



Annual Report

for the
Florida Department of Highway Safety
and Motor Vehicles

Office of Inspector General

Building Public Confidence through Integrity, Accountability and Efficiency

Fiscal Year 2011 – 2012



Julie L. Jones
Executive Director

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September 10, 2012

Julie L. Jones, Executive Director
Department of Highway Safety and Motor Vehicles
2900 Apalachee Parkway
Tallahassee, Florida 32399-0500

Dear Director Jones:

In accordance with Section 20.055(7), Florida Statutes, I am pleased to present the Office of Inspector General's Annual Report for Fiscal Year 2011-2012. While this report documents the activities that fall within the responsibility of this office, it also reflects the high professional standards of the members that comprise the Office of Inspector General team who were critical to our success and accomplishments this past year.

The Office of Inspector General is committed to providing leadership in the promotion of accountability and integrity. We will continue to work with Departmental management and staff to promote our mission of **building public confidence through integrity, accountability and efficiency** throughout the Department. Thank you for your continued support of our efforts.

Respectfully submitted,

A handwritten signature in black ink that reads "Julie M. Leftheris". The signature is written in a cursive style.

Julie M. Leftheris, CIG, CPA, CIA
Inspector General

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Background

The role of the Office of Inspector General (OIG) is to provide a central point for coordination of, and responsibility for, activities that promote accountability, integrity and efficiency in the Department. Section 20.055, Florida Statutes (F.S.), defines the duties and responsibilities of agency inspectors general. It requires that each inspector general shall submit to the department head an annual report, not later than September 30th of each year, summarizing its activities during the preceding state fiscal year. This report includes, but is not limited to:

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

This report is presented to the Executive Director in accordance with statutory requirements to describe how the OIG accomplishes its mission as defined by Florida Law.

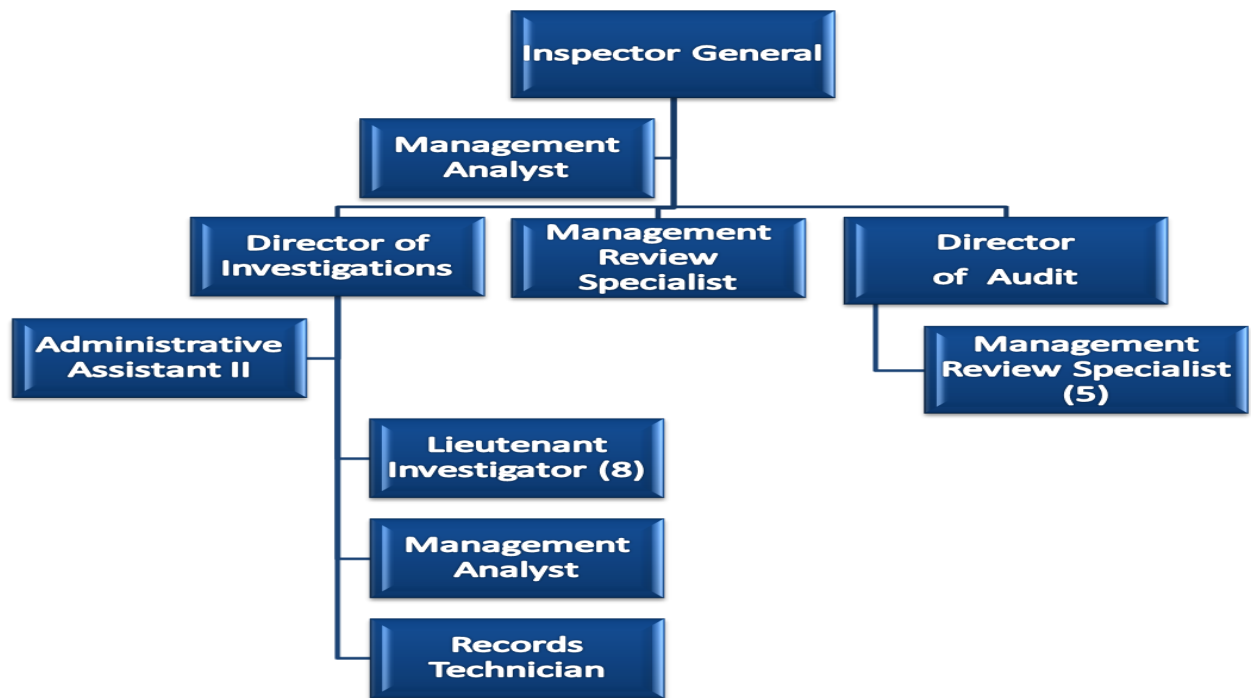
Inspector General Responsibilities

The specific duties and responsibilities of the Inspector General according to Section 20.055(2), F.S., include:

- Providing direction for, supervision and coordination of audits, investigations and management reviews relating to the programs and operations of the state agency;
- Keeping the agency head informed concerning fraud, abuses and deficiencies relating to programs and operations administered or financed by the state agency, recommending corrective action concerning fraud abuses and deficiencies and reporting on the progress made in implementing corrective action;
- Reviewing the actions taken by the state agency to improve program performance and meet program standards and making recommendations for improvement if necessary;
- Advising in the development of performance measures, standards and procedures for the evaluation of state agency programs;
- Ensuring effective coordination and cooperation between the Auditor General, federal auditors, and other governmental bodies with a view toward avoiding duplication; and
- Maintaining an appropriate balance between audit, investigative and other accountability activities.

Organization

The organizational structure for the OIG is as follows:



Staff Qualifications

OIG staff have backgrounds and experience that cover a wide variety of disciplines that include accounting, auditing, law enforcement, program evaluation, management and communications. Staff members have professional certifications and participate in a number of professional organizations to maintain proficiency in the areas of their profession. Below is a summary of the professional affiliations and certifications maintained by OIG staff members:

Affiliations:

- Association of Inspectors General
- Association of Management Accountants
- Florida Highway Patrol Command Officers Association
- Florida Internal Affairs Investigators Association
- Florida Sheriffs Association
- Institute of Internal Auditors
- Florida Chapter, Association of Inspectors General
- Tallahassee Chapter, Association of Certified Fraud Examiners

Certifications:

- 8 Sworn Law Enforcement Officers
- 4 Certified Law Enforcement Instructors
- 3 Certified Inspector General Investigators
- 2 Certified Internal Auditors
- 2 Certified Public Accountants
- 1 Certified Inspector General
- 1 Certified Inspector General Auditor
- 1 Certified Management Accountant

Training

The Association of Inspectors General specifies that each staff person who performs investigations, audits, inspections, evaluations or reviews shall receive at least 40 hours of continuing professional education every two years that directly enhances the person's professional proficiency. Internal audit staff maintain their professional proficiency by completing at least 80 hours of continuing education every two years. Staff attend courses, webinars and audio conferences throughout the year to fulfill these training requirements.

Accreditation

On October 31, 2007, the Governor's Chief Inspector General, along with the Florida Department of Law Enforcement and the Commission for Florida Law Enforcement Accreditation, Inc. (CFA) initiated an accreditation program for the Inspectors General Investigative function of state agencies. The standards were approved by the CFA in February 2009 and went into effect July 1, 2009.

Accreditation is a prestigious accomplishment that symbolizes professionalism, excellence and competence. Accreditation programs establish minimum standards for all, with the goal of enhancing the quality of investigations. The accreditation process is also a way for organizations to evaluate and improve their overall performance. OIG accreditation assessments determine whether the investigations function has processes in place and whether the processes are being utilized throughout OIG operations.

The OIG's Investigative Unit became accredited in February 2011 and operates in compliance with CFA Standards. The OIG will be seeking reaccreditation during 2013.

Employee Accomplishments

Obtaining and maintaining a talented, qualified workforce are important factors in ensuring that the OIG is adding value to the Department. Our members recognize their duty and responsibility as well as respect, support and acknowledge one another. The following describe some of the group and individual accomplishments that OIG staff members were recipients of during Fiscal Year 2010-2011.

Davis Productivity Award

The OIG Investigations Unit was a recipient of a Davis Productivity Award during Fiscal Year 2010-2011 for the implementation of AIM (Administrative Investigative Management System). Four members of the OIG, along with members of the Florida Highway Patrol and Information Systems Administration, were instrumental in adding efficiencies to the investigative process and providing a dynamic tool to collect, manage, track, analyze and report on a wide range of data including internal affairs, use of force and patrol vehicle pursuits.

ACE Award Recipient

The Advisory Committee Excellence Award (ACE) award is presented to both law enforcement and civilian members at the Department who provide outstanding service and perform at a level that exceeds Department values. Twenty recipients were recognized in the Spring of 2012 that display the Department's core values and perform at a consistently high level to serve the people of Florida.

On June 15, 2012, OIG Lieutenant Frank Troffo was presented with the ACE Award at the Florida Public Safety Institute by Inspector General Julie Leftheris. Lieutenant Troffo has been a career Florida Highway Patrol law enforcement officer over 25 years and has been a member of the OIG since February 2010. Lieutenant Troffo was nominated because he serves as a role model in both attitude and enthusiasm that is exhibited on a daily basis. His desire and ability to conduct investigations fairly, accurately and objectively is reflected by his work as well as day-to-day attitude and actions.

Association of Inspectors General Certifications

The Association of Inspectors General fosters and promotes public accountability and integrity through the encouragement of professional development by providing and sponsoring educational programs; and the establishment of professional certifications.

During Fiscal Year 2010-2011, several members of the OIG completed the requirements to obtain professional certifications issued by the Association of Inspectors General. Ashlea Whiddon became a Certified Inspector General Auditor and Lieutenants Bobby Collins and Frank Troffo became Certified Inspector General Investigators.

Audit Quality Assurance Review

Pursuant to Section 11.45(2)(i), F.S., the Florida Auditor General reviewed the quality assurance program for the Office of Inspector General's internal audit activity in effect for the period July 2010 through June 2011. The review included a determination of compliance with audit standards as well as specific provisions of Section 20.055, F.S., governing the operation of state agencies' OIG internal audit activities.

The review issued in December 2011 found that the OIG internal audit activity was adequately designed and complied with applicable professional auditing standards during the review period. Also, the OIG complied with those provisions of Section 20.055, F.S., governing the operation of state agencies' OIG internal audit activities.

Internal Audit

The purpose of the Internal Audit Section is to help the Department accomplish its objectives by providing management with independent and objective reviews and consultation regarding risk management, control and governance processes of financial, operational, information technology, and other relevant areas. Analyses, appraisals and recommendations related to reviews of program areas and processes are furnished to management and other Department employees to assist them in effectively managing their areas of responsibility.

