



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

**ANNUAL REPORT  
FISCAL YEAR 2007 – 2008**

**Major Roy C. Dickey  
Interim Inspector General**

**Michael W. Sole  
Secretary**

**September 30, 2008**

# **The Courage of Integrity**

**The highest courage is to dare to be yourself in the face of adversity. Choosing right over wrong, ethics over convenience, and truth over popularity are the choices that measure your life.**

**Travel the path of integrity without looking back, for there is never a wrong time to do the right thing.**

# Department of Environmental Protection

## Memorandum

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September 30, 2008

**TO:** Michael W. Sole  
Secretary

**FROM:** Major Roy C. Dickey  
Interim Inspector General

**SUBJECT:** Annual Report for FY 2007-2008

In accordance with Section 20.055, F.S. enclosed is the annual report for the Office of Inspector General. This report which documents activities for the previous fiscal year is submitted with heartfelt appreciation to our recently retired Inspector General Pinky G. Hall. Pinky's leadership will be remembered in this agency as a leadership style of excellence, truth, and honor. We will do our best to continue to carry on the practices that she instilled in us for many years.

I would like to extend my appreciation to the entire OIG team (see inside back cover of report for staff names) for their hard work and dedication to excellence during the past year. I would also like to thank you, Secretary Sole for the continued support you have shown for our work. We will continue to work with departmental management and staff in promoting integrity, accountability and efficiency throughout DEP.

RCD/la

CC: Melinda Miguel  
Chief Inspector General



# TABLE OF CONTENTS

<b>CONTENTS</b>	<b>PAGE</b>
<b>Executive Summary</b>	1
Agency Background	1
Purpose of Annual Report	1
<b>Introduction</b>	1
Mission Statement and Objectives	1
Organizational Chart	4
Professional Affiliations	5
Staff Training	6
<b>Internal Audit</b>	7
Audit Section Summary	7
Project Summaries	10
<b>Internal Investigations</b>	20
Procedures for Receiving Complaints	20
Investigations Issues Initiated	21
Internal Investigations Activities	22
Investigative Findings	23
Cases Initiated and Closed	24
Disciplinary Actions	25
Significant Case Summaries	34
<b>Program Review and Improvement</b>	47
Completed Projects	48
Project Summaries	50
<b>Other Activities</b>	57
Performance Measures	57
Association of Inspectors General	58
Audit Director's Roundtable	58
Governor's Council on Integrity and Efficiency (GCIE)	59
<b>Vision and Mission of the GCIE</b>	60
<b>Rules of Engagement for OIG and DEP</b>	61
<b>What Does it Mean to be a Member of the OIG Team?</b>	62
<b>OIG Guiding Principles</b>	63
<b>Customer Contact Guidelines</b>	64
<b>OIG's Role and Function</b>	65
<b>Importance of Inspector General Function</b>	66
<b>Mission of the OIG</b>	68
<b>Staff Directory</b>	Inside Back Cover

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## EXECUTIVE SUMMARY



### Agency Background

The Florida Department of Environmental Protection (DEP) is one of the more diverse agencies in state government. More than 4,500 DEP employees serve the people of Florida. In addition to protecting the state’s air and water quality and ensuring proper waste management, DEP is responsible for managing state parks, recreational trails and other areas for outdoor activities. DEP is also the state’s primary center for energy policy and is responsible for implementing the Florida Energy Act. In addition, DEP also administers the Florida Forever land-buying program. Through this program, land is purchased for conservation and recreational purposes; these lands are preserved from future development. Florida’s land conservation program is one of the largest and 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 2007 - 2008.

Chapter 20.055, Florida Statutes (F.S.) defines the duties and responsibilities of each state agency Inspector General. The statute requires that the

Inspector General submits an annual report of the preceding fiscal year’s activities 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 deficiencies relating to the administration of agency programs and operations disclosed by investigations, audits, reviews or other activities during the reporting period; (c) a description of recommendations for corrective action made by OIG 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 action 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 in accordance with statutory requirements, and provides 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. The OIG conducts independent and objective audits, investigations and reviews of agency issues and programs in order to assist the

*Florida Department of Environmental Protection  
“Enhancing Public Trust in Government”*

Department in protecting, conserving and managing Florida’s environmental and natural resources. OIG investigations, reviews and audits will be informed, logical, supportable and timely regarding 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 program performance and meet standards
- Conducting, supervising and coordinating other activities to promote economy and efficiency
- Preventing and detecting fraud and abuse in agency programs and operations
- 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 and other government bodies
- Reviewing the rules of the agency and ensuring that an appropriate balance is maintained between audits, investigations and other accountability activities

The OIG consists of three major units: Audit, Investigations, and Program Review and Improvement. The Director of Auditing has been delegated the authority and responsibility to direct, supervise and coordinate financial, compliance, electronic data processing, 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 review system to examine and investigate allegations of misconduct on the part of the agency’s law enforcement and civilian employees. OIG also conducts Whistle-blower investigations under the authority of the Whistle-blower Act, Sections 112.3187 through 112.31895 and 20.055, F.S. Investigations are designed to deter, prevent and eradicate fraud, waste, mismanagement, misconduct and other abuses.

The Director of 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 directors of Auditing and Program Review and Improvement may be requested to provide assistance for internal investigations. The investigative duties and responsibilities of the Inspector General (Section 20.055, 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 reviewing complaints that do not meet the criteria for an investigation under the Whistle-blower’s Act and conducting, supervising or coordinating such inquiries and investigations 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



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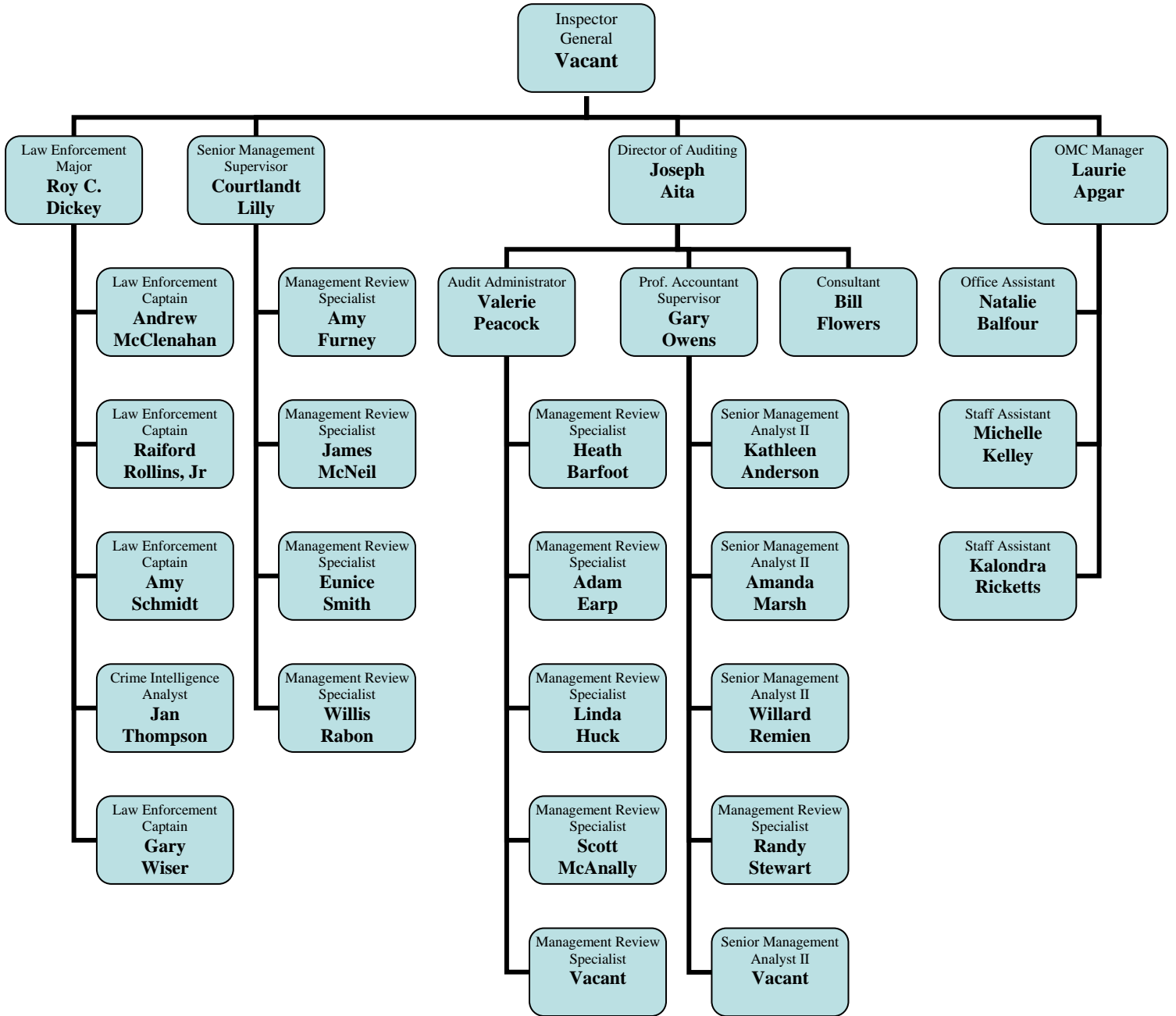
- Conducting investigations and other inquiries free of actual or perceived impairment to the independence of the Inspector General or the OIG. This shall include freedom from any interference with investigations and timely access to records and other sources
- Submitting in a timely fashion final reports on investigations conducted by the Inspector General to the agency Secretary, except for Whistle-blower investigations, which are 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 management concerns.

The OIG staff has full, free and unrestricted access to all Department activities, records, data, property and other information deemed necessary to carry out audit assignments or investigations and requests special reports or data as needed.



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## Professional Affiliations



The OIG staff brings a variety of backgrounds to the Department from both public and private sectors, which enhance their expertise. Staff has experience in auditing, accounting, law enforcement, insurance, program evaluation, personnel management, computer science, organizational development, banking, healthcare, engineering, quality management, public administration, communications, various areas of military service, as well as professional experience in federal, local and state agencies.

Professional certifications of staff are outlined below:

- One Certified Computing Professional
- One Certified Data Processor
- One Certified Firearms Instructor
- One Certified Information System Auditor
- One Certified Government Auditing Professional
- One Certified Public Accountant
- One Florida Supreme Court Certified Mediator
- One Project Management Professional

- Two Toastmasters International, Competent Communicators
- Four Certified Internal Auditors
- Five Certified Fraud Examiners

OIG staff members are active participants of the following professional organizations:

- American Society of Military Comptrollers (ASMC)
- American Society of Quality (ASQ)
- Florida Supreme Court Dispute Resolution Center (DRC)
- Information Systems Audit and Control Association (ISACA)
- Institute for Certification of Computing Professionals (ICCP)
- Institute of Internal Auditors (IIA)
- National Association of Inspectors General (AIG)
- Project Management Institute (PMI)
- Southeast Evaluation Association (SEA)
- Tallahassee Association of Inspectors General (TAIG)
- Toastmasters International





### **Staff Training**

Program Review and Improvement Section (PRI) members received professional training through attendance at numerous lectures and workshops of the Association of Inspectors General, Florida Sterling Council, Southeast Evaluation Association (SEA), and other internal and external training events. This training was beneficial in improving job-related knowledge and skills. Topics included academic and professional critical writing; grant proposal writing, dealing with difficult people, confronting the tough stuff, Lean Six Sigma and Six Sigma Green Belt Certification which included process management, DMAIC (Define, Measure, Analyze, Improve, and Control) and Rapid Process Improvement (RPI) training.

PRI members also attended the SEA conference and the Florida Sterling conference this year. The SEA pre-conference was a one-day workshop where the topic was Alternative Evaluation Approaches and Models. The SEA annual conference was a two-day conference where the theme was Evaluation and Accountability: A Formula for Success. The Florida Sterling Conference was a three-day conference to share best practices, promote effective networking and offer unparalleled tools to improve your organization's bottom line. It welcomed keynote speakers from the U.S. Coast Guard to the Florida Lieutenant Governor. The

theme of this year's conference was Sterling: The Competitive Advantage.

Auditors received a variety of professional training. The primary benefit derived from training is the improvement of job-related knowledge and skills. Increasing professional knowledge and skills improves job performance and productivity. Formal staff training included fraud detection, ethics auditing tools and techniques, fundamentals of auditing, auditing standards updates, performance auditing, information technology security, computer software use, and business writing and grammar. The staff also attended professional lectures at the Institute of Internal Auditors (IIA), Association of Government Accountants (AIG), and the Certified Fraud Examiners membership meetings. Staff attending training often provided presentations to the office to impart training information to other staff members.

During the past fiscal year, members of the Internal Investigations Section attended over 175 hours of in-service training hours. Many of these courses were mandatory to satisfy the Department's internal requirements or to maintain the scheduled member's State Law Enforcement or Criminal Justice Information System Certifications. Some courses were elective and to enhance proficiency in specialized areas of expertise. The topics involved in the Departmental required training included: Public Records, Code of Ethics, Sunshine Law, and Diversity in the Real World. The courses to maintain law enforcement training standards were: High Liability Trainers' Conference, CJIS Certification, Sexual Harassment, Blood-borne Pathogens, Juvenile Sexual Offender, Domestic Violence, Human Relations Skills, Firearms training and qualification, and Incident Command Systems series. In addition the Crime Intelligence Analyst received additional Intelligence Program training and most members attended the regular training provided by the Association of Inspectors General.

## INTERNAL AUDIT

The Internal 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 which identifies the areas within the Department scheduled for review using risk assessment tools. Both a long range or strategic plan and a one-year plan are included in the Annual Audit Plan.

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 is referred to as Generally Accepted Auditing Procedures (GAAP) and Generally Accepted Auditing 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.

The Audit Section prepares an Annual Audit Plan and Risk Assessment to identify issues of concern to management and risks pertaining to fraud and misuse of funds. The 2007-2008 Audit Plan includes projects pertaining to Department programs, functions and contracts. The Audit Plan was approved by the Department’s Inspector General and Secretary.



### **Audit Section Summary**

The Audit Section provides a variety of services in addition to traditional audits. These include, but are not limited to, investigative assistance, reviews, research, management advisory services, performance measure assessments, contract monitoring and fraud prevention presentations, and policy reviews. 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.

In addition, the Audit Section assists the agency by coordinating audits and reviews of reports completed by the Office of Program Policy Analysis and Government Accountability, the Auditor General and other oversight agencies. In the past year, the Audit Section validated the agency report pertaining to the Sunset Review of Government Agencies. As the agency’s representative on audit-related issues, the Audit Section assists the agency with issues pertaining to the Federal and Florida Single Audit Acts.

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**SIGNIFICANT INTERNAL AUDIT PROJECTS COMPLETED FOR FY 07-08**

NO.	PROJECT TYPE	DIVISION	PROJECT TITLE	NUMBER
1.	Audit	Air Resource Management	Title V Program	IA-02-13-2007-30
2.	Audit	Air Resource Management	Orange County Vehicle License Registration Fees for Air Program	IA-02-13-2007-115
3.	Audit	Law Enforcement	Bureau of Emergency Response Spill Cleanup Program	IA-02-08-2007-44
4.	Audit	Law Enforcement	Contracting in the Clean Marina Program	IA-02-08-2008-25
5.	Review	Northeast Regulatory District	Administrative Review	IA-03-16-2007-52
6.	Audit	Recreation and Parks	Ft. Mose Historical Society Citizen Support Organization	IA-02-07-2007-57
7.	Audit	Recreation and Parks	Ft. Pierce Inlet State Park Operational Audit	IA-02-07-2008-02
8.	Audit	Recreation and Parks	Stephen Foster Citizen Support Organization	IA-02-07-2008-23
9.	Audit	Recreation and Parks	Recreation Development Grants to the City of Belle Glade	IA-02-07-2008-47
10.	Audit	Recreation and Parks	Island Joe's, Inc., Contracted Concession at Anastasia State Park	IA-02-07-2008-65
11.	Review	Southwest Regulatory District	Administrative Review	IA-03-19-2008-01
12.	Review	State Lands	Review Conservation Easements	IA-03-03-2007-43
13.	Review	State Lands	Review Environmental Site Assessment Process	IA-03-03-2008-24
14.	Audit	Waste Management	Gadsden County Waste Grants	IA-02-12-2008-40
15.	Audit	Waste Management Bureau of Petroleum Storage Systems (BPSS)	Financial and Compliance Audit of Contract GC517, Agreement for Petroleum Storage Tank System Compliance Verification Program with Brevard County	IA-02-12-2007-29
16.	Audit	Waste Management- (BPSS)	Financial and Compliance Audit of the Cleanup Contract GC621, Agreement for the Petroleum Cleanup Program with Brevard County	IA-02-12-2007-35

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<b>NO.</b>	<b>PROJECT TYPE</b>	<b>DIVISION</b>	<b>PROJECT TITLE</b>	<b>NUMBER</b>
17.	Audit	Waste Management-(BPSS)	Financial and Compliance Audit of the Contract GC624, Agreement for Petroleum Cleanup related Services in Dade County	IA-02-12-2007-36
18.	Audit	Waste Management-(BPSS)	Performance and Compliance Audit of Contract GC622. Agreement for Petroleum Contamination Site Cleanup related Services in Broward County	IA-02-12-2007-48
19.	Audit	Waste Management-(BPSS)	Financial and Compliance Audit of Contract GC547, Agreement for Storage Tank System Compliance Verification for Polk County	IA-02-12-2007-76
20.	Audit	Waste Management-(BPSS)	Financial and Compliance Audit of Contract GC626, Agreement for Petroleum Contamination Site Cleanup Related Services in Escambia County	IA-02-12-2007-78
21.	Review	Waste Management-(BPSS)	Management Advisory on Petroleum Contamination Cleanup activities of Mactec Engineering and Consulting Inc. a Remediation Contractor (RC)	IA-02-12-2007-106
22.	Review	Waste Management-(BPSS)	Management Advisory on Petroleum Contamination Cleanup activities of URS Corporation, a Remediation Contractor (RC)	IA-02-12-2007-108
23.	Audit	Waste Management-(BPSS)	Financial and Compliance Audit of Contract GC631 Agreement for Petroleum Contamination Site Cleanup related Services in Volusia County	IA-02-12-2007-112
24.	Management Advisory Services	Waste Management-(BPSS)	Analysis of Northwest District activities related to Inland Protection Trust Fund (IPTF)	IA-13-15-2007-113
25.	Audit	Waste Management-(BPSS)	Financial and Compliance Audit of Contract GC632, Agreement for Petroleum Contamination Site Cleanup related Services in Pinellas County	IA-02-12-2008-19
26.	Audit	Waste Management-(BPSS)	Financial and Compliance Audit of Contract GC627, Agreement for Petroleum Contamination Site Cleanup related to Services in Hillsborough County	IA-02-12-2008-27

## INTERNAL AUDIT PROJECT SUMMARIES



### Division of Air Resource Management

#### **IA-02-13-2007-030 Title V Program**

The objective of this audit, as required by section 403.0872(11), Florida Statutes (F.S.), was to determine whether the annual Title V operation license fees collected by the Department of Environmental Protection (Department) were used solely to support costs of the Title V Program activities. We concluded that the annual Title V operating fees collected by the Department were used solely to support costs of the Title V Program, in all material aspects. We found that the management of the Bureau of Air Regulation provided leadership to the program by developing regulatory guidance and other activities. A Title V Contract Verification Form was developed for tracking and assessment purposes. The newly updated FY 2005-2006 Title V Modules provide a usable tool for employees to accurately charge their hours to the Title V fund. Our review also indicated that the Division of Air Resource Management (DARM) has maintained accurate financial records for the Title V fund. Cost analysis information is monitored on a monthly basis. Reports generated by the state accounting system were reconciled on a monthly basis and a fund balance report was updated quarterly.

