of complaints about an employee from his co-workers. They alleged that the employee frequently used crude language, told offensive jokes and made inappropriate comments of a sexual nature. The complaints were sustained as a result of statements taken from both male and female coworkers who found the comments to be inappropriate. The employee was dismissed.

**II-01-07-2002-079-** This investigation resulted from an inquiry by senior management into the circumstances surrounding the arrest of an employee. It was determined that the employee had been caught in a federal sting operation for attempting to purchase approximately fifteen kilograms of cocaine while wearing clothes that clearly identified him as a DEP employee. The complaint was sustained; the employee was arrested and dismissed.

**II-03-07-2002-076-** This complaint was filed by a private citizen against his local government. The complainant alleged that the city had misused grant money that had come from the Department because they built an unnecessary facility in a local park. A review of the grant and the actual use of the grant funds revealed that everything was in order and that the citizen had differences with some of the parties involved in the issue. All project documentation conformed to proper procedures and grant requirements. The city complied with the grant specifications. There was no violation found on the part of DEP employees or the grantee.

**II-01-07-2002-075-** This investigation was initiated by senior management after they learned of the arrest of an employee for introducing contraband (drugs) into a local correctional facility. The investigation

*Florida Department of Environmental Protection  
"More Protection, Less Process"*

revealed that the employee had, in fact, committed the alleged offense. The employee was found to be in violation of departmental policies regarding the possession and use of drugs on state property. The employee was dismissed.

**II-03-14-2002-072-** This review was initiated due to a citizen's allegation that the Department was falsely reporting pollution loading data in the Lake Okeechobee watershed. The review revealed that the Department is not the primary reporting agency for the data. The South Florida Water Management District is reporting the information and they take the necessary steps to ensure the accuracy and quality of the data. Both DEP and the SFWMD are being assisted by the federal government; all entities are using best management practices to address the problem of pollution in Lake Okeechobee.

**II-01-07-2002-070-** This investigation was completed by the Bureau of Personnel Services in response to a complaint of mismanagement and sexual harassment by a park manager and a program specialist. The allegations against both parties were unfounded.

**II-01-14-2002-068-** This case was the result of a separate investigative review of an employee's state-assigned lap top computer. A review of the employee's computer revealed files that were of a pornographic nature as well as other files that were not state business-related. The violation of misuse of a state computer was sustained; the employee resigned before disciplinary action could be taken.

**II-01-08-2002-064-** This sexual harassment case was initiated due to allegations that two supervisors made inappropriate comments in the presence of subordinates. One of the

supervisor's comments was clearly of a sexual nature. The other supervisor made gender-biased comments. The supervisor who made the sexually-offensive comments resigned during the course of the investigation; the allegations against him were ultimately sustained. The supervisor who made the gender-biased comments was given a written reprimand.

**II-01-07-2002-062-** This case was initiated due to allegations that an employee made threatening statements about and to his co-workers that caused a great deal of unrest within the work environment. The employee dressed in what his co-workers described as unconventional clothing. He allegedly brought a handgun into the work place, and talked frequently of how he could get rid of his co-workers and not leave evidence. The actions were documented and demonstrated enough disruptive behavior by the employee to justify his dismissal. The dismissal resulted in an immediate improvement in the morale of staff at this work site.

**II-03-12-2002-061-** This complaint was filed by a contractor in the Petroleum Cleanup Program who alleged that another contractor was engaged in fraudulent business practices. The review revealed that the issue was of a civil nature between the two contractors and did not fall within DEP's jurisdiction or authority. This case was closed as non-jurisdictional.

**II-03-12-2002-060-** This review resulted from a citizen's allegations that the Department was "not accurately reporting" discrepancies pertaining to the phosphate industry. The complainant was identified as a former employee of the subject phosphate company. There was no evidence to corroborate the complainant's allegations. The review of the matter revealed that the

regulatory office had reviewed the allegations and to the extent practical had tried to verify them. There was no evidence that the allegations were true. The case was closed with no action taken.