Internal audit activities are performed in accordance with *International Standards for the Professional Practice of Internal Auditing* published by the Institute of Internal Auditors and *General Principles and Standards for Offices of Inspector General* published by the Association of Inspectors General.

Assurance Services

An Assurance Service is an objective examination of evidence for the purpose of providing an independent assessment of risk management, control or governance processes for the organization. Assurance service engagements are used to evaluate performance of and internal controls for:

- Economic and efficient use of resources;
- Reliability and integrity of information;
- Safeguarding assets;
- Compliance with policies, procedures, laws, and regulations; and
- Accomplishment of established objectives and goals for operations or programs.

The following summaries describe eleven assurance engagements completed by the Internal Audit Section during Fiscal Year 2011-2012.

Revenue Distribution Audit 201011-04

Florida Statutes require the Department to collect revenues from hundreds of different fees which include driver license sales and renewals, motor vehicle license plates and titles, data sales, crash report fees and civil penalty fines. These revenues are distributed to local jurisdictions, school boards, specialty plate organizations, voluntary contribution organizations, the State of Florida General Revenue Fund and the Highway Safety Operating Trust Fund by the Revenue Reporting and Distribution Section of the Bureau of Finance and Accounting. For the period reviewed, these distributions totaled more than \$2 billion dollars.

Based on this examination, the Revenue Reporting and Distribution Section maintained, in all material respects, an effective process for distributing revenues to the appropriate recipients in accordance with Florida Statutes. However, several audit findings were identified that related to:

- Official Department procedures for the revenue distribution process have not been established;
- Revenue from the sale of Florida Salutes Veterans License Plates was not distributed in accordance with Florida Statutes;
- Account titles did not reflect the specific source of revenue;
- Documentation was not maintained to support the 2009 statutory changes that affected the distribution of biennial fees; and
- Official policies and procedures have not been established for distributing biennial fees when statutory requirements change during the fiscal year.

Financial Responsibility Audit 201011-12

The Department of Highway Safety and Motor Vehicles' motor vehicle insurance enforcement authority is established from the Financial Responsibility Law, Chapter 324, Florida Statutes and the Motor Vehicle No-Fault Law, Sections 627.733, 627.734, and 627.736(9)(a), Florida Statutes. The Financial Responsibility Section is responsible for ensuring compliance with Florida's Financial Responsibility Law and Motor Vehicle No-Fault Insurance Law.

Significant areas were identified where improvements are necessary to better report the rate of compliance and enforce compliance with Florida's Financial Responsibility laws.

- The uninsured motorist rate is not calculated in accordance with guidance provided by American Association of Motor Vehicle Administrators.
- The Financial Responsibility Sections does not adequately communicate with companies that do not respond to requests for insurance verification by the due date to ensure compliance with the request nor does it report these companies to the Department of Financial Services, Division of Insurance for non-compliance.
- The Financial Responsibility Section is not using electronic methods to send and track insurance verification requests. This would reduce costs and improve efficiency of insurance verification.
- The due date for insurance companies to respond to verification requests in the electronic insurance verification system was changed to 90 days without proper justification or documentation.
- The Financial Responsibility insurance verification process allows for:
 - ◊ delays in suspending uninsured motorists; and
 - ◊ citations to be improperly cleared
- New registrations are processed without insurance verification.
- The Financial Responsibility Section verifies insurance for private use motor vehicles, but not for a significant percentage of commercial motor vehicles with commercial insurance policies.
- The Financial Responsibility Section verifies insurance for private use motor vehicles, but not for a significant percentage of fleet motor vehicles

Over the past few years, management and staff became aware of several of the issues described in the audit findings and requested assistance from Information Systems Administration to correct these issues. However, Department management determined the corrections would only be enhancements to an outdated system and a system redesign would be more appropriate and a more efficient use of Department resources. Funding for the Financial Responsibility system redesign became available and planning for the system redesign is in progress.

Management generally concurred with the findings and recommendations and has developed a corrective action plan.

Information Technology Governance Audit 201011-14

The International Standards for the Professional Practice of Internal Auditing state, "The internal audit activity must assess whether the information technology governance of the organization sustains and supports the organization's strategies and objectives." To comply with these standards, an examination of the Department's information technology governance structure was conducted to assess its adequacy and determine the degree of alignment and integration between the Department's information technology strategy and its business strategy.

Governance is the process of establishing chains of responsibility, authority and communication; and the measurement, policy, standards and control mechanisms to enable people to carry out their roles and responsibilities. Information technology governance is a subset of governance and provides the structure to

link information technology resources, processes and information to the Department's strategic goals, priorities and objectives. It includes the processes for determining how funds will be spent, how to prioritize Department projects and how to manage and measure information technology project performance. It helps maximize the impact and effectiveness of the Department's investment in and utilization of information technology by managing resources, mitigating risks and measuring performance.

Based on the examination, the Department has adequate structures and processes in place to promote alignment and integration of information technology strategy with the Department's strategic plan and goals. However, an opportunity to enhance the information technology governance structure related to disaster recovery planning was also identified.

Management generally concurred with our findings and recommendations and has developed a corrective action plan.

Forfeiture Process Audit 201112-03

The Florida Highway Patrol (FHP) is authorized and mandated in the Florida Contraband Forfeiture Act, Section 932.706, Florida Statutes, to seize contraband (property). Seizing property used in the commission of felony offenses, such as drug trafficking, title fraud and driving under the influence deters criminal activity and deprives criminals of the proceeds of their crimes.

The Forfeiture Process involves coordinated activity of the FHP, Office of General Counsel (OGC), and Bureau of Accounting. In Fiscal Year 2010-2011, the Department initiated 192 forfeiture cases. The Department received \$310,781 from settlements of forfeiture cases and \$177,109 from the sale of forfeited vehicles.

The following audit findings involving flow of information and reconciliation of information between the FHP, OGC and Bureau of Accounting were identified:

- Seizure activity reports are being received past established deadlines.
- Seizure activity reports were received and approved for forfeiture by FHP and the OGC, but forfeiture packets for some cases were not received by the OGC. Because forfeiture packets were not received, 9 cases were not filed in court.
- Seized currency is recorded in FLAIR as revenue before rights to the currency have been perfected in accordance with the Florida Contraband Forfeiture Act
- The Department does not maintain an accurate inventory of seized currency and property.
- FHP does not have an established process to deliver recurring training on the Forfeiture Process and has not maintained forfeiture training records.

Management generally concurred with the findings and recommendations and has developed a corrective action plan.

Tax Collectors Audit 201112-05

The purpose of this audit was to examine the internal controls for Department systems used by tax collectors. The audit did not disclose any significant internal control deficiencies for Department systems used by tax collectors. However, it identified instances where tax collector personnel were not consistently following Department procedures and errors related to no-fee replacement transactions resulted in incorrect charges to either the Department or the Department's identification card vendor.

Management generally concurred with the findings and recommendations and has developed a corrective action plan.

Enterprise Contract Monitoring Process Audit Report 201112-12

Pursuant to Section 14.32, Florida Statutes, the Executive Office of the Governor Office of Chief Inspector General initiated an enterprise audit of the Contract Monitoring Process. The DHSMV Office of Inspector General participated on this project along with 14 other agencies. Each of the participating agencies was responsible for reporting the results of its audit. The enterprise contract monitoring process audit focuses on administrative issues common to most state agencies.

The audit found that the Department's policies, procedures and processes for contract monitoring, the Bureau of Purchasing and Contracts was generally in compliance with Florida Statutes, rules and other regulatory requirements. However several audit findings were identified that related to:

- Policy and procedure additions and updates;
- Documentation of contract closeout procedures; and
- Ensuring contract managers attend required training.

Management generally concurred with the findings and recommendations and began implementation of corrective actions for some of the findings prior to the completion of the audit report.

Wrecker Rotation Process Audit Report 201112-15

The purpose of this audit was to examine the FHP's Wrecker Rotation Process. The wrecker rotation process is designed to assist private and commercial users of Florida's highways by ensuring that only qualified, reputable wrecker operators are provided to remove and store wrecked or disabled vehicles from a crash scene or to remove and store abandoned vehicles when the owner or operator is incapacitated or unavailable or leaves the procurement of wrecker services to the FHP officer at the scene. The wrecker rotation process does not prevent the owner or operator of a vehicle involved in a crash or otherwise disabled from contacting the wrecker operator of their choice.

The following audit findings were identified:

- Wrecker operator files have not been maintained in compliance with Procedure 17.02, FHP Wrecker Qualification and Allocation System.
- Wrecker operators are not inspected on a regular recurring basis.
- Commercial Vehicle Enforcement Troopers may be better qualified to conduct wrecker operator inspections than other Troopers.
- Wrecker operators are advertising a relationship with the FHP and other police agencies in violation of Rule 15B-9.005(4), Florida Administrative Code (FAC).
- Duty Officers are not complying with Rule 15B-9.003, FAC, regarding when to rotate or not rotate wrecker operators to the bottom of the wrecker rotation list.
- Wrecker operators are not always rotated to the bottom of the rotation list when called for out-of-zone towing.
- Duty officers are not consistently documenting, in the Computer Aided Dispatch notes, the reasons for rotating wrecker operators.

Management generally concurred with the findings and recommendations and has developed a corrective action plan.

Quarterly Audits of FHP Information and Evidence Funds

The Office of Inspector General conducted four quarterly audits of the FHP Information and Evidence (I and E) Fund.

The Florida Highway Patrol's Bureau of Criminal Investigations and Intelligence is responsible for the use and maintenance of an I and E Fund. This fund is available to investigators to purchase materials as evidence or make payments to confidential sources for information that could otherwise be unavailable.

The purpose of these audits is to evaluate the internal controls over the I and E Fund and compliance with Florida Statutes, Department policies and procedures. The scope of these audits included quarterly examinations of documentation supporting I and E Fund deposits and expenditures.

Based on these examinations, the Florida Highway Patrol's Bureau of Criminal Investigations and Intelligence maintained, in all material respects, effective internal controls for the I and E Fund and operated the I and E Fund in compliance with applicable laws and Department policies and procedures for the quarters ended June 2011, September 2011, December 2011 and March 2012.

The audit for the quarter ended December 2011, however, identified one case where the Bureau of Criminal Investigations and Intelligence did not have an Expenditure of Information and Evidence Funds form to support expenditures. Management has taken measures to prevent this from reoccurring in the future.

