

OFFICE OF INSPECTOR GENERAL

Florida Fish and Wildlife
Conservation Commission



ANNUAL REPORT 2017-2018





September 17, 2018

**Florida Fish
and Wildlife
Conservation
Commission**

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*Managing fish and wildlife
resources for their long-term
well-being and the benefit
of people*

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Eric Sutton
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Executive Director Sutton,

In compliance with section 20.055(7)(a) Florida Statutes, I am pleased to submit for your review the Florida Fish and Wildlife Conservation Commission (FWC) Office of Inspector General (OIG) Annual Report. The annual report details the audit and investigative activities of the OIG for the fiscal year ending June 30, 2018.

The OIG prides itself on our commitment to providing the Florida Fish and Wildlife Conservation commission, along with the involved citizens of the State of Florida, the most thorough, accurate, and timely audits and investigations possible.

We appreciate all your support and look forward to continuing our excellent relationship.

Respectfully,

A handwritten signature in black ink, appearing to read "Mike Troelstrup".

Mike Troelstrup
FWC Inspector General

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General Information

About the OIG

The Florida Fish and Wildlife Conservation Commission (FWC), Office of Inspector General (OIG), is located in the Farris Bryant Building in Tallahassee, Florida. As an independent and impartial office, OIG acts as a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency in government. This annual report will provide an overview of FWC OIG's investigative and audit activity during the 2017/2018 fiscal year.

Mission Statement

The mission of the FWC OIG is to provide leadership in the promotion of accountability and integrity in state government through the prevention and detection of fraud, waste, abuse, and misconduct of Agency employees.

Vision Statement

The vision of the FWC OIG is to enhance public trust in government through a tireless commitment to accountability and transparency.



Statutory Authority

Section 20.055, F.S. established an office of inspector general in each state agency to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency in government. It is the duty and responsibility of each inspector general, with respect to the state agency in which the office is established, to:

- ❖ Advise in the development of performance measures, standards, and procedures for the evaluation of state agency programs.
- ❖ Assess the reliability and validity of the information provided by the state agency on performance measures and standards, and make recommendations for improvement.
- ❖ Review the actions taken by the state agency to improve program performance and meet program standards and make recommendations for improvement, if necessary.
- ❖ Provide direction for, supervise, and coordinate audits, investigations, and management reviews relating to the programs and operations of the state agency.
- ❖ Conduct, supervise, or coordinate other activities carried out or financed by that state agency for the purpose of promoting economy and efficiency in the administration of, or preventing and detecting fraud and abuse in, its programs and operations.
- ❖ Keep the agency head informed concerning fraud, abuses, and deficiencies relating to programs and operations administered or financed by the state agency, recommend corrective action concerning fraud, abuses, and deficiencies, and report on the progress made in implementing corrective action.
- ❖ Ensure effective coordination and cooperation between the Auditor General, federal auditors, and other governmental bodies.
- ❖ Review, as appropriate, rules relating to the programs and operations of such state agency and make recommendations concerning their impact.
- ❖ Ensure that an appropriate balance is maintained between audit, investigative, and other accountability activities.



Professional Involvement

The FWC OIG prides itself on maintaining a highly trained and motivated staff. The professional staff of the OIG includes the Inspector General, Director of Investigations, four sworn investigators, one non-sworn investigator, a Management Analyst, the Director of Auditing, an Internal Auditor II, a part-time Internal Auditor II and an Administrative Assistant. One hundred percent of the ten full-time positions in the OIG possess college degrees from an accredited college or university, and three of those possess post-graduate degrees as well.



