

## Florida Highway Patrol Background Audit Report 201819-06

February 11, 2019

### Executive Summary

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Section 943.13, Florida Statutes (F.S.), requires persons being hired for law enforcement positions to “have a good moral character as determined by a background investigation.” In addition to having good moral character, applicants must be at least 19 years old, a citizen of the United States, high school graduate or its equivalent, not have been convicted of any felony or of a misdemeanor involving perjury or a false statement and must not have received a dishonorable discharge from any of the armed forces of the United States.

The purpose of this audit was to review and evaluate the Florida Highway Patrol’s (FHP) hiring and background process for FHP sworn employees, and to ensure efficiency and compliance with applicable laws, Department of Highway Safety and Motor Vehicles (Department) policy, and procedure.

The Background, Recruiting, and Selection (BRS) Section within FHP is responsible for ensuring applicants meet the minimum qualifications for the position of law enforcement officer with FHP.

Based on our review of applicants’ selection files for the 136 to 140 FHP Academy class we noted a large portion of the files were missing documents, signatures, or had incomplete forms. Our review of the selection and appeal process noted the FHP disqualification list is not set within Department or FHP Policy and all items on the list are not automatic disqualifiers. Furthermore, the current appeal process allows the Chief Training Officer to unilaterally overrule a disqualification without documenting the reason for the overrule. The audit found the selection process should be enhanced and recommended improvements to the selection process for ensuring all required documentation is collected and files are completed in a timely and uniform manner. We also recommended FHP require a documented explanation when a disqualification is overruled.

FHP policy requires the Chief Training Officer to maintain an automated system that documents each application throughout the selection process, identifies the stages each applicant has successfully completed, applicants that have been disqualified, and requests to reconsider their disqualification. Based on interviews with FHP BRS staff and our review of the Background Investigation Tracking System (BITS) and BRS’s Microsoft Excel Selection Tracker (Tracker), we determined completion dates were missing for various phases of the selection process in BITS, completion dates for various phases did not agree, and not all information was listed in both the BITS records

and the Tracker. We recommended fully utilizing the tracking functions within BITS and working with Information Systems Administration (ISA) staff to enhance BITS' ability to track all information collected during the selection process.

The Department Information Security Manual requires system administrators to modify the accounts of individuals that change duties within the Department or are separated from their employment or relationship with the Department upon notification of change or separation. Our review of BITS users and system administrators identified users who separated from the Department still had active user accounts and 24 percent of users had administrator access rights. We recommended FHP establish a process to timely deactivate BITS users when they separate from the Department or no longer need access and periodically review BITS administrator access, to ensure the number of administrators is appropriate.

FHP policy requires all elements of the selection process to be administered, scored, evaluated, and interpreted in a uniform manner. FHP policy also requires the Pre-Employment Polygraph Report include the results of the polygraph chart analysis and the polygraph score cards. The audit found a large variation among polygraph examiners for recommending a straight pass versus recommending a staff review. Also, a review of a sample of polygraph examination reports noted 83 percent did not have the associated polygraph score charts and 70 percent did not have the polygraph chart analysis. To enhance the consistency of the polygraph examination process we recommended FHP develop a polygraph policy that details requirements for the polygraph examination process, training, and reporting.

FHP policy requires all records pertaining to the applicants' selection files that have satisfactorily completed all phases of the selection process to be retained in the Office of the Background Investigation Coordinator in a secure manner, when not being used. Additionally, all records pertaining to the selection process that have failed to meet the minimum qualifications and evaluation factors shall be retained in a secure manner in the Office of the Background Investigation Coordinator for a minimum of four years.

During interviews with BRS staff, we noted discrepancies between their understandings of the record retention requirements for application selection files. We also noted BRS staff could not account for selection files prior to the 90<sup>th</sup> recruit class (1994). To ensure compliance with Florida Public Records Law, we recommended FHP conduct a records retention review of all applicant selection files. We also recommended FHP enhance policies for records retention to include management oversight, retention requirements, and purge process for all files including paper and electronic.

Management generally agreed and has begun implementing corrective action.

## Background and Introduction

The Department's FHP is one of the largest law enforcement agencies in the State of Florida. The recruitment, selection and training of qualified applicants for the position of Trooper are vital in accomplishing the Department's mission of providing highway safety and security.

