

AGENDA
FLORIDA DEPARTMENT OF LAW ENFORCEMENT

May 25, 2004

ITEM 1. Respectfully submit the **Minutes of the March 9, 2004 Cabinet Meeting.**

(See Attachment 1)

RECOMMEND APPROVAL

ITEM 2. Respectfully submit the Florida Department of Law Enforcement **Quarterly Performance Report 3rd Quarter Fiscal Year 2003-2004** and **Contracts, Agreements, and Purchases over \$100,000 from January 1 through March 31, 2004.**

(See Attachment 2)

RECOMMEND APPROVAL

ITEM 3. Respectfully submit the Florida Department of Law Enforcement **Annual Performance Contract for Fiscal Year 2004 – 2005.**

(See Attachment 3)

RECOMMEND APPROVAL

Cabinet Affairs Contact
Administrator Heather Smith
410-7001

MINUTES
FLORIDA DEPARTMENT OF LAW ENFORCEMENT

March 9, 2003

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 Jeb Bush, Governor
Honorable Charles H. Bronson, Commissioner of Agriculture
Honorable Charlie Crist, Attorney General
Honorable Tom Gallagher, Chief Financial Officer

ITEM 1. Respectfully submit the **Minutes of the October 28, 2003 Cabinet Meeting**.

Motion to approve by Governor Bush. Second by Commissioner Bronson and General Crist. Minutes approved without objection.

ITEM 2. Respectfully submit the following **rules for final adoption in Title 11 of The Florida Administrative code**. Upon approval by the Governor and Cabinet, the adopted rules will take effect on or after March 20, 2004.

The revisions to 11B-27.0011, Moral Character, expand and clarify the definition of moral character violations, add "retraction of a false statement" as a defense of moral character violations in certain circumstances, and clarify the method used to indicate the presentation of a case for determination of probable cause.

The revisions to Rule 11B-27.0004, Probable Cause Determination, clarify that the Probable Cause Panel has the authority to recommend penalties for violations and to offer a settlement agreement in cases and establish criteria for the issuance of a Letter of Acknowledgement in the Commission discipline process.

The revisions to Rule 11B-27.0005, Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances, clarify certain disciplinary violations and the criteria for determining the penalties of suspension and revocation including when the subject is employed pursuant to temporary employment authorization (TEA).

Motion to approve by Treasurer Gallagher. Second by General Crist. Designated rules approved for final adoption and without objection.

Guy M. Tunnell
Commissioner

Laurie Lewis
Secretary

Florida Department of Law Enforcement

Guy M. Tunnell, Commissioner

A large, stylized map of the state of Florida is the background for the title. The map is filled with the colors and patterns of the American flag, including stars in the upper left and horizontal stripes across the rest of the state.

Quarterly Performance Report

*Fiscal Year 2003-04
Third Quarter*

Executive Direction and Support Program

3rd Quarter
Performance

Standard
FY 03-04

Executive Direction and Support Services

◆ Administrative support costs as a percent of total agency costs	3.7%	4.0%
◆ Number of grants disbursed	412	400
◆ Total number of agencies accredited	113	109
◆ Number of cases awarded emergency violent crime funds	64 ¹	18

Investigations & Forensic Science Program

Crime Laboratory Services

◆ Number / percent of lab service requests completed	61,635/95%	73,112/95%
◆ Average number of days to complete the following lab service requests:		
(1) AFIS (Automated Fingerprint Identification System)	35	50
(2) CER (Computer Evidence Recovery)	37	90
(3) Chemistry	23	30
(4) Crime Scene	26	30
(5) Firearms	66	80
(6) Latents	64	60
(7) Microanalysis	115	115
(8) Serology/DNA	159 ²	111
(9) Toxicology	25	40
◆ Number of DNA samples added to the DNA Database	28,463	30,000
◆ Number of crime scene service requests completed	624	600

Investigative Services

◆ Number / percent of criminal investigations closed resulting in an arrest	432/66% ³	812/66%
◆ Number / percent of closed criminal investigations resolved	528/81% ³	906/73%
◆ Number of criminal investigations worked	2,103	2,696
◆ Number / percent of criminal investigations closed	652/31% ³	1,240/46%
◆ Number of short-term investigative assists worked	1,937 ⁴	3,571
◆ Number of domestic security concerns reported and responded to by Regional Domestic Security Task Forces	519 ⁵	6
◆ Number of requests for investigative analytical support responded to by the Regional Investigative Support Centers	4,582	5,557