**II-03-19-2002-059-** This case stemmed from a complaint by a private citizen who alleged fraud in regard to the permitting of a water bottling facility in the immediate vicinity of a newly-acquired spring. The complainant alleged fraudulent activity in the purchase and transfer of the property. The complainant also alleged that many local parties were covering up the fraud to allow a few key people to profit at the public’s expense. The complainant further alleged that the well, which was ultimately permitted by the Water Management District, was actually on State property and any removal of water from the spring would constitute a theft from the State of Florida. The land transactions and the permitting process were clearly shown to have been in compliance with the statutes and rules. There were no violations identified. The well was found to be on privately-owned property.

**II-01-07-2002-058-** This case consisted of allegations that a manager and assistant manager consumed alcohol and operated a State vehicle while under the influence of alcohol. The investigation revealed that the alcohol consumption was very minimal and there was no evidence that either party had been intoxicated or operated any State equipment in an unsafe manner. The manager was exonerated because evidence showed that he had not driven the State vehicle. The allegations against the assistant manager were not sustained; there was no evidence of intoxication. There were law enforcement officers at the function in question who were witnesses to the condition of both of the accused employees.

**II-01-04-2002-056-** This complaint was received from a private citizen who alleged that a DEP employee used the state-issued computer while on duty to purchase a personal item from eBay on the Internet. The purchase was verified and the allegation was sustained. The employee was reprimanded for improper use of the computer.

**II-01-08-2002-053-** This complaint was initiated by a citizen who had been the subject of an enforcement action by a DEP Division. The citizen alleged that a DEP Officer addressed them in an offensive and demeaning manner. An investigation into the actions of the Officer determined that the complaint was not sustained.

**II-01-08-2002-052-** This complaint alleged poor performance and violations of safety procedures that was documented by a DEP Division, and validated by OIG’s review. The employee’s conduct was found to be inappropriate; he conducted himself in a non-professional manner, which was also unsafe. The employee was dismissed.

**II-03-08-2002-051-** This case was initiated to address an allegation of age discrimination filed by an applicant who was not selected for a position in a DEP Division. A review of the employment package revealed that the applicant was not the best candidate for the position and was therefore not chosen. The position was filled by the candidate who was best suited to perform the job duties and responsibilities.

**II-01-14-2002-049-** This case involved some alleged irregularities in the use of the State Purchasing Card (P-card) within a DEP program. The purchase of an unapproved item was noted by a Finance and Accounting representative and subsequently questioned by management.



*Florida Department of Environmental Protection  
"More Protection, Less Process"*

The employee stated that they must have used the P-card by mistake while out of the office, thinking that it was their personal credit card. The Office of Inspector General was requested to conduct a review of the work unit's recent card usage and purchases. It was found that the same employee had used the P-card to buy numerous Christmas presents for her children as well as some outdoor grilling equipment. It was determined that the purchases were made from one local merchant who preferred not to prosecute as long as they received their money for the items purchased. The employee was dismissed from the agency after admitting to making unauthorized purchases and agreeing to pay for the items in question. After the dismissal, the case information was ultimately shared with the business to allow them to pursue prosecution and restitution. Recommendations were made to the program area for ensuring better accountability in regard to P-card usage.

**II-03-07-2002-048-** This case resulted from an allegation of domestic violence against a DEP manager by a subordinate employee. The investigation revealed that the complaint was unfounded and the result of rumors within the complainant's workgroup. The rumors proved to be very disruptive and damaging to the family that was targeted by them. Local law enforcement was also involved in addressing this complaint.

**II-03-18-2002-044-** This case resulted from a dispute over the Department's permitting of the proposed usage of a newly-developed port facility in South Florida. The complainant and a group of friends had assisted with the planning for development of the facility along the Intercoastal Waterway. The complainant, however, had no property rights to the actual contested port improvements. The party with the property rights had worked closely with the

Department and local leaders to develop a plan that was environmentally acceptable and in compliance with established guidelines. The review validated the permitting process and was the catalyst for some dialogue between the complainant and the developers. The issue was resolved by the local authorities and the District regulatory office.