FHP's BRS is responsible for the recruitment and selection process and determines which applicants will be accepted into the Academy. BRS manages a robust selection process to ensure applicants are suitable for working in law enforcement. This selection process includes application review, credit check, polygraph examination, psychological examination, background investigation, and physical examination.

### Minimum Law Enforcement Qualifications

Section 943.13, and Section 943.133, F.S., establish minimum qualifications for employment as a law enforcement officer in Florida and require the employing agency to collect, verify, and maintain documentation establishing that an applicant for employment complies with these requirements. The minimum requirements include:

- Being at least 19 years of age, a United States citizen, a high school graduate or its equivalent, pass a physical health examination by a licensed physician, or other qualified persons;
- Having good moral character as determined by a background investigation (Section 943.13[7], F.S.), execute and submit an affidavit-of-applicant, complete commission-approved basic recruit training, achieve an acceptable score on the Officer Certification examination; and
- Must not have been convicted of any felony or of a misdemeanor involving perjury or a false statement or have received a dishonorable discharge from any of the Armed Forces of the United States.

### FHP Sworn Selection Process

The selection process begins when BRS receives the applicant's state of Florida application. The application is reviewed by BRS office staff to determine if the applicant meets the minimum standards set forth in Section 943.13, F.S. Applicants that are selected to continue in the process are invited to take the Physical Abilities Test (PAT) and are provided a statement of conditional employment. They are required to submit a supplemental application, supporting documents, and proof of passing the Criminal Justice Basic Abilities Test (CJBAT) when they take the PAT. BRS staff review the supplemental applications, supporting documents, and the CJBAT scores for all those who successfully complete the PAT. BRS staff review the credit histories to determine if applicants can pay their bills on a trooper's salary and ensure they do not have

excessive delinquent debt. Upon passing the credit history, the applicants will be scheduled to take a polygraph examination.

The polygraph examination is a three to four-hour process where the applicant will be interviewed by a polygraph examiner who is accredited by the American Polygraph Association. The polygraph examiner will explain the polygraph examination process and all the requirements to ensure the applicant fully understands the process. At the conclusion of the polygraph examination, the Examiner will carefully analyze the polygraph charts to determine if there are any significant responses indicative of deception. The Examiner will then complete the Pre-Employment Polygraph Report (polygraph report). The polygraph report will include discrepancies, omissions or misrepresentations on the applicant's application as well as all significant pre-test or post-test admissions of a derogatory nature. The polygraph report is submitted electronically via BITS to BRS office staff for review. FHP uses BITS as a repository for selection documentation and to aide in tracking the applicants' status throughout selection.

In the past, polygraph examiners could determine whether an applicant should be passed through to the psychological examination as a straight pass or be sent for a staff review. Recently, BRS changed its procedures to require all polygraph examinations to go through the staff review process. The staff review consists of one member of BRS and one member of the Office of Employee Relations (OER) reviewing the polygraph report. This team will review the polygraph report to determine if the applicant moves forward in the process. If there is a disagreement on whether to pass or disqualify an applicant, the report will be forwarded to the Office of Professional Compliance for the final decision. If an applicant passes the polygraph, they are scheduled to take a psychological examination. FHP contracts with two companies for psychological examinations, one in Tallahassee and one in Miami. During the evaluation, the applicant will be asked a multitude of questions about their life experiences and background. Once completed the examiner will score the examination as acceptable, marginal, or unacceptable. Applicants receiving an acceptable or marginal rating are then assigned to a background investigator.

During the background investigation, the applicant will be fingerprinted and interviewed, receive a drug test, a driver record and driver license (DL) check will be completed, the investigator will contact all references, and visit the applicant's neighborhood and home. The background investigation usually takes two to six months to complete depending on several factors, including: the number of places the applicant has lived and how much life experience they have. Once an investigator has completed the background investigation and the applicant has completed all required steps in the selection process, the investigator will submit their report with a recommendation to hire or not to hire to BRS staff for review.



The report is reviewed by BRS staff including the Operations Analyst, Sergeant, Lieutenant, and Captain. If all staff in BRS approve, the applicant's file and the report is then forwarded to the FHP Academy Major, who is the Chief Training Officer, for review and to make the recommendation to hire or not to hire. Upon approval by the Chief Training Officer, a recommendation to hire is submitted to the FHP Colonel for review. If the Colonel approves, a letter with an offer for employment and invitation to the next available FHP Academy class is sent to the applicant.