FLORIDA CHAPTER
ASSOCIATION OF INSPECTORS GENERAL



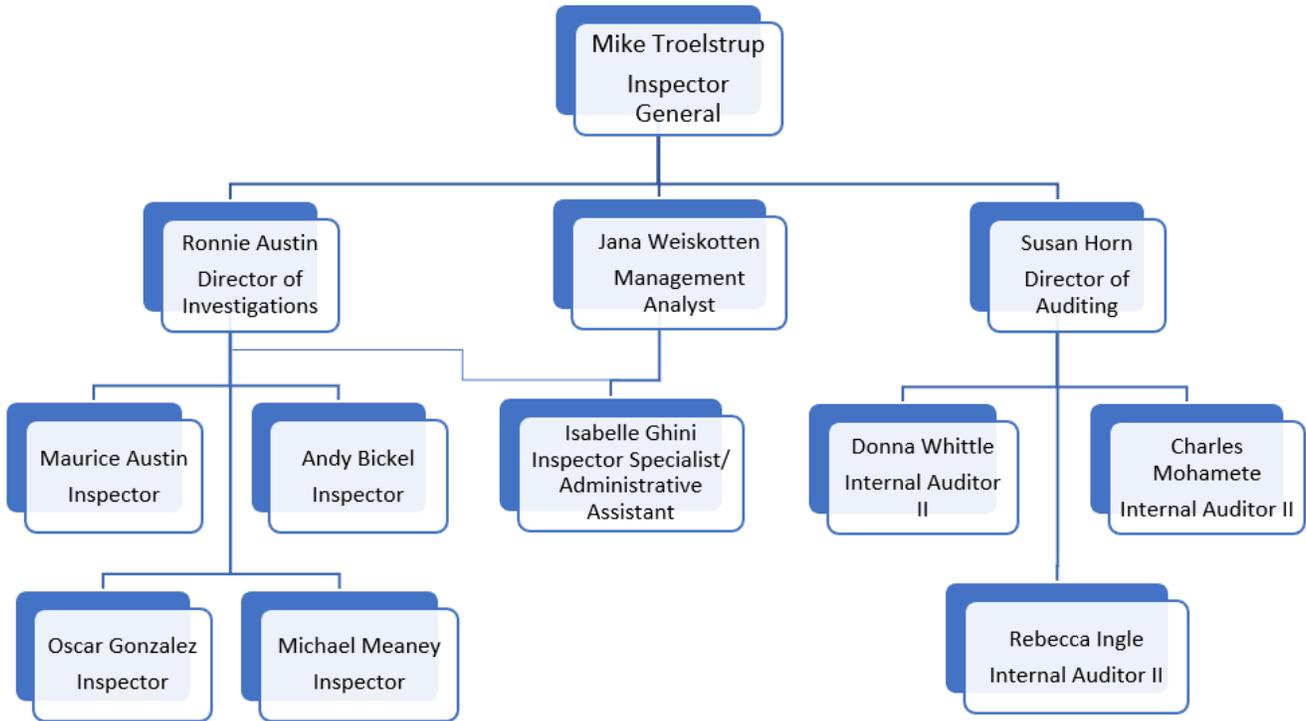
Professional Involvement

The staff members of the OIG are active in professional organizations including:

- ❖ Florida Association of Inspectors General
- ❖ The National Association of Inspectors General
- ❖ The Institute of Internal Auditors
- ❖ The American Institute of Certified Public Accountants
- ❖ The Tallahassee Association of Certified Fraud Examiners
- ❖ The Commission for Florida Law Enforcement Accreditation



Office of Inspector General Staff



Staff members also possess the following professional certifications:

- ❖ State of Florida Sworn Law Enforcement Officer
- ❖ Certified Inspector General
- ❖ Certified Inspector General Investigator
- ❖ Certified Inspector General Auditor
- ❖ Certified Accreditation Professional
- ❖ Certified Fraud Examiner
- ❖ Certified Internal Auditor
- ❖ Notary Public

Some certifications are mandated by Florida law in order to be employed in the OIG. Virtually all certifications require regular mandatory training courses, such as annual in-service training for law enforcement officers. For the fiscal year 2017-2018, the OIG staff completed 581.5 hours of training.

Our internal audit staff have years of accounting and auditing experience, as well as Information Technology experience. They possess extensive training accomplishments in the fields of accounting, auditing, fraud, risk assessment, and financial management.

Internal Audit

General Information

The role of internal auditing is to provide independent, objective assurance and consulting activity designed to add value and improve the organization's operations. The FWC OIG Internal Audit Section assists the Agency in accomplishing its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes. We provide assurances to senior management that all reviewed operations are working in a manner that is consistent with established organizational objectives, policies, and procedures.

Our internal audits and reviews are conducted in conformance with the *International Standards for the Professional Practice of Internal Auditing* and the *Principles and Standards for Offices of Inspector General* and are generally carried out in accordance with an annual work plan approved by the FWC Executive Director.

