

AGENDA
FLORIDA DEPARTMENT OF LAW ENFORCEMENT

April 19, 2005

- ITEM 1. Respectfully submit the **Minutes of the September 21, 2004 Cabinet Meeting, Minutes of the October 26, 2004 Cabinet Meeting, and Minutes of the November 9, 2004 Cabinet Meeting.**

(See Attachment 1)

RECOMMEND APPROVAL

- ITEM 2. Respectfully submit the **Florida Department of Law Enforcement Quarterly Performance Report 2nd Quarter Fiscal Year 2004-2005 and Contracts, Agreements, and Purchases over \$100,000 from October 1 through December 31, 2004.**

(See Attachment 2)

RECOMMEND APPROVAL

Cabinet Affairs Contact
Administrator Heather Smith
410-7001

MINUTES
FLORIDA DEPARTMENT OF LAW ENFORCEMENT

September 21, 2004

The Florida Department of Law Enforcement met on this date in the Cabinet Meeting Room, LL03, 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 March 30, 2004 Cabinet Meeting, Minutes of the May 25, 2004 Cabinet Meeting, and Minutes of the June 24, 2004 Cabinet Meeting.**

Motion to approve by Chief Financial Officer Gallagher. Seconded by General Crist. Minutes approved without objection.

ITEM 2. Respectfully submit the **Florida Department of Law Enforcement 2003-2004 Annual Performance Report, with Contracts, Agreements and Purchases over \$100,000 for April 1 through June 30, 2004.**

Motion to approve by Chief Financial Officer Gallagher. Seconded by General Crist. Report approved without objection.

ITEM 3. Respectfully submit the **Florida Department of Law Enforcement Proposed Legislative Budget Request for Fiscal Year 2005-2006.**

Motion to approve by Chief Financial Officer Gallagher. Seconded by Commissioner Bronson. Request approved without objection with Governor Bush abstaining for purposes of submitting his own budget to the Florida Legislature.



Guy M. Tunnell
Commissioner



Carol Bishop
Secretary

MINUTES
FLORIDA DEPARTMENT OF LAW ENFORCEMENT

October 26, 2004

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:

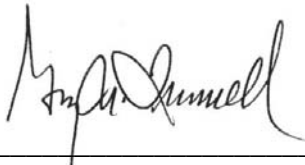
Honorable Jeb Bush, Governor
Honorable Charles H. Bronson, Commissioner of Agriculture
Honorable Charlie Crist, Attorney General
Honorable Tom Gallagher, Chief Financial Officer

ITEM 1. Respectfully submit a series of nine rules for final adoption in Title 11 of Florida's Administrative Code to include Rule 11B-14 Salary Incentive Program; Rule 11B-18 Criminal Justice Standards and Training Trust Fund; Rule 11B-20 Certification of Criminal Justice Training Instructors; Rule 11B-21 Certification of Criminal Justice Training Schools; Rule 11B-27 Certification and Employment or Appointment; Rule 11B-30 State Officer Certification Examination; Rule Chapter 11B-35 Training Programs; Rule Chapter 11C-6 Criminal History Records Dissemination Policy; and Rule Chapter 11G-2 Standard Investigation Procedures.

Motion to approve by General Crist. Seconded. Rules approved for final adoption and without objection.

ITEM 2. Respectfully submit the Florida Department of Law Enforcement's 2005 Proposed Legislative Initiatives.

Motion to approve by Chief Financial Officer Gallagher. Seconded by Commissioner Bronson. Initiatives approved without objection.



Guy M. Tunnell
Commissioner



Carol Bishop
Secretary

MINUTES
FLORIDA DEPARTMENT OF LAW ENFORCEMENT

November 9, 2004

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:

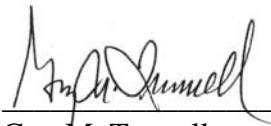
Honorable Jeb Bush, Governor
Honorable Charles H. Bronson, Commissioner of Agriculture
Honorable Charlie Crist, Attorney General
Honorable Tom Gallagher, Chief Financial Officer

ITEM 1. Respectfully submit the Florida Department of Law Enforcement Quarterly Performance Report 1st Quarter Fiscal Year 2004-2005 and Contracts, Agreements, and Purchases over \$100,000 from July 1 through September 30, 2004.

Motion to approve by General Crist. Seconded by Chief Financial Officer Gallagher. Report approved without objection.

ITEM 2. Respectfully submit a series of 13 rules for final adoption in Title 11 of the Florida Administrative Code to include: Rule 11D-8.002 Definitions; Rule 11D-8.003 Approval of Breath Test Instruments and Methods; Rule 11D-8.0035 Approval of Alcohol Reference Solution and Sources; Rule 11D-8.0036 Approval of Dry Gas Standards Source; Rule 11D-8.004 Department Inspection and Registration of Breath Test Instruments; Rule 11D-8.006 Agency Inspection of Breath Test Instruments; Rule 11D-8.007 Approved Breath Test Instruments – Access, Facility Requirements, Observation Period, and Operational Procedures; Rule 11D-8.0075 Agency Retention of Records; Rule 11D-8.008 Breath Test Operator and Agency Inspector; Rule 11D-8.010 Qualifications for Instructors; Rule 11D-8.013 Blood Alcohol Permit – Analyst; Rule 11D-8.015 Denial, Revocation, and Suspension of Permits; and Rule 11D-8.017 Forms.

