

AGENDA
FLORIDA DEPARTMENT OF LAW ENFORCEMENT
March 10, 2009

ITEM 1. Respectfully submit the **Minutes of the December 9, 2008 Cabinet Meeting.**

(See Attachment 1)

RECOMMEND APPROVAL

ITEM 2. Respectfully submit the **Florida Department of Law Enforcement's FY 2008-09 2nd Quarter Performance Report, with Contracts, Agreements and Purchases over \$100,000 for October 1 through December 31, 2008.**

(See Attachment 2)

RECOMMEND APPROVAL

ITEM 3. Respectfully submit for final adoption the **Proposed Rules** as listed below:

11-1.0041 - Delegation of Authority - Specifies that the approval of the Governor and Cabinet acting as head of the Department is required for rulemaking under Chapter 120, F.S.

11B-27 – Officer Certification and Employment – Adds language to provide for “recantation of a false statement” that occurs during the performance of work duties or in the course of an administrative investigation. Reduces mandatory retraining cycle for use-of-force training. Adds elder abuse training for basic recruit training programs and mandatory retraining as required by 2008 statutory revision to Section 943.17296, F.S.

11C-7.008 – Administrative Expunge – Requests for administrative expunction from the Florida criminal history file of arrests made in error or contrary to law no longer require an affidavit from the head of the arresting agency. If arrested in error based on a warrant, capias, or pick-up order, the request for administrative expunge may be made by the head of the arresting agency, the sheriff of the warranting county, or the state attorney of the judicial circuit where the document was issued.

11C-10 - Missing Endangered Persons Clearinghouse – Implements procedures for the collection and submission of DNA for persons missing over 90 days.

(See Attachment 3)

RECOMMEND APPROVAL

**MINUTES
FLORIDA DEPARTMENT OF LAW ENFORCEMENT**

December 9, 2008

The Florida Department of Law Enforcement met on this date in the Cabinet Meeting Room, LL-03, The Capitol, Tallahassee, Florida with the following Cabinet members present:

Honorable Charlie Crist, Governor
Honorable Charles H. Bronson, Commissioner of Agriculture
Honorable Bill McCollum, Attorney General
Honorable Alex Sink, Chief Financial Officer

ITEM 1. Respectfully submit the **Minutes of the August 12, 2008 Cabinet Meeting.**

Motion to approve by Commissioner Bronson. Seconded by Attorney General McCollum.
Minutes approved without objection.

ITEM 2. Respectfully submit the **Florida Department of Law Enforcement Fiscal Year 2008-09, 1st Quarter Performance Report with Contracts, Agreements and Purchases over \$100,000 for July 1 through September 30, 2008.**

Motion to approve by Attorney General McCollum. Seconded by Commissioner Bronson.
Report approved without objection.

ITEM 3. Respectfully submit the **Florida Department of Law Enforcement's FY 2009-2010 Legislative Budget Request**

Motion to approve by Commissioner Bronson. Seconded by Chief Financial Officer Sink.
Governor Crist abstained. Report approved without objection.

ITEM 4. Respectfully submit the **Florida Department of Law Enforcement's 2009 Proposed Legislative Initiatives.**

Motion to approve by Attorney General McCollum. Seconded by Chief Financial Officer Sink.
Report approved without objection.

ITEM 5. Respectfully submit **Notice of Proposed Rules** for the following:

11-1.0041 - Delegation of Authority - Specifies that the approval of the Governor and Cabinet acting as head of the Department is required for rulemaking under Chapter 120, F.S.

11B-27 – Officer Certification and Employment – Adds language to provide for "recantation of a false statement" that occurs during the performance of work duties or in the course of an administrative investigation. Reduces mandatory retraining cycle for use-of-

force training. Adds elder abuse training for basic recruit training programs and mandatory retraining as required by 2008 statutory revision to Section 943.17296, F.S.

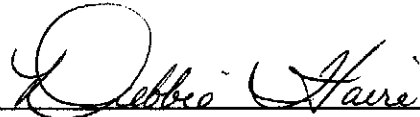
11C-7.008 – Administrative Expunge – Requests for administrative expunction from the Florida criminal history file of arrests made in error or contrary to law no longer require an affidavit from the head of the arresting agency. If arrested in error based on a warrant, capias, or pick-up order, the request for administrative expunge may be made by the head of the arresting agency, the sheriff of the warranting county, or the state attorney of the judicial circuit where the document was issued.

11C-10 - Missing Endangered Persons Clearinghouse – Implements the procedures for the collection and submission of DNA for persons missing over 90 days.

11N-1 - Violent Crime and Drug Control Council – Complies with mandate of the Florida Violent Crime Act of 1993 regarding the Florida Violent Crime and Drug Control Council. Requires implementation of statutorily mandated procedures for Criminal Gang Investigative Funding and establishes the Drug Control Strategy and Criminal Gang Committee from Council membership to authorize certain funding.