The FWC OIG Internal Audit Section consists of two full-time employees, the Director of Auditing and an Internal Auditor II, and two half-time Internal Auditor II OPS positions. A full-time OPS Administrative Assistant is shared with the Investigations Section.

In the fiscal year 2017/2018, the Internal Audit Section completed one audit, eight audit advisory or management reviews, and provided audit assistance in internal investigations. At the close of the fiscal year, two audits remained open. A summary of each completed project is as follows:



IA-1705 - Alligator Management Program Audit

Based on our annual work plan, the FWC OIG conducted an audit of the FWC Division of Hunting and Game Management's (HGM), Alligator Management Program (AMP). The purpose of this audit was to identify sources of program funding and to determine if fees are adequately collected and reported. As well as analyze if fees collected are sufficient to cover all costs.

Overall, our audit determined the FWC Alligator Management Program was charging the correct fee amounts related to alligator licenses, permits, and tags in compliance with applicable laws, rules, policies, procedures, and guidelines. According to the data provided by the FWC HGM management, the FWC AMP revenues collected are sufficient to cover all costs. Some areas of non-compliance and opportunities for improvements were identified. Our findings included the following: reconciliation oversight, inaccurate data, and background screenings needed.

Corrective actions are currently underway. A follow-up review was scheduled for July 2018 and is currently ongoing.

IA-1710 - Tenoroc Audit Follow-up Review

The purpose of the review was to report the progress and status of the FWC's efforts to complete action items identified in the FWC OIG Tenoroc Audit Report Number IA-1506.

At present, the Memorandum of Understanding (MOU) between the FWC Tenoroc Shooting Range and the Fish & Wildlife Foundation of Florida (Foundation) has not been

finalized. The previous agreement was inaccurate as it listed the Foundation as operating the Tenoroc Shooting Range when the FWC actually operates the Tenoroc Shooting Range. The MOU was rewritten to reflect actual responsibilities. We also recommended that profit and loss statements should be reviewed and prepared more frequently as an aid in operating decisions. FWC management has agreed to prepare them quarterly. We also recommended that quarterly inventory counts be performed and reconciled to the inventory report. The Tenoroc Shooting Range standard operating procedure now provides for quarterly counts and reconciliations.

The OIG appreciates FWC management's work in addressing these issues. All audit items are closed.

IA-1718 Procedure Review

The purpose of the OIG review was to ensure the FWC policies and procedures are pursuant to Section 20.055(2), Florida Statutes. A random selection of policies and procedures in the FWC Internal Management Policies and Procedures (IMPP) were reviewed. The eight randomly selected FWC IMPP's were: IMPP 1.30, Ombudsman Program, IMPP 1.33, External Customer Service, IMPP 3.6, Information Technology Project Governance, IMPP 3.8, Computer Security Incident Reporting and Response Policy, IMPP 4.1, Procurement, IMPP 4.3, Construction Contracts, IMPP 5.3, Use of Commission Vehicles, Vessels, Equipment and Aircraft, and IMPP 5.12, Bulk Fuel Use. Based on the results of the review, the OIG identified numerous areas for improvements and proposed eight recommendations. Management is in process of taking actions to address the issues identified. This review is closed.

IA-1802 - FWC Youth Programs Audit Follow-up

The purpose of the memorandum was to report the progress and status of FWC's efforts to complete action items identified in the FWC OIG's, FWC Youth Programs Audit Report Number IA-1602.

Based on the results of the follow-up review, the OIG determined that management took adequate, effective and timely actions in response to fifteen of the eighteen OIG

recommendations. During our follow-up review, the OIG also identified three additional issues that require management attention. As a result, OIG had four additional recommendations.

The OIG will conduct a follow-up review of the remaining three and four new recommendations in eight months during the 2018 FWC youth summer camp season.



IA-1804 Florida Single Audit Act (FSAA)

The OIG reviewed financial packages for Single Audit eligibility for fiscal year 2017/2018, none of city and county financial packages that we received indicated that the eligibility threshold for a Single Audit was met.

IA-1805 Purchasing Card Audit Follow-Up

The purpose of the memorandum was to report the progress and status of the FWC's efforts to complete action items established to address issues identified in the FWC OIG's, Purchasing Card (P-Card) Audit Report Number IA-1614.