Mutual Aid and Prevention Services

◆ Percentage of customers who found FDLE's emergency preparedness and response efforts useful	100%	97%
◆ Number of dignitaries provided with FDLE protective services	64 ⁶	52

Public Assistance Fraud Investigations Services

◆ Amount of fraudulent benefits withheld as a result of public assistance fraud investigations	\$14.7 million	\$20.1 million
◆ Number of public assistance fraud investigations conducted	4,520	5,625

Capitol Police Program

3rd Quarter
Performance **Standard
FY 03-04**

Capitol Police Services

◆ Number of criminal incidents per 1,000 employees	5.82	9.38
◆ Number of officer patrol hours	86,582	91,800
◆ Number of calls for service	11,081	9,384

Information Program

Network Services

◆ Percentage of responses from FCIC hot files that contain substantive information within defined timeframes	99%	96%
◆ Percentage of time FCIC is running and accessible	99.9%	99.5%
◆ Percentage response to criminal history record check customers within defined timeframes	100%	92%
◆ Percentage of criminal arrest records received electronically (through AFIS) for entry into the criminal history system	89%	85%
◆ Number of certified operators	54,318	53,550

Prevention and Crime Information Services

◆ Percentage of criminal history information records compiled accurately	92%	90%
◆ Number of responses to requests for criminal history record checks	1.60 million	1.77 million
◆ Number of registered sexual predators / offenders identified to the public	31,138	33,032
◆ Number of missing children cases worked through MCIC	3,920 ⁷	800
◆ Number of arrest records created and maintained	7.5 million	7.7 million
◆ Number of criminal history errors corrected	102,352 ⁸	168,000
◆ Number of disposition records added to the criminal history file	470,103 ⁹	900,000

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, & correctional probation officers	5,598/84%	4,800/80%
◆ Number of course curricula and examinations developed or revised	124	135
◆ Number of examinations administered	6,843	6,000
◆ Number of individuals trained by the FCJEI	715	745
◆ Number of law enforcement officers trained by D.A.R.E.	485 ¹⁰	145
◆ Number of professional law enforcement certificates issued	18,958	25,000
◆ Number of domestic security training courses delivered	370 ¹¹	150

Law Enforcement Standards Compliance Services

◆ Percentage of training schools in compliance with standards	78%	80%
◆ Number of breath-testing instruments inspected	317	491
◆ Number of discipline referrals processed for state and local LEOs, COs, and CPOs pursuant to Chapter 120, F.S.	1,106	1,500
◆ Number of criminal justice officer disciplinary actions	321	452
◆ Number of program and financial compliance audits performed	2,096	2,000
◆ Number of records audited to validate the accuracy and completeness of ATMS2 record information	7,388	6,500

Performance Highlights

Amber Alert Results in Safe Recovery

On March 22, 19-month-old DeShaun Milner was abducted from a relative's home in Bradenton, Florida. Manatee County Sheriff's Office worked with FDLE to evaluate the case and issue an Amber Alert. Just a few hours later, an alert driver on Interstate 4 in Orlando spotted Nickalaus Hargraves, one of the abductors, in the vehicle described in the Amber Alert and called the Florida Highway Patrol (FHP). FHP stopped the suspect vehicle and FDLE agents questioned Hargraves, who gave information leading investigators to Milner. The Florida Department of Transportation's dynamic message signs and the cooperative efforts of the Manatee County Sheriff's Office, Orange County Sheriff's Office, FHP, and FDLE agents resulted in the safe recovery of the missing child.

Operation Crescent Moon Nets 45 Arrests

In the early morning hours of February 18, over 250 law enforcement officials participated in 15 raids in the Putnam and Volusia county areas alone. FDLE, DEA, and numerous state and local agencies that team up to form the North Florida HIDTA Task Force arrested 45 people allegedly involved in two international drug rings that trafficked cocaine, marijuana, and methamphetamine throughout Central and Northern Florida. Simultaneous raids also took place in Texas. Both rings smuggled drugs over the border from Mexico to Texas and eventually distributed the drugs in Florida. Florida law enforcement officers seized nearly 700 pounds of marijuana, 22 pounds of cocaine, more than a pound of methamphetamine, several cars, guns and a boat.

C-SAFE Training Offered Across the State

Secure Florida, in conjunction with FDLE and the Florida Cybersecurity Institute, developed C-SAFE (Cyber-Security Awareness for Everyone) -- a free one-day seminar open to the public that focuses on how citizens and businesses can secure their computers and safeguard themselves from cyber crimes such as identity theft, cyber stalking and viruses. FDLE Commissioner Guy Tunnell announced the new statewide training initiative on March 15, to help protect citizens and businesses from the dangers of the Internet while providing valuable lessons on securing their computers. Nearly 20 seminars are planned across the state where topics include safe e-mail practices, preventing identify theft, recognizing scams, cyber crimes, and network and personal security.