Gerald M. Bailey
Commissioner



Debbie Haire
Executive Assistant



2nd Quarter Performance Report

Fiscal Year 2008 - 2009

Gerald M. Bailey, Commissioner

	2nd Quarter Performance	Standard FY 08-09
<u>Executive Direction and Support Program</u>		

Executive Direction and Support Services

• Administrative support costs as a percent of total agency costs	3.9%	4%
• Number of grants disbursed	228	575
• Total number of agencies and jails accredited	167	156
• Number of cases awarded emergency violent crime funds	6 ¹	73

Investigations and Forensic Science Program

Crime Laboratory Services

• Number / percent of lab service requests completed	40,935 / 102%	78,000 / 95%
• Average number of days to complete lab service requests		
1. AFIS (Automated Fingerprint Identification System)	29	45
2. CER (Computer Evidence Recovery)	82 ²	70
3. Chemistry	19	30
4. Crime Scene	25	30
5. Firearms	78	80
6. Latents	37	60
7. Microanalysis	143 ²	115
8. Serology / DNA	65	111
9. Toxicology	35	40
• Number of DNA samples added to the DNA Database	48,370 ³	36,000
• Number of crime scene service requests completed	263 ⁴	600

Investigative Services

• Number of criminal investigations worked	1,198	2,500
• Number / percent of criminal investigations closed	323 ⁵ / 27% ⁵	900 / 46%
• Number / percent of closed criminal investigations resolved	281 ⁵ / 87%	702 / 78%
• Number / percent of criminal investigations closed resulting in arrest	195 ⁵ / 60%	585 / 65%
• Number of short-term investigative assists worked	4,487 ⁶	3,678
• Number of domestic security concerns reported and responded to by Regional Domestic Security Task Forces	916	1,000

Mutual Aid and Prevention Services

• Number of dignitaries provided with FDLE protective services	58 ⁷	52
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Public Assistance Fraud Investigative Services

• Amount of fraudulent benefits withheld as a result of public assistance fraud investigations	\$6.4M ⁸	\$20.1 M
• Number of public assistance fraud investigations conducted	1,476 ⁸	5,625

Florida Capitol Police Program

Capitol Police Services

• Number of criminal incidents per 1,000 employees	4.29	9.38
• Number of officer patrol hours	52,354	96,432
• Number of calls for service	2,203 ⁹	8,000

Information Program

**2nd Quarter
Performance**

**Standard
FY 08-09**

Network Services

• Percentage of responses from FCIC hot files that contain substantive information within defined timeframes	100%	98%
• Percentage of time FCIC is running and accessible	99.95%	99.50%
• Percentage response to criminal history record check customers within defined timeframes	100%	94%
• Percentage of criminal arrest records received electronically (through AFIS) for entry into the criminal history system	93%	90%
• Number of certified operators	64,854	56,177

Prevention and Crime Information Services

• Percentage of criminal history information records compiled accurately	96%	93%
• Number of responses to requests for criminal history record checks	1,341,921	2,000,000
• Number of registered sexual predators / offenders identified	50,684	37,865
• Number of missing children cases worked through MCIC	3,162	4,000
• Number of arrest records created and maintained	20,463,940	17,686,354
• Number of disposition records added to the criminal history file	450,987	750,000

Professionalism Program

Law Enforcement Training and Certification Services

• Number / percent of individuals who pass the basic professional certification examination for law enforcement officers, correctional officers, and correctional probation officers	2,935 / 79%	6,400 / 80%
• Number of course curricula and examinations developed / revised	172	135
• Number of examinations administered	3,755	8,000
• Number of individuals trained by the FCJEI	728	840
• Number of law enforcement officers trained by D.A.R.E.	52 ¹⁰	160
• Number of professional law enforcement certificates issued	11,403	25,000
• Number of domestic security training courses delivered	0 ¹¹	120

Law Enforcement Standards Compliance Services

• Percentage of training schools in compliance with standards	80%	80%
• Number of breath-testing instruments inspected	295	491
• Number of discipline referrals processed for state and local LEOs, COs, and CPOs pursuant to Chapter 120, F.S.	692	1,500
• Number of criminal justice officer disciplinary actions	334	452
• Number of program and financial compliance audits performed	951	2,000
• Number of records audited to validate the accuracy and completeness of ATMS2 record information	4,551	8,000



Justifications

¹ **Number of cases awarded emergency violent crime funds** – This standard was established when funding was available for violent crime, drugs, and victim/witness protection cases. In FY 08-09, funding was provided for victim/witness protection cases only. Consequently, fewer cases can be funded and the measure is not expected to meet the established standard.

² **Average number of days to complete lab service requests** – The Department is focusing efforts on backlog reduction. In CER, this involves completing older cases that are pending. The turnaround time for various disciplines is expected to gradually decline as the number of pending cases decreases. Microanalysis services are not initiated until other examinations are completed. Thus, performance of this discipline is heavily dependent upon processing time of other disciplines.

³ **Number of DNA samples added to the DNA database** – Due to a change in legislation, the DNA Database began collection of samples for all felony convictions effective July 1, 2007. This significantly increased the number of incoming samples. The Department anticipates this performance to continue.

⁴ **Number of crime scene service requests completed** – The Department responded to all requests for crime scene assistance received from local law enforcement agencies. The number of requests received from local agencies was fewer than anticipated.

⁵ **Investigative Services measures** – The Department is committed to working complex, protracted high impact criminal investigations. Because of their complexity, they are lengthy and labor intensive, resulting in agents investing more hours in fewer cases over a longer period of time.

⁶ **Number of short-term investigative assists worked** – This measure captures assistance provided to law enforcement agencies whose jurisdiction, resources or expertise may be limited. Short-term cases initiated by the Department that do not meet the investigative criteria to qualify as a major case are also included. More assists and short-term cases were conducted than anticipated.

⁷ **Number of dignitaries provided with FDLE protective services** – The Department provides protection for all dignitaries per request of external authorities. There was increased activity surrounding the November 2008 election, resulting in a greater number of visiting dignitaries.

⁸ **Public Assistance Fraud (PAF) Investigative Services measures** – In FY 08-09, funding for the program was substantially decreased. Additionally, the program is engaged in more complex criminal investigations which require more time and effort to investigate, resulting in fewer case closures.

⁹ **Number of calls for service** – Due to a more proactive approach by Capitol Police officers, the number of calls for service has decreased. Performance of this measure fluctuates throughout the fiscal year depending upon events scheduled at the Capitol.