Based on the results of the follow-up review, the OIG determined that management took adequate, effective and timely actions in response to two of the seventeen OIG recommendations. Fourteen of the fifteen corrective actions are associated with a re-write of the Purchasing Card IMPP and the Purchasing Card Manual, which will be presented for committee review in June 2018. The OIG will conduct a follow-up review of the fifteen remaining recommendations in six months.



IA-1806 AG OIT Operational Audit Follow-Up

The purpose of the memorandum was to report on the progress and status of FWC's efforts to complete action items identified in the Florida Auditor General's (AG), Operational Audit Report Number 2017-201, Office of Information Technology (OIT), Mobile Device Security Controls.

Based on the results of the follow-up review, the OIG determined that management is in process of taking actions to address the issues identified in the Auditor General's report. A legislative budget request has been forwarded for the fiscal year 2018/2019 budget covering security issues. Once approved, the issues presented in the audit will be addressed and resolved.

IA-1809 Performance Measure Assessment

The purpose of the memorandum was to report the results of the OIG's review of FWC's performance measures pursuant to Section 20.055(2), Florida Statutes. The assessment of performance measure information is a component of the OIG's annual work plan. The OIG review consisted of assessing the validity and reliability of three fiscal year 2018/2019 performance measures included in the FWC's Long-Range Program Plan for 2018-2019 through 2022-2023 Long Range Plan. The performance measures assessed included: number of fish stocked (valid and reliable), number of officers and recruits trained (valid and reliable), and number of people reached with fish and wildlife messages (partially valid and not reliable).

Notes:

In June of 2018, the OIG Audit Section prepared a risk assessment and audit plan (IA-1808) for fiscal year 2018/2019, and a long-term audit plan for fiscal years 2019/2020 and 2020/2021. The main purpose and benefit of conducting this assessment was to plan audit activities (through a risk-based process) to provide the most effective audit coverage of the Commission's programs given the resources allocated. The following audit projects were ongoing and incomplete as of June 30, 2018: IA-1801 and IA-1807.



INVESTIGATIONS

The Investigations Section of the Office of Inspector General (OIG) investigates allegations of misconduct by Commission employees, monitors field investigations, and reviews the Division of Law Enforcement's Use of Force Reports. The OIG also investigates allegations of sexual harassment, alleged violations of Florida's Whistle-Blower Act, and serves as the Commission's Ombudsman to address concerns of employees that cannot be resolved through the normal chain of command.

The OIG Investigations Section received Accreditation from the Commission for Florida Law Enforcement Accreditation, Inc. (CFA) in 2013 and was re-accredited in 2016.

MINOR COMPLAINTS

The OIG will decide the appropriate level of investigation based on established criteria. Minor misconduct complaints include but are not limited to allegations of rudeness, use of obscene or profane language, personal appearance, improper operation of a state vehicle or vessel; citizen complaints that can be resolved in the initial contact; and routine disciplinary action which results in an oral or written reprimand. Under the direction of OIG, the originating Division/Office (DO) may conduct the field investigation of a minor complaint in conjunction with OIG after notifying the OIG of the complaint. The OIG will provide supervisory investigative assistance to the DO throughout the investigation and completion of the inquiry report.

MAJOR COMPLAINTS

The OIG Investigations Section will conduct investigations of all major complaints. Major complaints include but are not limited to allegations of criminal misconduct by an employee, misconduct that will result in suspension or dismissal, violation of Florida's Whistle-Blower Act, misconduct that crosses DO lines, sexual harassment, or when the Inspector General determines an investigation is warranted.