**II-03-16-2002-043-** This complaint originated when a private citizen became embroiled in a dispute with the Department of Health (DOH) over a water permitting issue. The citizen had a DOH permit for a well to supply water to a day care facility. The size of the population at the day care changed, bringing the well under DEP's jurisdiction. As a result of the new designation, the rules required certain upgrades to the well and its covering. As soon as the water system was upgraded, the DEP permit was approved but DOH had additional problems that had not been corrected. The citizen attempted to cause a dispute between the two agencies in order to delay bringing the facility into compliance.

**II-01-07-2002-042-** This allegation was made by management after the discovery of conflicting information about an employee's travel authorization. The investigation revealed that the employee had experienced changes in scheduled activity and had in fact participated in activities other than those originally approved. There were statements relayed from parties outside the agency that did make the travel appear questionable. The employee was exonerated, but the questionable traveling resulted in management greatly restricting the employee's travel for the future. There were numerous trips that had questionable activity and documentation creating the appearance that the employee had abused his travel privileges.

*Office of Inspector General – Annual Report – FY 2002-2003*  
*“Promoting Integrity, Accountability and Efficiency”*

**II-01-07-2002-041-** This case involved a disgruntled park employee who used a very negative and critical manner to create a hostile work environment. In fact, his co-workers were beginning to find ways to avoid coming to work. The subject of this complaint had filed a series of unfounded complaints against his management team. The investigator obtained sworn statements from co-workers, which demonstrated through testimonial evidence that this individual had worked to disrupt the management of the park. The allegations against the employee were sustained. The employee was dismissed. Upon his removal from the workplace there was an immediate improvement in staff morale. During appeal, the hearing official was only critical of agency management for having allowed the disgruntled employee to remain with the agency too long.

**II-01-12-2002-038-** This case was initiated after an employee was reported to the Office of Inspector General as missing from work. The employee had been on an out-of town travel assignment alone and had failed to return to work or to his home. The investigator assigned determined that the assignment had been to a town near the state line, which was the subject’s hometown. A check with the individual’s family located the individual. When located, the employee told a story that he had strayed into a bad part of town; that he had been robbed and that he also lost a camera belonging to the State. A thorough review of the employee’s story and contact with local authorities revealed that the employee’s story was not true. It was also determined that there had been previous incidents of such irresponsibility on the employee’s part. The employee was dismissed.

**II-01-12-2002-037-** This investigation resulted from a regulated contractor filing a

complaint against a contract manager for inappropriate conduct. The investigation determined that even though the manager had not violated the program’s policies and procedures, the manager had communicated with and about the contractor in an unprofessional manner. While there was no procedural violation, the inappropriate conduct allegation was sustained. The contract manager was given a reprimand for conduct unbecoming a public employee.

**II-13-18-2002-035-** This investigation was the result of an anonymous complaint that a DEP vehicle was traveling at a high rate of speed on the interstate. The date and time of the incident was forwarded to the District Office where the vehicle was assigned. The District identified the operator of the vehicle and took appropriate disciplinary action.

**II-01-03-2002-032-** This investigation resulted from concerns that an employee was using fraudulent practices in his role as a real estate marketing consultant. It was determined that the individual was not doing anything illegal in his consultant role. The investigation revealed, however, other inappropriate conduct such as computer abuses. The employee was dismissed from the agency. Recommendations for better accountability were provided to the program area managers.

**II-03-07-2002-029-** This was a review into management practices and personnel issues at a State Park that was initiated by senior management. The review found that there were significant communication issues regarding the management of the Park. The Manager and Assistant Manager had distinctly different management styles and their actions frequently resulted in conflict. The Assistant Manager was actively opposing and compromising the Manager’s authority; this was a major contributor to

*Florida Department of Environmental Protection  
"More Protection, Less Process"*

low morale in the park. Recommendations were made for improvement and District management proceeded to immediately implement training recommendations.

**II-01-26-2002-019-** The complainant in this case alleged that a supervisor was showing favoritism toward some staff members; allowing timesheet fraud; and demonstrating unprofessional conduct toward the public. The investigation revealed that the allegations were not true and the supervisor was exonerated.

**II-01-12-2002-015 & 017-** These investigations regarding private contractors resulted from OIG internal audits which identified that contractors were making false statements in their documented claims for payment. The investigations identified improprieties; however, the cases did not meet the prosecutor's requirements for prosecution. The contractors and their payment practices are being closely monitored by program staff.