¹⁰ **Number of law enforcement officers trained by D.A.R.E.** – Due to budget reductions restrictions facing local law enforcement agencies, training opportunities for officers, including DARE officers, were significantly reduced, resulting in fewer offices receiving training and certification.

¹¹ **Number of domestic security training courses delivered** – Between 2002 and 2004, emphasis was placed on FDLE delivering domestic security training. As a result, most existing law enforcement personnel have received required training. Only new law enforcement officers and first responders now require training. Additionally, domestic security training courses are available online and at the local level. This has resulted in a decrease in the number of training courses provided through certified training schools.



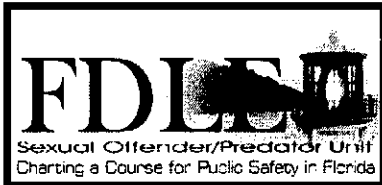
Highlights



FDLE recognized for backlog reduction. The Department received the 2008 August Vollmer Excellence in Forensic Science Award at the annual International Association of Chiefs of Police Conference in recognition of its efforts to reduce evidence backlog in the crime labs. Like many others across the country, FDLE crime labs began to see the volume of incoming cases surpass their productive capacity, resulting in a backlog of cases and increased turnaround times. In July 2007, the Department began implementing its 10-point plan, a strategy to reduce backlog in four laboratory disciplines with the highest number of pending cases (Biology, Chemistry, Firearms, and Latent Prints). Case acceptance guidelines were developed to limit the number of

submissions and forensic technologists were given additional responsibilities. In just over a year, the Department reduced the number of pending cases by more than 70 percent and reduced the overall turnaround time for all four disciplines.

Silver Alerts. Governor Crist issued an Executive Order implementing Florida's Silver Alert Plan which provides a coordinated response between local and state law enforcement to quickly broadcast important information to citizens to assist law enforcement in the rescue of elders with dementia or other cognitive impairment and return them home safely. The Silver Alert is an effort to issue standardized information to improve the chances of a safe recovery. FDLE worked in conjunction with the Departments of Elder Affairs, Highway Safety and Motor Vehicles and Transportation, Florida's police chiefs and sheriffs, citizens and advocacy groups to develop the Plan. Through the end of 2008, 32 alerts were issued, resulting in the safe return of almost all of the individuals. Unfortunately, three were found deceased. Highway message signs were directly responsible for the safe recovery of about 25% of the individuals.



FDLE's Florida Offender Alert System. The Department launched a Halloween radio Public Service Announcement (PSA) to encourage citizens and families to sign up for the Florida Offender Alert System. Radio stations across the state broadcast the announcements at no charge to FDLE. As a result of the PSA, visits to the Sex Offender Registry website increased 26 percent. More than 56,000 individuals have signed up to receive alerts since its launch in March 2008 and the system has generated more than 620,000 e-mail

notifications. The Offender Alert System is available at www.flsexoffender.net and on the websites of many local law enforcement agencies. It notifies subscribers when a registered sexual predator or offender moves into a neighborhood or within a fixed radius of any other designated location. The Department anticipates releasing another 30-second PSA in March 2009, which will be available in English and Spanish and may be broadcast via television or radio.

Drug Diversion Scheme Thwarted. The Department arrested a south Florida woman for allegedly defrauding the state's Medicaid program of more than \$1 million by reselling Medicaid recipients' medications and then laundering the proceeds. She faces up to 30 years in prison on various counts. Investigators believe the woman set up a wholesale drug business in New Jersey and obtained medications by buying them from unlicensed Florida individuals. Those persons purchased the drugs from Medicaid recipients who sold their Medicaid-supplied medications for a fraction of their actual cost. Once the New Jersey company obtained the medications, they were resold to pharmacies and other wholesalers across the country. The 10-month investigation was conducted by the Stone Cold Task Force, a multi-agency task force including authorities from FDLE, the Miami-Dade Police Department and the Attorney General's Medicaid Fraud Control Unit and Office of Statewide Prosecution.



CONTRACTS, AGREEMENTS AND PURCHASES
OVER \$100,000 FOR OCTOBER 1ST THROUGH DECEMBER 31ST 2008

<u>P.O.#</u>	<u>VENDOR/SERVICE</u>	<u>AMOUNT</u>
DO1022405	The Bode Technology Group Amended to increase amount for testing of forensic biology cases for Investigative and Forensic Program Term period: 7/1/08 thru 6/30/09 Agency ITB	\$175,350
DO1030713	Infinity Software Development, Inc. Amended to increase information technology (IT) services, systems analysis, and programming for sex offender/ predator system for Criminal Justice Information Program. Term period: 7/1/08 thru 6/30/09 State Term Contract	\$126,920
DO1031240	Technisource, Inc. Amended to increase IT services for FALCON-Integrated Criminal History Systems (ICHS) project for Criminal Justice Information Program Term period: 7/1/08 thru 6/30/09 State Term Contract	\$110,000
*DO1033312	Advanced Systems Design, Inc. Amended to increase IT services, systems analysis, and programming for Computerized Criminal History System (CCH) for Criminal Justice Information Program Term period: 7/1/08 thru 6/30/09 State Term Contract	\$120,120
DO1162828	Technisource, Inc. IT services system analysis and programming for CCH System for Criminal Justice Information Program Term period: 10/13/08 thru 6/30/09 State Term Contract	\$108,242
DO1190904	Universal Safety Response Capitol perimeter security upgrade for FDLE Capitol Police No Term Agency ITB	\$859,900