#### **IA-02-13-2007-115 Orange County Vehicle License Registration Fees for Air Program**

Based on the examination of Orange County's financial data and supporting documents as well as interviews with Division, District and County staff, we concluded that Orange County's vehicle license registration fee financial statements for the audit

period were generally free of material misstatements. Orange County Air Quality Management, Environmental Protection Division has maintained the Air Pollution Control Trust Fund as a separate account and the fund was used for the purpose of air pollution control activities only. Our sample testing results demonstrated that the County's accounting records as well as its supporting documents of the vehicle license registration fees were accurate and supportive.

Vehicle license registration fee revenue for fiscal year 2006 was immaterially underreported due to use of cash basis rather than accrual basis for recognition of revenue. Although this discrepancy did not affect the County's qualification for the license registration fee award, we offered a recommendation for future improvement.

### Division of Law Enforcement



#### **IA-02-08-2007-044 Bureau of Emergency Response Spill Cleanup Program**

The Bureau of Emergency Response (BER) has performed the lead role for coastal pollution response since 2000. Through this process, increased program efficiency has been realized through effective prioritization and streamlined information management systems. Based on this audit, OIG determined that BER has materially complied with applicable laws, rules, statutes, and agreements. Internal controls have been developed



and implemented to provide operational consistency. OIG tested compliance with applicable state and federal requirements. Documentation contained in the sampled case files indicated that the Bureau made diligent efforts to collect payment from responsible parties before submitting claims to the National Pollution Fund Center.



#### **IA-02-08-2008-025 Contracting in the Clean Marina Program**

The Clean Marina Program (CMP) has complied with grant funding sources terms and conditions concerning required reporting, and CMP tracking mechanisms are effective, efficient, and sufficient to ensure compliance with grant terms and conditions. Mechanisms audited include expenditure tracking databases downloaded from FLAIR and maintained in Excel by CMP as well as a quarterly pump-out report tracking database used to monitor contractor compliance for Clean Vessel Act (CVA) grants. The Clean Marina Program is achieving many positive results and meeting overall grant requirements. We found that grant financial reports were generally submitted after reporting deadlines. Grant expenditure tracking databases did not consistently agree with the Florida Accounting Information Resource Subsystem (FLAIR). Grant expenditure source documentation was not always maintained. Data accuracy and record keeping related to quarterly pump-out reports needed some improvements. We recommended that program management take appropriate actions to timely submit reports, maintain financial records and reconcile grant reports to FLAIR. We also recommended that program management ensures that periodic reconciliations of pump-out reports to database files are performed.

### **Northeast Regulatory District**

#### **IA-03-16-2007-052 Administrative Review**

This administrative review focused on: Legal Case Tracking System, permitting, contract monitoring, vehicle maintenance, purchasing card process, and other selected administrative procedures.

Three model form consent orders were sampled and reviewed. Two of the three consent orders could have been strengthened to help increase verification of deliverables by independent evaluation rather than relying on self monitoring. Overall, the Northeast District (NED) drafts, monitors and tracks consent orders in an effective manner.

After consultation with Office of General Counsel staff, we offered several items for consideration in order for the NED to maintain its high level of compliance and effectiveness related to the drafting, tracking, and monitoring of consent orders.

- Always attach the Warning Letter and Notice of Rights with the copy of the consent order to the Office of General Counsel.
- Draft more specific, detailed requirements for deliverables in order to increase effectiveness.
- Always download the appropriate consent order template from the Department’s web site each time a consent order is drafted as the templates are periodically modified by the Department.
- Communicate suggestions or problems related to the consent order templates to appropriate staff.
- Notify the Office of General Counsel each time a case has been closed by the District in Compliance and Enforcement Tracking system (COMET) in order to close the case in Legal Case Tracking System (LCTS).

The District has made good effort in making the contractual documents and files adequate, easily accessible and well-organized.

Vehicle fleet maintenance, purchasing card use, time and leave administration, and cell phone use complied with appropriate guidelines.

## Division of Recreation and Parks



"Lighthouse," Bill Baggs Cape State Park

### **IA-02-07-2007-057 Ft. Mose Historical Society Citizen Support Organization**

The Citizen Support Organization (CSO) provides community awareness for the park. During fiscal year 2005/06, the CSO organized a fundraising golf tournament, sponsored the Lincolnville Festival, and provided a 10th Anniversary Membership Dinner. Net assets for the period totaled \$2,050 and cumulative assets totaled \$24,095. The CSO operated with a 31% program expense ratio, well below the 60% set forth by the National Information Bureau. This percentage expresses how much revenue is spent on program activities. From an administrative perspective, we found non-compliance with the CSO agreement and good business practices. Improvements in these areas would provide greater assurance of proper accountability to the department.

### **IA-02-07-2008-02 Ft. Pierce Inlet State Park Operational Audit**

We found that sales revenues were accounted for in an accurate manner consistent with Department guidelines as determined by our review of cash register tapes, daily reports and deposits. The park complied with allowable use guidelines for purchasing card transactions and maintained a sensitive items inventory list to account for small purchases of assets that could be readily converted to personal use. Motor vehicle records supported preventive maintenance schedules, and the park maintained adequate records for vehicle usage, mileage, etc. The park ensured preventative maintenance checks were conducted in a timely manner. There were no recommendations.

### **IA-02-07-2008-023 Stephen Foster Citizen Support Organization**

Based on our audit the Stephen Foster Citizen Support Organization performs an important supporting role for the park. The CSO has generally complied with the agreement with the Department as well as applicable laws and has reported financial information accurately. We found that the Division of Recreation and Parks has not formally approved the Florida Folk Festival endowment fund. We recommend that the Division review the endowment fund and establish goals and guidelines for managing the fund.

### **IA-02-07-2008-047 Recreation Development Grants to the City of Belle Glade**

During the period of our audit, we identified significant violations of purchasing controls and issues related to the appropriate use of grant funds. Current city management is aware of these conditions and is implementing improvements to purchasing practices. These changes should increase accountability for grant funds expended by the city.

We found that a high proportion of transactions sampled did not comply with city ordinances. Many of the invoices sampled had little evidence to support the reasonableness of fees charged. Transactions charged against Florida Recreation and Development Assistance Program (FRDAP) and Land and Water Conservation Fund (LWCF) grants totaling \$289,474 have been questioned or determined to be unallowable under the grants.

We recommend that the city continue recent efforts to establish and adhere to sound purchasing requirements and procedures, implement procedures to ensure invoices are sufficiently detailed and consistent with sound purchasing procedures, provide adequate supporting documentation for questioned/disallowed costs and/or refund the amount which cannot be supported.

**IA-02-07-2008-065 Island Joe’s, Inc., Contracted Concession at Anastasia State Park**

Base on our audit, Island Joe’s, Inc. provides valuable services to visitors of Anastasia State Park which enhance the park experience. Island Joe’s, Inc. has for the most part complied with the contract, documented diligently, and has reported financial information accurately. We found that compliance with the contract could be improved with greater attention to the minimum accounting requirements contained in the contract and submittal of the annual profit and loss statement. In addition, the division has not established in writing its approval of the subcontract with Anastasia Watersports. We recommend that the Division continue to work with Island Joe’s, Inc. to achieve greater contract compliance while continuing to provide high quality services to park visitors. The Division should document its approval of the subcontract.

**Southwest Regulatory District**

**IA-03-19-2008-01 Administrative Review**

We reviewed selected administrative procedures including: Legal Case Tracking System, permitting, contract monitoring, vehicle maintenance, and purchasing card process. We noted that 13 permits were issued by default by the Environmental Resource Permitting (ERP) program area between July 2001 and July 2007. This represents an average of 2.17 defaulted permits annually. The reasons include employee turnover, improper record keeping, and lack of communication.

The SWD’s contract files were not sufficiently organized to ensure accountability for the expenditure of funds or to ensure deliverable requirements were met. During our review, we noted that files did not contain the required fiscal and performance records. The District was not able to locate necessary documents such as invoices, deliverables related to those invoices, and progress reports. This issue was discussed in the prior administrative review dated February 25, 2004 in which we noted that contract files lacked consistency. It was suggested that better file organization and management would aid in more efficient and effective contract oversight.

After reviewing the samples, we believe the Southwest District (SWD) properly maintains the vehicles by having them regularly serviced. In addition, the SWD submits vehicle information in order for Department’s Equipment Management Inventory System (EMIS) to have the most current data. The SWD appears to have an effective preventative maintenance policy. Cell phones appeared to be used in an appropriate manner by District staff.

**Division of State Lands**



**IA-03-03-2007-043 Review Conservation Easements**

The scope of this review addressed conservation easements acquired by the Department and managed by the Division of State Lands (Division). The objectives were to evaluate the acquisition of conservation easements as an effective use of conservation funds, and determine whether the Division has established a system to effectively monitor and enforce the terms of the easements. We found that the Division has a well-established process of monitoring land management and compliance on conservation easements purchased on behalf of the Board of Trustees (BOT) through the Office of Environmental Services (OES). Compliance with easement requirements is monitored with the use of initial baseline document reports and periodic on-site monitoring. OES administers a well-organized system of periodic monitoring and documentation. However, in our sample, we noted an instance where the environmental consultant made recommendations for needed management activities but the Division

did not explicitly encourage the owners to evaluate the recommended action. We recommended the Division encourage land owners in writing to study the recommendations of the contracted environmental consultants to understand actions that may be taken which would benefit the land owner's and the state's conservation goals.

Conservation easements that are acquired through the permitting process and held by the Regulatory Districts are not tracked or monitored as part of the processes established by OES. Adequate monitoring is essential if the full benefits of environmental easements are to be realized. As a long-term endeavor, the Division should consider establishing an internal lead for this effort such as the Bureau of Public Land Administration, Title and Land Records Section, or OES. The Division should pursue a concerted effort with the Division of Water Resource Management and the regulatory Districts to develop a data system to capture pertinent easement data using District staff assistance including progress time lines.

#### **IA-03-03-2008-024 Review Environmental Site Assessment Process**

The objectives of this review were to determine, in selected task assignments, whether contractors complied with contract requirements regarding environmental site assessments, contracted services were properly reviewed and used for land acquisition decisions, and contracted services were an effective use of program funds.

Based on this review, the Division would benefit from refining its contracting and review processes so that decisions made and actions taken during the acquisition process reflect a balance between cost-effectiveness and sufficient environmental contamination knowledge and liability protection.

We identified areas where improvements are needed in regards to contract compliance, report review, federal and professional standards, and tasked product cost-effectiveness that should be addressed by the Division.

## **Division of Waste Management**



#### **IA-02-12-2008-040 Gadsden County Waste Grants**

Our audit identified that sampled reimbursements to the County were for allowable and eligible expenses in accordance with the grant and adequately supported. We noted no improper expenditures or activities related to the recycling program.

The County has instituted a new recycling plan based on rural collection sites and has discontinued the limited curbside service previously in place. Preliminary indications from the Division's review of materials handling indicate that the County's tracking and reporting of material handling could be better documented. The County would benefit from research of other small county solid waste and recycling programs to promote industry best practices.

## **Bureau of Petroleum Storage Systems**

#### **IA-02-12-2007-029 Financial and Compliance Audit of Contract GC517, Agreement for Petroleum Storage Tank System Compliance Verification Program with Brevard County**

The scope of the audit was to examine Contract GC517 (Contract) between the Department of Environmental Protections (Department) and Brevard County (County) for Petroleum Storage Tanks Compliance Verification Activities. The objectives were to determine whether the fund balance reported by the County was accurate, that the actual costs reported by the County were incurred in conjunction with the Contract and reasonable, and that the County complied with the Contract's performance requirements. The OIG

determined that the County was in general compliance with the Contract GC517. Based on OIG examination of inspection files, the County did adhere to the recommended inspection performance requirements as listed in the Contract. However, some actual costs reported by the County were not incurred in conjunction with the contract, were not always reasonable, and/or could not be accounted for. Contract funds totaling \$25,776.18 were used to purchase good and services that were not a direct benefit to the program. The OIG recommended that the Department direct the County to immediately cease the practice of acquiring non-program related items with contract funds and to make restitution of the disallowed costs as best benefited the Program.

**IA-02-12-2007-035 Financial and Compliance Audit of the Cleanup Contract GC621, Agreement for the Petroleum Cleanup Program with Brevard County**

The scope of this audit included an examination of Contract GC621 (Contract). The Contract was for petroleum contamination site cleanup related services in Brevard County. The objectives were to determine whether the actual costs reported by the County actually incurred in Contract activities, actual costs were reasonable, and the fund balances were accurate. The OIG determined that the County complied with the Contracts administrative performance criteria for petroleum contamination site cleanup related services. However, the actual costs reported by the County were not always incurred in conjunction with the Contract. Several expenditures were determined inappropriate or unreasonable and were considered questioned costs. Specifically, travel expenses of \$2,281.42 and selected ‘other’ expenditures of \$9,896.76. The OIG recommended that the Department direct the County to return these funds or carry them forward to a subsequent contract year.

**IA-02-12-2007-036 Financial and Compliance Audit of Contract GC624, Agreement for Petroleum Cleanup related Services in Dade County**

This audit included an examination of the Contract GC624 (Contract) between the Department of Environmental Protection (Department) and the

Miami-Dade Department of Environmental Resource Management (DERM) for petroleum contamination site cleanup related services in Dade County. The objectives were to determine whether the actual costs reported by the local program were incurred in conjunction with the Contract, the Fund Balances were accurate, and DERM complied with contractual agreements regarding timeliness of performance in accordance with Contract GC624, Attachment I. Based upon the OIG audit, DERM complied with the performance requirements of the Contract. The actual costs reflected in DERM ledgers were incurred in conjunctions with the Contract and those costs were reasonable. However, OIG determined timely updating of the STCMS deliverables was needed, and OIG noted that there were inappropriate minor travel charges to the contract and these were brought to the attentions of management in a management memo dated May 10, 2007.

**IA-02-12-2007-048 Performance and Compliance Audit of Contract GC622, Agreement for Petroleum Contamination Site Cleanup related Services in Broward County**

This audit included an examination of Contract GC622 (Contract) between the Department of Environmental Protections (Department) and the Broward County’s Environmental Protection Department (EPD) for petroleum contamination site cleanup services in Broward County. The objectives were to determine if the actual costs reported by the Local program were accurate, actually incurred in conjunction with the Contract and were reasonable, the Year End Financial Statements were accurate, and that the EPD complied with the contract’s administrative performance requirements as stated in contract. Based on the OIG audit; EPD complied with the performance requirements of the Contract, the costs selected in EPD ledgers were incurred in conjunction with the Contract, the costs were reasonable, and the Year End Financial Statements were materially accurate. However, OIG did note that there were carry over funds that needed addressing and a failure to report some property purchased. These were brought to the attention of management in a separate management memo dated July 5, 2007.

**IA-02-12-2007-076 Financial and Compliance Audit of Contract GC547, Agreement for Storage Tank System Compliance Verification for Polk County**

This audit was an examination of Contract GC547 (Contract) between the Department of Environment Protection and Polk County for Petroleum Storage Tanks Compliance Verification Activities. The objectives were to determine whether the actual costs reported by the County were in conjunction with the Contract, were reasonable, and the County complied with the Contract's performance requirements. Based on this audit, the County was in general compliance with the Contract. However, the county records were not maintained to allow the OIG to determine whether the expenses were in conjunction with the Contract and were reasonable. The County did not maintain accounting records in accordance with the contract and the County should improve accountability for the expenses reported on the Annual Year End Financial Statements. OIG recommended that the Department direct the County to maintain records in accordance with the Contract, negotiate to establish an overhead rate, and recalculate and restate the Annual Year End Financial Statements.