**II-01-12-2002-013 & 014 -** These investigations regarding private contractors resulted from OIG internal audits which pointed out that owners/operators were profiting from the cleanup of their own property. The review revealed no prosecutable violations but the owners/operators were put on notice regarding the appearance of impropriety. This situation is being closely monitored by auditors and the Petroleum Storage Systems Program.

**II-03-07-2002-009-** This review was initiated based on a private citizen's complaint that a small Florida town was misusing grant money for a wastewater treatment facility. It was alleged that the

town had made fraudulent representations to the State for the grant. A review of the issues showed that the town's activities had been closely monitored by the district and that the allegations were not totally accurate. The DEP and the Chief Inspector General's Office continue to monitor the town's management practices in an effort to keep their infrastructure sound and their wastewater system functioning.

**II-03-19-2001-095-** This review was initiated by a complaint from a private laboratory alleging misconduct, mismanagement, and other abuses by employees in a District Office. As the review proceeded it became clear that the complaint had resulted from a misunderstanding and incorrect expectations. As these issues were clarified, the complainant decided to withdraw the complaint.

**II-01-07-2001-061-** This case resulted from an allegation that a manager was making assignments in a discriminatory manner and showing favoritism. The investigation revealed that the supervisory chain was making the assignments in a reasonable manner and there was sound rationale behind management's actions. The supervisor who was the subject of this case was exonerated.

**II-01-07-2001-051-** This was an allegation that a supervisor had retaliated against a subordinate. The investigation revealed that the only negative actions against the employee were the result of the employee's poor performance or inappropriate conduct. The manager in this case was exonerated.

## **Program Review and Improvement**

The Program Review & Improvement Section (PRI), conducts program reviews and other improvement efforts to promote efficiency and enhance program effectiveness in the Florida Department of Environmental Protection (DEP) under the authority of Section 20.055, Florida Statutes. PRI provides objective, third-party observation, examination, and analysis to improve program operations.

PRI’s primary goal is to help managers succeed in creating and maintaining high performance organizations. PRI assists management in the analysis of complex issues, the development of recommendations, and the implementation of solutions that result in improved performance.

PRI is dedicated to improving program performance and promoting efficiency by continuously raising the questions:

- Is the program fulfilling its mission, goals, and objectives?
- Is the program supporting the Department’s mission, “More Protection, Less Process?”
- What is working well within the program and what can be improved?



**Florida Department of Environmental Protection**  
**“More Protection, Less Process”**

The PRI Section completed the following projects during FY 2002-2003.

**Fiscal Year 2002-2003 Projects**

DIVISION	PROJECT TITLE	NUMBER
Central District	Central District Permit Recipient Satisfaction Survey - Continuation.	IA-5-17-2000-45
Office of the Deputy Secretary for Land and Recreation	Land and Recreational Services Employee Climate Survey 2002	IA-5-23-2003-58
Office of the Deputy Secretary for Land and Recreation	Land and Recreational Services Management Climate Survey 2002	IA-5-23-2003-59
Office of the Deputy Secretary for Land and Recreation	Land and Recreational Services Employee Climate Survey Enhancement	IA-5-23-2003-225
Office of the Governor – Chief Inspector General	Presentation of Program Review & Improvement Concepts	IA-13-0-2003-46
Office of Intergovernmental Programs	Florida Coastal Management Program Survey	IA-5-1-2003-98
Office of the Secretary	Case Study of Utility Permitting at St Joseph Bay Preserve	IA-3-1-2002-239
Office of the Secretary	Generic Permitting Flowchart	IA-21-1-2003-51
Office of the Secretary	Florida Springs Contracting Process	IA-21-3-2003-234
Recreation and Parks	Presentations to Park Districts	IA-21-7-2003-195
State Lands	Process Mapping – Bureau of Survey & Mapping	IA-21-3-2001-190
State Lands	Process Mapping – Office of Environmental Services	IA-21-3-2001-191
State Lands	Process Mapping – Agenda Process	IA-21-3-2001-192
Waste Management	Bureau of Petroleum Storage Systems – Storage Tanks Program Survey	IA-5-12-2002-186
Waste Management	Process Mapping – Solid Waste Section – Districts	IA-21-12-2001-169
Waste Management	Process Mapping – Solid Waste Section – Tallahassee	IA-21-12-2003-35
Water Resource Management	Mine Reclamation Internal Survey	IA-5-14-2002-168