*Minority Vendor

CONTRACTS, AGREEMENTS AND PURCHASES
OVER \$100,000 FOR OCTOBER 1ST THROUGH DECEMBER 31ST 2008

<u>P.O.#</u>	<u>VENDOR/SERVICE</u>	<u>AMOUNT</u>
DO1210145	Harris Corporation Upgrades to existing cellular tracking devices for Investigative and Forensic Program Term period: 11/1/08 thru 2/13/09 Single Source	\$196,500
C1028A	A Child is Missing (ACIM) Program provides reverse 911 service and assists in the location of missing children, alzheimer patients, and activities surrounding Silver Alerts. Term period: 11/20/08 thru 9/30/09 Single Source	\$232,461
C95602	General Building Maintenance of Florida, LLC (GBM) Janitorial services for the Tampa Bay Regional Operations Center Term period: 1/1/09 thru 1/31/11 Alternate Source Contract	\$153,088

STATE OF FLORIDA

DEPARTMENT OF LAW ENFORCEMENT

Chapter 11-1, FLORIDA ADMINISTRATIVE CODE

AMENDING RULES 11-1.0041, F.A.C.

CONFIRMATION AND DELEGATION OF AUTHORITY

SUMMARY OF PROPOSED RULE

Specifies that the approval of the Governor and Cabinet acting as the head of the Department is required for rulemaking under Chapter 120, F.S.

JUSTIFICATION OF PROPOSED RULE

Updates the language for rulemaking authority based upon recent statutory changes.

FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

SUMMARY OF HEARING

The proposed rules were noticed in the Florida Administrative Weekly on January 9, 2008 for a hearing to be held on February 4, 2009, if requested.

FDLE received no requests for a public hearing and no written comments were submitted.

Notice of Proposed Rule

DEPARTMENT OF LAW ENFORCEMENT

RULE NO: RULE TITLE

11-1.0041: Confirmation and Delegation of Authority

PURPOSE AND EFFECT: To update the language for rulemaking authority based upon recent statutory changes.

SUMMARY: Specifies that the approval of the Governor and Cabinet acting as the head of the Department is required for rulemaking under Chapter 120, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 943.03(4), F.S.

LAW IMPLEMENTED: 20.05(1)(b), 20.201, 112.061, 120.63(1), 216.345, Chapter 943.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, February 4, 2009 at 10:00 a.m.

PLACE: Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Fern Rosenwasser, Florida Department of Law Enforcement, Office of General Counsel, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

NAME OF PERSON ORIGINATING PROPOSED RULE: Fern Rosenwasser, Assistant General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2008.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2008.

11-1.0041 Confirmation and Delegation of Authority.

(1) In accordance with paragraph 20.05(1)(b), F.S., the Executive Director and other officials of the Department of Law Enforcement are hereby authorized to perform or exercise the following statutory powers and duties of the Agency, Department, or Department Head:

(a) The Executive Director or, his designee shall:

1. through 11. No change.

12. Act on behalf of the agency in carrying out the provisions of Chapter 120, F.S., provided, however, the Governor and Cabinet shall approve all Department administrative rules and reserve the prerogative to act as hearing officer in Section 120.57, proceedings involving great public interest or other public agencies. Examples include the following:

a. To initiate rulemaking by publishing a notice of intended action. ~~However, before a notice of intended action is published, the Department must submit the proposed notice including the proposed text to the Governor and each member of the Cabinet. Upon the request of the Governor or any member of the Cabinet, the Department shall submit the proposed rules for action by the Governor and Cabinet at the next available Cabinet meeting. If, after being given 10 working days to review the Department's proposed notice of intended action and rule text, neither the Governor nor any member of the Cabinet notifies the Department of his or her objection to such publication, the Department has authority to proceed to initiate rulemaking pursuant to Section 120.54(3)(a)1., F.S.~~ The power to determine whether proposed rules should be approved for the filing of a notice of intended action and final adoption is hereby reserved to the Governor and Cabinet acting as the head of the Department.

b. through h. No change.

(b) through (f) No change.

Specific Authority 943.03(4) FS. Law Implemented 20.05(1)(b), 20.201, 112.061, 120.63(1), 216.345, Chapter 943 FS. History—New 1-31-80, Amended 6-29-80, 7-5-81, Formerly 11-1.041, Amended 7-6-99, 8-22-00, _____.

STATE OF FLORIDA
DEPARTMENT OF LAW ENFORCEMENT
CHAPTER 11B-27, FLORIDA ADMINISTRATIVE CODE
AMENDING RULES 11B-27.0011 and 11B-27.00212
CERTIFICATION AND EMPLOYMENT OR APPOINTMENT

SUMMARY OF PROPOSED RULE

The proposed rule revisions implement the following changes: Added rule language to provide for “recantation of a false statement” that occurs during the performance of work duties or in the course of an administrative investigation. Reduced the mandatory retraining cycle for use-of-force training. Added elder abuse training for basic recruit training programs and mandatory retraining as required by the 2008 statutory revision to Section 943.17296, F.S.

JUSTIFICATION OF PROPOSED RULE

11B-27.0011(5): Revised to add rule language for recantation, as a defense to any violation involving perjury or false statement in a court proceeding, if the perjury or false statement occurred during the performance of work duties or in the course of an administrative investigation, and if the officer making the statement conceded such statement to be false prior to the employing agency’s final disciplinary determination. The first sentence of the proposed rule language was written for court proceedings only and is a restatement of Section 837.07, F.S. The second sentence of the proposed rule language includes only “moral character violations” during the course of an internal affairs investigation and does not include misdemeanor convictions of perjury.