Advisory Services

Advisory services provide management independent and objective information to better evaluate decisions made or to be made. The process for performing advisory services includes a number of elements also present in an audit and often provides information about the Department's internal controls, processes that are not working as intended or potential statutory non-compliance. The Internal Audit Section completed eleven advisory engagements during Fiscal Year 2011-2012.

ELT Field Office Visit to FHP Pensacola District Station Advisory Memorandum 201112-06

Executive Leadership Team (ELT) field office visits were conducted in response to comments received from Department surveys and meetings. Department members wanted management to listen to them and meet with them face-to-face to discuss workplace issues. On July 12, 2011, members of the ELT visited the Florida Highway Patrol Pensacola District Station as part of their July 12-14, 2011, field office visits.

Staff comments made to the ELT during their field office visit to the FHP Pensacola District Station, that their workloads were excessive and the office was understaffed, were determined to be unfounded.

MIX Contract Review Advisory Memorandum 201112-07

The Deputy Executive Director requested the Office of Inspector General review the selection process and procurement methods used for consultant contracts relating to the Motorist Information Exchange (MIX) initiative. The purpose of the review was to determine if procurement of consultants used for the MIX initiative complied with Department procurement requirements.

Based on this review of project and consultant files, consultant selection and contracting was conducted in accordance with Department procurement requirements.

Follow-up Review of Data Security Audit (201011-01) Advisory Memorandum 201112-08

The objective of this review was to determine whether functional management has taken the agreed upon corrective action on the findings from the Data Security Audit (201011-01) dated April 14, 2011.

Management concurred with the audit findings and had implemented corrective actions for some of the findings prior to the issuance of the final report. The follow-up review determined that management took adequate, effective and timely actions in response to five of the recommendations and has begun, but not completed, corrective actions on the remaining six recommendations.

Follow-up Review of FMCSA National Commercial Driver's License Program (201011-09) Advisory Memorandum 201112-09

The FMCSA review addressed four areas with their findings:

- Current standards (statutes, regulations, interpretations supporting existing program activities), identified as Code of Federal Regulations Title 49, Part 384 State Compliance with Commercial Driver's License Program;
- Upcoming requirements (statutes, regulations, interpretations), also identified by CFR cite;
- Current fraud vulnerabilities that could result in the issuance of a fraudulent CDL; and
- Program improvements (policies, practices, programmatic activities that affect internal operations, the national program or both).

Florida was required to respond in the form of an action plan to items found in the current standards and upcoming requirements sections. Florida was not obligated to respond to items in the other sections, although reviewers strongly encouraged Florida to consider and implement such changes for internal improvements as well as to strengthen the nationwide operation of the CDL program.

The current standards section included 41 separate items that Florida had to respond to in the form of an action plan. Florida has completed the required actions on 34 of the items. Corrective actions are in progress for the remaining 7 items.

The upcoming requirements section included three items that Florida had to respond to in the form of an action plan. Florida has completed the required action for two of the items. For the remaining item, implementation of programs and procedures to comply with this regulation began on January 15, 2011, and development work is continuing in order to meet the upcoming deadlines.

Temporary Operational Permits Advisory Memorandum 201112-10

The purpose of this review was to determine if the Department collected all fees due from registration of motor vehicles when Temporary Operating Permits (TOP) were issued.

The Office of Inspector General provided the Bureau of Commercial Vehicle and Driver Services a list of commercial motor vehicles that had not paid registration fees for periods of time covered by TOPs and TOPs that were not later registered in the TOP recipient's name. Bureau of Commercial Vehicle and Driver Services management determined that it would not further pursue collection of fees from TOPs previously issued by private tag agencies; however, it will use this information as part of its regular, ongoing International Registration Plan (IRP) registration processes. The issuance of multiple TOPs by private tag agencies was stopped in October 2011, by restricting the issuance of TOPs to Department Headquarters.

Title Paper Review Advisory Memorandum 201112-14

In the Fall of 2011, Motorists Services staff discovered a shortage of title paper. Only approximately 596,000 sheets of title paper remained in inventory. Normal usage of title paper was about 350,000 - 400,000 sheets per month and, at this rate, the inventory of title paper would be exhausted in less than two months. The most recent contract for title paper, with Standard Register, had been cancelled in January 2011, because there appeared to be enough title paper to last for a year.

Upon discovery of the title paper shortage, the Division of Motorist Services recalled title paper from the regional inventory locations, obtained an additional supply from the vendor and took other corrective actions. The Division of Motorist Services acted promptly and appropriately to ensure that title paper was available to meet Department needs until the new contract was executed.

Motorcycle Training Program Advisory Memorandum 201112-16

The Office of Inspector General was asked to review the Motorcycle Training Program and specifically to review invoices provided with the Fiscal Year 2011-2012, 1st and 2nd quarter disbursement requests.

All invoices reviewed were for allowable items and services and had been paid in full. However, outdoor advertising contracts extend through July 2013, more than a year past the end of the contract term for the Motorcycle Training Program, June 30, 2012.

Review of the Motorcycle Training Program contract documents and invoices identified opportunities to enhance accountability and effectiveness of funds used to promote motorcycle safety. The report

recommended that the Department evaluate whether it would be more efficient and effective to conduct a motorcycle safety education and awareness program with existing Department resources rather than contracting with outside providers for this service.

**Follow-up Review of Clerks of Court Audit (201011-03)
Advisory Memorandum 201112-19**

This review was conducted to evaluate the effectiveness of management actions in response to the recommendation in the Clerks of Court Audit (201011-03) dated June 21, 2011. The follow-up review determined that management has completed corrective actions on the recommendations made in the Clerks of Court Audit (201011-03).

**Follow-up Review of Revenue Distribution Audit (201011-04)
Advisory Memorandum 201112-21**

This review was conducted to determine whether functional management had taken the agreed upon corrective action on the findings from the Revenue Distribution Audit (201011-04) dated September 13, 2011.

The Revenue Distribution Audit (201011-04) reported five findings. Management took adequate and timely actions in response to one of the recommendations and has begun, but not completed, corrective actions on the remaining four recommendations. A second follow-up review will be conducted in six months.

**Second Follow-up Review of Data Security Audit (201112-08)
Advisory Memorandum 201112-23**

This review was conducted to determine whether functional management has taken the agreed upon corrective actions for the findings from the Data Security Audit (201011-01) dated April 14, 2011 and the Data Security Follow-up Review (201112-08) dated November 18, 2011.

The Data Security Audit reported 11 findings. The first follow-up review closed five of the findings. Review of the remaining six open findings determined that management closed four of the findings and is taking actions to address the final two. A third follow-up review will be conducted in six months to review corrective actions for the two remaining findings.

**IT Risk Assessment Review
Project 201112-20**

Florida faces many potential risks to information technology resources and data which, if not mitigated, could result in severe consequences including data breaches, loss of data integrity and disruption of mission critical services. Section 282.318 (4), Florida Statutes, requires each agency to “conduct, and update every 3 years, a comprehensive risk analysis to determine the security threats to the data, information, and information technology resources of the agency,” and to “ensure that periodic internal audits and evaluations of the agency’s security program for the data, information and information technology resources of the agency are conducted.”

This project involved gauging the maturity of the Department’s Information Security Program and the identification of risks and vulnerabilities to the Department’s data, information and information technology resources. Survey questions distributed by the Agency for Enterprise Information Technology, Office of Information Security, were answered by the Department’s Information Technology Security staff. The Office of Inspector General reviewed the responses for reasonableness.

Compliance Reviews

Specialty License Plates

The Department collected and distributed annual use fees for over 100 different specialty license plates to the related organizations. Section 320.08062, Florida Statutes, requires all organizations that receive annual use fee proceeds for specialty license plates from the Department to annually submit an attestation or audit report pursuant to Section 215.97, Florida Statutes, that the proceeds were used in compliance with statutory requirements. Internal audit staff reviewed 33 single audit reports submitted by the recipient organizations.

DUI Programs

DUI Programs are required by Florida Administrative Code Rule 15A-10.012 to annually submit to the Department a certified financial audit and an independent auditor's report on compliance with laws and regulations. Internal audit staff reviewed 18 DUI program audit reports.

Development, Assessment and Validation of Performance Measures

Advisory Memorandum 201112-02

The Office of Inspector General completed a review of the Florida Department of Highway Safety and Motor Vehicles' Performance Measures for Fiscal Year 2010-2011 as required by Section 20.055(2)(b), Florida Statutes.

The review assessed the validity and reliability of all 39 of the Department's 2011 Long-Range Program Plan performance measures. For this review, validity and reliability are defined as:

- Validity - The appropriateness of the measuring instrument in relation to the purpose for which it is being used.
- Reliability - The extent to which the measuring procedure yields the same results on repeated trials and data are complete and sufficiently error free for the intended use.

All 39 performance measures were valid, appropriate in relation to the intended purpose; however, some measures were not reliable because of errors in the calculation methodology.

Advisory Memorandum 201112-04

The Office of Inspector General completed a review of the Florida Department of Highway Safety and Motor Vehicles' Proposed Performance Measures for Fiscal Year 2011-2012 as required by Section 20.055(2)(b), Florida Statutes. The Department proposed 34 performance measures to be effective for the Fiscal Year 2011-2012. Each of the proposed measures is linked to the Department's Strategic Plan.

All 34 proposed performance measures were valid, appropriate in relation to the intended purpose; and reliable to the extent to which the measuring procedure yields the same results on repeated trials and the data is complete and sufficiently error free for the intended use.

Status of Prior Audit Recommendations

There have been no significant recommendations described in previous annual reports for which corrective actions have not been completed.

Coordination of Follow-up Activities with External Auditors

The OIG performs activities to assess the corrective actions taken by Department management in response to recommendations made by the Auditor General and the Office of Program Policy Analysis and Government Accountability.

Investigations

The Investigation Unit is responsible for management and operation of criminal and administrative investigations designed to detect, deter, prevent and/or eradicate fraud, waste, mismanagement, misconduct and other abuses involving the Department's law enforcement and civilian members as well as contractors or vendors. Investigations are conducted in accordance with the Association of Inspectors *General Quality Standard for Investigations*.