¹ Number of cases awarded emergency violent crime funds – Marketing of these funds through agencies and publications has led to an increase in the number of case submissions and total cases funded across all categories (violent crime, victim/witness protection and drug cases). In addition, certain federal funding for drug investigations has new criteria that further restricts its use. As a result, an increasing number of local law enforcement is seeking funding through the emergency violent crime funds.

² Average number of days to complete Serology/DNA service requests – The Department continues to outsource backlogged cases and transfer incoming serology / DNA cases between labs to keep up with the incoming demand. The Department has recently utilized federal grant dollars to purchase automated equipment which processes multiple samples simultaneously.

³ Number / percent of criminal investigations closed resulting in an arrest – Number / percent of closed criminal investigations resolved – Number / percent of criminal investigations closed – Investigative performance measures have been impacted by the diversion of resources to domestic security issues (including regional field exercise participation), the loss of experienced Agents to retirement, and the training of new sworn personnel.

⁴ Number of short-term investigative assists worked – The number of short-term criminal investigative assists was lower than projected; however, FDLE did respond to all short-term investigative assist requests.

⁵ Number of domestic security concerns reported and responded to by Regional Domestic Security Task Forces – The number reported includes investigative and intelligence responses.

⁶ Number of dignitaries provided with FDLE protective services – Due to an error in the method of data collection the information previously reported for this fiscal year was incorrect. The corrected number of dignitaries provided with FDLE protective services by quarter is as follows: First Quarter - 6, Second Quarter - 41, and Third Quarter – 17, for a total of 64 for the period July 1, 2003, through March 31, 2004.

⁷ Number of missing children cases worked through MCIC – The high number of cases worked is due to the influx of electronic missing child reports from the Department of Children and Families.

⁸ Criminal history errors corrected - This measure consists primarily of technical errors that are submitted by criminal justice agencies to FDLE for correction. The measure fluctuates on a monthly basis based on the number of errors identified.

⁹ Number of disposition records added to the criminal history file - The rate of felony records added monthly to the Computerized Criminal History file fluctuates based on: the number of electronic submissions received, programming issues at the county level, the number of cases dispositioned during a given month, and the number of electronic submissions sent for correction and entry.

¹⁰ Number of law enforcement officers trained by D.A.R.E. – As the result of a new curriculum, all D.A.R.E. Officers statewide must be retrained using the new curriculum in order to continue to teach the program. FDLE expects to train over 600 officers by the end of the fiscal year.

¹¹ Number of domestic security training courses delivered – Training schools have developed curriculum for additional classes requested by the law enforcement community which have now been implemented. There has also been an increased focus, within the training schools, on specialized training which local agencies are unable to deliver.

CONTRACTS, AGREEMENTS AND PURCHASES
OVER \$100,000 FOR JANUARY 1ST THROUGH MARCH 31ST 2004

<u>P.O.#</u>	<u>VENDOR/SERVICE</u>	<u>AMOUNT</u>
809232	Pen Link, Ltd Engineering, development, software updates, upgrades and 24/7 technical support for the Lincoln product. Product used to conduct intercepts of communication (wire taps). <i>Investigations and Forensic Science Program</i> .	\$137,760
809239	Ciber, Inc. Information technology services systems analysis and programming for the Simon project. <i>Information Program.</i>	\$166,000
809266	Nabco, Inc. 2 bomb/chemical containment vessels; one for Capitol Police and one for Fort Myers Regional Operations Center. <i>Investigations and Forensic Science Program</i> .	\$109,500
R00070	All Florida Electric of Tallahassee Replacement of battery in Uninterruptible Power System which supports the Data Center at FDLE Headquarters Building. <i>Information Program.</i> Engaged by DMS through Client Agency Agreement #000119	\$105,666
C9376A	ACISS Systems, Inc. Contract provides for vendor to modify/enhance their proprietary software product that FDLE uses to run its ThreatNet System. <i>Investigations and Forensic Science Program.</i> (3/19/04 thru 6/30/04)	\$119,000
C9520A	National Domestic Preparedness Coalition, Inc. IT consulting services for the customization of the automated Homeland Security Comprehensive Assessment Model (HLS-CAM) and the development and implementation for the Florida's Critical Infrastructure Database. <i>Investigations and Forensic Science Program.</i> (3/4/04 thru 7/31/04)	\$200,000
C9527A	Bank of America Leasing & Capital, LLC Financing contract for the tangible property items being procured from and implemented by SAIC for FDLE's ICHS project (separate FDLE contract C9423A) <i>Information Program.</i> (2/4/04 thru 11/26/07)	\$25,547,686
C9538A	B&L Associates Software licenses and support/maintenance services for 2 year term to manage activities on FDLE's Unisys NX 6800 mainframe computer system. <i>Information Program.</i> (1/1/04 thru 12/31/05)	\$182,276