**IA-02-12-2007-078 Financial and Compliance Audit of Contract GC626, Agreement for Petroleum Contamination Site Cleanup Related Services in Escambia County**

This audit included an examination of Contract GC626 (Contract) for petroleum contamination site cleanup related services in Escambia County. The objectives were to determine whether the actual costs reported by the County were reasonable and incurred in conjunction with the Contract, and the County complied with contractual agreements regarding administrative performance criteria. OIG determined that the County complied with the Contract's administrative performance criteria for petroleum site cleanup related services. However, the actual costs reported by the County were not always incurred in conjunction with the Contract. The OIG noted that while general expenditures, such as salary and travel met compliance requirements, several expenditures totaling \$5400.35, were not supported, therefore, the OIG

considered these to be questioned costs requiring corrective action. The OIG recommended that the Department direct the County to return the \$5400.35 in unsupported expenses.

**IA-11-12-2007-106 Management Advisory on Petroleum Contamination Cleanup activities of Mactec Engineering and Consulting Inc. a Remediation Contractor (RC).**

The Management Advisory (Advisory) review included auditor observations of RC field work activities of selected work orders and an examination of supporting documents for Preapproval work orders to determine variances between the Preapproval Petroleum Contamination Site Cleanup Standard Operating Procedures (SOP), Template Worksheet Cost Guidelines (Template) and the RC's actual performance and documentation on applicable work orders. The objectives of the Advisory were to determine the variances, if any, between the Template time allowed and actual time used, Template labor classifications recommended and actual classification used, Template allowed labor rates and actual rates paid, and if actual costs were captured at the work order event level. Based on the Advisory it was determined that the RC generally performed work in less time than was allowed under Template guidelines, paid labor rates that were less than Template guidelines, and maintained excellent records for time keeping, staff salaries and professional qualifications.

**IA-11-12-2007-108 Management Advisory on Petroleum Contamination Cleanup activities of URS Corporation, a Remediation Contractor (RC).**

The Management Advisory (Advisory) review included auditor observations of RC field work activities of selected work orders and an examination of supporting documents for Preapproval work orders to determine variances between the Preapproval Petroleum Contamination Site Cleanup Standard Operating Procedures (SOP), Template Worksheet Cost Guidelines (Template) and the RC's actual performance and documentation on applicable work orders. The field work observations and template comparisons were

for the period of July 1, 2006 through June 30, 2007. The objectives of the Advisory were to determine the variances, if any, between the Template time allowed and actual time used, Template labor classifications recommended and actual classification used, and Template allowed labor rates and actual rates paid. Based on the Advisory it was determined that the RC generally performed work in less time than was allowed under Template guidelines, paid labor rates that were less than Template guidelines, and maintained adequate records for time keeping, staff salaries and qualifications.

**IA-02-12-2007-112 Financial and Compliance Audit of Contract GC631, Agreement for Petroleum Contamination Site Cleanup Related Services in Volusia County**

The scope of this audit included an examination of Contract GC631 (Contract) for petroleum contamination site cleanup related services in Volusia County. The objectives were to determine whether the actual costs reported by Volusia County’s Department of Environmental Management (DEM) were reasonable, accurate and were actually incurred in conjunction with Contract activities, the fund balances reported by the DEM were accurate, and the DEM complied with contractual agreements regarding timeliness of performance regarding Administrative Performance criteria specified in the contract. Based on the OIG audit DEM complied with the performance requirements of the Contract, costs were incurred in conjunction with the Contract and that the costs were accurate and reasonable. However, DEM Year End Financial Statements were not an accurate representation of DEM’s accounting records and it was determined that a timelier updating of the STCMS was needed. OIG recommended the Department direct the DEM to exercise more care in the preparation of the financial statement submitted to the Department, ensure that they document any off-book adjustment made to the Statements, and direct their supervisory staff to verify the dates of Deliverables.

**IA-13-15-2007-113 Analysis of Northwest District activities related to Inland Protection Trust Fund (IPTF).**

As part of the 2006-2007 Annual Audit Plan the Office of Inspector General (OIG) performed an analysis of distract activities related to the IPTF to document compliance, clean-up, and enforcement services performed in the Northwest District Office. The OIG purpose was to describe and gain an understanding of the district’s activities as funded by the IPTF. The analysis was completed and a memo report issued. This report can be reviewed at the Office of Inspector General.

**IA-02-12-2008-019 Financial and Compliance Audit of Contract GC632, Agreement for Petroleum Contamination Site Cleanup related Services in Pinellas County.**

This audit included an examination of the Contract GC632 (Contract) between the Department of Environment Protection (Department) and Pinellas County’s Health Department (PCHD). The objectives were to determine whether the actual costs reported by the Local Program were accurate, were actually incurred in conjunction with the contract, and were reasonable. Determine whether the Year End Financial Statements were accurate and the PCHD complied with the contract’s administrative performance requirements as stated in Attachment H. Based on the OIG audit it was determined that the PCHD complied with the performance requirements, costs were incurred in conjunction with the Contract and that those cost were reasonable. However, timelier updating of the Storage Tank and Contamination Monitoring System (STCMS) was needed.

**IA-02-12-2008-027 Financial and Compliance Audit of Contract GC627, Agreement for Petroleum Contamination Site Cleanup related to Services in Hillsborough County.**

The Office of Inspector General’s (OIG) limited scope audit included an examination of the Contract GC727 (Contract) between the Department of Environmental Protection Department) and the Hillsborough County of Environmental Protection Commission (County) to determine if the County complied with the terms of the Contract. The

objectives were to determine whether the fund balance reported by the County was accurate, the actual costs reported by the County were reasonable, and the actual costs reported by the County were incurred in conjunction with the contract. The OIG's limited scope audit determined the County to have generally complied with terms of the Contract for the period audited. However, the OIG identified conditions that warranted management's attention. These concerns were not reportable findings for the purpose of this report and were addressed in a management memo dated March 26, 2008.

## **Division of Water Resource Management**



### **IA-02-14-2007-034 Santa Rosa County Beach Restoration Project**

Based on examination of the files and other research, OIG concluded that the County did not comply with contractual requirements related to status reporting and financial record keeping. While our audit did not detect misallocation of funds, improvements in project management and timely communications are necessary to prevent future cost over-runs and questioned costs.

We recommended the Division provide full and clear guidance on agreement management to both Division contract managers and local programs. Ideally this would occur in conjunction with Division-conducted compliance reviews of local sponsors. The reviews should include examination of supporting documentation (such as payroll, timesheets, and travel). Division project managers should continue to attend contract management training courses and encourage local program representatives to attend courses as they are offered. We also recommended the Division require each legal agreement and sub-agreement providing contractor time and effort (whether cost reimbursement, percentage of completion, or fixed

payment) to include a summary detailing the build-up of loaded rates.

### **IA-02-14-2007-041 Pensacola Beach Restoration Project**

The Pensacola Beach Post-Ivan Nourishment Project was funded principally through the Federal Emergency Management Agency. The project was constructed between June 2005 and February 2006, with subsequent dune enhancement work completed in August 2006. The work was described in a post-construction report dated August 2006. State funds under H5ES2 were and continue to be expended for dune restoration, principally through the installation of stabilizing sand fencing and salt-tolerant vegetation.

From the tests and activities performed during the audit, in our opinion, the Santa Rosa Island Authority (SRIA) adequately complied with the terms of the contract agreements, amendments and statutes. We believe the program was administered as agreed and found no material exceptions during our audit. The SRIA maintained adequate documentation which accurately reflected the work tasks, expenditures and financial details of the project.

### **IA-11-14-2007-053 Contracts with Post, Buckley, Schuh and Jernigan, Inc.**

During the months of March through May 2005, Post, Buckley, Schuh and Jernigan, Inc. (PBS&J) discovered a misappropriation of funds by its former chief financial officer and two other former employees. The audit committee engaged independent legal council and a forensic audit firm to conduct a thorough records investigation. The firm initially determined that approximately \$36 million had been embezzled and fraudulently charged to general ledger expense accounts over the previous seven year period. PBS&J cooperated fully in the investigation and promised to refund the excess charges which resulted from the fraud to the federal and state agencies affected. Misstatements in the accounting records of another \$29 million were subsequently discovered. We met with representatives of PBS&J on December 14, 2006 to receive an initial proposal for a settlement to DEP.



Company representatives presented a recap of the theft and actions taken to date to identify the extent of the impact on the firm’s accounting records. A preliminary spreadsheet detailing the contracts with DEP was also presented. According to the spreadsheet PBS&J contracts which are subject to refund due to overcharging of indirect costs total

\$2,372,156. The Bureaus of General Services and Beaches and Coastal Systems in consultation with the Office of General Counsel and OIG validated one contract’s indirect costs as a basis of negotiation. On February 20, 2008, the Office of Inspector General received a settlement check for \$421,767 and a signed settlement agreement.



## INTERNAL INVESTIGATIONS



### Procedures for Receiving Complaints

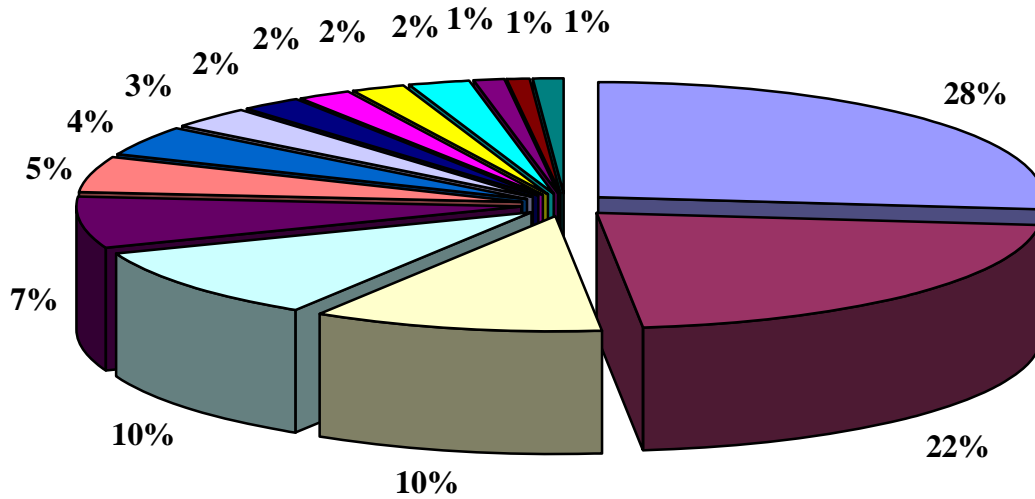
The Internal Investigations Section (IIS) receives complaints that address many aspects of departmental activity from a wide variety of sources ranging from the Governor's Office through the Chief Inspector General or the Whistle-blower Hotline, the Comptroller's Get Lean Hotline, upper management to line personnel throughout the Division or Districts and 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

investigations efficiently are assigned to IIS. All cases are monitored and tracked whether handled internally or referred to district or division managers. Those cases investigated by IIS are assigned to law enforcement captains whose responsibility it 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 determining the appropriate disciplinary action. This is important in ensuring that there is consistency in how discipline is applied across the agency.

# INVESTIGATIVE ISSUES INITIATED

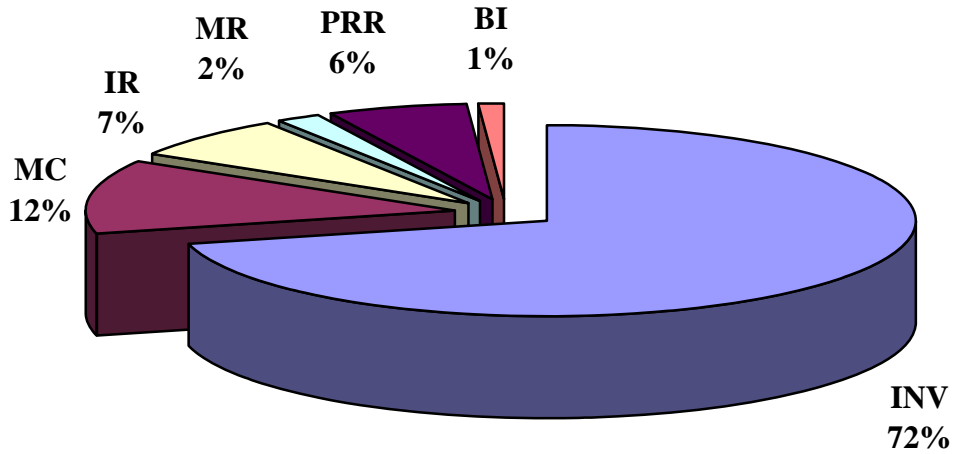
## July 1, 2007 – June 30, 2008



- Law Enforcement - 28%
- Recreation & Parks - 22%
- Administrative Services - 10%
- State Lands - 10%
- Water Resource Management - 7%
- Other - 5%
- Office of the Secretary - 4%
- Waste Management - 3%
- Coastal & Aquatic Managed Areas - 2%
- Northeast District - 2%
- Northwest District - 2%
- South District - 2%
- Greenways & Trails - 1%
- Southeast District - 1%
- Southwest District - 1%

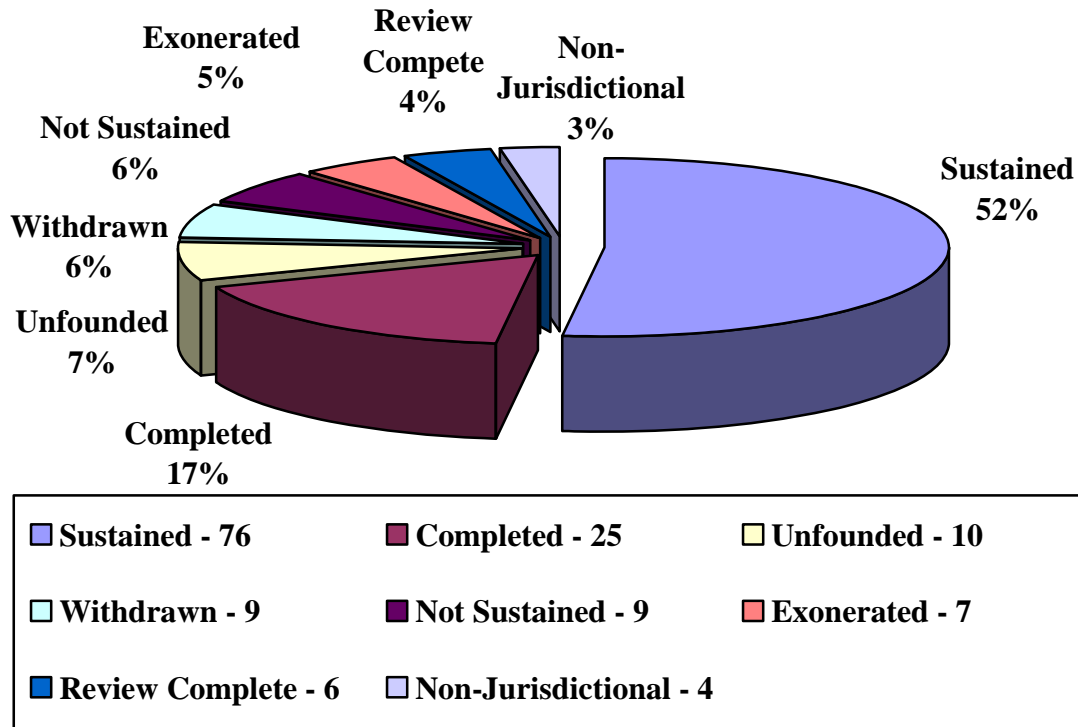
# INTERNAL INVESTIGATIONS SECTION ACTIVITIES

## Fiscal Year 2007 – 2008



# INVESTIGATIVE FINDINGS

July 1, 2007 – June 30, 2008



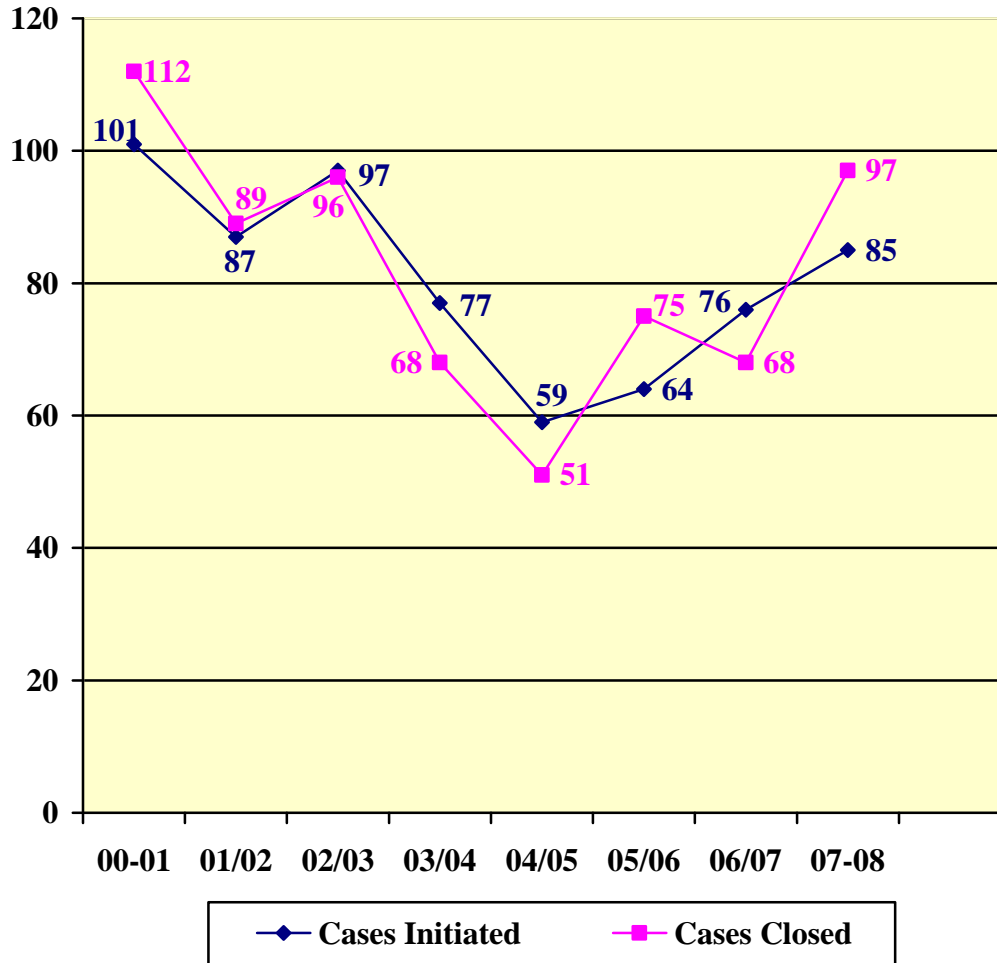
Total Closed – 97 Total Findings – 146

## 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.

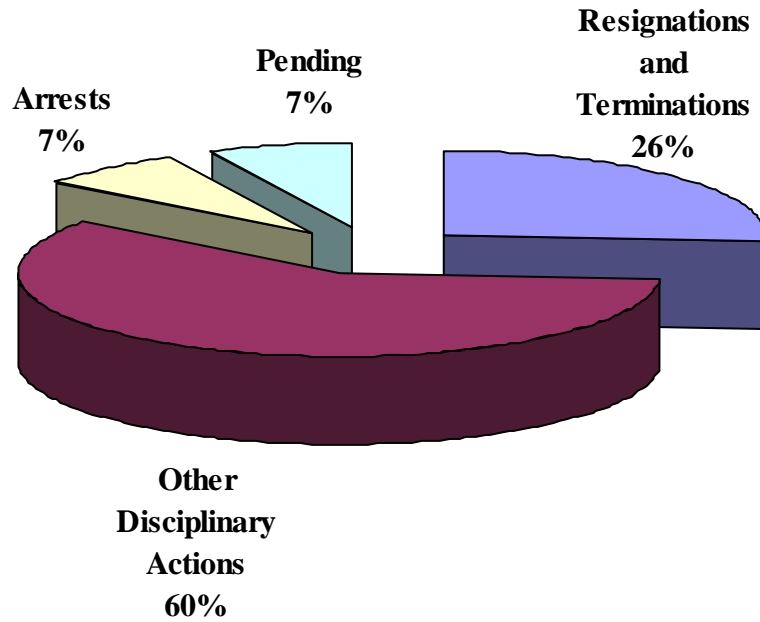
# CASES INITIATED AND CLOSED

## Eight-Year Trend



# DISCIPLINARY ACTIONS

July 1, 2007 - June 30, 2008



**Other Disciplinary Actions Include:**

- Letters of Counseling
- Official Oral Reprimands
- Suspensions
- Official Written Reprimands

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The table below depicts the number of issues completed by the Internal Investigations Section for the FY 2007-2008 **within each program area** of the Department of Environmental Protection.