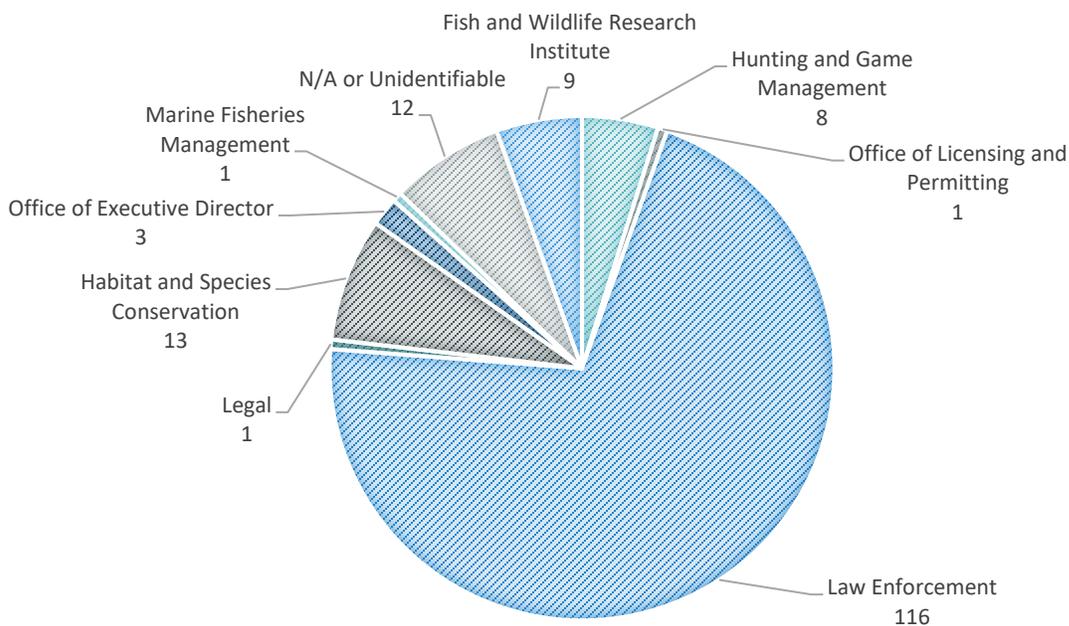
INQUIRIES

Inquiry case numbers are designated with a "Q". These complaints are reviewed by OIG investigators when there is not enough information provided to determine if an investigation is warranted. Similar to field inquiries, the inquiries are limited to obtaining enough information to make an informed decision as to how to designate the complaint.

The Office of Inspector General (OIG) received and reviewed a total of 164 complaints during the 2017/2018 fiscal year. All complaints received by OIG are assigned a complaint number for tracking purposes. Complaint review is conducted under the direction and supervision of OIG investigators, though the originating Division/Office (DO) may conduct a field inquiry to gather additional information if warranted. After the complaint has been received by OIG, the DO may assign a supervisor outside of the subject employee’s chain of command to coordinate the inquiry with OIG. At the conclusion of the inquiry, OIG re-reviews the complaint and all information gathered to determine if the complaint should be closed or escalated to OIG Inquiry, Supervisory Investigation, or Investigation. Findings are not issued when closing minor complaints.

In the 2017/2018 fiscal year, OIG received 116 complaints on employees within the Division of Law Enforcement, 13 within Habitat and Species Conservation, 9 within Fish and Wildlife Research Institute, 8 within Hunting and Game Management, 3 within the Office of Executive Director, 1 within the Office of Licensing and Permitting, 1 within Marine Fisheries Management, 1 within the Legal Office, and 12 that were unidentifiable.