**IA-5-17-2000-45 Central District Permit Recipient Satisfaction Survey - Continuation.**

This survey involves the Central District permit recipients rating their level of satisfaction with the permitting process and Central District employees who process permits. This survey has been conducted since 2000. The results are analyzed and provided semi-annually to the Central District management for decision-making and enhancing programs and services.

**IA-5-23-2003-58 Land and Recreational Services Employee Climate Survey.**

This survey involved all employees under the Deputy Secretary for Land and Recreational Services. Employees received a questionnaire requesting information regarding the following dimensions: management practices, job satisfaction, supervision, and communications. The results were analyzed and provided to management for decision-making and enhancing programs and services. The same survey was conducted in the two previous years and those results were compared to the current year.

**IA-5-23-2003-59 Land and Recreational Services Management Climate Survey.**

This survey involved all managers under the Deputy Secretary for Land and Recreational Services. Managers received a questionnaire requesting feedback to the Deputy Secretary and his Special Assistant concerning their performance as leaders and managers. In addition, the questionnaire solicited ideas for improving their performances. The results were analyzed and provided to the Deputy Secretary and Special Assistant for decision-making and improving performance. The same survey was also conducted in the two previous years and those results were compared to the current year.

**IA-56-23-2003-225: Land and Recreation Climate Survey Enhancement.**

This project was designed to review the Land & Recreational Services Employee Climate Survey and make recommendations for survey enhancements. To

assist with the enhancement process, focus groups were conducted with Land and Recreational Services employees throughout the state. The focus groups participants represented all job classes and locations. The groups provided information about additional items of interest, and recommended any changes, or observations to make the survey a better instrument.

**IA-13-0-2003-46 Presentation of Program Review & Improvement Concepts.**

The Chief Inspector General requested that the DEP Inspector General make a presentation to the Governor’s Council on Integrity and Efficiency regarding the role and function of DEP’s PRI Section. The PowerPoint presentation discussed the rationale for creating a separate unit to improve program effectiveness and efficiency. The presentation also provided information on how to initiate the concept in an agency. Highlights were also presented on the approaches and techniques used to build a continuous improvement framework into an agency.

**IA-5-1-2003-98 Florida Coastal Management Program (FCMP) Survey.**

This survey involved all FCMP current and potential customers. Customers received a questionnaire requesting information concerning the Grant Application and Administration Process, FCMP Staff, and the Direction of the Florida Coastal Management Program. The results were analyzed and presented to the FCMP Administrator for decision-making and enhancing programs and services.

**IA-3-1-2002-239 Case Study of Utility Permits at St. Joseph Bay Aquatic Preserve.**

This project carried over from last fiscal year, and a final report was issued on September 8, 2003. The Suggestions for Improvement from this case study included: improvements in communication between all stakeholders, revisions to Florida Statute 258.42 to improve the definitions, to

provide training to permitting staff, and to create better coordination of enforcement and compliance staff.

**IA-21-1-2003-51 Generic Permitting Flowchart.** This project consisted of two narrative flowcharts providing an overview of the Division of Water Resources Management Submerged Lands and Environmental Resources Program (SLERP) and Industrial Wastewater Program permitting process. The narrative flowcharts were developed by using Chapter 62, Florida Administrative Code and the corresponding programs’ Operations and Procedures Manuals to identify the major steps of each permitting program. Recommendations to strengthen communications regarding permits of interest were provided to the Chief of Staff.

**IA-21-3-2003-234 Florida Springs Contracting Process Review.** The Secretary requested this review. The Florida Springs Initiative (FSI) contracting process was reviewed and process improvements were identified. The review was initiated because Springs projects could not be initiated soon enough to be completed within the appropriate fiscal year. Improved planning and communication, starting the contracting process earlier, and enhanced training design and delivery will collapse the cycle time in the FSI contracting process, thereby increasing the time available to perform project work and complete work within allotted timeframes.