<b>DIVISION/DISTRICT</b>	
Law Enforcement	26
Recreation and Parks	21
Administrative Services	10
State Lands	10
Water Resource Management	7
Other	5
Office of the Secretary	4
Waste Management	3
Coastal & Aquatic Managed Areas	2
Northeast District	2
Northwest District	2
South District	2
Office of Greenways & Trails	1
Southeast District	1
Southwest District	1
<b>Total Number of Cases Closed</b>	<b>97</b>

The table below depicts the **type of issues completed** by the Internal Investigations Section for the FY 2007-2008 of the Department of Environmental Protection.

<b>ACTIVITY</b>	
Investigations	69
Miscellaneous Complaints	12
Investigative Reviews/Management Reviews	9
Public Record Requests	6
Background Investigation/Inquiry	1
<b>Total Number of Issues Completed</b>	<b>97</b>



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**Case Closed**  
**July 1, 2007- June 30, 2008**

Case Number	Allegations	Findings
II-01-08-03-092	Violation of law or agency rules.	Non-Jurisdictional
II-01-07-05-003	Violation of law or agency rules. To Wit: Florida Statute 812.014 Theft	Withdrawn
II-03-07-05-005	Management Review	Withdrawn
II-01-03-06-006	Florida Statute 365.16 Obscene or Harassing Telephone Calls	Non-Jurisdictional
II-03-19-06-049	Investigative Review	Exonerated
II-03-15-06-052	Investigative Review	Review Complete
II-01-10-07-012	1. Violation of law or agency rules. To Wit: Creating a Hostile Work Environment 2. Violation of law or agency rules. To Wit: Falsification of State of Florida Employment Application	Sustained  Sustained
II-01-20-07-015	1. Violation of law or agency rules. To Wit: Sexual Harassment 2. Conduct unbecoming a public employee.	Not Sustained Sustained
II-01-08-07-020	1. Violation of law or agency rules. To Wit: Creating a Hostile Work Environment 2. Violation of law or agency rules. To Wit: General Order 2-1 Code of Conduct, Code of Ethics and The Oath of Office 3. Conduct unbecoming a public employee. 4. Insubordination.	Sustained Sustained Sustained Sustained
II-01-21-07-021	Falsification of Records (Agency Assistance)	Sustained
II-01-08-07-023	Violation of law or agency rules.	Withdrawn
II-01-08-07-025	Violation of law or agency rules. To Wit: Florida Statute 817.07 Making False Statement to Obtain Property or Credit	Sustained
II-13-16-07-026	Miscellaneous Complaint	Unfounded
II-01-14-07-027	Violation of law or agency rules. To Wit: Creating a Hostile Work Environment	Unfounded
II-01-14-07-028	1. Violation of law or agency rules. To Wit: Creating a Hostile Work Environment 2. Violation of law or agency rules. To Wit: DEP Directive 202 – Code of Ethics 3. Conduct unbecoming a public employee.	Sustained Sustained Sustained
II-01-16-07-029	Investigative Review	Review Complete
II-01-14-07-031	Violation of law or agency rules. To Wit: DEP Directive 390 Information Resources Security Policies and Standards	Sustained
II-01-07-07-033	Conduct unbecoming a public employee.	Sustained

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Case Number	Allegations	Findings
II-01-07-07-034	Florida Statute 812.014 Theft	Unfounded
II-01-08-07-035	Conduct unbecoming a public employee.	Withdrawn
II-01-08-07-036	Conduct unbecoming a public employee.	Withdrawn
II-01-08-07-037	Violation of law or agency rules. To Wit: Falsification of Records	Sustained
II-01-07-07-040	Conduct unbecoming a public employee.	Withdrawn
II-01-02-07-041	Subject #1: 1. Violation of law or agency rules. To Wit: Fighting	Sustained
	2. Conduct unbecoming a public employee. Subject #2: 1. Violation of law or agency rules. To Wit: Fighting	Sustained
II-01-08-07-042	2. Conduct unbecoming a public employee.	Sustained
II-01-08-07-042	Negligence	Sustained
II-01-07-07-044	Subject #1: Conduct unbecoming a public employee.	Exonerated
	Subject #2: Conduct unbecoming a public employee.	Not Sustained
II-03-08-07-045	Investigative Review	Review Complete
II-01-07-07-046	Conduct unbecoming a public employee.	Withdrawn
II-08-03-07-047	Public Records Request	Completed
II-13-03-07-048	Miscellaneous Complaint	Completed
II-01-01-07-049	Subject #1: 1. Conduct unbecoming a public employee.	Unfounded
	Subject #2: 1. Conduct unbecoming a public employee.	Unfounded
II-01-01-07-049	Subject #3: 1. Violation of law or agency rules. To Wit: DEP Directive 202 Code of Ethics	Not Sustained
	2. Conduct unbecoming a public employee.	Unfounded
II-01-07-07-050	Florida Statute 817.60(1) Credit Card Theft	Completed
II-01-07-07-050	1. Violation of law or agency rules. To Wit: Sexual Harassment	Sustained
	2. Conduct unbecoming a public employee.	Sustained
	3. Violation of law or agency rules. To Wit: Racial Harassment	Sustained
	4. Violation of law or agency rules. To Wit: General Order 2-5 Secondary Employment	Sustained
	5. Violation of law or agency rules. To Wit: Florida Statute 812. 014 Grand Theft.	Sustained
	6. Violation of law or agency rules.	Sustained

*Office of Inspector General – Annual Report – FY 2007-2008*  
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Case Number	Allegations	Findings
continued	To Wit: DEP Directive 401 Dual Employment – Dual Compensation	Sustained
II-01-08-07-051	7. Violation of law or agency rules. To Wit: Creating a Hostile Work Environment	Sustained
	8. Insubordination	
	9. Violation of law or agency rules. To Wit: General Order 2-1 Code of Conduct, Code of Ethics and The Oath of Office	Sustained
II-01-08-07-052	1. Conduct unbecoming a public employee. 2. Violation of law or agency rules. To Wit: General Order 2-1 Code of Conduct, Code of Ethics and The Oath of Office	Sustained Not Sustained
	3. Conduct unbecoming a public employee.	Sustained
II-01-18-07-053	Violation of law or agency rules.	Withdrawn
II-01-03-07-054	1. Conduct unbecoming a public employee. 2. Violation of law or agency rules. To Wit: Fraudulent Use of a Credit Card and Petit Theft	Sustained Completed
	1. Violation of law or agency rules. To Wit: Florida Statute 812.014 Theft	Not Sustained
II-01-26-07-055	2. Negligence	Sustained
II-01-08-07-056	Subject #1: 1. Conduct unbecoming a public employee.	Sustained
	Subject #2: 1. Conduct unbecoming a public employee.	Not Sustained
II-08-08-07-057	Public Records Request	Completed
II-01-14-07-058	Conduct unbecoming a public employee.	Sustained
II-01-08-07-059	1. Violation of law or agency rules. To Wit: Creating a Hostile Work Environment	Sustained
	2. Conduct unbecoming a public employee.	Sustained
II-01-07-07-060	1. Violation of law or agency rules. To Wit: Creating a Hostile Work Environment	Sustained
	2. Conduct unbecoming a public employee.	Sustained
II-08-03-07-061	Public Records Request	Completed
II-01-07-07-062	Violation of law or agency rules. To Wit: Sexual Harassment	Sustained
II-13-08-07-063	Miscellaneous Complaint	Completed
II-13-08-07-064	Miscellaneous Complaint	Completed
II-01-07-07-065	1. Violation of law or agency rules. To Wit: Creating a Hostile Work Environment	Sustained
	2. Conduct unbecoming a public employee.	Sustained
II-01-08-07-066	Violation of law or agency rules. To Wit: DEP Directive 390 Information Resources Security Policies and Standards	Sustained

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Case Number	Allegations	Findings
II-01-14-07-067	Violation of law or agency rules. To Wit: Florida Statutes 316.193(1)(a), 893.13(6)(b), and 893.147(1)	Sustained
II-13-15-07-068	Miscellaneous Complaint	Competed – Referred to Management
II-01-07-07-069	Violation of law or agency rules. To Wit: Discrimination	Exonerated
II-01-26-07-070	1. Conduct unbecoming a public employee. 2. Conduct unbecoming a public employee. 3. Violation of law or agency rules. To Wit: Internal CAMA Policy 4. Insubordination.	Sustained Sustained Not Sustained due to Policy Failure Sustained
II-03-14-07-071	Management Review	Review Complete
II-01-07-07-072	Florida Statute 812.014 Grand Theft	Completed
II-08-08-07-073	Public Records Request	Completed
II-03-21-07-074	Subject #1: Investigative Review  Subject #2: Investigative Review	Completed- Referred to Management Completed- Referred to Management
II-01-12-07-075	Violation of law or agency rules. To Wit: Sexual Harassment	Sustained
II-01-01-08-001	Violation of law or agency rules. To Wit: DEP 290 Internal Investigations	Unfounded
II-01-08-08-002	Subject #1: Conduct unbecoming a public employee. Subject #2: Conduct unbecoming a public employee. Subject #3: Conduct unbecoming a public employee. Subject #4: Conduct unbecoming a public employee.	Unfounded Sustained Sustained Non-Jurisdictional
II-03-07-08-003	Investigative Review	Review Complete
II-01-01-08-004	Violation of law or agency rules. To Wit: DEP Directive 390 Information Resources Security Policies and Standards	Sustained
II-01-08-08-005	Violation of law or agency rules. To Wit: General Order 2-1 Code of Conduct, Code of Ethics and The Oath of Office	Exonerated
II-13-07-08-006	Miscellaneous Complaint (Case # Withdrawn)	Withdrawn

*Office of Inspector General – Annual Report – FY 2007-2008*  
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Case Number	Allegations	Findings
II-01-07-08-007	Violation of law or agency rules. To Wit: DEP Directive 390 Information Resources Security Policies and Standards	Sustained
II-01-02-08-008	Florida Statute 812.014 Theft	Completed
II-01-12-08-009	1. Insubordination 2. Violation of law or agency rules. To Wit: Creating a Hostile Work Environment	Sustained Sustained
II-01-08-08-011	1. Conduct unbecoming a public employee. 2. Violation of law or agency rules. To Wit: General Order 4-10 Communications (Count 1) 3. Violation of law or agency rules. To Wit: General Order 2-1 Code of Conduct, Code of Ethics and The Oath of Office 4. Violation of law or agency rules. To Wit: General Order 4-10 Communications (Count 2) 5. Violation of law or agency rules. To Wit: General Order 4-10 Communications (Count 3)	Sustained Sustained Not Sustained Not Sustained Sustained
II-08-21-08-012	Public Records Request	Completed
II-03-03-08-014	Investigative Review	Review Complete
II-13-02-08-015	Miscellaneous Complaint	Completed
II-01-12-08-017	1. Violation of law or agency rules. To Wit: Florida Statutes 893.13, 893.147, and 790.07. 2. Conduct unbecoming a public employee.	Sustained Sustained
II-13-08-08-020	Miscellaneous Complaint	Completed – Referred to Management
II-01-20-08-021	1. Violation of law or agency rules. To Wit: DEP Directive 202 Code of Ethics 2. Violation of law or agency rules. To Wit: Falsification of State of Florida Employment Application	Sustained Sustained
II-01-03-08-022	1. Violation of law or agency rules. To Wit: Florida Statute 812.014 Theft (Five Counts) 2. Violation of law or agency rules. To Wit: Florida Statute 817.61 Fraudulent Use of Credit Card	Completed – Closed by Arrest Completed – Closed by Arrest
II-01-02-08-023	Violation of law or agency rules. To Wit: DEP Directive 390 Information Resources Security Policies and Standards and DEP Directive 202 Code of Ethics/State Issued Computers (Internet and E-mail)	Sustained

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Case Number	Allegations	Findings
II-01-02-08-024	Violation of law or agency rules. To Wit: DEP Directive 390 Information Resources Security Policies and Standards and DEP Directive 202 Code of Ethics/State Issued Computers (Internet and E-mail)	Sustained
II-01-02-08-025	Violation of law or agency rules. To Wit: DEP Directive 390 Information Resources Security Policies and Standards and DEP Directive 202 Code of Ethics/State Issued Computers (Internet and E-mail)	Sustained
II-01-02-08-026	Violation of law or agency rules. To Wit: DEP Directive 390 Information Resources Security Policies and Standards and DEP Directive 202 Code of Ethics/State Issued Computers (Internet and E-mail)	Sustained
II-01-02-08-027	Violation of law or agency rules. To Wit: DEP Directive 390 Information Resources Security Policies and Standards and DEP Directive 202 Code of Ethics/State Issued Computers (Internet and E-mail)	Sustained
II-01-02-08-028	Violation of law or agency rules. To Wit: DEP Directive 390 Information Resources Security Policies and Standards and DEP Directive 202 Code of Ethics/State Issued Computers (Internet and E-mail)	Sustained
II-13-14-08-029	Miscellaneous Complaint	Completed – Referred to Management
II-01-01-08-030	Violation of law or agency rules. To Wit: Sexual Harassment	Completed – Referred to Management
II-13-08-08-032	Miscellaneous Complaint	Exonerated
II-01-07-08-033	1. Negligence 2. Violation of law or agency rules. To Wit: Florida Statute 812.014 Theft	Sustained
II-08-02-08-035	Public Records Request	Completed
II-13-21-08-036	Miscellaneous Complaint	Non-Jurisdictional
II-13-21-08-037	Miscellaneous Complaint	Completed
II-07-03-08-038	Background Investigation/Inquiry	Completed
II-01-08-08-039	Violation of law or agency rules. To Wit: General Order 2-1 Code of Conduct, Code of Ethics and The Oath of Office	Sustained

*Office of Inspector General – Annual Report – FY 2007-2008*  
*“Promoting Integrity, Accountability and Efficiency”*

Case Number	Allegations	Findings
II-01-03-08-041	1. Conduct unbecoming a public employee. 2. Negligence 3. Violation of law or agency rules. To Wit: Florida Statute 812.014 Theft	Sustained Unfounded Unfounded
II-01-07-08-042	Florida Statute 812.014 Theft	Completed
II-01-03-08-043	1. Violation of law or agency rules. To Wit: DEP Directive 390 Information Resources Security Policies and Standards and DEP Directive 202 Code of Ethics/State Issued Computers (Internet and E-mail) 2. Conduct unbecoming a public employee.	Sustained Sustained
II-01-07-08-045	Violation of law or agency rules. To Wit: Florida Statute 837.06 False Official Statements	Sustained
II-01-07-08-046	Violation of law or agency rules. To Wit: Florida Statute 837.06 False Official Statements	Sustained
II-01-07-08-047	Violation of law or agency rules. To Wit: Florida Statute 837.06 False Official Statements	Sustained
II-01-08-08-050	Violation of law or agency rules. To Wit: General Order 2-1 Code of Conduct, Code of Ethics and The Oath of Office	Exonerated
II-01-08-08-051	Violation of law or agency rules. To Wit: General Order 2-1 Code of Conduct, Code of Ethics and The Oath of Office	Exonerated



## **Significant Case Summaries**

The following cases are not all inclusive but are representatives of the type and variety of issues the Internal Investigations Section has been involved in and the dispositions that have been found during the past fiscal year.