Inquiries and complaints regarding Department activity are received from many sources, including the Whistle-blower's Hotline, the Chief Financial Officer's Get Lean Hotline, the Attorney General's Office, the Chief Inspector General's Office and the Governor's Office. Complaints are also received from people who do business with the Department and from Executive Leadership and members within the Department. Some complaints are broad and address entire programs while others may have a more limited scope. A large percentage of OIG investigations involved complaints against sworn members of the Florida Highway Patrol. These members have significant public contact. They are responsible for providing highway safety and security for the millions of Florida residents and visitors, twenty-four hours a day, seven days a week, every day of the year. During Fiscal Year 2011-2012, they patrolled over nine million miles and issued over one million citations. While most encounters between Patrol members and the public are positive, negative encounters occurred and resulted in complaints being made against the troopers involved.

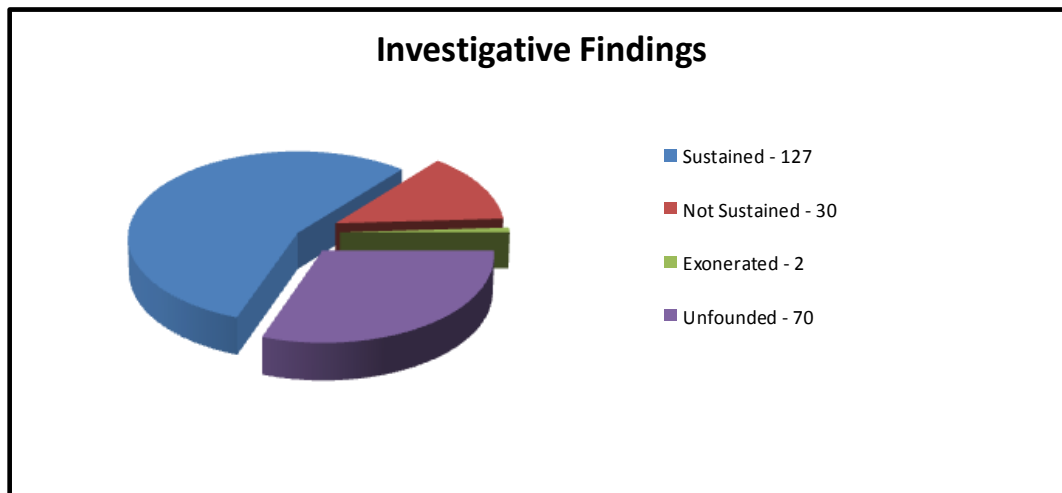
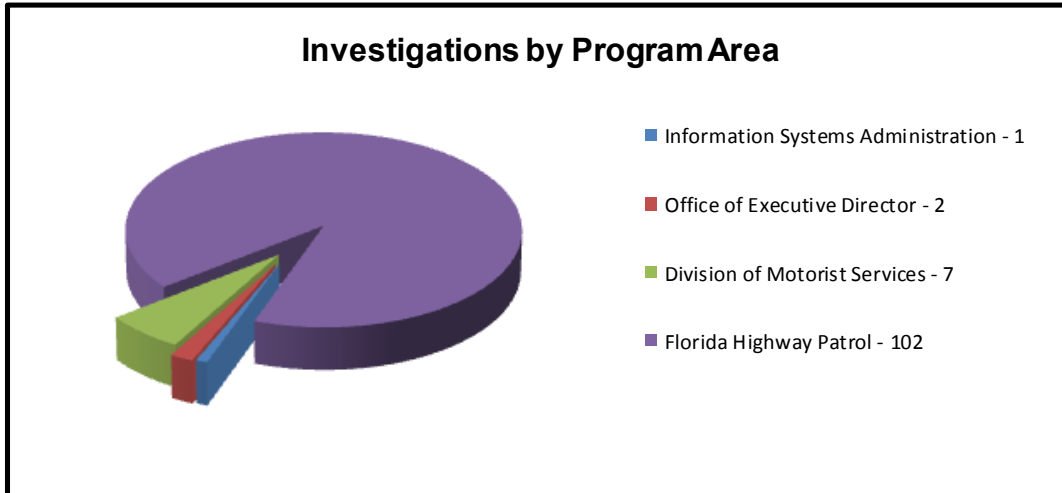
Each allegation of misconduct in a complaint is classified, subsequent to a conclusion of fact, based on a thorough and competent investigation as follows:

- Exonerated – The allegation is true; however, the action of the agency or the employee was consistent with agency policy.
- Unfounded – The complaint was clearly false or there is no credible evidence to support the complaint.
- Not Sustained – There is insufficient proof to confirm or to refute the allegation.
- Sustained – The allegation is true; the action of the agency or the employee was inconsistent with agency policy.
- Policy Failure – The allegation is true. The action of the agency or employee was consistent with agency policy; however, the policy was deficient.

For those investigations performed by the OIG:

- Case dispositions are reported to the Executive Director and appropriate managers.
- When allegations are sustained involving possible disciplinary action, the OIG provides the necessary facts to the Department's staff to assist them in taking the appropriate disciplinary actions.
- Criminal investigations are referred to the appropriate State Attorney's Office for prosecution.

Investigative Activities and Findings by Program Area



Investigative Activities	Number
Cases Opened	118
Cases Closed	112
Cases with Substantiated Allegations	70
Number of Criminal Investigations	10
Investigative Management Reviews	2
Complaint Inquiries That Did Not Result in Investigation	74
Public Records Requests	131

Case Summaries

20110237: (7/1/2011) A citizen complaint alleged that a Trooper committed battery towards the complainant while at the scene of a traffic crash. The case was sent to the State Attorney's Office for review. The State Attorney declined prosecution.

20110074: (7/8/2011) A Department complaint alleged that a Trooper committed the offense of animal cruelty against a Department K-9, disciplined his K-9 contrary to the Department's Policy and failed to safeguard Department equipment. The allegation of animal cruelty was not sustained. The allegation that the trooper disciplined his K-9 contrary to Department Policy was sustained. The allegation that the trooper failed to safeguard his equipment was also sustained.

20110244: (7/11/2011) A Department employee alleged that an anonymous letter was sent to the complainant's residence with threatening comments. Based on the contents of the letter, the complainant speculated the letter was from a Department employee. A review of database accounts revealed that the complainant's address information was accessed by two Department employees around the same date of the letter. While the investigation could not identify the author of the letter, both employees were found to have accessed records for non-work related reasons. Also during the investigation, it was determined that one of the employees provided false sworn testimony during their interview regarding the misuse of information technology resources.

20100001: (7/15/2011) A Department complaint alleged that a Trooper forged another trooper's signature on a criminal arrest affidavit and completed a sworn affidavit regarding a DUI case report with a forged signature of attestation. The administrative investigation determined that the Trooper submitted the forms with forged signatures. Based on the forged signatures the DUI arrest packet had to be withdrawn and could not be filed. The allegation that the Trooper completed and submitted a criminal arrest affidavit, an Affidavit of Refusal to Submit a Breath, Urine, or Blood Test, and a sworn affidavit of truthfulness related to a DUI case report with another Trooper's forged signature of attestation was sustained.

20110232: (7/20/2011) A citizen complaint alleged that a Trooper racially profiled the complainants and stopped them under the false pretext of a seatbelt violation. The investigation revealed the driver had the seatbelt under their armpit and was not properly restrained as defined in Florida Statute and therefore the Trooper made a lawful traffic stop. There was no evidence presented or discovered during the investigation to substantiate the complainants' claim that the Trooper racially profiled them and stopped them for any other reason than failing to properly wear seatbelts. The allegation was unfounded.

20110216: (7/21/2011) A Department complaint alleged that an employee inappropriately used information technology resources by sending electronic mail messages that contained profanity and inappropriate material. The allegation was sustained.

20110198 : (7/22/2011) A citizen complaint alleged that a Trooper mistreated, abused and committed "police brutality" during the arrest of a subject. Three complainants' statements alleged, the Trooper dragged the subject across the pavement, slammed his head against the patrol car and threw the subject into the rear of the patrol car. The investigation revealed two witnesses that contradicted the allegations made by the three complainants. The complainants could not be contacted during the investigation and all attempts to contact them failed. The allegation was unfounded.

20110203: (7/25/2011) A citizen complaint alleged that during a traffic stop a Trooper grabbed the complainant by the wrist and was physically excessive, pushed the complainant backwards and was rude and discourteous. The allegation of grabbing the complainant's wrist was sustained. In-car video depicted the Trooper escorting the complainant back to his car without force and at no time did the Trooper push the complainant; therefore this allegation was unfounded. Based on all available evidence and sworn statements, the allegation that the Trooper was rude and discourteous during the traffic stop was not sustained.

20110206: (8/1/2011) A Department complaint alleged that a supervisor was notified of alleged sexual harassment incidents and failed to take action, retaliated against employees because they reported several sexual harassment incidents and held female employees to a different standard than their male counterparts. No evidence was found to prove or disprove the reporting of sexual harassment. Additionally, no facts were found to sustain the claims of retaliation, gender discrimination, or favoritism for male supervisors.

20110275: (8/3/2011) A Department complaint alleged a Department employee was engaging in unwelcomed physical contact by hugging female members of the agency. During the investigation several witnesses confirmed that the employee asked for hugs and they felt uncomfortable when this occurred. The allegation was sustained.

20110276: (8/5/2011) A Department complaint alleged that a Trooper failed to take appropriate law enforcement action after conducting a traffic stop on a county owned vehicle after receiving information that the vehicle was being operated in a reckless manner. During the investigation it was determined that the Trooper communicated the traffic stop utilizing his radio; however, did not document the traffic stop on his traffic stop data report. The allegation that the Trooper failed to take appropriate law enforcement action after being notified that the driver was operating the vehicle in a reckless manner was unfounded.

20110273: (8/12/2011) A Department initiated complaint alleged that a Trooper's conduct, while off duty, was disruptive, disorderly, and unprofessional during another law enforcement agency's driver license checkpoint. Based on available witness statements, video recording and documented evidence the investigation determined the allegation was sustained.

20110263: (8/12/2011) A citizen complaint alleged that a Trooper yelled at him and searched his vehicle without permission. The investigation revealed that when the complainant was pulled over for speeding he told the Trooper he was a State of Florida Probation Officer and informed the Trooper he had a firearm in the vehicle. After learning about the firearm, the Trooper conducted a search to locate the weapon; after failing to locate the weapon the search was terminated and a citation was issued for speeding. The allegation that the Trooper displayed rude and discourteous behavior during a traffic stop was not sustained. The allegation that the Trooper conducted an improper search of the vehicle during a traffic stop was also not sustained.