**IA-21-7-2003-195 Presentations to Park Districts: Land and Recreational Services Employee Climate Survey Feedback.** The Deputy Secretary requested this project for Land and Recreational Services. The park district management teams apparently took steps that resulted in improved levels of employee satisfaction in the 2002 Survey. There was a positive message to communicate regarding improving employee satisfaction. Some areas addressed included communications, personnel

issues, management development, and increased district management visibility at parks.

**IA-5-14-2002-168 Mine Reclamation Internal Survey.** This survey involved all Bureau staff and was designed to determine how employees viewed the Bureau’s operations are working in regards to the Bureau’s mission statement. Employees received a questionnaire requesting feedback on these dimensions: management practices, job satisfaction, supervision, communications, managerial and support staff of the Bureau. The results were analyzed and presented to the Bureau Chief for decision-making and enhancing programs and services.

**IA-21-3-2001-190/191/192 State Lands Process Mapping.** This is the final component of a project that resulted in the development of 42 process maps and supporting documentation for the Division of State Lands. Flowcharts are organized to demonstrate the Division’s core processes and the need for improved data systems to increase efficiency and improve project tracking throughout the organization. A needs assessment for a new management information system has been conducted and together with the process maps a model will be constructed for all bureaus within the Division of State Lands. The process maps for the entire Division were presented to management. These products will also be used as an information source for State Lands in the Department’s agency-wide Integrated Management System (IMS) Project.

**IA-5-12-2002-186 Bureau of Petroleum Storage Systems – Storage Tanks Program Survey.** This survey was developed to determine the effectiveness of training, communication, and oversight of the Department’s Storage Tanks Program. The questionnaire was administered to petroleum compliance inspectors at the Annual Storage Tanks Program Conference. The results were provided to management for decision making and enhancing programs and services.

**IA-21-12-2001-169/2003-35 Solid Waste Section Process Mapping.**

These projects involve the development of process maps and supporting documentation for the Division of Waste Management's Solid Waste Section. Flowcharts are organized to demonstrate the Section's core processes and the need for improved data systems to increase efficiency within the Solid Waste Section. These products will also be used as an information source for Solid Waste in the Department's agency-wide Integrated Management System (IMS) Project.

## **OTHER ACTIVITIES**

### **Performance Measures**

Consistent with the statutory requirement of Section 20.055, F.S., the OIG provides support to the Department in the development of performance measures and standards. In fiscal year 2002-03, the OIG assisted the Office of Planning and Budgeting in the preparation of Legislative Budget Requests and Long Range Program Plan submittals. OIG provided assessments of validity and reliability related to over 70 performance measures included in the LBR and approximately 75 performance measures included in the LRPP. In addition, detailed assessments of Validity and Reliability were made to evaluate data quality for measures reported in the Divisions of Recreation and Parks, Law Enforcement, Air Resource Management, Water Resource Management and Waste Management. The results of OIG's assessments can be found on the OIG website. Performance measure assessment is an ongoing component of OIG's annual plan.

In addition to these activities, OIG provided advice and support related to the Department's development of a unified performance measurement system. The Office of Strategic Projects and Planning (OSPP) began an agency-wide review of all performance measurement

systems with the goal of developing a single, comprehensive measurement database that correlated agency activities to key outputs and outcomes. In addition, the system is to provide for activity-based cost information by the inclusion of activity codes in the recording or expenditures.

OIG also coordinates with the Office of Program Policy Analysis and Government Accountability (OPPAGA) in the development and assessment of performance measures. OPPAGA has completed program evaluations and justification reviews of the Department's programs. These reviews included an assessment of OIG activity related to the assessment of performance measures. OIG will continue to ensure that legislatively-approved measures are evaluated.