**II-01-10-2007-012** A program area requested assistance with allegations of sexual harassment by a male employee against two female co-workers. Investigation revealed that the male employee had in fact made inappropriate comments to his co-workers and had even added a level of intimidation by including comments that were threatening in nature. A background investigation on the male subject revealed that he also had a criminal history that he had failed to disclose on his application for employment. The case resulted in **SUSTAINED** findings for a violation of Creating a Hostile Work Environment and Falsification of Official Documents. The subject employee resigned.

**II-01-20-2007-015** It was alleged that a supervisor had inappropriately touched a subordinate during the course of completing their work in a small area. The supervisor was also alleged to have made discriminatory remarks in the presence of the same employee. There was a lack of independent testimony to sustain the complaint of the supervisor having touched the subordinate inappropriately resulting in a **NOT SUSTAINED** finding for that violation. However, the allegation of the use of derogatory

statements was substantiated and an allegation of Conduct Unbecoming a Public Employee was **SUSTAINED**. The supervisor received a written reprimand.

**II-01-08-2007-020** This investigation was initiated at the request of a program area Bureau Chief. The Chief alleged that a supervisor was participating in disruptive behavior that was not in the best interest of the Bureau, Division and Department. The supervisor was found to be Insubordinate, by his failure to follow directions of his supervisor. He was found to have created a Hostile Work Environment by treating his subordinates unfairly. He was further found to have violated the DEP Directive against Conduct Unbecoming a Public Employee. All three violations were **SUSTAINED** and the supervisor left the agency after arriving at a settlement agreement that allowed him to retire.

**II-01-21-2007-021** This is an investigation that involved the assignment of one member of our investigative staff to the Office of the Chief Inspector General for the purpose of assisting



with a large scale investigation into allegations against the Director of another State Law Enforcement Agency. The investigation uncovered certain questionable actions by the Director; however most of the allegations were either **UNFOUNDED** or **NOT SUSTAINED**. It was determined that the questionable activity of backdating a copy of a critical document cast enough doubt on the overall credibility of the Director that he was asked to exercise his retirement option to lessen the cloud over the agency’s management practices.

**II-01-08-2007-025** This investigation resulted from the discovery that an employee had misrepresented his marital status on his beneficiary documents to enter the DROP program. This information was relayed to the Division of Retirement for their perspective on the possible fraud. Their position was that the fraud would not have been completed until the person identified tried to make a claim against the State and therefore they gave the employee the opportunity to change the falsified document. The finding for the case was that the violation of Falsification of Official Documents would be **SUSTAINED**. There was no discipline administered because the employee resigned rather than participate in the investigation.

**II-13-16-2007-026** An anonymous complaint alleged that a supervisor was showing an OPS employee in a district office favoritism by allowing them to take off and not docking the time while denying another OPS employee the same option. There was limited information given on which to base the complaint and even less to pursue the complaint. The supervisor was not named and the information provided on the OPS employee did not support the allegation. The allegation was resolved as **UNFOUNDED**.

**II-01-14-2007-027** This case resulted from a complaint that an employee had been assigned to work for a new supervisor who was Creating a

Hostile Work Environment. The investigation revealed that the employee’s perspective was incorrect because they had been allowed so many accommodations by their previous supervisor that the new supervisor just appeared harsh and demanding. The complaining employee had gotten into a practice of some very poor work practices and their performance had declined to a non-productive level. It was determined that the new supervisor was making no unreasonable requests of the employee. The complaint was found to be **UNFOUNDED**. The employee was given assistance by the Bureau of Personnel Services to pursue and receive a disability retirement.

**II-01-14-2007-028** During an exit interview, an employee stated that the primary reason for their departure from the agency was the abusive supervisory style of the Section supervisor in a regulatory program. The complainant reported that the supervisor had been very abusive in their communication style, had imposed his religious beliefs on subordinates and had managed by threats and intimidation. The complainant further stated that they felt that many other staff shared their concerns but would not step forward for fear of retaliation. Interviews with most of the supervisors current and recent past employees showed a consistent pattern of discomfort with the supervisor’s demeaning and belittling style in addressing subordinates. The complaint of Creating a Hostile Work Environment was **SUSTAINED** as well as an additional complaint of conducting his personal scheduling in a manner to accommodate a Conflict of Interest for his personal interests over the good of the Department which was also **SUSTAINED**. The employee was allowed to resign in lieu of being terminated.

**II-01-16-2007-029** A private citizen took exception to the manner in which his pursuit of a permit had been managed by one of the Regulatory Districts. The complainant requested assistance from the District on how he could do

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certain things on his property. The District inspectors went above and beyond what they were required to do in an attempt assist the complainant, but he took only the parts of their advice that suited him and failed to do the most important part which was to go to an environmental consultant and have them assist him in applying for a permit. Ultimately the Department entered into a Consent Order with the complainant and it took him four years to come into compliance with it. The Department was lenient in not assessing more fines or penalties against the complainant for failures on his part. There was no violation of policy or procedure found on the part of the District employees involved in the complainant's permitting issue.

**II-01-14-2007-031** This complaint originated from an outside agency that notified DEP's Bureau of Personnel Services that one of their employees who was being investigated for abusing their e-mail system had alleged that an inordinate number of their e-mail was coming from a DEP employee. A review of the DEP employee's usage revealed that the employee was in fact routinely sending a large number of mass mailings to a large number of individuals in various departments. All of the e-mails were found to be of a religious nature and were frequently distributed in mass mailings. The actions were a violation of the Department's E-mail Standards and Guidelines and resulted in a **SUSTAINED** finding with the employee receiving a Written Reprimand.

**II-01-08-2007-037** Information was received that an employee, while on Administrative Leave for an Internal Investigation was seen working for a private employer without proper Outside Employment approval and in violation of policy. The employee also falsified his final time sheets to reflect working time when he was on assigned Administrative Leave Time. The violations were found to be **SUSTAINED** but no actions were

taken because the employee chose to retire rather than face the investigation.

**II-01-02-2007-041** This report documented a physical altercation between two individuals in the same work group. One employee had the perspective that he was always being picked on by his co-workers. On this occasion the other employee said something to the one who felt picked on that he objected to and he lost control charging the first employee swinging at him and knocking his hat off of his head. The first employee responded defensively striking the other and knocking him to the ground. The parties were found to have shared the fault and the responsibility. Both were found to have **SUSTAINED** violations for Violation of Law or Agency Rules, To Wit Fighting and Conduct Unbecoming a Public Employee. One employee received an Oral Reprimand and the other received a Written Reprimand due to having a past history.

**II-01-07-2007-044** A volunteer in a State Park and his wife complained that the Volunteer Coordinator and a Ranger had discriminated against them and removed them from their volunteer status because of their German Heritage and their advanced age. The investigation proved that they were not discriminated against at all. They lost their volunteer status for one year at the Park because of their failure to turn in a request for an assignment for the next year. There were also fewer spaces in the Park for them to volunteer because of extensive hurricane damage in the Park. There was also confusion over the use of the word "old" which had been used to describe the couple. The use of the term reflected their past experience in the Park as opposed to being "new" volunteers there was no intended relationship to age. When the couple was allowed back into the Park at the first available opportunity, they made their animosity so obvious that the manager made the decision to ask them to leave in order to return the Park to a

*Office of Inspector General – Annual Report – FY 2007-2008*  
*“Promoting Integrity, Accountability and Efficiency”*

sense of normalcy. There was no violation found on the part of any Park personnel and the difference was attributable to the volunteer couple. **NO VIOLATION.**

**II-03-08-2007-045** A private citizen alleged that an enforcement unit had failed to take action against a local government for dumping contaminants in an Old City Reservoir causing pollution and a hazard to the public health. The review determined that the enforcement unit had worked closely with the District Regulatory Staff and determined that the violations that were found did not rise to the level that would warrant a criminal prosecution so they used their discretion and closed their case, deferring it to the regulatory function to oversee the necessary corrections. The Review was closed with **NO VIOLATION** found on the part of the enforcement unit.

**II-01-01-2007-049** An anonymous complainant alleged that there were significant issues in the Information Technology (IT) program area that were allowing gross overspending, cover-up of design flaws and a failure to follow standards. They further alleged there was a conflict of interest with IT management and the private contractors in the FIRST project. The complainant also stated that program and IT managers were firing and/or threatening contract employees. The concerns were assigned for review and the facts of the issue determined that the programs in question were being managed so efficiently that they had received two Davis Productivity Awards for savings and efficiency. All allegations were found to be **NOT SUSTAINED** or **UNFOUNDED** with no violations on the part of IT or Program management staff.

**II-01-08-2007-051** This case resulted from information received while investigating 2007-020 against a co-worker for this District Supervisor. Many of the allegations against the subordinate implicated this supervisor in more

serious ways. This supervisor had not been a subject in the case 2007-020 case because he was already facing dismissal for other actions on his part. The subject for this case was found to have **SUSTAINED** violations for Insubordination, Code of Conduct, Code of Ethics and the Oath of Office, as well as Secondary Employment, Dual Employment- Dual Compensation, Grand Theft and Sexual Harassment, Racial Harassment, Creating a Hostile Work Environment, and Conduct Unbecoming a Public Employment. The employee refused to return to work to face the charges and retired.

**II-01-08-2007-052** A County Sheriff’s Office was called to investigate the actions of a staff member who was involved in a conflict with the Security for a Recreational Park. The staff member had gone to the Park in response to a call from his ten year old son that he was alone at the park and could not find his friend he had gone to the park with. The staff member was rude and abrupt when he arrived at the park and did not follow the directions of the Security Staff when they tried to assist him in locating his son. After the son was located by Security the employee did not cooperate with security to give information they needed for a report they needed to complete and he left the park without waiting for the local Sheriff’s Office that was responding to take a report on the missing child. The staff member then called the responding agency on his cell phone and cancelled their agency response without proper authority. The staff member was found to have two violations of Conduct Unbecoming a Public Employee **SUSTAINED** and a Code of Conduct violation **NOT SUSTAINED** for his actions during the incident with the Park Security. The employee resigned.

**II-01-03-2007-054** The Office of Inspector General was notified that a State Issued credit card had been reported stolen and it had subsequently been used before it could be cancelled. The card was reported stolen by the employee to whom it was issued. An

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investigation into the use of the card identified the subjects who had used the card at a local retailer from security cameras. The employee who had lost the card identified the girls and stated that he had been socializing with them the night the card had been stolen, but he did not know how they had gotten the card. The juvenile girls admitted they had stolen and used the card when confronted. They avoided prosecution by agreeing to make full restitution for their purchases. The theft case was closed by being **CLEARED EXCEPTIONALLY**. There was also a charge of Conduct Unbecoming a Public Employee for Failure to Protect State Property that was **SUSTAINED** against the employee who had lost the card. He was terminated from his OPS position because of his carelessness with this issue and other performance concerns.

**II-01-26-2008-055** This was a case reported as a possible theft of gas from a field location. All of the evidence pointed at one employee as being responsible for the shortages that were noted. The evidence available came from vehicle usage and gasoline purchase logs. The entries by the subject employee did not agree with those of the rest of staff. It was determined that most of the apparent shortage was due to negligent record keeping by the suspect individual. There was a finding of **SUSTAINED** for the charge of Negligence and the case of Theft was ruled **NOT SUSTAINED** because of a lack of conclusive evidence. He was given a written reprimand for the sustained violation.

**II-01-08-2007-056** A Division requested an investigation after they became aware of an ongoing conflict between a supervisor and a subordinate. It was learned that the supervisor had a meeting with the subordinate in the presence of the District Commander that resulted in the subordinate receiving a Written Reprimand for Insubordination. The Officer then requested the issues be reviewed by the Bureau Chief who requested the OIG review of the

issues. The Investigative Captain that investigated the on-going conflict treated each party as subject and complainant until he could review their concerns. The supervisor was able to demonstrate some serious deficiencies in the subordinate's performance, his productivity, and his behavior toward him as a supervisor. The subordinate was not able to alleviate the concerns over his performance or the lack thereof or his conduct in response to attempts to improve his productivity. The allegation of Conduct Unbecoming a Public Employee was **SUSTAINED** against the subordinate employee and **NOT SUSTAINED** against the supervisor. The subordinate was given a Written Reprimand.

**II-01-14-2007-058** This case was introduced to the OIG by the Florida Department of Law Enforcement after they had served a search warrant on the employee's home and seized his personal computer. The OIG assisted by seizing the employee's State assigned computer and then delivering it to the FDLE computer crime lab for analysis. The employee was charged with Cyber Crimes involving solicitation of under-aged females and delivering unsolicited nude photos of himself to them and planning a rendezvous. The negative publicity around this case brought discredit to the agency and the employee was dismissed for Conduct Unbecoming a Public Employee which was found to be **SUSTAINED**.

**II-01-08-2007-059** A Division Director requested an investigation when a subordinate employee expressed concerns about the management style of his supervisor and a strong fear of retaliation if the supervisor found out he had talked to the Director. The OIG initiated an investigation which included interviews of all current and the most recent former staff of the subject supervisor. The individuals interviewed consistently gave accounts of the supervisor addressing them in a condescending and belittling manner. Most gave examples of behavior and or communications from the supervisor that strongly suggested that he could

and would be very vindictive if they ever got on the wrong side of him or his mood. There were very specific examples of behavior or comments made by the supervisor in front of one or more parties that strongly supported their fears or concerns that related to his willingness to make things uncomfortable for them. After considering the preponderance of the testimonial evidence the allegations of Conduct Unbecoming a Public Employee and Creating a Hostile Work Environment were **SUSTAINED**. The supervisor was allowed to resign in lieu of termination.

**II-01-07-2007-060** A Division Manager requested an investigation after receiving a workplace violence complaint from one of the Division’s facilities. The subject employee was accused of Creating a Hostile Work Environment for his co-workers through disruptive behavior, mood swings, and loud and frequent outbursts of profanity. Of great concern to management were the employee’s frequent references to committing random acts of violence against other park staff members. After the many incidents of inappropriate behavior were documented by taking testimonial evidence from most staff members the complaints of Creating a Hostile Work Environment and Conduct Unbecoming a Public Employee were **SUSTAINED**. The employee was allowed to resign in lieu of termination.

**II-01-07-2007-062** This investigation resulted from a complaint of Sexual Harassment from two female employees against the manager of a park. It was determined from testimonial evidence that the subject manager had allowed himself to be in a place at a time that should have been avoided to reduce the appearance of Sexual Harassment. His presence and behavior in these situations caused each of the two complainants to feel uncomfortable around him. Both females responded with what they described as behaviors that should have been recognizable clues of this discomfort to his violation of their personal

spaces. The manager was given a Written Reprimand for his **SUSTAINED** violation of the Sexual Harassment Policy and required to attend refresher training on the subject.

**II-01-08-2007-063** In response to a complaint from an employee who was on Administrative Leave against a co-worker for allegedly sharing information about a separate on-going internal investigation against another law enforcement officer an investigation was initiated. The complainant had heard a reference to the separate case while reviewing taped statements from the case he was a subject in. The case was referred to but there was no actual discussion of the issues of the case and no intent to discuss the case or its issues, but rather the circumstances of the employee making reference to their status as an acting supervisor because of the original supervisor’s status of being on leave at the time. Prior to the final resolution of this case the complainant withdrew the complaint. **CLOSED**.

**II-01-13-2007-064** This complaint was initiated by a supervisor who was on Administrative Leave for an Internal Investigation himself. He alleged that a co-worker had made age related discriminatory remarks against him and failed to perform his duties in a law enforcement action while visiting a park off duty with his family in 2006. He further complained against the Assistant Director for wrongly involving himself in the hiring of a former friend and the Director of Investigations for completing an improper investigation by not interviewing two potential witnesses. A careful review of all of the allegations were found to have been reviewed and documented in previous case files and the Inspector General directed the assigned investigator to **CLOSE** all of these issues without further involvement. The complaint was also **WITHDRAWN** by the complainant.

**II-01-07-2007-065** It was alleged that a manager was unjust in their treatment of subordinates and created a hostile work environment by constantly

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harassing and badgering staff. The manager was described as having a "Jekyll and Hyde" personality and lacking in the people skills to manage. She has been described as a manager who "demeans, belittles, harasses, badgers, and scolds her staff as if they were kids" to the point the discomfort is spilling over into their personal and home lives. The investigation verified these allegations through extensive testimonial interviews. The allegations of Creating a Hostile Work Environment and Conduct Unbecoming a Public Employee were **SUSTAINED** and the manager was demoted into a non-supervisory position in a different location.

**II-01-08-2007-066** This investigation was initiated in response to a complaint from a former employee who reported that one of his former co-workers had sent an inappropriate e-mail to him and several other co-workers some of which received it on their State computers at work. It was determined that the e-mail in question had indeed been sent approximately eighteen months prior to the allegation so the subject employee's e-mail history was reviewed for the most recent six months. The recent pull of the history was found not to include any nudity or sexual e-mails. The allegation of violation of the Department's computer security policy was **SUSTAINED** and the employee received a Written Reprimand for his misuse of the system.

**II-01-14-2007-067** The Division of Law Enforcement notified the OIG that a Departmental employee had been arrested while operating a State owned vehicle. The arrest occurred on a Saturday morning at approximately 3:34 a.m. The employee was an engineer with the Department and was observed driving erratically. When the Deputy turned around on him the employee turned into a group of cottages on the side of the road and that is where the officer initiated his traffic stop. When the driver stepped out of the vehicle it was apparent he had been drinking and he had a

strong odor of an alcoholic beverage on his breath. Further investigation by the arresting officer revealed that the DEP employee also had marijuana in his possession in the vehicle. The employee was charged with Violation of Law or Agency Rules to Wit: DUI and Possession of Marijuana which were both **SUSTAINED**. When approached about this case the employee resigned his position.