COMPLAINTS BY DIVISION

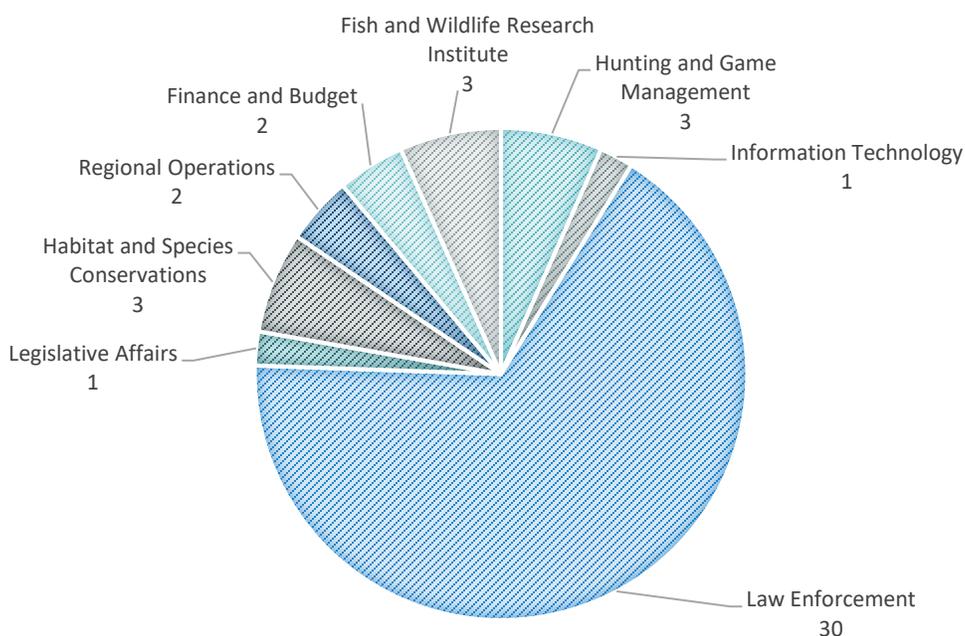


Investigations by Division/ Office

The Office of Inspector General (OIG) conducted a total of 46 internal investigations and inquiries in the 2017/2018 fiscal year. Major complaints are assigned investigation case numbers and investigated by OIG investigators. Field inquiries into minor complaints may be conducted by the Division/Office (DO) in conjunction with OIG prior to a complaint’s designation as an investigation. After the issuance of a case number, OIG investigators conduct an administrative or criminal investigation focused on determining whether the alleged conduct occurred. At the conclusion of the investigation, findings are issued based on all evidence gathered. The closed investigation is then provided to the originating DO to determine the appropriate disciplinary action, if any.

In the 2017/2018 fiscal year, OIG completed 30 investigations on employees within the Division of Law Enforcement, 3 within Habitat and Species Conservation, 3 within Fish and Wildlife Research Institute, 3 within Hunting and Game Management, 2 within the Finance and Budget Office, 2 within Regional Operations, 1 within the Office of Information Technology, and 1 within Legislative Affairs.

INVESTIGATIONS BY DIVISION



Case Number	Description of Allegations
2016-INV-0015	
2016-INV-0043 2016-INV-0052	An officer allegedly claimed leave due to injury but was seen boating.
2017-INV-0012	It was alleged that an officer was untruthful in an arrest affidavit, was unprofessional during a traffic stop, and misused the State of Florida Driver and Vehicle Information Database (DAVID).
2017-INV-0015	
2017-INV-0018	Allegations of deer depredation violations, and failure to act were investigated.
2017-INV-0019	
2017-INV-0021	An officer allegedly failed to accurately document information provided during a background check investigation.
2017-INV-0022	
2017-INV-0023	It was alleged an officer used his Agency position to have deer depredation permits issued to a personal friend.
2017-INV-0024	
2017-INV-0026	An officer allegedly drove his FWC vehicle while off-duty and without permission then was untruthful when asked by a supervisor.
2017-INV-0028 2017-INV-0029	An officer allegedly participated in the sealing of an attic where bats were known to be roosting.
2017-INV-0030	

2017-INV-0031	An FWRI employee was allegedly participating in purchasing fraud.
2017-INV-0032	An officer was alleged to have posted (non-sexually explicit) inappropriate photographs of herself and her agency assigned vehicle on social media while in uniform.
2017-INV-0033	A DLE Investigator allegedly made an inflammatory statement regarding the State Attorney's Office in possible violation of General Orders.
2017-INV-0034	Previously unaccounted evidence was found at the Annex Facility.
2017-INV-0035	It was alleged that FWC employees illegally obtained access to another employee's medical records.
2017-INV-0036	An officer allegedly unlawfully seized a cellular telephone during a traffic stop and conducted an unauthorized search of a female.
2017-INV-0037	A potentially improper charge during a vessel safety inspection by an officer was investigated.
2017-INV-0039	An officer was allegedly involved in criminal mischief while operating his personal vehicle while intoxicated.
2017-INV-0040	An allegation of misconduct was investigated against a duty officer involving use of profanity and offensive gestures, taking excessive breaks and making negative comments about supervisors and other coworkers.
2017-INV-0041	Rude and unprofessional behavior was alleged against an officer.
2017-INV-0042	It was alleged that three officers harassed citizens and abused their power.
2017-INV-0043	An allegation of nepotism in employment practices was investigated.
2017-INV-0044	A lieutenant was allegedly rude and insulting toward a citizen.
2017-INV-0045	An officer allegedly crashed his personal vehicle while intoxicated and was uncooperative with FHP.
2017-INV-0046	An allegation of DAVID misuse by an officer was investigated.
2017-INV-0047	An employee allegedly submitted a falsified a high school diploma during the application process.
2017-INV-0048	An officer was allegedly involved in an altercation with a private citizen at a bar while off-duty.
2017-INV-0049	An allegation of internet misuse was investigated.
2017-INV-0050	An allegation of sexual harassment was investigated.