### **Governor's Council on Integrity And Efficiency (GCIE)**

The GCIE consists of the Chief Inspector General, the Governor's Chief Internal Auditor and Director of Investigations, Deputy Director of the Governor's Office of Planning and Budgeting, the Inspector General of each agency under the Governor's jurisdiction and on a voluntary basis, the Inspector General of any other state agency and the Auditor General of the State of Florida. The Council meets periodically in order to continually identify, review and discuss areas of government-wide weakness, accountability, performance, and vulnerability to fraud, waste, and abuse. The GCIE also proposes to the Governor laws, rules and regulations that attack fraud and waste and promote economy and efficiency in government programs and operations. The GCIE provides a forum for Inspectors General to work together when pursuing projects which simultaneously affect several agencies. Recent issues discussed in the GCIE forum include: measuring OIG



Performance, the Value of an Inspector General Function and the Whistle-Blower Act.

### **Association of Inspectors General**

On October 26, 1996, the Association of Inspectors General (association) was formed to provide a civic, education and benevolent organization for the exchange of ideas, information, education, knowledge and training among municipal, local, state, national and international Inspectors General. The Association was founded in historic Carpenters' Hall, Philadelphia, Pennsylvania. This was the site of the First Continental Congress which met on October 26, 1774. This Association was formed exactly 222 years from the date of that historic Congress. The Inspector General is a charter member of the Association and an active participant along with the Directors of Auditing and Investigations. In January 2001, the Tallahassee Chapter of the Association of Inspectors General was established. The Inspector General currently serves as First Vice President of the Tallahassee Chapter of the association. Several OIG staff are active participants in this organization. The Tallahassee Chapter of the Association of Inspectors General has become a very strong viable forum to address issues and topics of interest to the Inspector General Community.

### **AUDIT DIRECTOR'S ROUNDTABLE**

The Audit Director's Roundtable consists of Directors of Auditing from each agency under the Governor's jurisdiction and on a voluntary basis, Directors of Auditing of any other state agency and staff from the Auditor General of the State of Florida. The DEP Director of Auditing is an active participant in the Roundtable. The Roundtable meets every other month in order to discuss common issues and best practices. During 2002-2003 topics included: utilization of

Computer Assisted Auditing Techniques (CAATS), Performance Measures and Benchmarking for Internal Audits, revisions to Internal Audit Standards (Professional Practices Framework promulgated by the Institute of Internal Auditors and the Government Auditing Standards promulgated by the Comptroller General of the United States), and Developing an Integrated Internal Audit Management System.

### **WHY THE INSPECTOR GENERAL FUNCTION IS NEEDED**

This is a good little story about why the Inspector General function is needed.

There was once a herd of walrus whose major purpose of existence was to catch herring. The herd was led by a big ferocious walrus. They referred to him as Chief. The big walrus would sit up on a big rock near the seashore and bellow down at the herd – "How is it going down there?" Chief would sit back and wait for the good word.

Down below, the smaller walrus were conferring among themselves. They knew that things weren't going well at all, but none wanted to break the news to Chief. He was the biggest and wisest walrus in the herd – but he hated to hear bad news. He had a bad temper and everyone was terrified of his ferocious bark. The second ranking Walrus was named Basil. He knew he had to think of something quick. He knew that the water level was falling and it was becoming more and more difficult to catch their quota of herring. The Chief needed to know this – but no one had the nerve to tell him. Basil finally spoke up and said, "Things are going pretty well, Chief – the beach seems to be getting larger."

The Big Walrus grunted, “fine, fine, that ought to give us a little more elbow room.” He laid back and kept right on basking in the sun. The next day, more trouble set in. A new herd of walruses moved in and were competing with them for the dwindling supply of herring. No one wanted to tell Chief about the competition.

Reluctantly, Basil approached the Chief and after some small talk said “Oh, by the way, Chief, a new herd of walruses has moved into our territory” – the Chief’s eyes popped open and he was getting ready to let out a big bellow. But Basil quickly added, “Of course we don’t anticipate any problems, they don’t look like herring eaters, they are probably interested in catching minnows.” The Chief let out a sigh of relief. “Well good! No point in getting upset over nothing, then.” The weeks that followed brought more bad news. One day the Chief looked down and noticed that a large part of his herd was missing. He called Basil into conference. “Basil, where is everybody? – Are they off having a picnic or something?” Poor Basil didn’t have the courage to tell the Old Man that most of the younger walruses were in fast flight to the new herd. So he swallowed hard and told the Chief “Well Chief, we’ve been tightening up things around here – you know, getting rid of some dead wood. After all, we want only the best walruses in this herd.” The Chief was relieved. He smiled and commended Basil. “Good job, Basil – I’m glad you’re running a tight ship – I’m glad everything is going so well.”