**II-01-26-2007-070** Field office employees saw a co-worker using a pellet gun to eradicate a nuisance animal. The action was questioned because of the method and the fact that it was being done in a high traffic area of the facility. It was determined that part of the issue had been brought forward because of the way the responsible party had responded to his co-workers and supervisor at the time when they suggested that what he was doing should not be done in the manner, at the location or time he was doing it. This resulted in an allegation of Violation of Law or Agency Rules which was **NOT SUSTAINED** due to Policy Failure and the policy in place not being specific enough about the procedure(s) for eradication. There was also an allegation of Insubordination for the manner in which the employee responded to the supervisor in charge that day which was found to be **SUSTAINED** against the named subject employee and an additional employee who was determined to be working in concert with the named subject in the complaint. Both parties received a Written Reprimand. There was also a recommendation made that the policy be clarified which was accomplished.

**II-03-14-2007-071** A number of residents of a coastal community wished to protest the Department's involvement in a Beach Renourishment project that was highly debated in their community. The review revealed that even though the action was still being contested in the courts, the involvement of the Department had been within the role and policies of the Department. Though the letters of complaint

*Office of Inspector General – Annual Report – FY 2007-2008*  
*“Promoting Integrity, Accountability and Efficiency”*

raised several issues regarding the quality of the ultimate project, it was learned that most of the true concern related more to the property rights issues between the immediate beach front property owners and the community as a whole. There were complaints about the quality of the sand, damages to the beach by the contractors and abuses of power by the contractor and the local government to force the project through. Numerous inspections revealed that the quality of the finished project far exceeded the standards required by the Department. The greatest area of contention was the property owner’s concerns about the ultimate ownership and open access to the newly expanded beach and how it impacted their riparian rights. This issue was deferred to resolution in a court of competent jurisdiction and is now in the Supreme Court. The overall project was found to fit within the guidelines of projects of this nature and there were no violations of Department authority identified. The complainants also objected to the use of police powers to enforce the contractor’s presence during the project but this was a decision by the local authorities who were the ultimate project managers. The case was closed as **REVIEW COMPLETE** with no finding of violations by any Departmental entity.

**II-01-07-2007-072** This investigation involved the theft of \$1380.00 U.S. Currency from a facility in Central Florida. It was determined that the money was taken from an unsecured desk in an office overnight and was reported missing the following day. There was no evidence or suspicion of whom may have taken the money, nor any leads that suggested a possible resolution. The theft investigation was **CLOSED** to be reopened if new information could be developed later. The OIG did make recommendations for a better security practice for any cash retained in the facility that were implemented immediately.

**II-01-12-2007-075** The Bureau of Personnel Services requested an investigation after they

received concerns that a Senior Clerk in one of the Divisions had repeatedly touched a female against her will and making numerous unwanted phone calls to the same female co-worker. The alleged offender refused to give a statement in the investigation and resigned. The preponderance of the evidence from testimonial statements was sufficient to **SUSTAIN** the violation of Sexual Harassment.

**II-01-01-2008-001** A complainant alleged that an OIG investigator had failed to thoroughly investigate an earlier complaint. The information that was made available by the complainant was reviewed as well as the information that was identified by the investigator. It was determined that the original complaint had not given sufficient information on a complaint that was already eighteen months old to suggest that if the investigator was to look back 3-4 years they would find evidence of more violations on the part of the named complainant. It was also alleged that the OIG had been participating in a cover up to protect people in the Division of Law Enforcement. These allegations were **UNFOUNDED**. It was learned that the complainant had withheld very specific evidence and copies of other e-mails on his personal computer at his home for over three years that he failed to share.

**II-01-08-2008-002** The above complainant filed a new complaint against four members of his old Division in which he provided copies of old e-mails (3-4yr old) to the Office of the Governor, legislators, members of the media and others. There were a total of 12 e-mails that he had received and saved on his personal computer that were evidence of past abuses (Oct ’04-Jan ’05). The four named subjects were reportedly involved with sending and or receiving all of the 12 e-mails that were mostly sexual in nature but definitely not work related or appropriate to be on a work e-mail. The OIG investigation pulled e-mail histories on the four named subjects for three months before and three months after the

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above noted dates of the 12 known e-mails. This search identified numerous additional offensive e-mails that one or more of the named parties had received or sent as well as identifying a number of other DEP employees who had received and or sent one or more of the offensive e-mails. Due to the age of the offensive e-mails it was decided to focus more on current usage. The number of involved employees was reduced by eliminating any employees that were no longer with the agency. This reduced the number of potential violators from 66 that had been identified by the original archive search on the 12 known e-mails by 29 employees who had left the agency. This left 37 employees who had a documented history from 2004-05. It was determined to do a current search on those individuals to determine what their current usage patterns were for a 3 month period from December 2007 through February 2008. This time period was chosen because there had been significant case investigations conducted in 2005 and 2007 that resulted in corrective actions that should have changed the agency's pattern of abuses in this area of use of State computers. This review of the 37 employees current e-mail history showed that most of the employees had improved significantly even to include the most egregious violator from the 2004-05 review. However, there were still violators found resulting in a variety of **SUSTAINED** findings of violations of DEP Directive 390 relating to computer usage. These findings resulted in disciplinary actions ranging from Letters of Counseling, to Written Reprimands, Suspensions and Dismissals or Resignations in lieu of dismissals. There were also other individuals that were addressed in separate cases that were identified from spin-offs of this case review.

**II-01-07-2008-003** A private citizen alleged that a Park Manager had misused Park funds. The citizen had a hand-shake agreement with the Park that if she was allowed to display a sculpture in the Park she would share the revenue with the Park up to a reasonable

purchase price. When it came time to remove the sculpture the artist requested assistance from the Park to pay for its removal. The Park did not have any funds that were available for this expense and the revenue that the Park had received from the display had been transferred to the Park's Help Our State Park (HOSP) fund. The investigation and a parallel audit determined that the monies earned from the display had not been mismanaged but that the original agreement lacked specificity about the potential expenses with no responsibility being placed on the Park if that had been the intentions or understanding of either party from the start. The sculpture was removed at the expense of the sculptor with no loss to her because she had sold it for above cost and recouped her money upon the sale. The citizen complainant understood and was relieved that the money could still be accounted for and not mismanaged by the Park Manager. Both the Park and the citizen agreed that they should only enter into such arrangements under a well documented and specific contract in the future. **NO VIOLATIONS** identified and recommendations offered to avoid a repeat in the future.

**II-01-01-2008-004** This investigation resulted from an e-mail response to the Secretary of DEP pointing out the inappropriateness of an e-mail that had gotten out of the Department with a survey question that identified it as having originated from a DEP computer and requesting the recipient's reaction to the contact they had with the DEP staff member. The e-mail in question was a political e-mail that reflected negatively on Presidential Candidate Barack Obama. A check of the Department's e-mail archives identified 139 DEP employees who had received the e-mail on their work computer addresses. An extensive review was done to determine of these employees, who had forwarded this e-mail and how many of them had previous e-mail history issues. Corrective action was given according to what employees had done upon receipt of this e-mail and what their



*Office of Inspector General – Annual Report – FY 2007-2008*  
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involvement with other inappropriate e-mail cases had been in the past. Parties who did anything more than receive and delete this e-mail were found to have **SUSTAINED** violations of DEP 390 the Computer Security Directive.

**II-01-07-2008-007** This is a case of an employee self reporting his misuse of the State Computer. The employee went to his supervisor and reported that he had misused the State computer to visit pornographic sites. When the assigned investigator analyzed the employees use of the computer since his self reporting of the misuse it was determined that he had visited no pornographic sites since he spoke to his supervisor. However, the internet history did reveal extensive usage of online gaming and online gambling sites, both of which are inappropriate sites, by the employee. This also resulted in a **SUSTAINED** violation of DEP 390 Computer Security Policy and the employee was allowed to resign.

**II-01-12-2008-009** A male employee was found by his management team to have inappropriately addressed a female co-worker in a way that made her uncomfortable with comments about her appearance and making unwelcome jokes about her husband. The employee was then found to have placed copies of his letter of counseling in two public locations within the building where he and the complainant/victim worked. The jokes started up again and the Division requested the assistance of the OIG. When they tried to get the subject employee to respond to their office to place him on administrative leave for an investigation to be conducted he refused twice. When given the counseling notice he was advised to have no contact and not to discuss the issue involving the complainant with any one. His act of placing the letter in a public place was a third **SUSTAINED** incidence of Insubordination and also resulted in a **SUSTAINED** finding of Creating a Hostile Work Environment for the complainant. The subject employee was dismissed.

**II-01-08-2008-011** This investigation was initiated after a citizen who had been stopped and issued a citation complained that he had been stopped because the officer knew him and the officer is now dating the citizen's old girlfriend. The officer's supervisor had heard the traffic stop and directed the officer to have a local officer to complete the arrest. The Officer's communication by radio and cell phone were checked as part of the review of the traffic stop. The concern that the traffic stop resulted from a Conflict of Interest was not proven and resulted in a finding of **NOT SUSTAINED** as was the allegation that he misused the State's Driver And Vehicle Information Database (DAVID) system to run the subject's Driver's license. However, there were **SUSTAINED** violations for misuse of the same system when the officer used it to run checks on his girlfriend's family and a female employee from the office where he works. In addition there was a **SUSTAINED** violation from the officer's misuse of his State issued cell phone for extensive personal calls both on and off duty. The findings resulted in a Three-day Suspension.

**II-03-03-2008-014** This management review resulted from a citizen complaint that a Department employee had used their official position to manipulate the Property Appraiser's office in the complainant's home county. The employee in question did in fact contact the Property Appraiser's Office in the complainant's county to point out what he felt was an error in the appraisal of a specific parcel of land and that it appeared to be over appraised. The property in question belonged to the complainant and was a piece of property that the State was negotiating to purchase. The official role of the subject employee made it his duty to point out what he thought was a misrepresentation on the County property roles. Upon review the county agreed with our employee and the property was revalued on the books. The actions of the employee were **EXONERATED**.

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**II-13-02-2008-015** This informal investigation was done after an employee found a non-work related article on the section printer. The documents were identified by author name and found to be part of a school project. The subject employee e-mail and internet history were reviewed and found to have some non-work related activity which clearly related back to the employees pursuit of their Master's Degree. The volume of documents and communication did not rise to a level that was indicative of misuse or abuse of the State's computer system and the case was **CLOSED**.

**II-01-12-2008-017** This brief investigation resulted from the arrest of a Departmental employee for a drug charge by local law enforcement. The employee had been arrested at his home after making a drug sale in a controlled buy from the home he shared with his mother. It was determined that the sale was not a single incident at the address and there was a large volume of marijuana found and a firearm in the home, which was also used as a daycare facility, at the time a search warrant was served. The Allegation of Violation of Law or Agency Rules was **SUSTAINED** and the employee was allowed to resign.

**II-01-20-2008-021** An anonymous complainant alleged that a DEP employee was using their position to make it difficult for certain septic companies in an effort to improve the business of another company that the employee was personally involved with. It was learned that the relatively new employee did in fact have a business relationship with a septic company. He had failed to disclose this relationship to the Department when he was hired and had further failed to complete the appropriate Outside Employment form after his hire. When confronted with this information the employee resigned prior to a formal determination that the dual roles had actually presented a Conflict of Interest and the case was **CLOSED**.

**II-01-03-2008-022** This is a case of theft that was observed by two administrative support staff that were responsible for documenting and tracking vehicle usage and fueling of a group of pool vehicles for a Division. One of the two gave the subject employee the keys to a pool vehicle which he then went to and got the fuel log from, but left the lot in his personal vehicle returning a short time later. OIG took the receipt for a gas purchase made that day to the station identified on the receipt and by using the station's security tapes was able to identify the employee and his vehicle at the time of the indicated purchase. Further investigation made him responsible for five different thefts of gas using the State card. He was arrested for one felony for the Fraudulent Use of a Credit Card and five misdemeanor Theft Charges to which he pled guilty for a reduced sentence. He also made full restitution to the Department for the amount of his theft that could be proven and he was dismissed.

**II-01-02-2008-023/028** This series of investigations resulted from managerial concerns that a group of six employees' productivity might be being impacted by their e-mail or internet usage and they requested that the OIG conduct a review of their usage for possible corrective action. These individuals were all found to have violated the Department's Directive 390 on Computer Security to varying degrees. The reviews of their usage all resulted in **SUSTAINED** findings with each receiving corrective actions ranging from a reminder letter, to letter of counseling, written reprimands and a three day suspension for one.

**II-13-14-2008-029** A miscellaneous complaint came in from a program area pertaining to an unknown subject in a case of Sexual Harassment. The complaining employee was concerned that she was receiving unwanted messages left on her car and unsolicited phone calls from an unknown suitor. The unknown caller was found to be an employee of a neighboring state agency who

could readily observe the complainant’s coming and going. He was also found to have access to law enforcement data bases that assisted him in his efforts to identify the complainant so he could contact her by phone. The issue was referred to his supervisory chain via the agency’s Inspector General and they took prompt corrective action. The allegation was **SUSTAINED** and the employing agency was taking action as they saw fit but the problem stopped for our employee.

**II-01-01-2008-030** This case was initiated by a female employee making a complaint about a male employee who was making improper advances to her in the cafeteria. The female was familiar with the male employee by name only, but he approached her and tried to make it appear that they were together on two different occasions and then called her at her desk to attempt to engage her in unwanted conversation. She had tried to inform him she was not interested in any involvement with him but he persisted. The allegation was **SUSTAINED** and the subject was given a stern warning by his supervisor.

**II-01-07-2008-033** Complaints were documented that related to thefts of cash and other inappropriate behavior that were alleged in a remote facility. The primary focus of this investigation focused on the thefts of cash from the register. All of the shortages occurred while one employee was on duty and that employee could offer no explanation of how they might be occurring that did not place the responsibility on him. The testimonial statements of the majority of the other employees who might have had access to the cash or information about the normal handling all pointed toward the employee who was there during each shortage. The allegation was **SUSTAINED** and the employee resigned one week after their interview.

**II-01-03-2008-041** This investigation was initiated in a District Office when an employee

decided to use a State vehicle and State time to travel to pick up tickets for a non-work related activity. The employee traveled approximately 40 miles out of her way to try and get the tickets from the promotion. Before she acquired the tickets she hit an object in the road and flattened both right side tires. The vehicle was left in a private parking lot while she tried to get tire repair help. She got a ride back to her home community to buy a tire and take it back to retrieve the State vehicle. When she and her husband returned with a tire she had bought it was the wrong size so she had to make a second trip and then used her personal credit card to get the second tire. She was alleged to have been negligent by failing to report a traffic accident and for theft because she used the State Credit Card to buy the tires both of which were **UNFOUNDED**. She was found to have a **SUSTAINED** violation of Conduct Unbecoming a Public Employee by using the State Vehicle for non-state business and was given a twenty-four hour suspension.

**II-01-03-2008-043** A Division Director requested an investigation because of supervisory suspicion that an employee was misusing their State issued computer. The employee’s e-mail usage was reviewed and the employee was found to have **SUSTAINED** violations of the Department’s Directive 390 on Computer Security and the Department’s Directive 202 as it relates to the Code of Ethics. The employee was terminated.

**II-01-07-2008-045** This investigation started with a complaint of theft of cash. A background investigation into the possible suspects revealed that one of them should have probably not been hired. The check revealed that the employee had falsified his application on two different occasions failing to document a significant history of drug related arrests. The subject was also arrested during this investigation for additional drug charges. There was no proof regarding the theft that implicated this employee

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but, he was found to have a **SUSTAINED** violation for Falsifying an Official Document and his OPS employment was terminated.

**II-01-07-2008-046** This investigation started with the same information as the above theft of cash complaint. This subject was found to have a criminal history including two felony convictions that had not been reported on his State of Florida application. He was found to have violated State Law and was **SUSTAINED** for Falsifying an Official Document and his employment was terminated.

**II-01-07-2008-047** This investigation was started by the same complaint of theft of cash as above and as a result of a similar background investigation into the subject's criminal history it was once again learned that the employee probably should not have been hired due to having given False Official Information on her employment application. There was no evidence directly linking this subject to the theft of the missing cash. The violation of filing a False Official Document was **SUSTAINED** and the employee was terminated.



## **Program Review and Improvement**

The Program Review and 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 observations, examinations, and analyses to enhance program effectiveness.

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

Projects include program and management reviews, organizational assessments, process improvements, employee climate and customer satisfaction surveys, and meeting facilitation.

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?