2017-INV-0051

2017-INV-0052

2017-INV-0053

2017-INV-0055

2018-INV-0001

2018-INV-0002

2018-INV-0003

2018-INV-0004

2018-INV-0006

2018-INV-0007

2018-INV-0008

2018-INV-0015

An HSC employee allegedly falsified a quotation from a vendor.

An officer was accused of sexual harassment.

An allegation of sexual harassment and battery at FWRI was investigated.

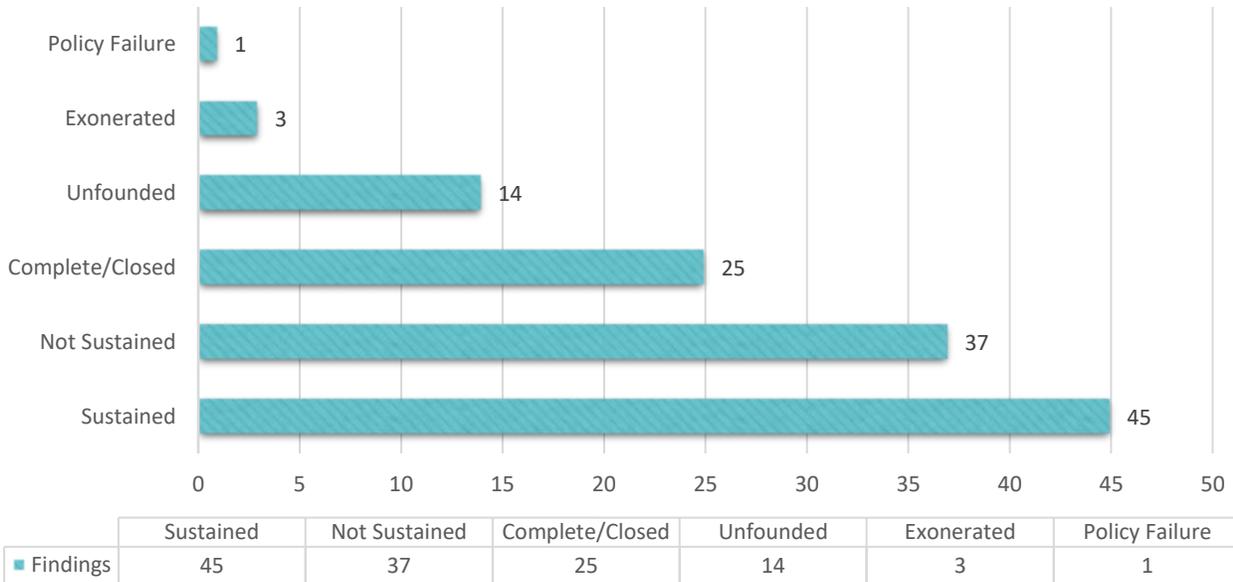
An allegation of retaliation was investigated.

It was alleged that an officer was loitering at a business after hours.

An employee allegedly falsified their timesheets.



Findings



Note: Several cases had multiple findings for various policies. Multiple policies with a single finding are counted once.

Classifications of Closed Cases: Investigative findings about the allegations based upon investigative activities.

- ❖ Unfounded – There was no evidence identified in the investigation to support the allegation in the complaint.
- ❖ Not Sustained – There was insufficient evidence to prove or disprove the allegation.
- ❖ Sustained – The allegation was supported by proper and sufficient evidence.
- ❖ Policy Failure/ No Policy Violation – The alleged actions occurred but were not addressed by agency policy.
- ❖ Complete/ Closed – Used for instances where no specific wrongdoing was alleged.
- ❖ Exonerated – The alleged conduct occurred but was lawful and proper.



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