11B-27.00212(13): Changed the use-of-force mandatory retraining requirement from every two-years to once during an officer’s 4-year mandatory retraining cycle. Revised the Mandatory Retraining Report form CJSTC-74 to reflect the new use-of-force mandatory retraining cycle.

11B-27.00212(15): Implemented the new statutory requirement for elder abuse training, pursuant to Section 943.17296, F.S., effective July 1, 2008. This training requires the Commission’s basic recruit training programs and mandatory retraining requirements to include identification of and appropriate responses for persons suffering from dementia, and for identifying and investigating elder abuse.

FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

SUMMARY OF HEARING

The proposed rules were noticed in the Florida Administrative Weekly on January 9, 2009, for a hearing to be held February 4, 2009, if requested.

FDLE received no requests for a public hearing and no written comments were submitted.

Notice of Proposed Rule

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission
RULE NO: RULE TITLE

11B-27.0011: Moral Character

11B-27.00212: Maintenance of Officer Certification

PURPOSE AND EFFECT: 11B-27.0011(5): Revised to add rule language for recantation, as a defense to any violation involving perjury or false statement in a court proceeding, if the perjury or false statement occurred during the performance of work duties or in the course of an administrative investigation, and if the officer making the statement conceded such statement to be false prior to the employing agency's final disciplinary determination. The first sentence of the proposed rule language was written for court proceedings only and is a restatement of Section 837.07, F.S. The second sentence of the proposed rule language includes only "moral character violations" during the course of an internal affairs investigation and does not include misdemeanor convictions of perjury.

11B-27.00212(13): Changed the use-of-force mandatory retraining requirement from every two-years to once during an officer's 4-year mandatory retraining cycle. Revised the Mandatory Retraining Report form CJSTC-74 to reflect the new use-of-force mandatory retraining cycle. Implemented the new statutory requirement for elder abuse training, pursuant to Section 943.17296, F.S., effective July 1, 2008. This training requires the Commission's basic recruit training programs and mandatory retraining requirements to include identification of and appropriate responses for persons suffering from dementia, and identifying and investigating elder abuse.

SUMMARY: The proposed rule revisions implement the following changes: Added rule language to provide for "recantation of a false statement" that occurs during the performance of work duties or in the course of an administrative investigation. Reduced the mandatory retraining cycle for use-of-force training. Added elder abuse training for basic recruit training programs and mandatory retraining as required by the 2008 statutory revision to Section 943.17296, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.12, 943.13, 943.135, 943.1395, 943.1701, 943.1715, 943.1716, 943.253 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: February 4, 2009

PLACE: 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Hunt at 850-410-8615 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donna Hunt at 850-410-8615

THE FULL TEXT OF THE PROPOSED RULE IS:

NAME OF PERSON ORIGINATING PROPOSED RULE: Donna Hunt at 850-410-8615, Bureau Chief Vickie Gardner at 850-410-8660, and Attorney Fern Rosenwasser at 850-410-7685

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Department of Law Enforcement

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2008

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-27.0011 Moral Character.

(1) through (4) No change.

(a) through (b) No change.

1. through 3. No change.

(c) No change.

1. through 3. No change.

a. through b. No change.

4. No change.

a. through c. No change.

5. through 9. No change.

a. through l. No change.

10. through 12. No change.

(d) No change.

(5) A certified officer's failure to maintain good moral character as defined in subsection (4) of this rule section by committing a violation involving perjury or false statement in a court proceeding, shall not include a statement which was recanted. If the violation involving perjury or false statement is alleged to have occurred in the performance of regularly required work duties or the course of an administrative or disciplinary investigation, a certified officer's failure to maintain good moral character as defined in subsection (4) of this rule section shall not include a statement in which the officer making the statement conceded such statement to be false prior to the employing agency's final disciplinary determination as provided for in Section 112.532(4)(b), F.S. Recantation, pursuant to Section 837.07, F.S., shall be a defense to any violation involving perjury or false statement, pursuant to subsection (4) of this rule section.

(6) through (7) No change.

(a) through (c) No change.

(8) No change.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.13(7), 943.1395(7) FS. History—New 1-7-85, Formerly 11B-27.011, Amended 7-13-87, 10-25-88, 12-13-92, 9-5-93, 1-19-94, 8-7-94, 11-5-95, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 4-11-04, 11-30-04, 3-27-06, 3-21-07, 6-9-08, _____.

11B-27.00212 Maintenance of Officer Certification.

(1) through (3) No change.

(4) Continuing education or training pursuant to Section 943.135, F.S. Upon an officer's completion of the required continuing education or training the employing agency shall submit or electronically transmit to Commission staff through the Commission's ATMS, and maintain in file a completed Mandatory Retraining Report, form CJSTC-74, revised August 7, 2008 ~~November 8, 2007~~, hereby incorporated by reference.

(5) No change.

(a) through (d) No change.

(6) through (12) No change.

(a) No change.

1. through 3. No change.

(b) No change.

1. through 3. No change.

(13) Use-of-Force training. An officer, ~~whose mandatory retraining cycle begins on July 1, 2005 or thereafter,~~ shall, as a part of the officer's 40-hour continuing education or training every four years, be required to complete the following Use-of-Force training.

(a) No change.

1. through 5. No change.

(b) A law enforcement and correctional officer shall complete, ~~once every two years,~~ Use-of-Force training pursuant to subparagraphs (13)(a)1. – 5., of this rule section.

(c) A correctional probation officer shall complete, ~~once every two years,~~ Use-of-Force training pursuant to subparagraphs (13)(a)2. – 5., of this rule section.