## **Fiscal Year 2007-2008 Projects**

<b>No.</b>	<b>Division</b>	<b>Project Title</b>	<b>Number</b>
1.	Administrative Services	Division of Administrative Services request for follow-up assistance to the 2007 DEP Employee Climate Survey	IA-21-2-2008-77
2.	Agency Wide	2006 DEP Employee Climate Survey – Follow-up Activities	IA-5-1-2007-40
3.	Agency Wide	2007 DEP Employee Climate Survey Administration	IA-5-23-2008-11
4.	Air Resource Management	Assessment of Questionnaire for Air Compliance and Enforcement Program Performance Reviews	IA-3-13-2007-122
5.	Central District	Central District request for follow-up assistance to the 2007 DEP Employee Climate Survey	IA-21-17-2008-71
6.	Central District	Central District Drinking Water Program Organizational Review	IA-3-17-2008-6
7.	Communications	Communications Office request for follow-up assistance to the 2007 DEP Employee Climate Survey	IA-21-1-2008-76
8.	Communications	Communications Office Re-org Transition Assistance – Workshop Planning and Design and Creation of a Mission Statement	IA-21-1-2008-7
9.	Communications	Communications Office Re-org Transition Assistance – Kingdomality	IA-21-1-2008-107
10.	Communications	Communications Office Re-org Transition Assistance – Perceptions and Preferences	IA-21-1-2008-108
11.	Communications	Communications Office Re-org Transition Assistance – Expressing Opinions	IA-21-1-2008-109
12.	Communications	Communications Office Re-org Transition Assistance – Growth Group Values	IA-21-1-2008-110
13.	Communications	Communications Office Re-org Transition Assistance – Personal Accountability and Change	IA-21-1-2008-112
14.	Florida Geological Survey	Florida Geological Survey Organizational Assessment	IA-3-27-2008-5
15.	Greenways and Trails	Operational Review of OGT Trails Program	IA-3-21-2007-16
16.	Greenways and Trails	OGT Trail Visitor Counting Methodology Review	IA-21-10-2008-104
17.	Inspector General	Climate Survey Reporting Capacity Improvements	IA-5-0-2007-79
18.	Inspector General	Program Review and Improvement Self-Assessment	IA-3-0-2008-64

*Office of Inspector General – Annual Report – FY 2007-2008*  
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<b>No.</b>	<b>Division</b>	<b>Project Title</b>	<b>Number</b>
19.	Law Enforcement	Division of Law Enforcement request for follow-up assistance to the 2007 DEP Employee Climate Survey	IA-21-8-2008-69
20.	Law Enforcement	Review of Law Enforcement’s Uniform Crime Report Reporting Process	IA-3-8-2007-126
21.	Law Enforcement	Bureau of Park Police Process Improvements	IA-21-8-2008-96
22.	Northeast District	Northeast District request for follow-up assistance to the 2007 DEP Employee Climate Survey	IA-21-16-2008-72
23.	Northeast District	Northeast District Budget Process Mapping	IA-21-16-2007-114
24.	Recreation and Parks	Division of Recreation and Parks request for follow-up assistance to the 2007 DEP Employee Climate Survey	IA-21-7-2008-78
25.	Secretary	Sunset Review Committee Additional Information Request	IA-13-1-2008-9
26.	Secretary	Issue Paper for Employee Climate Survey Process	IA-13-1-2008-10
27.	Southwest District	Southwest District Watershed and Resource Management Budget Process Review – Phase 2 Refinement	IA-3-19-2007-101
28.	State Lands	State Lands Process Mapping and Business Efficiency Needs	IA-21-3-2007-105
29.	Technology and Information Services	Office of Technology and Information Services request for follow-up assistance to the 2007 DEP Employee Climate Survey	IA-21-6-2008-74
30.	Waste Management	Division of Waste Management request for follow-up assistance to the 2007 DEP Employee Climate Survey	IA-21-12-2008-70
31.	Water Resource Management	Assist Division of Water Resource Management with Rapid Process Improvement for Technical Support	IA-21-14-2008-106

**IA-21-02-2008-77 Division of Administrative Services Request For Follow-up Assistance to the 2007 DEP Employee Climate Survey**

Staff provided the Division Director of Administrative Services and the Bureau Chiefs for Administrative Program Support, Budget and Planning, Finance and Accounting, General Services, and Personnel Services a detailed summary of survey comment themes received from the Division’s 2007 Employee Climate Survey results. Staff also provided the Bureau Chief for General Services a report of their survey results compared to prior years and the response rate trend over the past three years.

**IA-05-01-2007-40 2006 DEP Employee Climate Survey – Follow-up Activities**

This project was a department-wide summary of initiatives and activities that were a direct result of the responses to the DEP-wide 2006 Employee Climate Survey. All agency Divisions and Offices completed Employee Climate Survey follow-up reports which highlighted the actions they had taken to improve their office climate. A total of 332 activities involving 25 entities were completed throughout the agency to proactively address employee issues. This was an increase of 52% (219 activities in 2005 to 332 in 2006). Of these activities, 46% involved communications, 28% involved human resources, 15% involved management practices, and 11% involved training. This summary report is a way to share the department’s best practices and foster continuous improvement within DEP.

All full-time and part-time Department employees, state-wide, received a questionnaire requesting information concerning job satisfaction, communications, supervision, and management practices. The survey was administered using DEP proctors and printed surveys. The Office of Inspector General (OIG) distributed and collected the surveys and reported survey responses summarized at organization levels. 4,366 employees had an opportunity to participate in the survey and 3,803 (87%) responded.

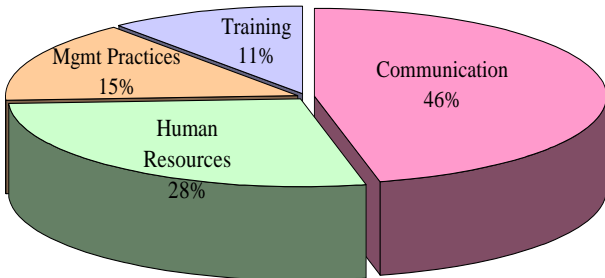
The survey consisted of fifty-seven (57) closed questions grouped into four (4) dimensions (listed below) and one open-ended comment question.

DIMENSION	Number of Questions
Job Satisfaction	15
Communications	12
Supervision	15
Management Practices	15

The chart below depicts the question number balance achieved across the four dimensions.



**Follow-up Activities by Area of Focus**



Department from the employee’s perspective. This was the third annual Department-wide employee climate survey, with separate reports issued to every organizational level throughout the Department.



Response choices to each closed question included one of the following five selections:

<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>No Opinion</b>
4	3	2	1	0

The reported Satisfaction Rate for each question and dimension represents the percentage of people expressing an opinion that agreed and strongly agreed with the statement. The table below depicts the DEP-wide overall satisfaction rates, by dimension.

<b>DIMENSION</b>	<b>Satisfaction Rate</b>
<b>Job Satisfaction</b>	<b>84%</b>
<b>Communication</b>	<b>76%</b>
<b>Supervision</b>	<b>87%</b>
<b>Management Practices</b>	<b>87%</b>

The line-item detail, by question number, was summarized for the Secretary’s Leadership Team, and at every organizational level throughout the Department down to Bureaus and Park Districts.

**IA-03-13-2007-122 Assessment of Questionnaire for Air Compliance and Enforcement Program Performance Reviews**

This assessment was conducted at the request of the Division Director of Air Resource Management. The purpose of the project was to assist the Bureau of Air Regulation in assessing the Compliance and Enforcement Program Performance Review Questionnaire for alignment with statutory and program performance criteria. Emphasis was placed on the Questionnaire language, relevant performance metrics and outcome specifications, and response analysis methods. Overall, this assessment found that Bureau members fill two roles during site visits; (1) Compliance Review, and (2) Consultative (knowledge transfer across sites for best practices). The first role supports the Bureau mission while the second adds value to the state-wide program. OIG recommended that this dual aspect continue. The remaining findings and

recommendations addressed specific details to refine the design of the Questionnaire and the evaluative criteria in order to improve alignment with compliance and enforcement priorities.

**IA-21-17-2008-71 Central District Request for Follow-up Assistance to the 2007 DEP Employee Climate Survey**

Staff provided the Central District Director a detailed summary of survey comment themes that were received from the District’s 2007 Employee Climate Survey results.

**IA-03-17-2008-06 Central District Drinking Water Program Organizational Review**

This review was conducted at the request of the Central District Assistant Director. The purpose of this project was to review the organizational effectiveness of the Drinking Water Compliance Enforcement and In-house Compliance and Monitoring Sections. Overall, this review found that work related communication between section members is limited, compartmentalized workflow resulted in inconsistent and redundant record keeping, work prioritization guidelines were unclear, and database coding fields were used inconsistently. After a two day site visit to gather information, facilitate employee workshops, and conduct interviews, OIG provided an on-site verbal briefing to District executives summarizing the initial findings. A subsequent analysis deliverable listed the findings, their impact, and suggested improvement actions, which the District management team endorsed and implemented.

**IA-21-01-2008-76 Communications Office Request for Follow-up Assistance to the 2007 DEP Employee Climate Survey**

Staff provided the Director of the Communications Office additional interpretation of survey results and trends. Marketing and Sustainable Initiatives office staff participated in climate survey results follow-up workshops facilitated by the PRI team. The design of the workshops included:

- Team building exercises,
- Group and breakout exercises, and

- Identifying Section strengths, barriers, solutions, "Implement Now" action items and solution champions.

**IA-21-01-2008-7 Communications Office Re-org Transition Assistance – Workshop Planning and Design and Creation of a Mission Statement**

The purpose of this project was to help the members of the newly formed Office of External Affairs build on their sense of working together as a team. The approach to this project evolved from researching, designing, developing, and delivering a set of facilitated workshops to also include facilitating the development of the new organization's mission statement. Office members were assigned to five cross-functional teams to draft proposed mission statements which were presented to all office members. Refinement suggestions were gathered by the five team leaders who then arrived at a consensus for an office-wide mission statement. The Director endorsed this mission statement by introducing it on a large poster board at an all-hands workshop. Upon seeing the management team step up and sign the document, individual workers took their own initiative and demonstrated their support by also signing the Office mission statement they all had a part in crafting. Office members were encouraged to build on their work and develop section specific mission statements aligned with the Office and DEP direction. The signed mission statement for the Office of External Affairs is prominently displayed in the common work area now.

**IA-21-01-2008-107 Communications Office Re-org Transition Assistance – Kingdomality**

The purpose of this project was to facilitate a workshop. The approach to this workshop included using the Kingdomality on-line survey as a way of gaining insight for office members to understand each other's perspectives. By pinpointing 12 types of employees - and recognizing their strengths and weaknesses - Kingdomality offered practical business improvement tools to help people flourish at work. Using a medieval kingdom as a parable for a business environment, Kingdomality provided an engaging and useful tool for analyzing and improving the workplace.

Findings/observations: Each participant received a "personal preferences profile". The office is dominated by "helper" Kingdomality characters, with 66% of the workforce indentified in this manner via the on-line survey. Interactive styles were described and participants gained insight regarding themselves and their co-workers.

**IA-21-01-2008-108 Communications Office Re-org Transition Assistance – Perceptions and Preferences**

The purpose of this project was to facilitate a workshop. The approach to this workshop included using a 30 question paper survey as a way of gaining insight for office members to understand each other's preferences and perceptions of participatory management. Findings/observations: Approximately a third (1/3) of the workers and a fourth (1/4) of the supervisors perceive a participatory management environment within the Office of External Affairs.

**IA-21-01-2008-109 Communications Office Re-org Transition Assistance – Expressing Opinions**

The purpose of this project was to facilitate a workshop. The approach to this workshop included using a 20 item "People on the Job" questionnaire to: (a) afford participants the opportunity to share their views in a structured environment, (b) provide a sense of the variety of opinions and attitudes that exist about a particular subject, and (c) develop a climate for future group interaction. Findings/observations: By design, this was an interactive workshop emphasizing interpersonal activities and discussion rather than analysis of any particular outcomes. Participants were asked to discuss their personal insights and to consider the implications of these insights for themselves and for managers in their roles as supervisors. The facilitators called for a reporter from each subgroup to share a key insight from the subgroup about people on the job. Generalizations and applications were then drawn from these subgroup insights.

**IA-21-01-2008-110 Communications Office Re-org Transition Assistance – Growth Group Values**

The purpose of this project was to facilitate a workshop. The approach to this workshop included using a 30 item list of values to: (a) clarify ones own value system, (b) explore values held in common within a group, (c) discuss differences existing between groups, and (d) begin to remove stereotypes held by members of different groups. Findings/observations: Workshop participants showed that many values were shared across different groups. Of 75 workshop participants, 39 (53%) indicated honesty, productivity, and creativity as the top three most highly ranked values. An even higher 76% (57 of 75) ranked being superior, critical, or risky in the bottom three lowest values.

**IA-21-01-2008-112 Communications Office Re-org Transition Assistance – Personal Accountability and Change**

The purpose of this project was to facilitate a workshop. The approach to this workshop included discussion of the meaning of personal accountability in a work setting and break-out sessions to address three questions:

1. What can managers and supervisors do to be more effective in their roles as team leaders?
2. What can staff members do to be more effective in their roles as team members?
3. What specific actions can I take to help the team achieve its mission?

Findings/observations: This was the concluding workshop of a campaign of events and activities designed to help the members of the newly formed Office of External Affairs build on their sense of working together as a team of people. At the start of this last event participants’ demeanor and engagement was markedly improved from those exhibited in the initial meetings held a few months earlier in the fall of 2007. Participants were generally smiling in agreement as the four sub-groups of workers reported out on their responses to the personal accountability questions. When the fifth sub-group, the supervisors and managers, reported out closely matching and sometimes verbatim responses, a palpable shift rippled through

the room as almost 50 people saw first hand that they were in agreement and shared a common vision for the continuing direction of the organization.

**IA-03-27-2008-05 Florida Geological Survey Organizational Assessment**

The purpose of this project was to provide an objective view of the status of operations at the Florida Geological Survey (Survey) and to provide findings and recommendations for improvement. Twenty-six individual interviews and four group workshops were conducted. All ten administrators, managers, and supervisors were interviewed as well as approximately 50% of professional and administrative staff. The interview topics included leadership, strategic planning, customer focus, human resource focus, performance and process management, communication, and morale. Approximately 75% of the staff attended one of the four workshops offered. Based on interviews and workshops conducted, the recommendations were: to explore options to secure additional funding for continual research; identify and include additional stakeholders and partners when outlining goals for the Survey (including the possibility of creating an advisory board); explore options for additional space for library material and storage for core cuttings; continue to proactively address the issue regarding the location of the Survey through discussions with concerned parties; explore different avenues for Other Personal Services (OPS) employees to receive benefits; and revise Florida Statutes, Chapter 377 so that it coincides with changes made during the reorganization of the Survey.

**IA-03-21-2007-16 Operational Review of OGT Trails Program**

This project was designed to review the OGT trail operations and assist in determining opportunities for improvement. From an overall perspective, the network of state trails maintained and operated by OGT members is well managed. To assist OGT in improving trail operations, OIG presented the following recommendations:

- (1) State-wide trail system:

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- Create a procedures manual of trail operations to provide consistency for trail managers as they engage in their day-to-day operations;
- Create and maintain a state-wide tracking system; and
- Develop a state-wide comprehensive system that will integrate data that is currently collected through incident reports as well as complaints and data from trail counters and trail funding.

(2) Florida Keys Overseas Heritage Trail (FKOHT):

- Improve communications between FKOHT field offices and OGT headquarters;
- Improve communications between FKOHT field offices and stakeholders;
- Improve communications to FKOHT local staff;
- Improve communications between the Department of Transportation and DEP;
- Review and update the current Implementation and Management Plan for the FKOHT so it can be used as a snapshot of the ideal future state of the management infrastructure;
- Ensure that employees are properly trained by seeking training opportunities that meet their needs, whether it is in-house, via internet, or by other trained professionals;
- In an effort to locate possible vendors for future procurement opportunities, find ways to attract contractors and private vendors by participating in workshops, outreach services and other means that could result in partnerships for services;
- Conduct a responsibility charting workshop to identify and clarify responsibilities regarding trail ownership, management, and operations associated with the multiple FKOHT agreements;
- In order to retain employees and decrease turnover, management should identify staffing problems as they arise, determine the cause, investigate ways to address them and take action;
- Management should make reasonable efforts to ensure that information on interpretive

kiosks, trash cans, and all other trail signage is correct;

- Provide the level of service the public expects on the statewide system of greenways and trails for recreation, conservation, and alternative transportation; and
- Look for ways to correct the resource and staffing imbalance at the FKOHT.

**IA-21-10-2008-104 OGT Trail Visitor Counting Methodology Review**

The purpose of this project was to provide OGT with benchmarking assistance on trail visitor counting methodologies. Through research and informal interviews, staff identified the United States Department of Agriculture, Forest Service as the industry leader due to its size, organizational maturity, and documented performance. The Forest Service commissioned the Missoula Technology and Development Center (MTDC) to research and provide recommendations on the best method to capture data on trail use. The MTDC issued the Trail Traffic Counters for Forest Service Trail Monitoring report (9423-2823-MTDC) in 1994. This report was updated in 1999 to account for advancements in technology; however, new tests of devices were not performed thereby maintaining the original report’s methodology recommendations. Staff compared the recommendations to the current trail visitor counting method used by OGT. Staff found that the current methodology used by OGT to assess trail use is comparable to the industry standard as established by the U.S. Forest Service based on its most recently published research.

**IA-05-00-2007-79 Climate Survey Reporting Capacity Improvements**

The purpose of this project was to streamline the data validation and reporting process for the Department’s Employee Climate Survey. With technical assistance from the Division of Administrative Services, a reporting tool was designed, developed and implemented that OIG used to produce the Department’s 2007 Employee Climate Survey results. In prior years, the process of producing the DEP Employee Climate Survey results involved more than 400 steps to compile,

calculate, print, and manually validate 250 separate tabular reports and charts into the management briefing packages. The new reporting tool uses the existing annual database and reduces the number of steps needed to produce the management briefing packages by approximately 70-80%. The reporting tool:

- eliminates the manual validation steps entirely;
- builds and maintains a multi-year database for comparative reporting and analysis;
- provides a mechanism to map organizational changes from year to year;
- provides a mechanism to map survey instrument changes from year to year; and
- automatically calculates, formats, and prints tabular reports and charts at the Bureau, Division, Deputy, and Department levels.

**IA-03-00-2008-64 Program Review and Improvement Self-Assessment**

The Florida Chief Inspector General (IG) requested all Florida IG offices to perform self-assessments of their offices. The DEP IG in turn requested each section within the office to perform a self-assessment. PRI researched and benchmarked to find the best approach to performing a self-assessment. The Principles and Standards for Offices of Inspector General (Green Book Standards) were used as the guidelines for the self-assessment. A survey instrument was developed using the Green Book Standards and the survey was distributed to all members of the PRI team to complete. All five team members completed the survey and a report was compiled as feedback to the PRI team. The OIG held an off-site meeting and one of the topics discussed was the office self-assessment. PRI used their self-assessment report to discuss actions that would be implemented to enhance team operations.

**IA-21-08-2008-69 Division of Law Enforcement request for follow-up assistance to the 2007 DEP Employee Climate Survey**

Staff provided the Division Director of Law Enforcement a report of each Bureau/Office’s survey results compared to prior years and a detailed summary, by Bureau/Office, of survey

comment themes received from the District’s 2007 Employee Climate Survey results. Staff also provided the Director a summary of law enforcement related comment themes that originated from Recreation and Parks, Greenways and Trails, and Coastal and Aquatic Managed Areas.