20110268: (8/18/2011) A citizen complaint alleged that a Trooper was rude and discourteous towards the complainant while working an off-duty job and displayed an electronic control device in a threatening manner. The independent witnesses in this investigation substantiated that the Trooper was neither rude nor discourteous toward the complainant. The investigation determined that the Trooper displayed their electronic control device in accordance with policy. Both allegations were unfounded. During the investigation it was determined that the Trooper failed to document the off duty employment on the monthly off-duty report and that he failed to complete the Electronic Control Device User Report, as required by policy.

20110281: (8/18/2011) A citizen complaint alleged that a Trooper used foul language toward him and wrongfully placed the complainant in custody by holding his shirt, handcuffing him, searching his person, securing him in the rear of the patrol car and transporting him to a crash scene. The investigation determined, based on the available evidence and sworn statements, that the allegation the Trooper used foul language toward the complainant was unfounded. The allegation the Trooper wrongfully placed the complainant in custody was sustained. During the investigation it was determined that the Trooper failed to properly perform his job duties and acted outside the scope of his job duties and policy.

20110297: (8/18/2011) A Department complaint alleged an employee displayed harassing behavior to another employee by yelling at them for work related issues. The employee denied that they were harassing the other employee or raised their voice. The allegation of harassment was unfounded. Based on witness testimony, the allegation that the employee was rude and discourteous to another employee was sustained.

20110367 : (8/31/2011) A Department complaint alleged that while attempting to enter an office to check on an ill employee the complainant was pushed in the chest by another Department employee to prevent

them from entering the office. Witness statements confirmed the incident. The allegation that the employee pushed another employee in the chest was sustained.

20110269: (8/31/2011) A citizen complaint alleged a Department computer had been used to access and place bids at an online automobile auction website. The investigation determined that Department employees routinely visit this website as part of their job duties. The allegation was unfounded.

20110336: (9/8/2011) A citizen complaint alleged that a Trooper racially profiled the complainant during a traffic stop. The Trooper's traffic stop data reports did not reveal a pattern consistent with racial profiling. The allegation was unfounded. During the course of the investigation, the Trooper admitted that he violated Department policy by improperly disposing of an item believed to be a small amount of marijuana acquired during a traffic stop.

20110346: (9/8/2011) A citizen complaint alleged a Trooper acted outside the scope of his law enforcement duties by attempting to serve a domestic violence injunction against the complainant at his home. There were additional allegations that the Trooper provided false information about the complainant's domestic violence injunction; misused his position and Department vehicle while taking law enforcement action against the complainant. The investigation concluded that the allegation that the Trooper attempted to serve a domestic violence injunction against the complainant at his home was unfounded. The allegation that the Trooper provided false information about a domestic violence injunction was not sustained. The Trooper did admit that he violated policy by taking law enforcement action against the complainant, which was not part of his regular duties or a situation requiring immediate police action.

20110242: (9/12/2011) A Department complaint alleged a Trooper failed to follow Department Evidence Property Procedures as Troop Evidence Property Custodian. The investigation determined the Trooper failed to ensure that critical evidence items and non-critical property articles were properly accounted for and maintained.

20110264: (9/23/2011) A citizen complaint alleged a Trooper failed to arrest a suspected impaired driver following the investigation of a traffic crash and that one of the passengers involved in the crash was not listed on the crash report. The allegation that the Trooper failed to arrest a potentially impaired driver following a crash investigation was unfounded. The Trooper admitted he failed to list the passenger on the crash report.

2011058: (9/23/2011) A citizen complaint alleged a Trooper had improper sexual contact with their daughter. Additionally, during the investigation a DUI subject came forward claiming they were stopped by the Trooper, however no investigation was conducted during the DUI stop but instead the Trooper facilitated a ride home for her. During a sworn interview, the Trooper acknowledged that he should have arrested her for DUI. The allegation that the Trooper had improper contact and sexual conversation with the complainant's daughter was sustained. The investigation also revealed that the Trooper improperly reported his work status, improperly reported multiple traffic stops, and had an established pattern of not documenting traffic stops and repeatedly giving drivers verbal warnings. The allegation that the Trooper had improper contact with one witness and numerous traffic stops thereafter was not sustained.

20110318: (9/23/2011) A criminal case was initiated based on a complaint that alleged during the inspection of a K-9 handler's assigned vehicle, a clear plastic baggie containing a leafy substance was located in rear cargo area under the back floorboard of the vehicle. The substance field tested positive as marijuana. The marijuana found in the Trooper's vehicle was not part of their Department issued training aid scent packs. The Trooper was found to be unlawfully in possession of 15.75 grams of cannabis and the case was submitted to the State Attorney's Office who declined prosecution.

20110332: (9/26/2011) A Department complaint alleged a supervisor incorrectly scored the interview scores of applicants during the selection process and manipulated the selection process. During the investigation the supervisor admitted that she made a mistake on the interview rating sheets but denied purposely entering incorrect information or attempting to alter the outcome of the hiring process. The allegation of incorrectly scoring the interview scores was sustained. There was insufficient proof to confirm or refute the allegation of the supervisor manipulated the selection process; therefore, the allegation was not sustained.

20110366: (9/26/2011) A Department complaint alleged that a Department employee made sexual references to a co-worker. During the investigation several other co-workers stated they had heard the same comments and also stated that the employee sometimes displayed a demeanor of being under the influence of something. Former supervisors and current supervisors stated the employee was sent home several times due to being in an incoherent state. During the employee's interview, the employee was incoherent and when asked, admitted to taking several prescription medications that inhibit normal faculties and ability to make coherent statements. The allegation that the employee made sexually related statements at the workplace was sustained. The allegation that the employee reported to work in an impaired state was sustained.

20110373: (9/26/2011) A Department complaint alleged a Trooper was absent without authorized leave. The complaint was initiated when the Trooper failed to report for duty and his Sergeant was notified by the FHP Communications Center. The Trooper admitted that he did not have authority to be on annual leave and had made a mistake due to personal issues.

20110382: (10/3/2011) A Department complaint alleged a Trooper engaged in official misconduct, committed perjury and engaged in inappropriate conduct in traffic court. The investigation revealed that the Trooper stood and requested a dismissal for a vehicle window tint citation which he did not write. The Trooper stated that he thought it was his case because he had previously issued two citations to the same individual for the same offense. The individual who received the citation stated that the Trooper looked familiar and believed he was the Trooper who wrote the citation. The Trooper stated that he thought he was at court for the citations he had issued. The allegations were unfounded.

20110391: (10/7/2011) A Department complaint alleged a Trooper was falsifying timesheets; failing to work assigned shifts; failing to work assigned zones; failing to have a required Department computer program on while on-duty; not completing vehicle inspection reports; not checking work e-mails and using profane language towards his supervisor. All allegations were sustained.

20110262: (10/10/2011) A Department complaint alleged a Trooper's traffic homicide crash investigation was inadequate, incomplete and substandard. The investigation revealed that the Trooper failed to address facts in the investigation about the at-fault drivers prescribed medication found in the blood alcohol test; the Trooper failed to submit a thorough report to the State Attorney's Office for review; the Trooper failed to investigate one of the passengers in one of the vehicles involved in the crash and did not mention the passenger's seatbelt or inability to inspect it; the Trooper did not follow-up with the decedent's family members to obtain critical pre-crash information; and the Trooper did not identify one of the drivers as a contributing factor in the crash that caused the death of a driver. During the investigation the Trooper acknowledged that the traffic homicide investigation and its report were inaccurate, incomplete and substandard. The allegation was sustained.

20110421: (10/12/2011) A Department complaint alleged a Trooper was involved in mortgage fraud. A criminal investigation was conducted by another entity and criminal charges were filed against the Trooper for Grand Theft, Mortgage Fraud and Criminal Conspiracy. The Trooper turned himself in and was arrested. A review of the associated criminal investigation revealed the Trooper received funds connected to a fraudulent mortgage lending process and misreported personal liquid assets on a loan application. The Department terminated the Trooper's employment. The allegation was sustained.

20110298: (10/12/2011) A citizen complaint alleged a Trooper was rude and discourteous to three separate citizens on three separate occasions. In a sworn statement the Trooper denied the allegation. Two of the complainants did not want to pursue the complaint or failed to respond to OIG request for an interview. The third complainant was inconsistent in their statement and there were no independent witnesses or evidence to support the allegation. The allegations were either unfounded or not sustained.

20110409: (10/17/2011) A citizen complaint alleged that after being arrested a Trooper took a wallet with \$1,000 in cash, a Mexican consular card, and driver license and never returned them. The investigation revealed that during the arrest the Trooper took possession of a Mexican consular identification card and driver license and accidentally left them in the complainant's vehicle. The Property Intake Report indicated that the Trooper later placed the identification cards into the evidence property room at the FHP station.

The Trooper stated the complainant did not have a wallet or any money at the time of the arrest. The allegation that the Trooper kept the identification card and driver license and failed to submit into evidence prior to the end of his shift was sustained. The allegation that the Trooper kept the complainant's wallet which contained \$1,000 dollars was not sustained.

20110469: (10/17/2011) A Department complaint alleged a Trooper was involved in a criminal conspiracy to transport drugs from Florida to Connecticut. The Trooper was arrested and the Department reviewed affidavits, warrants and supporting documentation of the criminal investigation by the Drug Enforcement Administration (DEA). The criminal investigation revealed surveillance and recorded conversations of the Trooper and a DEA confidential witness discussing the cash payments in exchange for helping ensure safe transportation of the drugs without law enforcement interference. The allegation that the Trooper was involved with a criminal conspiracy and arrested for conspiracy to distribute drugs was sustained.

20110453: (10/24/2011) A Department complaint alleged a Trooper violated Department policy during the course of a pursuit by pursuing a vehicle southbound on the northbound interstate exit ramp. During the investigation evidence obtained from the vehicle in-car camera confirmed that the Trooper violated policy by failing to stop for red traffic signals and stop signs and entering the interstate by driving the wrong way on the exit ramp and traveling at speeds over 100 miles per hour. The Trooper admitted running the red traffic signals, not stopping for stop signs and driving the wrong way on the exit ramp into incoming traffic at a high rate of speed. The allegation was sustained.

20110444: (10/25/2011) A Department complaint alleged a Trooper was absent without authorized leave; falsified time sheets; was insubordinate by failing to report for duty after being denied leave and was away from their residence without authorization while on sick leave. The allegation that the Trooper was absent without authorization was sustained. The allegation that the Trooper falsified timesheets was sustained. The allegation of insubordination when failing to report for duty after being denied leave was not sustained. The allegation of being away from their residence without authorization while reporting sick leave was sustained.