(d) ~~An officer, who fails to comply with the Use of Force training requirements within the first two years of his or her four year mandatory retraining cycle, shall satisfy these training requirements prior to the end of the four year eyele.~~

~~(d)(e)~~ An officer's employing agency shall report the completion of Use-of-Force training to Commission staff, pursuant to (4) of this rule section, prior to the close of the officer's four-year mandatory retraining cycle, by electronically transmitting a completed Mandatory Retraining Report form CJSTC 74, through the Commission's ATMS.

~~(e)(f)~~ An officer is permitted to substitute instruction of Use-of-Force training to satisfy the continuing education or training requirements for the officer's four-year mandatory retraining cycle.

~~(g)~~ An officer, who fails to comply with the Use of Force training requirements, pursuant to paragraphs (13)(a) ~~(f)~~ of this rule section, shall become an inactive Florida officer. The officer's certification shall become reactivated when the officer's employing agency electronically transmits a completed form CJSTC 74, to Commission staff, verifying the officer has met the continuing education or training requirements for the officer's four-year mandatory retraining cycle.

~~(h)~~ An officer, who has a lapse in employment of less than four years, shall complete the Use of Force training requirements pursuant to paragraph (13)(b) or (c) of this rule section.

(14) No change.

(a) No change

(b) Reporting of the compliance with this standard shall be June 30, 2008, and every two years thereafter. Documentation supporting the demonstration of proficiency skills shall be reported on the Mandatory Firearms Training Report, form CJSTC-86, revised November 8, 2007, hereby incorporated by reference, and maintained in the officer's employment file. The employing agency shall submit or electronically transmit to Commission staff through the Commission's ATMS, the date of completion. ~~a completed form CJSTC-86.~~

(c) through (d) No change.

(15) Elder Abuse Training. As a part of basic recruit training or the officer's continuing education or training, a law enforcement officer shall be required to complete training on identifying and investigating elder abuse and neglect.

(a) Certified law enforcement officers shall complete Elder Abuse Training on or before June 30, 2011 pursuant to Section 943.17296, F.S.

(b) The training shall include instruction on the identification of and appropriate responses for persons suffering from dementia and on identifying and investigating elder abuse and neglect.

(c) Law enforcement officers who have successfully completed one of the following programs will have satisfied this training requirement:

1. CMS Application-Based Law Enforcement Basic Recruit Training Program (BRTP) number 224.
2. Florida CMS Law Enforcement BRTP number 1177.
3. Traditional Correctional Cross-Over to CMS Application-Based Law Enforcement BRTP number 1143.
4. Correctional Officer Cross-Over Training to Florida CMS Law Enforcement BRTP number 1178.
5. Traditional Correctional Probation Cross-Over to CMS Application-Based Law Enforcement BRTP number 1157.
6. Correctional Probation Officer Cross-Over Training to Florida CMS Law Enforcement BRTP number 1179.
7. CMS Law Enforcement Auxiliary Officer BRTP number 1180.
8. Crimes Against the Elderly advanced training course number 100.
9. Elder Abuse Training for Law Enforcement course by the Department of Elder Affairs.
10. Elder Abuse Investigations specialized training program course number 1185. There are no required minimum training hours for mandatory retraining, however, training schools are permitted to teach the course as a specialized training program course requiring a minimum of four contact hours.

(d) An officer who fails to comply with the elder abuse and neglect training requirements pursuant to Section 943.17296, F.S., shall become an inactive Florida officer. The officer's certification shall become reactivated when the officer's employing agency provides Commission staff with verification that the officer has met the continuing education or training requirement.

(e) Upon an officer's completion of the required training the employing agency shall submit, or electronically transmit to Commission staff through the Commission's ATMS, the date of completion.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12, 943.13(11), 943.135, 943.1395(3), 943.1701, 943.1715, 943.1716, 943.253 FS. History—New, 11-5-02. Amended 12-3-03, 11-30-04, 3-27-06, 3-21-07, 6-9-08, _____ . Editorial Note: See 11B-27.0023, F.A.C.

STATE OF FLORIDA
DEPARTMENT OF LAW ENFORCEMENT
Chapter 11C-7, FLORIDA ADMINISTRATIVE CODE
AMENDING RULE 11C-7.008, F.A.C.
ADMINISTRATIVE EXPUNCTION PROCEDURES

SUMMARY OF PROPOSED RULE

Requests for administrative expunction from the Florida criminal history file of arrests made in error or contrary to law no longer require an affidavit from the head of the arresting agency. If the person was arrested in error based on a warrant, capias, or pick-up order, the request for an administrative expunge may be made either by the head of the arresting agency or by the sheriff of the warranting county or by the state attorney of the judicial circuit where the warrant, capias or pick-up order was issued.

JUSTIFICATION OF PROPOSED RULE

Implements updated statutory requirements for the administrative expunction of Florida criminal history arrest records that are made contrary to law or by mistake.

FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

SUMMARY OF HEARING

The proposed rules were noticed in the Florida Administrative Weekly on January 9, 2009, for a hearing to be held on February 4, 2009, if requested.

FDLE received no requests for a public hearing and no written comments were submitted.

Notice of Proposed Rule

DEPARTMENT OF LAW ENFORCEMENT
Division of Criminal Justice Information Systems
RULE NO: RULE TITLE

11C-7.008: Administrative Expunction Procedures

PURPOSE AND EFFECT: Implements updated statutory requirements for the administrative expunction of Florida criminal history arrest records that are made contrary to law or by mistake.

SUMMARY: Requests for administrative expunction from the Florida criminal history file of arrests made in error or contrary to law no longer require an affidavit from the head of the arresting agency. If the person was arrested in error based on a warrant, capias, or pick-up order, the request for an administrative expunge may be made either by the head of the arresting agency or by the sheriff of the warranting county or by the state attorney of the judicial circuit where the warrant, capias or pick-up order was issued.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 943.03, 943.0581, F.S.