## Records

BRS's records are composed of two files for all FHP applicants: a paper record maintained in a blue file and an electronic copy maintained within BRS's BITS. Although BRS considers the blue file to be the official record, all information from the blue files is required to be scanned and uploaded within BITS to be maintained in accordance with record retention requirements.

## Appeal Process

FHP Policy 25.02, *Selection Process*, outlines an appeal process for any applicant who is disqualified at any stage of the selection process. If the applicant wishes to appeal, they must submit an appeal in writing to BRS. The request along with the application and all reports identifying the reason for disqualification will be forwarded to the Chief Training Officer for the Command Staff Review. The Chief Training Officer will determine whether to give the applicant further consideration. Applicants that do not pass this review will be notified within 30 days of such decision by the Background Investigation Coordinator. The applicant may appeal this decision to the Executive Staff Review Committee. The request along with the application and all previous reports identifying the reason for the disqualification is forwarded to the Executive Staff Review Committee for review. The Executive Staff Review Committee is comprised of the Deputy Director of Patrol Operations, the Deputy Director of Special Services and the Program Operations Manager of the Office of Program Planning and Administration. The Executive Staff Review Committee will make the final determination on the status of the applicant. Applicants that do not pass Executive Staff Review will be notified within 30 days of such decision by the Background Investigation Coordinator.



## Findings and Recommendations

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### *Selection Process*

**Finding No. 1:** FHP should enhance the selection process to ensure it is conducted in a complete and uniform manner.

Section 943.133(1), F.S., states the employing law enforcement agency is fully responsible for the collection, verification, and maintenance of documentation establishing that an applicant complies with requirements of Sections 943.13 and 943.131, F.S., and any rules adopted pursuant to these sections.

FHP Policy 25.02, *Selection Process*, states the Background Investigation Section is responsible for reviewing the State of Florida application and ensuring that the applicant meets the minimum qualifications for the position of law enforcement officer with the Florida Highway Patrol. It also requires all elements of the selection process will be administered, scored, evaluated, and interpreted in a uniform manner.

Chapter 11B-27.002, Florida Administrative Code (F.A.C.), gives Criminal Justice Standards and Training Commission (CJTSC) staff the ability to perform on-site inspections of the files of newly hired officers to ensure compliance with the requirements of Chapter 943, F.S., and Rule 11B-27, F.A.C. All Documents collected in conjunction with the background investigation are required to be available for review. The documents include:

- A Registration of Employment Affidavit form, CJSTC-60;
- An Employment Background Investigative Report, CJSTC-77;
- An Affidavit of Application, CJSTC-68;
- A Temporary Employment Authorization Statement, CJSTC-65;
- Proof of age documentation;
- Proof of citizenship documentation;
- Name change documentation;
- High School Diploma or equivalent;
- Proof of military service denoting the discharge status;
- Fingerprint documentation;
- An Exemption-From-Training Form CJSTC-76;
- Results of the State Officer Certification Examination;
- A Physician's Assessment form, CJSTC-75;
- Drug test results; and
- An Affidavit of Separation form, CJSTC-61.

OIG staff reviewed selection files for 230 applicants who were hired and attended FHP Academy classes 136 to 140 and noted 155 (67.39%) files were missing documents, signatures, or had incomplete forms. The following are some of the forms that were missing from the applicant's selection file or were not signed:

- Polygraph staff review documentation for 17 applicants;
- CJSTC-77 Forms were missing or not signed by the Chief Training Officer or designee for 76 applicants;
- Fingerprint results for 8 applicants;
- Drug test results for 2 applicants;
- Psychological Screening Report for 1 applicant;
- Driver history/DL records for 73 applicants;
- Credit history reports for 21 applicants; and
- Personal reference checks for 19 applicants.

Our review of the selection and appeal process noted the FHP disqualification list is not set within Department or FHP Policy and all items on the list are not automatic disqualifiers. Additionally, we noted the current appeal process allows the Chief Training Officer to unilaterally overrule a disqualification without documenting the reason for the overrule during the Command Staff Review. Our review of the applicants' selection files noted six disqualifications were overruled by the Chief Training Officer and an explanation for the overruling was not documented.