20110436: (11/2/2011) A Department complaint alleged a Trooper failed to answer welfare checks via their FHP radio and turned off their mobile data computer program which disabled their automatic vehicle location system (AVL) during their assigned shift. The Trooper was eventually located at his residence and claimed that he was not feeling well so he went home and fell asleep. The Trooper failed to notify a supervisor or dispatch that he was home ill. The investigation revealed that the program settings to activate the AVL were not properly checked. The Trooper testified he did not change any settings. The allegation that the Trooper went home and fell asleep while on duty without authorization was sustained. The allegation that the Trooper shut down his computer program which disabled his AVL while on duty was unfounded.

20110431: (11/8/2011) A citizen complaint alleged an employee used Department resources and programs to access driver license information, pictures and other records for personal use. The investigation revealed the employee accessed Department programs and other websites to access friends and family information. The employee testified they did this as a test run to determine if the program was working. The allegation that the employee inappropriately used information technology resources was sustained.

20110489: (11/8/2011) A Department complaint alleged a Department supervisor was permitting and/or encouraging members to falsify their timesheets by allowing members to take longer lunches on payday without taking leave. It was also alleged that the supervisor failed to monitor the activities of members who reported early for duty and allowed members to set their own work schedule without documentation. The supervisor admitted to allowing the extra time for lunches and not making the employees document the time on their timesheets. The allegation that the supervisor permitted members to falsify their timesheets by allowing members to take longer lunch breaks on payday without taking leave was sustained. The allegation that the supervisor failed to monitor the activities of employees who reported early for work or allowed employees to set their own work schedule without documentation was not sustained.

20110394: (11/16/2011) A citizen complaint alleged a Trooper conducted an improper crash investigation and based on that investigation, improperly charged the complainant with two criminal violations; reckless driving and leaving the scene of an accident involving property damage. The accident involved a vehicle traveling alone and a semi-truck and trailer. The Trooper obtained the truck driver's vehicle information from the Florida Department of Transportation weight station personnel and proceeded to file criminal charges.

The complainant was first notified of the charges when he received copies of the citations in the mail. The complainant stated he was never contacted by the Trooper or any other law enforcement officer regarding the incident and denied involvement in the accident. After reviewing the details of the investigation the Trooper admitted he did not have probable cause for the issuance of criminal charges, and the criminal charges were dismissed. The allegations were sustained.

20110407: (11/18/2011) A citizen complaint with six allegations was received. The first allegation was that a Trooper improperly accessed the Driver and Vehicle Information Database (DAVID) System to query subjects for personal reasons. The allegation was sustained. The second allegation was that the Trooper kept invalid driver licenses and identification cards without properly disposing of them. The allegation was sustained. The third allegation was that the Trooper had an unauthorized passenger in his assigned Department vehicle. The allegation was sustained. The fourth allegation was that the Trooper improperly utilized his Mobile Data Computer (MDC) to access unauthorized internet websites. The allegation was sustained. The fifth allegation was that the Trooper improperly utilized his MDC to "hack into" the complainant's private Facebook account. The allegation was unfounded. The sixth allegation was that the Trooper un-holstered his firearm in the presence of others, during a visit to a college campus, which was not part of his official duty. The allegation was sustained.

20110472: (11/28/2011) A citizen complaint alleged a Trooper, which was the complainant's ex-husband, committed Domestic Violence by grabbing her right arm during an argument. The complainant also alleged that the Trooper improperly accessed the driver license information of a past girlfriend by utilizing his MDC. The investigation revealed that the Trooper accessed driver license information for personal reasons in violation of Department policy. The allegation that the Trooper committed Domestic Violence by forcibly grabbing the complainant's arm during the argument was not sustained.

20110496: (11/29/2011) A Department complaint alleged a Trooper initiated a high speed pursuit driving 70 miles per hour over the speed limit without a working siren and entered an intersection with a red traffic control signal at 102 MPH. It was also alleged the supervisor allowed the pursuit to continue onto a side road which created a hazard that outweighed the necessity for immediate apprehension. During the investigation the Trooper admitted to initiating the pursuit at speeds up to 145 MPH with an emergency siren that only worked intermittently. The Trooper also admitted running a red traffic signal at 102 MPH. The investigation also revealed that the supervisor was responsible for the Trooper's actions. The supervisor was familiar with the vicinity of the pursuit and typical traffic conditions and was notified by the Trooper, prior to the pursuit that the siren was not operating properly. Both allegations were sustained.

20110507: (12/2/2011) A citizen complaint was received alleging that an employee used their State issued fleet card to purchase fuel for their girlfriend's personal vehicle. After a review of the fuel transaction report of fuel purchases made using their People First identification number the Trooper identified and admitted to 29 instances in which personal fuel purchases were made using the State of Florida fleet card. The employee resigned during the investigation. This allegation was sustained.

20110485: (12/5/2011) A citizen complaint alleged racial profiling by two Troopers. The citizen stated that the Troopers stopped, detained and searched for drug possession based on their race and the type of car they were driving. The investigation revealed the two Troopers were working with other criminal interdiction unit Troopers and federal law enforcement agents. The citizens' car was observed changing lanes without signaling, traveling over the painted white edge line, and following too closely behind another vehicle. Prior to being stopped there was no record of a physical description of the complainant other than the driving pattern. A review of the in-car video recording of the entire encounter found no behavior and/or language inconsistent with Department policy. A review of the Troopers' enforcement data found no patterns or other indicators that their enforcement favors any specific cultural or ethnic group. The allegation was unfounded for both employees.

20110494: (12/5/2011) A Department complaint alleged that an employee was approaching or exceeding the allowable number of hours of overtime per week. The employee acknowledged inaccurately reporting the hours and exceeding the allowable overtime hours. The employee attributed the violations to poor documentation of work hours on their behalf, and stated the violations were not intentional but rather due to a lack of attention to detail and erroneous reporting due to assisting with other tasks. The allegations were sustained.

20110443: (12/8/2011) A citizen complaint alleged a Trooper failed to make the appropriate criminal charges against an off-duty sergeant with another police agency after the sergeant left the scene of a traffic crash with serious bodily injuries. The allegation was sustained.

20110454: (12/9/2011) A Department complaint was received with three allegations. The first allegation was that a Lieutenant wrongfully assumed the Trooper's duties of working and assigning a schedule for an Off Duty Police Employment (ODPE) while the Trooper was on administrative duty. The second allegation was that the Captain intentionally delayed providing the Trooper a reinstatement letter for five days, which would have allowed the Trooper to resume a full-duty status and work off-duty employment, so that the Captain could continue to work the (ODPE). The third allegation was that the Lieutenant wrongfully assumed the Trooper's role of the scheduler for the (ODPE) while the Trooper was on administrative duty. All three allegations were unfounded.

20110410: (12/12/2011) A citizen complaint alleged that a Trooper was rude and discourteous towards a sheriff's sergeant, failed to conduct a proper DUI investigation, excluded important details in an investigative report, and failed to obey orders concerning jurisdictional disputes regarding crash investigations. The complainant did not provide information to substantiate the allegations against the Trooper. The Trooper completed the Department DUI investigative packet which was reviewed an Assistant State Attorney who made the decision to make a formal charge. All four allegations were unfounded.

20110464: (12/15/2011) A Department criminal complaint alleged a Trooper conducted an improper computer search on a confidential tag and provided the confidential information to non-authorized personnel. The case with submitted to the State Attorney's Office, who declined prosecution.

20110486: (12/16/2011) A citizen complaint alleged an employee misused his position as a Department dispatcher to obtain a special payment plan with a towing company for repairs made to their personal vehicle. It was also alleged that when the employee was contacted by the towing company for not making required payments, the employee implied that if the company did not stop contacting them for payment, their rotation calls would be affected. Both allegations were unfounded.

20110548: (12/19/2011) A citizen complaint alleged that a Trooper was rude and discourteous during a traffic stop. The investigation revealed that the complainant was stopped by two city police officers and issued multiple traffic citations. The Trooper was on the scene during the traffic stop. Both city police officers testified that the Trooper was not rude and discourteous. The allegation was not sustained.

20110547: (1/3/2012) An administrative investigation was conducted following a criminal investigation related to a Trooper's use of force on a prisoner trying to escape. During an arrest, the subject tried to flee in a parking lot. The Trooper ran after the subject and used their electronic control devise to keep the subject from escaping. The investigation determined that the Trooper acted in accordance with Florida law and FHP policy and was justified in the use of force to prevent a prisoner from escaping.

20110568: (1/5/2012) A Department complaint alleged a Trooper failed to follow Department policy. The investigation revealed that during a training exercise a scent pack fell to the ground and was damaged. The Trooper completed an incident report and emailed a copy to his immediate supervisor and the Statewide Canine Trainer, who forwarded it to the Contraband Interdiction Program (CIP) Coordinator. The allegation that the Trooper did not follow established guidelines for handling damaged scent packs was unfounded.

20110514: (1/6/2012) A Department complaint was received alleging that a Trooper failed to attend required in-service training, left work without authorization, and falsified Department records reflecting that they were at the training. All three allegations were sustained.

20110495: (1/9/2012) A citizen complaint alleged that while being removed from a lounge in a mall by security, a Trooper attacked him and used excessive force by throwing him up against a wall and then down to the ground. The investigation revealed the complainant was disrupting the peace and a member of security escorted the complainant toward the front door of the mall and the complainant was resisting and using profane language with security. The complainant was then escorted outside the mall where the

Trooper was working and was handed off to the Trooper. Based on all evidence and witness statements the allegation that the Trooper used excessive use of control against the complainant was unfounded.

20110517: (1/9/212) A Department complaint alleged a Trooper initially refused to conduct a crash investigation and a stolen vehicle recovery investigation until directed to do so by a supervisor. The allegation was sustained.

20110559: (1/12/2012) A citizen complaint alleged a Trooper engaged in a sexual relationship with the complainant's wife in exchange for not taking enforcement action for her suspended driver license, the Trooper threatened to kill the complainant, and misused his assigned Mobile Data Terminal to access the complainant's wife's vehicle/driver information. Based on all available evidence and sworn witness interviews, there was no evidence to substantiate the complainants allegations.

20110515: (1/17/2012) A Department complaint alleged a Trooper failed to provide necessary sworn statements to an assistant state attorney and after numerous failed contact attempts, the assistant state attorney had to subpoena the Trooper to get them to the office to discuss the case. During the investigation, the assistant state attorney who filed the complaint was not cooperative and failed to provide a sworn statement. The allegation was unfounded.