LAW IMPLEMENTED: 943.0581, F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, February 4, 2009 at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tanya Goetz, Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jean Itzin, Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308, 850-410-7980.

THE FULL TEXT OF THE PROPOSED RULE IS:

NAME OF PERSON ORIGINATING PROPOSED RULE: Jean Itzin

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2008.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED: October 17, 2008

11C-7.008 Administrative Expunction Procedures.

(1) Non-judicial records of arrest made contrary to law or by mistake will be administratively expunged by the Department, upon application by the arresting law enforcement agency, or by the person arrested or, in the case of a minor child, the parent or legal guardian of the minor person arrested. An application submitted by the person arrested, or the parent or legal guardian of the minor person arrested, shall be supported by the endorsement of the head or chief law enforcement officer of the arresting agency or of the state attorney of the judicial circuit in which the arrest occurred.

(2) No change.

(3) An application for administrative expunction must be in writing. If submitted by the arresting law enforcement agency, the application shall be on agency letterhead, and signed by the head or chief law enforcement officer of the arresting agency, ~~chief law enforcement officer~~ or his or her authorized designee. An application submitted by the person arrested or the parent or legal guardian of the minor person arrested, must be in writing and must identify the relationship of the person signing the application to the person arrested.

(4) A supporting endorsement of an application submitted by the person arrested or the parent or legal guardian of the minor person arrested, must be in writing, on agency letterhead, and signed by the head or chief law enforcement officer of the arresting agency or his or her authorized designee or by the state attorney of the judicial circuit in which the arrest occurred or his or her authorized designee.

(5) An application for administrative expunction submitted by the arresting law enforcement agency, or the supporting endorsement in the case of an application submitted by the person arrested, or the parent or legal guardian of the minor person arrested, shall identify the arrest to be expunged by providing the following information. Written documents related to administrative expunctions shall make specific reference to identifying information, including:

- (a) Name and Aliases;
- (b) Sex and Race Alias/Maiden Name(s);
- (c) Date of Birth Sex;
- (d) Social Security Number (if available, used for identification – not mandatory) Raee;
- (e) Date and Time of Arrest Birth;
- (f) Original Charge(s) Social Security Number (Not required);
- (g) FDLE Number and FBI Number (if applicable and known) Date of Arrest;
- (h) OBTS Arrest Number and Original Charges;
- (i) Reason for Administrative Expunction FDLE Number and FBI Number (If Applicable and Known);
- (j) Reason For Administrative Expunction.

(6) If the person was arrested on a warrant, capias, or pick-up order, the request for an administrative expunction, or the supporting endorsement of an application submitted by the person arrested or the parent or legal guardian of the minor person arrested, may be made by the sheriff of the county where the warrant, capias, or pick-up order was issued or his or her deignee, or by the state attorney of the judicial circuit where the warrant, capias, or pick-up order was issued or his or her designee.

~~Any application for administrative expunction, whether submitted by the arresting law enforcement agency or by the person arrested or the parent or legal guardian of the minor person arrested, must be supported by an affidavit executed by the chief of the arresting law enforcement agency, sheriff, or department head of the arresting state law enforcement agency in which the affiant verifies that he or she has reviewed the record of the arrest and that the arrest was contrary to law or was a mistake. The affidavit shall include the date and time of the arrest, the name of the arresting officer, the name of the person arrested, and the crime or crimes charged and shall be submitted directly to the Department by the arresting law enforcement agency. An application which does not include this affidavit, in the form prescribed, will be rejected by the Department and a written explanation of the reason for rejection will be provided to the applicant by the Department. A copy of the rejection notice and explanation will also be provided to the arresting agency if that agency has made a submission in support of the application.~~

(7) When an administrative expunge application meets the statutory requirements, the Department will notify the arresting agency, which is then responsible for expunging its records of the arrest, and for notifying any other

agency to which it provided the criminal history record information that is the subject of the administrative expunction

(8) (7) No application, or endorsement, or affidavit made under this section shall be admissible as evidence in any judicial or administrative proceeding or otherwise be construed in any way as an admission of liability in connection with an arrest.

(9) (8) The procedures by which an individual may secure an administrative correction of the criminal history record pertaining to the individual are set out in Chapter 11C-8, F.A.C. Non-criminal arrest records which are mistakenly or improperly forwarded to the Department for processing and retention as criminal history records will be removed as an administrative correction expunge by the Department.

Specific Authority 943.03, 943.0581 FS. Law Implemented 943.0581 FS. History--New 8-5-92, Amended 3-21-07, Amended _____.

STATE OF FLORIDA

DEPARTMENT OF LAW ENFORCEMENT

Chapter 11C-10, FLORIDA ADMINISTRATIVE CODE

AMENDING RULES 11C-10.01 & 11C-10.02, F.A.C.

MISSING ENDANGERED PERSONS CLEARINGHOUSE

SUMMARY OF PROPOSED RULE

The amended rule language implements the procedures for the collection and submission of DNA for persons missing over 90 days.

JUSTIFICATION OF PROPOSED RULE

To implement procedures regarding the collection and submission of DNA specimens for persons missing over 90 days, based upon recent statutory changes.

FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

SUMMARY OF HEARING

The proposed rules were noticed in the Florida Administrative Weekly on January 9, 2009 for a hearing to be held on February 4, 2009, if requested.

FDLE received no requests for a public hearing and no written comments were submitted.