Motion to approve by Chief Financial Officer Gallagher. Seconded by General Crist. Rules approved for final adoption without objection.



Guy M. Tunnell
Commissioner



Carol Bishop
Secretary

Quarterly Performance Report

F I S C A L Y E A R 2 0 0 4 - 2 0 0 5
S E C O N D Q U A R T E R

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

The logo consists of a blue semi-circle containing a white sunburst. A black silhouette of the state of Florida is superimposed over the sunburst. The words "FLORIDA DEPARTMENT OF LAW ENFORCEMENT" are written in a bold, black, sans-serif font, curving around the top and sides of the semi-circle.

Guy M. Tunnell, Commissioner

**2nd Quarter
Performance****Standard
FY 04-05****Executive Direction and Support Program****Executive Direction and Support Services**

• Administrative support costs as a percent of total agency costs	3.5%	4%
• Number of grants disbursed	357	400
• Total number of agencies accredited	120	109
• Number of cases awarded emergency violent crime funds	48	18

Investigations and Forensic Science Program**Crime Laboratory Services**

• Number / percent of lab service requests completed	37,912 / 91%	73,112 / 95%
• Average number of days to complete lab service requests		
1. AFIS (Automated Fingerprint Identification System)	39	50
2. CER (Computer Evidence Recovery)	36	90
3. Chemistry	46 ¹	30
4. Crime Scene	35 ¹	30
5. Firearms	101 ¹	80
6. Latents	68 ¹	60
7. Microanalysis	154 ¹	115
8. Serology / DNA	164 ¹	111
9. Toxicology	32	40
• Number of DNA samples added to the DNA Database	24,717	36,000
• Number of crime scene service requests completed	348	600

Investigative Services

• Number / percent of criminal investigations closed resulting in arrest	272 / 63% ²	836 / 65%
• Number / percent of closed criminal investigations resolved	352 / 82% ²	933 / 73%
• Number / percent of criminal investigations closed	431 / 27% ²	1,277 / 46%
• Number of criminal investigations worked	1,578	2,777
• Number of short-term investigative assists worked	1,224 ²	3,678
• Number of domestic security concerns reported and responded to by Regional Domestic Security Task Forces	637	1,000
• Number of requests for investigative analytical support responded to by the Regional Investigative Support Centers	3,714	5,724

Mutual Aid and Prevention Services

• Percentage of customers who found FDLE's emergency preparedness and response efforts useful	100%	96%
• Number of dignitaries provided with FDLE protective services	32	52

Public Assistance Fraud Investigative Services

• Amount of fraudulent benefits withheld as a result of public assistance fraud investigations	\$7.9 M	\$20.1 M
• Number of public assistance fraud investigations conducted	2,113	5,625

	2 nd Quarter Performance	Standard FY 04-05
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Florida Capitol Police Program

Capitol Police Services

• Number of criminal incidents per 1,000 employees	4.32	9.38
• Number of officer patrol hours	54,365	91,800
• Number of calls for service	6,915	7,489

Information Program

Network Services

• Percentage of responses from FCIC hot files that contain substantive information within defined timeframes	99%	98%
• Percentage of time FCIC is running and accessible	99.9%	99.5%
• 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	86%	88%
• Number of certified operators	54,734	54,117

Prevention and Crime Information Services

• Percentage of criminal history information records compiled accurately	93%	90%
• Number of responses to requests for criminal history record checks	1,156,958	1,770,000
• Number of registered sexual predators / offenders identified to the public	33,446	29,898
• Number of missing children cases worked through MCIC	3,242	2,000
• Number of arrest records created and maintained	16.2 M	15.5 M
• Number of criminal history errors corrected	41,821 ³	168,000
• Number of disposition records added to the criminal history file	283,883 ⁴	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	3,543 / 84%	4,800 / 80%
• Number of course curricula and examinations developed / revised	117	135
• Number of examinations administered	4,309	6,000
• Number of professional enforcement certificates issued	11,623	25,000
• Number of individuals trained by the FCJEI	447	764
• Number of law enforcement officers trained by D.A.R.E.	76	145
• Number of domestic security training courses delivered	74	150

Law Enforcement Standards Compliance Services

• Percentage of training schools in compliance with standards	77%	80%
• Number of breath-testing instruments inspected	403	491
• Number of discipline referrals processed for state and local LEOs, COs, and CPOs pursuant to Chapter 120, F.S.	774	1,500
• Number of criminal justice officer disciplinary actions	290	452
• Number of program and financial compliance audits performed	961	2,000
• Number of records audited to validate the accuracy and completeness of ATMS2 record information	3,891	7,000



FDLE's Child Abduction Response Team Gets First Test – The FDLE led Child Abduction Response Team (CART), a multi agency group of trained investigators from the central Florida region, was called into action for the first time on October 27, when the Winter Garden Police Department was faced with the abduction of a seven-year-old girl. The child was discovered missing by her parents when they tried to wake her for school that morning. Within an hour of the original 911 call, over 40 members of the CART from ten local, state and federal agencies arrived on the scene and immediately began a neighborhood canvass and door-to-door interviews. A person of interest was quickly identified and detained for questioning. Several hours later the child was spotted, injured but alive, hiding in the bushes along the West Orange Trail. The person of interest later confessed to the child's kidnapping and attempted murder. CART is the first program of its kind and is based on rapid mobilization of manpower and a coordination of resources by participating agencies. A similar team is being developed in the South Florida region.