**IA-03-08-2007-126 Review of Law Enforcement’s Uniform Crime Report Reporting Process**

Staff conducted a review for the Division Director of Law Enforcement to evaluate the Division’s retention of records and its processes in providing consistent and accurate data to the Uniform Crime Reporting Program in the Federal Bureau of Investigations. The OIG interviewed Division of Law Enforcement (DLE) staff and officials from peer state agencies with law enforcement personnel. OIG also used surveys and demonstrations of models for three potential records management approaches to assess future plans for data collection, retention, and reporting. Based on this review, the current process used for collection, management, and reporting of data is impeding officer productivity and safety. DLE signed a contract, on September 26, 2007, with the Commission on Florida Law Enforcement Accreditation Inc. (CFA) that requires DLE to meet minimum standards based on a list of directives within a two-year timeframe. In addition to adopting the CFA standards, OIG recommends the Division: increase its interoperability with the statewide computer-automated dispatch system; use an off-the-shelf records management program with activity tracking and statistical analysis capabilities; refine the records retention system being used for the Bureau of Emergency Response; include technological advancements and data needs in planning; and continue benchmarking with peer law enforcement entities.

**IA-21-08-2008-96 Bureau of Park Police Process Improvements**

The purpose of this project was to assist the Bureau of Park Police with data stratification to identify officer activity trends. Staff used officer reported data from the Bureau of Park Police, incident report

data from the Bureau of Operational Support and Planning, and park visitation data from the Recreation and Parks website to create a series of charts. The charts were then analyzed to identify trends.

**IA-21-16-2008-72 Northeast District Request for Follow-up Assistance to the 2007 DEP Employee Climate Survey**

Staff provided the Northeast District Director a detailed report of the Division's survey results compared to prior years. This was subsequently reviewed with the District's Program Administrators to assist in developing improvement action plans.

**IA-21-16-2007-114 Northeast District Budget Process Mapping**

The purpose of this project was to analyze and document the budget development and expenditure control processes at the Northeast District office. The process documentation was reviewed and endorsed by the Bureau of Budget and Planning and the Bureau of Finance and Accounting within the Division of Administrative Services.

**IA-21-07-2008-78 Division of Recreation and Parks request for follow-up assistance to the 2007 DEP Employee Climate Survey**

Staff provided the Division Director of Recreation and Parks a five-year trend analysis of the responses from the Division's Bureau and District offices across all four climate survey dimensions (Job Satisfaction, Communication, Supervision and Management Practices).

Also, the Bureau of Operational Services staff participated in a climate survey results follow-up workshop facilitated by the PRI team. The design of the workshop included:

- Team building exercises,
- Group and breakout exercises,
- Identifying Bureau strengths and specific "Implement Now" improvements and action items.

**IA-13-01-2008-09 Sunset Review Committee Additional Information Request**

As part of the Sunset Review process, the Joint Legislative Sunset Committee requested answers to additional questions from DEP. These questions related to the areas of customer satisfaction, quality and efficiency of services, best practices, use of technology, and organizational structure review. PRI and the Audit Section of the OIG worked jointly to gather and compile the information from agency Divisions and Offices. The response was prepared in accordance with guidance provided by the Joint Sunset Committee's Staff Director and represented a compilation of Department program responses.

**IA-13-01-2008-10 Issue Paper for Employee Climate Survey Process**

The Chief of Staff requested an issue paper to be completed for the DEP-wide 2007 Employee Climate Survey. The issue paper presented the Department satisfaction rates for 2005 and 2006 for the four dimensions of the survey (job satisfaction, communications, supervision, and management practices) as well as the survey's purpose, benefits, and methodology. The issue paper also presented estimated costs to administer the survey and recommended the survey be administered to all employees in September or October to ensure enough time for the OIG to compile survey results for management before the end of 2007.

**IA-03-19-2007-101 Southwest District Watershed and Resource Management Budget Process Review – Phase 2 Refinement**

The purpose of this project was to benchmark best practices and develop documentation for the budget development and expenditure control processes at a District office. The process documentation was developed in collaboration with other Districts, the Bureau of Budget and Planning, and the Bureau of Finance and Accounting. Certain DEP units realized immediate benefits from the output of this project by using draft versions of the process documentation to bridge a knowledge gap resulting from staff turnover.

**IA-21-3-2007-105 State Lands Process Mapping and Business Efficiency Needs**

The purpose of this project was to review the Division of State Lands process maps and make recommendations on possible strategies to streamline processes for increased business efficiency. Staff analyzed prior process maps, audits, and other reports pertinent to the project and requested feedback on current business processes from the Bureau Chiefs of Environmental Services, Land Acquisition, and Public Land Administration. After reviewing the existing Division flowcharts and obtaining feedback from Division staff, OIG found that the work performed for the Florida Forever project does not match the existing top-down process flowcharts. OIG recommended that the Division establish in-process measures, determine process owners, and identify critical business and customer requirements. OIG also recommended that the Division seek out similar entities for benchmarking and engage in process improvement activities.

**IA-21-06-2008-74 Office of Technology and Information Services Request for Follow-up Assistance to the 2007 DEP Employee Climate Survey**

Staff provided the Director of the Office of Technology and Information Services a detailed summary of Department-wide survey comment themes from the 2007 Employee Climate Survey results relating to information technology.

**IA-21-12-2008-70 Division of Waste Management Request for Follow-up Assistance to the 2007 DEP Employee Climate Survey**

Staff provided the Division Director of Waste Management a report of the Bureau of Petroleum Storage Systems, the Bureau of Solid and Hazardous Waste, and the Bureau of Waste Cleanup’s survey results compared to prior years.

**IA-21-14-2008-106 Assist Division of Water Resource Management with Rapid Process Improvement for Technical Support**

Staff provided facilitation support in performing a rapid process improvement event for the Division of Water Information Technology Support (WITS).

The event focused on improving the quality of WITS’ desktop support and customer service by creating more comprehensive solutions that eliminate recurring incidents and decrease resolution time. Participants in the event met for five days to map the current process, identify and analyze barriers in the process, and identify solutions to increase process efficiency. During the event, participants identified 93 process barriers and developed 86 solutions for implementation that were approved by executive leadership.

**OTHER ACTIVITIES**

**Performance Measures**



Chapter 20.055, F.S. provides that the OIG advise the agency in the development of performance measures and standards. OIG provides assessments of validity and reliability related to new or revised performance measures included in the agency’s Long Range Program Plan and the Legislative Budget Request. OIG will continue to assess performance measures as necessary and coordinate with agency program managers and the Office of Program Policy Analysis and Government Accountability (OPPAGA) in this effort. OIG will also continue to support the Department in preparing legislatively-approved measures that are valid and reliable.



### Association of Inspectors General

On October 26, 1996, the Association of Inspectors General (Association) was created 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 for which the Inspector General currently serves as First Vice. Several OIG staff members 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. The Directors from other state agencies as well as staff from the Auditor General of the State of Florida also participate. The Roundtable meets quarterly to discuss common issues and best practices. For the last eight years, DEP's Director of Auditing has coordinated these meetings among the state agencies. This involves staying abreast of internal auditing issues, networking with other Directors of Auditing, recommending topics for discussion and chairing the meetings. The Roundtable meetings are an excellent forum for discussing a variety of internal auditing subjects. Guest speakers are periodically invited to make presentations. Topics for this year included discussion and approaches on a variety of agency audit issues. This year the Audit Directors coordinated on Agency Sunset Validations and Agency reviews for the assignment and use of motor vehicles.



## **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 that simultaneously affect several agencies. The GCIE identified its vision as “Enhancing Public Trust in Government.” The mission is “To Provide Leadership in the Promotion of Accountability and Integrity in State Government.” In the periodic GCIE meetings, teams and committees report their progress in addressing issues that face the Inspector General Community.



**Governor’s Council on Integrity And Efficiency (GCIE)**

**VISION**

**“Enhancing Public Trust in Government”**



**MISSION**

**“Provide Leadership in the Promotion of Accountability and Integrity in State Government”**

## **RULES OF ENGAGEMENT FOR OIG AND DEP**

**To work together most effectively, the OIG and the Department should strive to:**

***Foster open communications at all levels.*** The Department will promptly respond to OIG requests for information to facilitate OIG activities and acknowledge challenges that the OIG can help address. Surprises are to be avoided. With very limited exceptions primarily related to investigations, the OIG should keep the Department advised of its work and its findings on a timely basis, and strive to provide information helpful to the Agency at the earliest possible stage.

***Interact with professionalism and mutual respect.*** Each party should always act in good faith and presume the same from the other. Both parties share as a common goal the successful accomplishment of the Department’s mission.

***Recognize and respect the mission and priorities of the Agency and the OIG.*** The Department should recognize the OIG’s independent role in carrying out its mission within the Department, while recognizing the responsibility of the OIG to report both to the Secretary and to the Chief Inspector General (CIG). The OIG should work to carry out its functions with a minimum of disruption to the primary work of the Department.

***Be thorough, objective and fair.*** The OIG must perform its work thoroughly, objectively and with consideration to the Department’s point of view. When responding, the Department will objectively consider differing opinions and means of improving operations. Both sides will recognize successes in addressing management challenges.

***Be engaged.*** The OIG and Department management will work cooperatively in identifying the most important areas for OIG work, as well as the best means of addressing the results of that work, while maintaining the OIG’s statutory independence of operation. In addition, the Department needs to recognize that the OIG also will need to perform work that is self-initiated, requested by the CIG, or mandated by law.

***Be knowledgeable.*** The OIG will continually strive to keep abreast of Department programs and operations, and management will be kept informed of OIG activities and concerns being raised in the course of OIG work. The Department will help ensure that the OIG is kept up to date on current matters and events.

***Provide feedback.*** The Department and the OIG should implement mechanisms, both formal and informal, to ensure prompt and regular feedback.

This information was adapted from the President’s Council on Integrity and Efficiency.

## **WHAT DOES IT MEAN TO BE A MEMBER OF THE OIG TEAM?**

- You will rock the boat and challenge the status quo.
- You will be met with resistance and you must accept that addressing complacency and hesitation is part of OIG's role.
- Over time, you will gain the energy to pursue controversial matters even though others may be reluctant to address the issues; you will become more confident as you discover that the end result is change for the better.
- You will come to recognize the courage that other parties must exercise to hear what you have to say.
- You will understand more fully that reasonable people sometimes disagree and that individuals strongly believe in the merits of their point of view.
- To be a member of the OIG team, you will need to award all public victories to others and make your reward in a quiet facilitation of their accomplishments.
- You will need to see more in the people you serve than they see in themselves.
- You will learn, grow, adapt and feel good about the accomplishments of those you encounter along the way.
- You will take comfort in the fact that your work is often much more needed and appreciated than you could ever have imagined.
- Most of all, OIG team, you will take heart in knowing that your work does, indeed, make a difference!



*The idea for this writing stemmed from a literary work of Ann Bensinger.*

## **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 and 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.

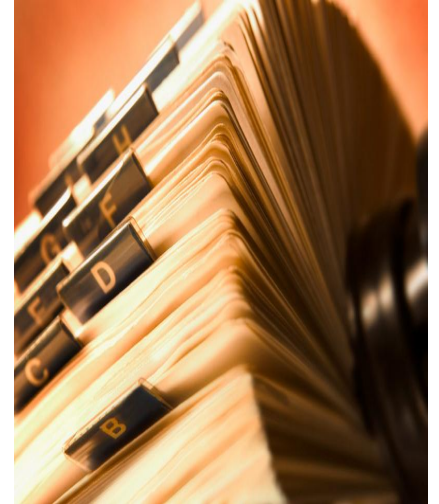
### **7. Measure Results**

- Assess accomplishments and evaluate performance.

## OIG CUSTOMER CONTACT GUIDELINES

General guidelines for interacting with management:

- Credit for achievements due to projects goes to the customer\*, since we are helping the customer achieve his/her goals. Our office is successful to the degree that our customer is successful.
- Project status reports go to the customer first. We encourage the customer to brief others up the chain of command.
- In cases where members of our staff come into contact with managers above the customer, we should only provide brief status reports. Information released to higher level managers should be limited to the general status of the project, not the details or the specific problems that the customer is trying to solve.
- We are committed to helping managers solve problems at the lowest possible level.
- All meetings (formal or informal) with customers should be properly planned. The goal is to achieve the desired outcome for both the customer and OIG.
- Obtain management commitment for a project from the highest level possible.
- Initiate projects through the appropriate chain of command. For example, ask managers to request projects; this shows commitment.
- The Inspector General plays a key role in gaining managerial support for projects and communicating sensitive issues that emerge as projects develop.
- We encourage third parties to obtain information concerning projects directly from the customer, not from OIG. The information generated from the projects belongs to the customer.



\* Customer - manager or client for whom OIG is conducting the project.

## **OIG’S ROLE AND FUNCTION**

The Office of Inspector General (OIG) is a positive change agent seeking significant enhancement in agency programs and operations. OIG conducts objective audits, investigations and reviews in order to help ensure the integrity of Department programs and operations. OIG findings and recommendations provide managers with valuable information regarding what works well and what needs to be improved. This information is impartial and unbiased since OIG’s ultimate responsibility is not to any one individual but to the public interest.



OIG organizations are proponents of better government and their audits, investigations and reviews are helpful in establishing and maintaining the confidence and trust of the public in governmental programs and operations. The work of OIG is dynamic, often challenging and, in most instances, highly sensitive and controversial. It is of tremendous benefit to have an office that advocates for objectivity and truthfulness when addressing DEP issues. OIG seeks to balance the complementary but often competing needs of Department managers, staff, elected officials, constituents, advocacy groups and the public at large.

The Inspector General function thrives best when its members have a good inner compass of what is right and wrong, are willing to listen and examine all pertinent information, have the tenacity to work through tedious and contentious issues, and a keen ability to remain neutral and see the big picture. OIG’s goal is to help the Department in its quest to be the best agency that it can be.

## **THE IMPORTANCE OF THE INSPECTOR GENERAL FUNCTION**

This story illustrates the importance of the Inspector General function in an organization.

There was once a herd of walruses 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 walruses 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 difficult to catch their quota of herring. 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 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 Chief and after some small talk said, "Oh, by the way, Chief, a new herd of walruses has moved into our territory." 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."

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, 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 walrus that most of the younger walruses were in fast flight to the new herd. So he swallowed hard and told 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."



*Office of Inspector General – Annual Report – FY 2007-2008*  
*“Promoting Integrity, Accountability and Efficiency”*

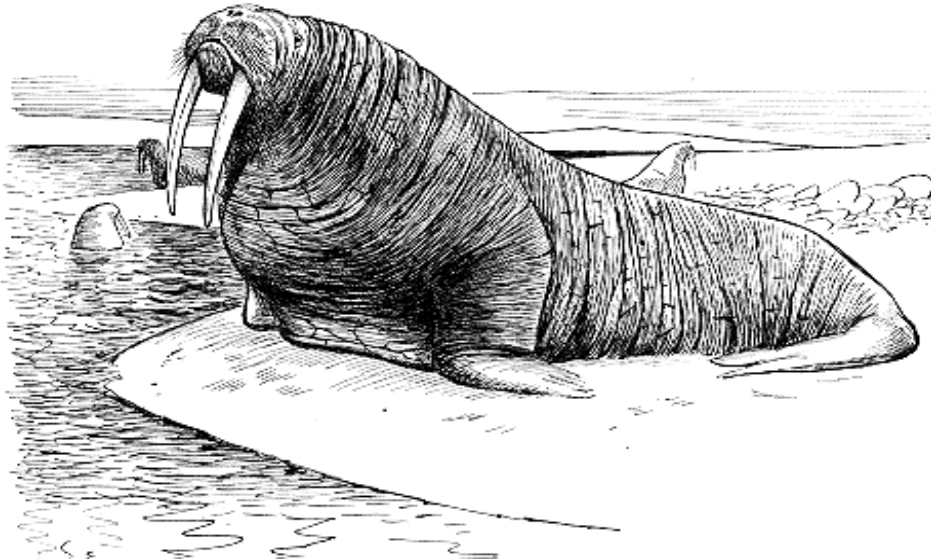
In a few days, everybody except Basil had abandoned ship. Basil was heartsick, but he knew the time had come to level with Chief and give him the facts. He was terrified, but he made his way up to Chief’s rock. “Chief,” he said, “I have some bad news. The whole herd has left you.”

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. 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 Chief had an Inspector General function whose sole purpose was to tell him what he needed to know.



## **Office of Inspector General**



### **Mission**

**"Promoting Integrity, Accountability, Efficiency, Professionalism, Objectivity, Timeliness and Teamwork"**



*The Office of Inspector General is hereby established in each state agency to provide a central point for coordination of and responsibility for activities that promote integrity, accountability, and efficiency in government.*

*Chapter 20.055, Florida Statutes*

## OIG Staff Directory

**Roy C. Dickey**

*Interim Inspector General*

**Joseph Aita**

*Director of Auditing*

**Kathleen Anderson**

*Senior Management Analyst II*

**Laurie Apgar**

*OMC Manager*

**Natalie Balfour**

*Office Assistant*

**Heath Barfoot**

*Management Review Specialist*

**Adam Earp**

*Management Review Specialist*

**Bill Flowers**

*Consultant*

**Amy Furney**

*Management Review Specialist*

**Linda Huck**

*Management Review Specialist*

**Michelle Kelley**

*Staff Assistant*

**Courtlandt Lilly**

*Senior Management Analyst Supervisor*

**Amanda Marsh**

*Senior Management Analyst II*

**Scott McAnally**

*Management Review Specialist*

**Andrew McClenahan**

*Law Enforcement Captain*

**James McNeil**

*Management Review Specialist*

**Gary Owens**

*Professional Accountant Supervisor*

**Valerie Peacock**

*Audit Administrator*

**Willis Rabon**

*Management Review Specialist*

**Willard Remien**

*Management Review Specialist*

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**Amy Schmidt**

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**Eunice Smith**

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**Randy Stewart**

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**Gary Wiser**

*Law Enforcement Captain*