Notice of Proposed Rule

**DEPARTMENT OF LAW ENFORCEMENT
Division of Criminal Justice Information Systems**

RULE NO: RULE TITLE

11C-10.001: Definitions

11C-10.002: Procedures

PURPOSE AND EFFECT: To implement procedures regarding the collection and submission of DNA specimens for persons missing over 90 days, based upon recent statutory changes.

SUMMARY: The amended rule language implements the procedures for the collection and submission of DNA for persons missing over 90 days.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 937.021(7), 937.022, 943.03(4), F.S.

LAW IMPLEMENTED: 937.021(6), 937.022, F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, February 4, 2009 at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dinah Johnson at 850-410-8583. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dinah Johnson, Florida Department of Law Enforcement, Missing Endangered Persons Information Clearinghouse, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

NAME OF PERSON ORIGINATING PROPOSED RULE: Dinah Johnson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2008.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2008.

11C-10.001 Definitions

(1) "Approved biological specimen" shall mean either a direct reference sample or a family reference sample.

(2) "Buccal swab" shall mean epithelial cells collected from the cheek in the oral cavity using a sterile cotton-tipped swab.

(3) "Direct reference sample" shall mean any known DNA standard or biological specimen, which is known to originate from the missing child or adult. Examples include a known medical blood sample, razor, or toothbrush.

(4) "Family reference sample" shall mean a DNA specimen that is obtained from a biologically related family member of a missing child or adult.

(5) "Family reference sample collection kit" shall mean an approved DNA collection kit that provides a means of collecting DNA reference samples from biologically related family members of a missing child or adult. These DNA collection kits are assembled by the University of North Texas Center for Human Identification, and include a buccal swab collection kit or the FBI National Missing Person DNA Database, which utilizes a FBI blood cell collection kit. Each kit contains DNA collection instructions, consent forms for the donor, missing person information forms, and any items provided to collect DNA samples.

(6) The terms missing child or missing adult shall have the same meanings as provided for in s. 937.0201, F.S.

Specific Authority 943.03(4), 937.021(7) FS. Law Implemented 937.021, 937.022 FS. History—New

11C-10.002 Procedures

(1) If a missing child or adult is not located within 90 days after the missing child or missing adult report is filed, the law enforcement agency that accepted the report shall attempt to obtain a biological specimen for DNA analysis from the missing child or missing adult or from biologically related family members. The law enforcement agency can provide a biological specimen for DNA analysis prior to the expiration of the 90-day period.

(2) Submission of a direct reference sample of the missing child or adult.

(a) The law enforcement agency shall submit a direct reference sample, which can include a known medical blood sample, toothbrush, or razor, to the University of North Texas (UNT) Center for Human Identification Center at 3500 Camp Bowie Blvd., Fort Worth, Texas 76054, phone number 1-800-763-3147, or the Federal Bureau of Investigation (FBI) National Missing Person DNA Database, FBI Laboratory, Evidence Control Unit, Samples for National Missing Person DNA Database, 2501 Investigation Parkway, Quantico, VA 22135, phone 703-632-7582. Direct reference sample submission instructions are also available on the CJNet on the Missing Endangered Persons Information Clearinghouse Website, under the DNA link, URL address: <http://mcic.flcjin.net/MCICsearch>, or contact the Florida Department of Law Enforcement Missing Endangered Persons Information Clearinghouse, P.O. Box 1489, Tallahassee, Florida 32302-1489, phone number 1-888-356-4774.

(b) A direct reference sample shall be accompanied by family reference DNA samples. If no family reference DNA samples exist, the law enforcement agency shall include a written notice at the time of the direct reference sample submission.

(c) The law enforcement agency shall follow the instructions provided by the UNT or the FBI for the collection, labeling, storage, handling and submission of a direct reference sample.

(d) If no direct reference sample exists, the law enforcement agency shall attempt to obtain family reference DNA samples for submission.

(3) Submission of family reference samples. The law enforcement agency has the option of collecting buccal swabs or blood samples:

(a) Family reference sample kits for buccal swab collection are available at no cost from the UNT.

(b) Family reference sample kits for blood sample collection are available at no cost from the FBI. The withdrawal of blood for purposes of this section shall be performed in a medically approved manner using the FBI's family reference sample collection kits, and only by or under the supervision of a physician, registered nurse, licensed practical nurse, and any duly licensed medical personnel.

(c) The law enforcement agency shall attempt to obtain one family reference DNA sample from at least two different biologically related family members of the missing child or adult.

(d) The priority of sample submission is as follows: biological mother, biological father, biological siblings, biological children, maternal relatives, and paternal relatives.

(e) The biologically related family member of the missing child or adult must be positively identified by the law enforcement agency prior to submission of the DNA sample. An example of proof of identification would be a state or federal government issued identification card containing a photograph of the donor.

(f) The law enforcement agency shall follow the instructions provided by the UNT or the FBI for the collection, labeling, storage, handling and submission of family reference samples.

(4) Law enforcement state (FCIC) and national (NCIC) database entry requirements:

(a) Upon receipt of the a lab case identification number from UNT or FBI, the law enforcement agency shall modify the DNA fields in the missing person entry of the Florida Crime Information Center (FCIC) and National Crime Information Center (NCIC) databases to indicate that DNA specimens were collected and submitted. The DNA location field (DLO) of the missing person entry shall include information regarding the name of the laboratory, the lab case identification number, contact person, and the type of specimen submitted.

(b) If a match occurs between the DNA profiles for a missing child or adult and an unidentified person, then the law enforcement agency will be notified by the FBI or the UNT.

(c) Once the missing child or adult is located or identified, the law enforcement agency shall provide the UNT or the FBI with written notification on law enforcement agency letterhead.

Specific Authority 943.03(4), 937.021(7) FS. Law Implemented 937.021, 937.022 FS. History--New