In a few days, everybody except Basil had abandoned ship. Basil was heartsick, but he knew the time had come to level with the Chief and give him the facts. He was terrified but he made his way up to the Chief’s rock. “Chief,” he said “I have some bad news – the whole herd has left you.”

The Chief was so astonished; he almost fell off his rock and could not even muster up a good

bellow. “The herd has left me,” he whimpered. “All of them? But why? How could this happen?” Basil didn’t have the heart to tell him. He just sat there shrugging his shoulders. The Chief looked at Basil with a worried look and said – “Basil, I am stumped! I can’t figure this one out. Why would the whole herd leave just when everything was going so well?”

*Anonymous*

The moral of this story is:

What you like to hear isn’t always what you need to hear. The Inspector General’s role is to provide feedback on what the Department needs to hear. OIG jobs are less complicated when the information is what managers and their staff like to hear. More often than not, however, the feedback is not what they would like to hear, but what they need to know! Ponder this story and think how it might have unfolded if the Chief had an Inspector General function whose sole purpose was to tell him what he needed to know.



## **OIG GUIDING PRINCIPLES**

### **1. Ensure Projects are Meaningful to our Clients**

- Projects will focus on needs of and benefits to the client in order to gain management commitment.

### **2. Involve Appropriate Chain of Command**

- Keep OIG and program management involved and informed about projects to establish and maintain support.

### **3. Establish and Maintain Effective Working Relationships with Management**

- Avail yourself to management in order to build rapport, stay abreast of significant developments, identify needs and offer valuable services.

### **4. Present Management with Options Including Pros/Cons**

- Maintain flexibility and adapt to the needs of management by providing carefully derived alternatives including the benefits and consequences of each.

### **5. Ensure Proper Planning and Management of Projects**

- Determine objectives and develop plans based on careful research, analysis and communications with OIG and program management; monitor progress and adjust as needed.

### **6. Work in Concert with Other Organizations**

- Determine other organizations involved in the same or similar areas initiate contacts and avoid duplication of efforts.

### **7. Measure Results**

- Assess accomplishments and evaluate performance.

# OIG Staff Directory

**Pinky G. Hall**  
*Inspector General*

**Joseph Aita**  
*Director of Auditing*

**Laurie Apgar**  
*OMC Manager*

**Andrew Collins**  
*Management Review Specialist*

**Jerry Combass**  
*Professional Accountant Supervisor*

**Roy Dickey**  
*Law Enforcement Major*

**Valerie Fitzpatrick**  
*Management Review Specialist*

**Amy Furney**  
*Management Review Specialist*

**Percy Griffin**  
*Law Enforcement Captain*

**Linda Huck**  
*Management Review Specialist*

**Amanda Marsh**  
*Secretary (OPS)*

**Andrew McClenahan**  
*Law Enforcement Captain*

**Kizzy Moscoso**  
*Staff Assistant*

**Gary Owens**  
*Senior Management Analyst II (OPS)*

**Valerie Peacock**  
*Management Review Specialist*

**Dana Pearce**  
*Senior Management Analyst II (OPS)*

**Willis Rabon**  
*Management Review Specialist*

**Kalondra Ricketts**  
*Staff Assistant*

**Amy Schmidt**  
*Law Enforcement Captain*

**Eunice Smith**  
*Senior Management Analyst I*

**Randy Stewart**  
*Management Review Specialist*

**Jan Thompson**  
*Crime Intelligence Analyst II*

**Harun Tuncer**  
*Senior Management Analyst II (OPS)*

**Andrea Vaughn**  
*Senior Management Analyst I*

**David Watson**  
*Senior Management Analyst II (OPS)*

**Greg White**  
*Audit Administrator*

**Gary Wiser**  
*Law Enforcement Captain*

**Roy Youngblood**  
*Senior Management Analyst Supervisor*

**Emmy Zhang**  
*Senior Management Analyst I*