20110549: (1/17/2012) A citizen complaint was received that alleged that a Trooper failed to make appropriate charges and arrest an impaired driver involved in a traffic crash, completed an inadequate traffic crash investigation report, failed to video record field sobriety tests, and solicited business for a medical center, owned by the Trooper's fiancé. All four allegations were sustained.

20110303: (1/20/2012) A criminal complaint alleged that a Trooper let another Trooper borrow scent packs that are used for K-9 training purposes. When the Trooper returned the scent packs, it appeared the seals and contents had been tampered with. The investigation revealed video evidence of the Trooper having the scent packs resealed at another police agency. The scent packs were examined by a forensics research institute and determined that the contents were replaced with diluents and resealed. This case was submitted to the State Attorney's Office for review and at the time of this report still awaiting a decision.

20110604: (1/23/2012) A citizen complaint received from a local police agency alleged a Trooper failed to arrest a driver that was under the influence. The allegation was sustained.

20110525: (1/25/2012) A Department complaint alleged a Corporal failed to answer truthfully when questioned about his involvement in an identity theft case. The investigation concluded that the Corporal had conversations with the investigator where he, without solicitation, voluntarily offered investigative assistance with the case. The Corporal also accommodated telephone requests for additional statements. The allegation was unfounded.

20110516: (2/1/2012) A Department complaint alleged a Trooper made repeated harassing telephone calls to another Trooper. It was also alleged that the Trooper improperly accessed the D.A.V.I.D. System to query individuals for personal reasons. Both allegations were sustained.

20110560: (2/2/2012) A citizen complaint alleged a Trooper struck and damaged their vehicle with a traffic cone while driving through the scene of a previous traffic crash. During the investigation the Trooper admitted that he struck the complainant's vehicle but stated the damage to the car was not consistent with the manner that he struck the car with the traffic cone. The allegation was sustained.

20110584: (2/2/2012) A Department complaint alleged a Sergeant intentionally recorded a conversation between himself and other law enforcement officers without their knowledge or consent and intentionally disclosed the recording. The case was submitted to the state attorney's office for review who declined prosecution.

20120012: (2/3/2012) A citizen complaint alleged a Corporal stopped the complainant for no reason, used profanity and was rude and discourteous, and did not document a traffic stop on their Traffic Stop

Data Report. There was no evidence to substantiate the complainants allegations and all three were unfounded.

20120068: (2/5/2012) A citizen complaint alleged a Trooper conducted an unauthorized seat belt checkpoint, bumped the complainant with his chest and put his hand on the complainant's camera lens. The investigation confirmed the complainant was taking pictures and interfering with the Trooper's enforcement actions. Witnesses did not see the Trooper bump the complainant with his chest. One witness stated that while the Trooper was trying to get the complainant to back away from him, the Trooper's face hit the camera lens. The Trooper's chain-of-command stated the seat belt enforcement was not against policy. The allegations that the Trooper conducted an unauthorized seat belt checkpoint and bumped the complainant with his chest are unfounded. The allegation that the Trooper touched the complainant's camera lens with his hand was not sustained.

20110562: (2/7/2012) A Department complaint from another police agency alleged that a Trooper was involved in a domestic disturbance with their spouse. The investigation revealed the wife provided different accounts of how she fell to the ground during a struggle with her husband. The Trooper stated he did not strike or push his wife to the ground. The wife failed to cooperate with the investigation. The police agency found no evidence of domestic violence. The allegation was unfounded.

20110569: (2/7/2012) A citizen complaint alleged a Trooper failed to respond in a timely manner to an altercation at a football stadium after being told by a patron there was a fight occurring. The Trooper responded to the area and arrived within two minutes of being informed. The Trooper considered this a minor altercation. Both men had their personal information recorded on the booking log and the Trooper was listed as the officer handling both men. The Trooper did not complete an incident report. The allegation that the Trooper failed to respond to a physical altercation in a timely manner was unfounded. The allegation that the Trooper did not provide required victim/witness information to the individuals was not sustained. The allegation that the Trooper did not complete a report of an incident when required was sustained.

20110588: (2/13/2012) A citizen complaint alleged that a Trooper conducted a traffic stop on the complainant for the purpose of intimidation. The investigation revealed that the Trooper was acquainted with the complainant through a youth football association. The complainant stated that the Trooper intimidated him by promising not to cite him if he would behave at the football field. The allegation was not sustained. Three other allegations were obtained during the investigation. It was alleged that the Trooper conducted a criminal background search on the complainant, a driver license check utilizing his state computer as well as failed to document the traffic stop. All three allegations were sustained.

20120025: (2/22/2012) A citizen complaint alleged a Trooper entered a men's restroom while the complainant's spouse was cleaning the restroom and urinated in the urinal next to the sink where she was cleaning. All reasonable attempts to contact the complainant in order to obtain the facts of the complaint under oath failed. The allegation was unfounded.

20120035: (2/22/2012) A citizen complaint alleged a Trooper exhibited rude and discourteous behavior by using a marked patrol vehicle's emergency air horn to force the complainant to drive their vehicle into the path of oncoming traffic. All reasonable attempts to contact the complainant in order to obtain the facts of the complaint under oath failed. The allegation was unfounded.

20110586: (2/27/2012) A Department complaint alleged a Trooper threatened another Trooper. The allegation was sustained.

20110610: (2/27/2012) A Department complaint alleged a Trooper violated Department policy by possessing and failing to submit into evidence marijuana that was not part of a Department issued canine training aid scent packs, and not seized by arrest or investigation. The allegation was sustained.

20120026: (2/29/2012) A citizen complaint alleged a Trooper was rude and discourteous to the complainant and directed a racial slur toward him during an arrest. The complainant also alleged that he was wrongfully charged. The investigation revealed no credible evidence to support the complainant's allegations. The allegations were unfounded.

20120063: (3/7/2012) A citizen complaint alleged a Sergeant used his position as a Department member to influence the disposition of his son's criminal legal issues and spent time away from his assigned work responsibilities without authorization. Both allegations were sustained.

20110585: (3/7/2012) A Department complaint alleged a Sergeant did not properly report and investigate an employee complaint of an alleged threat. The investigation revealed that the Sergeant made appropriate notification but failed to properly investigate the alleged threat.

20110587: (3/7/2012) A Department complaint alleged a Lieutenant did not properly investigate or report an employee complaint of an alleged threat. The allegation was sustained.

20110608: (3/11/2012) A citizen complaint alleged a Trooper was rude and discourteous during a traffic stop. Due to the failure of the complainant to provide a sworn statement, the allegation was unfounded. The investigation determined that the Trooper failed to submit traffic stop data on two dates and found to have not submitted accurate timesheets.

20120043: (3/12/2012) A Department Complaint alleged that a Trooper failed to obtain authorization to adjust their scheduled Hireback times; falsified their Hireback Activity Report and failed to accurately report time on their Activity Report. The investigation determined that the Trooper did not get approval to adjust his schedule and inaccurately documented start and end times of their Hireback report. There was no evidence to substantiate the Trooper falsified their scheduled Hireback times.

20110578: (3/26/2012) A criminal complaint alleged a Trooper intentionally recorded a conversation between himself and a Sergeant without the Sergeant's knowledge and consent and intentionally disclosed the recording. Both allegations constitute a violation of Florida Statutes. This case was submitted to the State Attorney's Office who declined prosecution.

20110607: (3/28/2012) A Department complaint alleged a Trooper's Statewide Overtime Action Response activity reports did not accurately reflect their activity during specific reporting periods. The investigation determined that the activity reports were falsified.

20120067: (3/29/2012) A complaint from a citizen alleged a Captain was rude and discourteous. There was insufficient proof to confirm or refute this allegation; therefore, the allegation was not sustained. The complainant also alleged that the Captain failed to conduct a thorough investigation involving a subordinate. There was no information to support the allegation; therefore, the allegation was unfounded.

20120093: (3/29/2012) A Department complaint alleged a Trooper possessed Methylenedioxymethamphetamine (MDMA) in the form of a drug scent pack without authorization. The criminal case was submitted to the State Attorney's Office who declined prosecution.

20120114: (3/29/2012) A citizen complaint alleged that a Trooper was rude and discourteous, detained the complainant while in an off-duty status, engaged in a dispute or incident involving a personal matter, used profane language, and violated policy through their use of the DAVID system. All allegations were sustained.

20120042: (4/5/2012) An employee complaint alleged that a Trooper excessively dismissed citations through the clerk of court in lieu of testifying. The allegation was not sustained. The allegations that the Trooper failed to attend court pursuant to lawfully executed subpoenas and inaccurately reported time on their People First Timesheet were sustained.

20110606: (4/6/2012) A Department complaint alleged a Trooper intentionally falsified a crash report and failed to properly investigate a traffic crash involving a DUI suspect. During the investigation, the Trooper admitted that a DUI arrest should have been made and that the crash report should have been written differently. Both allegations were sustained.

20120170: (4/10/2012) A citizen complaint alleged a Trooper was rude and discourteous and damaged the complainant's laptop computer. All independent witnesses reported that the Trooper's conduct was professional during the crash investigation and did not observe the Trooper handle or cause damage to the complainant's laptop computer. The complainant admitted, during the sworn statement, that he could not prove that the Trooper damaged the computer and further stated that he did not see the Trooper handle the device. Both allegations were unfounded.

20120113: (4/17/2012) A Department complaint alleged a Trooper abandoned a traffic crash investigation with injuries to respond to a vehicle pursuit. The investigation revealed that while at the traffic crash the Trooper asked another Trooper on-scene to stay and wait for the tow truck so they could go to the hospital. The Trooper stated there were no indicators of impairment, and advised that while in route to the hospital he proceeded to respond to the pursuit because of a lack of troopers in the area. The driver's blood-alcohol content was determined to be over the legal limit. The allegation that the Trooper abandoned their work station to unnecessarily respond to a pursuit was unfounded. The allegation that the Trooper conducted an improper traffic crash investigation involving an impaired driver was sustained.

20120132: (4/18/2012) A Department complaint alleged that a Trooper falsified their weekly activity reports and timesheets. The investigation revealed that the Trooper generated driver/vehicle examination reports during regular duty hours; however reported them on their weekly report as being conducted during the overtime hours. A review of the Trooper's weekly reports for a six-month period revealed that they generated reports during overtime hours when they actually generated the reports during their regular shift. The allegation was sustained.