Annual Performance Contract

F I S C A L Y E A R 2 0 0 4 - 2 0 0 5



Guy M. Tunnell, Commissioner

Executive Direction and Support Program

Executive Direction and Support Services

• Administrative support costs as a percent of total agency costs	4%
• Number of grants disbursed	400
• Total number of agencies accredited	109
• Number of cases awarded emergency violent crime funds	18

Investigations and Forensic Science Program

Crime Laboratory Services

• Number / percent of lab service requests completed	73,112 / 95%
• Average number of days to complete lab service requests	
1. AFIS (Automated Fingerprint Identification System)	50
2. CER (Computer Evidence Recovery)	90
3. Chemistry	30
4. Crime Scene	30
5. Firearms	80
6. Latents	60
7. Microanalysis	115
8. Serology / DNA	111
9. Toxicology	40
• Number of DNA samples added to the DNA Database	30,000
• Number of crime scene service requests completed	600

Investigative Services

• Number / percent of criminal investigations closed resulting in arrest	836 / 65%
• Number / percent of closed criminal investigations resolved	933 / 73%
• Number of criminal investigations worked	2,777
• Number / percent of criminal investigations closed	1,277 / 46%
• Number of short-term investigative assists worked	3,678
• Number of domestic security concerns reported and responded to by Regional Domestic Security Task Forces	1,000
• Number of requests for investigative analytical support responded to by the Regional Investigative Support Centers	5,724

Mutual Aid and Prevention Services

• Percentage of customers who found FDLE's emergency preparedness and response efforts useful	96%
• Number of dignitaries provided with FDLE protective services	52

Public Assistance Fraud Investigative Services

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

Florida Capitol Police Program

Capitol Police Services

• Number of criminal incidents per 1,000 employees	3.42
• Number of officer patrol hours	91,800
• Number of calls for service	7,489

Information Program

Network Services

• Percentage of responses from FCIC hot files that contain substantive information within defined timeframes	98%
• Percentage of time FCIC is running and accessible	99.5%
• Percentage response to criminal history record check customers within defined timeframes	94%
• Percentage of criminal arrest records received electronically (through AFIS) for entry into the criminal history system	88%
• Number of certified operators	54,117

Prevention and Crime Information Services

• Percentage of criminal history information records compiled accurately	90%
• Number of responses to requests for criminal history record checks	1,770,000
• Number of registered sexual predators / offenders identified to the public	29,898
• Number of missing children cases worked through MCIC	2,000
• Number of arrest records created and maintained	15.5 M
• Number of criminal history errors corrected	168,000
• Number of disposition records added to the criminal history file	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	4,800 / 80%
• Number of course curricula and examinations developed / revised	135
• Number of examinations administered	6,000
• Number of individuals trained by the FCJEI	764
• Number of law enforcement officers trained by D.A.R.E.	145
• Number of professional enforcement certificates issued	25,000
• Number of domestic security training courses delivered	150

Law Enforcement Standards Compliance Services

• Percentage of training schools in compliance with standards	80%
• Number of breath-testing instruments inspected	491
• Number of discipline referrals processed for state and local LEOs, COs, and CPOs pursuant to Chapter 120, F.S.	1,500
• Number of criminal justice officer disciplinary actions	452
• Number of program and financial compliance audits performed	2,000
• Number of records audited to validate the accuracy and completeness of ATMS2 record information	7,000

The Government Performance and Accountability Act of 1994 requires that agencies meet performance standards as specified in the annual General Appropriations Act. This “contract” contains the performance expectations for each of the Florida Department of Law Enforcement’s programs for Fiscal Year 2004-2005. These performance issues will be complemented by a variety of other Cabinet, Legislative, and criminal justice mandated responsibilities and services.



***Florida Department of Law Enforcement
P.O. Box 1489
Tallahassee, FL 32302
www.fdle.state.fl.us***