Operation "Open Water" Nets 15 Arrests at Tampa Port - During the week of November 8, members of the Tampa Bay Regional Domestic Security Task Force, working closely with other agencies, arrested several individuals who had fraudulently obtained port access badges. Operation "Open Water" began when Domestic Security Task Force members teamed up with the Tampa Port Authority, U.S. Attorneys' Office, Social Security Administration, and Department of Homeland Security, Immigrations and Customs Enforcement to investigate suspicions of identity fraud and false statements by individuals to obtain employment and access to restricted areas of Florida seaports. A comprehensive list with biographical information of port access badge holders was obtained from the FDLE Applicant Services Section. From that list, biographical information including name, date of birth, Social Security number and other identifying features was compared to law enforcement records in an effort to identify which subjects provided false information to receive port access badges. The screening identified potential suspects that provided inconsistent or false information during the application and security background process. A grand jury returned indictments for 30 individuals working at the Port of Tampa. Fifteen subjects were arrested and additional arrests are expected.

Cold Case Investigators Crack 15-year old Murder Case - Fifteen years ago, on March 19, 1989, 12-year-old Meghan Renaud said good night to her family and was never seen alive again. Four days later, her body was found in a wooded area near her home in Starke, Fla. Despite an exhaustive investigation in 1989, and an intense task force investigation in 1993, no charges had been brought in the homicide. In June 2004, FDLE's Gainesville Field Office re-opened the case and veteran agents immediately set about reviewing the case file. Agents decided to submit previously unanalyzed evidence from the case to the FBI lab for DNA mitochondrial analysis that was not available at the time of Meghan's disappearance. The results pointed conclusively to Michael Knickerbocker. Knickerbocker had been a suspect in the case at the time of Meghan's death, but investigators had lacked sufficient evidence to charge him. The new forensic results prompted a Bradford County grand jury hearing on the case and an indictment of a first-degree murder charge against Knickerbocker for the 1989 slaying. The State Attorney intends to seek the death penalty.

¹ **Average number of days to complete lab service requests** - Laboratory turnaround standards and productivity were significantly affected by the four hurricanes that occurred during the first quarter. FDLE's seven labs were non-operational a total of 36 days due to hurricane preparation. The Pensacola laboratory is now operating from a temporary location and completing casework in chemistry, latents, and crime scene. Pensacola scientists are completing limited casework in firearms and DNA, with some of this work being conducted in the Tallahassee laboratory.

² **Investigative Services** - Investigative measures were significantly impacted during the hurricanes of the first quarter, and, as a result, the number of cases worked, closed and resolved remains below the level expected through the second quarter. Investigative resources from throughout the state were redirected to assist with hurricane recovery efforts.

³ **Number of criminal history errors corrected** - The reduction in the number of criminal history errors corrected in the Computerized Criminal History (CCH) files can be attributed to several factors. The data-cleansing project (which was undertaken as part of the preparation for the Integrated Criminal History System) is nearing a conclusion, and the number of corrections has been greatly reduced. Additionally, the training of local law enforcement agencies on electronic livescan submissions has increased and the number of errors by those submitting agencies has subsequently decreased.

⁴ **Number of disposition records added to the criminal history file** - The rate of felony records added monthly to the Computerized Criminal History (CCH) file may fluctuate based on several factors such as: the number of electronic submissions received from the Clerk of the Court, programming issues at the county level, the number of cases dispositioned during a given month, and the number of electronic submissions that are sent for correction and entry.

Florida Department of Law Enforcement

**Contracts, Agreements and Purchases Over \$100,000 for
October 1 - December 31, 2004**

<u>P.O.#</u>	<u>VENDOR/SERVICE</u>	<u>AMOUNT</u>
809515	Diverse Computing, Inc. On site maintenance and technical support for FCIC Systems software for Information Program. Term period: 10/04 thru 6/30/05	\$115,008
809562	Tybrin 1260 hours information technology services systems analysis & programming for civil workflow control service (applicant processing) for Information Program.	\$119,700
620185	Wilder Corporation of Delaware Lease #710:0175, renewed and restructured rental rate of office space for FDLE's Clearwater Field Office. Lease period: 2/1/05 thru 1/31/09	\$199,755
C9523A	Science Applications International Corp. (SAIC) Amendment for gap analysis sessions in reference to the Integrated Criminal History System Phase 3/Build 2 Critical Design Review. Term period: 4/29/03 thru 12/31/07	\$255,000