20120129: (4/20/2012) A complaint received from a Sheriff's Office involved a Trooper who conducted a traffic stop on a drug trafficking suspect and contacted the Sheriff's Office to assist in the traffic stop and arrest. A review by the Sheriff's Office of the arrest determined that the stop involved suspicious circumstances which led to the suspect's release. A private investigator provided the Trooper with information about the suspect's location and alleged criminal activity. The investigation revealed that the private investigator had a tracking device on the subject's vehicle and the Sheriff's Office determined drugs and a gun found in the vehicle were planted by an unknown suspect. The Trooper admitted to leaving his assigned work zone without authorization from a supervisor to conduct the traffic stop and that he had prior knowledge that the suspect's vehicle tag was expired. The Trooper did not ask for consent to search the vehicle nor was he involved in the search. The allegations that the Trooper left his assigned work zone without authorization and undertook an investigation that was not part of his regular duties were sustained. The allegations that the Trooper conducted a pre-textual traffic stop and failed to obtain consent to search the subject vehicle were unfounded.

20120133: (4/20/2012) A citizen complaint received from a Police Department alleged a Trooper parked in a handicapped parking space at a local drug store and gave false information to their officer about the disabled parking permit's owner and was not authorized to possess or use the permit. The Trooper told the officer that the placard belonged to his mother-in-law and that she was at a nearby restaurant. The Trooper later admitted he lied about the owner of the permit. The allegation that the Trooper provided false information to a police officer when questioned about the permit and improperly possessed and used a Florida Disable Person Parking Permit was sustained. The allegation that the Trooper identified himself as a Trooper to obtain privileges was not sustained.

20110579: (4/23/2012) A citizen complaint alleged a Trooper provided a wrecker call to a towing company that was outside of the Department wrecker system. A review of the towing company's cell phone records discovered that 51 phone calls occurred between the towing company and the Trooper. Dates and times of the phone calls were compared to the Trooper's CAD history. There was no evidence discovered that indicated the Trooper had inappropriately provided calls to the wrecker company. The allegation was not sustained.

20110613: (5/2/2012) A Department complaint alleged a Trooper intentionally recorded a conversation between himself and two other Troopers without their consent or knowledge and intentionally disclosed the recording to others. Both allegations were sustained.

20120131: (5/7/2012) A Department complaint alleged that a Trooper was insubordinate and failed to report off-duty police employment hours. The investigation revealed that the Trooper had been ordered to immediately report all hours spent scheduling and to provide a copy of the scheduler's report for each member that was scheduled. Both allegations were sustained.

20120130: (5/8/2012) A Department complaint alleged a Trooper was actively campaigning for political office while still employed with the Department in violation of both the Hatch Act and Department policy. A comparison of political campaign events, social media comment entries and local news articles with personnel records reflected the Trooper participated in political campaign activity while employed as a Trooper. The allegation the Trooper violated the Hatch Act while employed by the Department was sustained. The allegation the Trooper misused sick leave hours while employed by the Department was not sustained.

20120169: (5/8/2012) A Department complaint was received which alleged a Trooper falsified records, transported children in their patrol car without authorization, and failed to log-on to the SmartCop MCT Mobile Application while operating their patrol car. All three allegations were sustained.

20110612: (5/11/2012) A complaint alleged a Trooper interfered with an ongoing criminal investigation of another police agency by running a motor vehicle tag via the Criminal Justice Information Services (CJIS) system. There was insufficient evidence to support this allegation which was not sustained. The second allegation was that the Trooper improperly accessed CJIS for non-work related purposes and divulged privileged information to unauthorized recipients. The Trooper admitted conducting the computer search but denied knowing it was for an unmarked police vehicle that belonged to an agency that was conducting an undercover operation. The allegation was sustained.

20120177: (5/18/2012) A citizen complaint alleged a Sergeant committed Fraud and Identity Theft when facilitating payment for a service call. The Sergeant obtained a credit card from the complainant to pay for the service call. FHP in-car video showed the complainant clearly authorized the use of the credit card and volunteered a security code to complete the transaction. The allegation was unfounded. The second allegation was that the Trooper failed to return the complainant's pocket knife following the traffic stop. The complainant's knife was not mentioned or depicted on the FHP in-car video/audio. The allegation was not sustained.

20110561: (5/22/2012) A Department complaint alleged that a Trooper recorded a conversation between himself and a Sergeant without the Sergeant's knowledge and consent and the Trooper intentionally disclosed a recording of the conversation. Both allegations were sustained.

20120204: (5/29/2012) A citizen complaint alleged that a Sergeant conducted multiple driver license checks on D.A.V.I.D., misused their access to NCIC/FCIC for non-law enforcement purposes, and displayed harassing behavior towards the complainant. All three allegations were sustained. There was insufficient proof to confirm or refute the fourth allegation that the Sergeant inappropriately disseminated driver license printouts to his girlfriend and was not sustained.

20120230: (6/5/2012) A Department complaint alleged a supervisor failed to report claims of unlawful discrimination. The supervisor acknowledged being aware of the policy on discrimination and also stated that it is a supervisor's responsibility to report claims of unlawful discrimination. The allegation was sustained.

20120242: (6/7/2012) A complainant alleged a Sergeant was involved in a sexual relationship with a direct subordinate and did not report the relationship to his immediate supervisor or chain of command. Both the Sergeant and subordinate acknowledged that they have been involved in a sexual relationship and did not report the relationship. Both allegations were sustained.

20120241: (6/8/2012) A criminal complaint alleged that a citizen paid an employee to reinstate the complainant's suspended driver license. The investigation determined the complainant corruptly offered and paid the employee with the intent to influence the employee to reinstate a suspended driver license, thereby committing Bribery. The case was submitted to the state attorney and was closed by Warrant Obtained.

20120134: (6/11/2012) A criminal investigation was conducted following a complaint from a citizen alleging that a Trooper tampered with or fabricated physical evidence by planting Marijuana under their vehicle in order to effect an arrest of the complainant. The complainant also alleged his vehicle was damaged during the vehicle search conducted by members of the FHP. The investigation did not reveal any supporting evidence to substantiate the allegations made by the complainant and the case was closed and considered an unfounded criminal complaint.

20120135: (6/13/2012) A criminal investigation was conducted following a complaint from a citizen alleging that a Trooper tampered with or fabricated physical evidence by planting Marijuana under their vehicle in order to effect an arrest of the complainant. The complainant also alleged his vehicle was damaged during the vehicle search conducted by members of the FHP. The investigation did not reveal any supporting evidence to substantiate the allegations made by the complainant and the case was closed and considered an unfounded criminal complaint.

20120178: (6/13/2012) A citizen complaint alleged a Trooper solicited clients for an attorney at various traffic crash scenes in exchange for payment. The computer aided dispatch notes reflected that the Trooper did not assist at any of the traffic crash scenes involving the clients in question. The allegation was unfounded.

20120203: (6/13/2012) A Department complaint alleged a Sergeant left an office door open and was responsible for the cleaning crew throwing away fourteen spare portable handheld radios valued a \$50,207.24. The investigation determined that the District Master Sergeant had been assigned the task of preparing, storing, and ensuring that the spare radios in his District were rebanded according to established protocol and stored the radios in a recycling container. There was no video evidence discovered to refute or support the cleaning crew's claim of discovering the radios in the hallway when they were picked up and discarded. The allegation was unfounded.

20120287: (6/14/2012) A citizen complaint alleged a Trooper damaged the complainant's vehicle while conducting a search of the vehicle. Based on sworn witness testimony, video of the traffic stop from two in-car cameras and forensic analysis of the in-car camera videos, there was insufficient evidence to confirm or refute the allegation. Additionally, the investigation was unable to establish if the alleged vehicle damage was pre-existing, and this allegation was not sustained.

20120251: (6/19/2012) A citizen complaint alleged a Trooper held the complainant, against his will for two hours for no apparent reason, threatened him with arrest, ran the complainant and his friends' vehicle tags, and ordered the complainant's friends to leave the vicinity due to their race. The allegations were unfounded, exonerated, unfounded respectively.

20120253: (6/23/2012) A citizen complaint was received alleging that a Trooper interfered with an official investigation. The investigation determined that the Trooper represented himself as a compliance assistant for a corporation and attempted to obtain Department information that could assist the company in preparing for a federal inspection; therefore, the allegation was sustained. A additional allegation was that the Trooper failed to notify the Department of his dual employment with the corporation and was unfounded because the Trooper was not provided payment for his assistance nor was he employed by the corporation. An additional violation of the Department Policy was identified during the investigation that the Trooper used the Department's computer system for unofficial emails while on duty and was sustained.

Investigative Management Reviews

Review of Traffic Enforcement Action 20110513

At the request of the Florida Highway Patrol, the Office of Inspector General reviewed the incident and actions involving the October 11, 2011, traffic stop of a Miami Police Department officer by a Florida Highway Patrol Trooper. On October 11, 2011, 6:28 a.m., a Trooper was on duty traveling southbound in the inside lane of State Road 91 (Florida's Turnpike), Broward County, in a marked FHP patrol vehicle. As the Trooper passed Commercial Boulevard (Mile Marker 62), a white marked Miami Police Department patrol vehicle (not in emergency mode) traveling in the outside lane passed the Trooper at a high rate of speed. At approximately 6:35 a.m. the Trooper made contact with the driver, a uniformed Miami Police Department officer, placed him in handcuffs, and temporarily detained him in the rear seat of the FHP patrol vehicle. The Miami Police Department officer was subsequently released and issued a criminal Uniform Traffic Citation for a violation of Section 316.192(2)a, Florida Statutes (2010) Reckless Driving.

The review found that the Trooper used their judgment and discretion afforded to them as a Florida State Trooper in making the decision to conduct a traffic stop on a marked City of Miami Police Department patrol vehicle which was out of the City of Miami jurisdictional limits, not operating in an emergency mode, and according to the Trooper, being driven in a reckless manner. While the Trooper used the same judgment in the handling and charges brought on the officer, the Trooper ignored supervisory orders relating to the pursuit.

Review of Supervisory Actions 20110468

At the request of management a review was conducted to evaluate the actions taken in the handling and discipline of an employee at work in an impaired state. The review of the employee's file with the Office of Employee Relations as well as interviews conducted with Department management and staff resulted in recommendations for both the Office of Employee Relations and the Division of Motorist Services. The recommendations involved training for supervisory staff, implementation of a consolidated electronic tracking system for the Office of Employee Relations, and enhanced communication during supervisory changes and office transitions.



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