## Recommendations

We recommend FHP enhance procedures for the selection process to include at a minimum:

- The documents required to be collected and maintained as part of applicant's selection file;
- Disqualifier list;
- Background completion timeframes; and
- Requirements for final/supervisory review.

We also recommend FHP conduct periodic reviews of applicant selection files to ensure all required documentation is maintained within the selection files.

We also recommend FHP change the Command Staff Review portion of the appeal process to a committee vote to ensure a more equitable process.

We further recommend FHP require any overruling of the selection process include an explanation for the action.

## Management Response

FHP management agrees with these recommendations. BRS reviews all files upon submission from the background investigators to ensure all required materials are present, accurate, and meets the qualifications of Florida Statutes, Administrative Code, and FHP policy. As a secondary review, the Bureau of Personnel Services (BPS) began conducting an independent review of the hiring packets beginning November 2018 for the 141 BRC to ensure accuracy and completeness prior to all future applicants being hired. Additionally, FDLE completes an audit of all applicants on-boarded during each academy class.

Background investigations are required to be submitted to the BRS office for approval three weeks prior to the start of a class, unless approved by the Chief Training Officer. These files are reviewed by the BRS leadership team and reviewed by BPS for comprehensiveness prior to an applicant's selection for hire.

BRS is updating the current disqualification list and working with Policy, Accreditation, Inspections, and Forms (PAIF) office to updated FHP Policy 25-02, Selection Process.

New forms and procedures have been created to ensure the appeal process remains consistent (Forms 61299, 62000). A command staff review committee will review appeals and subsequently document the committee's determination with a written explanation.

## Selection Tracking

**Finding No. 2:** FHP should enhance and fully utilize BITS's tracking features to improve the selection process's accountability.

FHP Policy 25.02 *Selection Process*, requires the Chief Training Officer to maintain an automated system that documents each application throughout the selection process. This automated system shall identify those stages each applicant has successfully completed in the selection process. It shall also identify those applicants that have been disqualified from the selection process and those applicants that have been requested to be reconsidered. The source of the request will be identified as well as the outcome of this reconsideration.

To supplement BITS and encourage continuous tracking throughout the selection process, BRS created the Tracker in April 2018 to track applicants from successful completion of the polygraph examination to completion of the background investigation. Background investigators are required to continuously update the spreadsheet during the background investigation process.



OIG staff compared the BITS records and the spreadsheet for 90 applicants (30 applicants who passed the selection process, 30 applicants who failed the selection process, and 30 applicants currently in the selection process) and determined completion dates were missing for various phases of the selection process in BITS. We also noted the completion dates for various phases did not agree, BITS records contained information that was not in the Tracker, and the Tracker contained information BITS did not.

Our review of the 30 applicants currently in the selection process noted:

- Completion dates did not agree for various phases of the selection process for 10 applicants;
- BITS records had information which the Tracker did not have for 15 applicants; and
- The Tracker had information BITS did not have for 7 applicants.

Our review of the 30 applicants who passed and the 30 applicants who failed the selection process noted:

- BITS records did not record if fingerprint and/or drug tests were on file for 7 applicants; and
- Completion dates were missing for various phases of the selection process for 26 applicants in BITS.

We also noted the Background Investigation interview, Electrocardiogram, and home visit information are not recorded within BITS for any applicant.

## Recommendations

We recommend FHP require BRS members to utilize the tracking functions within BITS.

We also recommend FHP upload all completion dates within BITS.

We further recommend FHP work with ISA to enable BITS to track all information collected during the selection process.

## Management Response

BRS will continue to upload hiring selection data into the BITS system and track with the Master Active File list through Excel and SharePoint until a BITS system upgrade or other viable solution is developed. BRS will audit both systems when the employment file is returned from BPS to ensure uniformity of both tracking systems.

The Academy is researching a Talent Management System web-based platform that will create a resolution to the BRS tracking issues that will at a minimum, track applicants, manage employee information, organize the hiring process, use data for strategic

purposes and document the lifecycle of an employee (applicant to retirement) that will replace BITS and the spreadsheet. FHP will continue to work with ISA and LDO to find a software program that will work with the systems already in place to make a seamless transition to the new platform.

## ***User Access***

**Finding No. 3:** Administrator and user access rights should be reviewed to ensure the security of BITS.

Rule 74-2.003(1)(a)(7-8), F.A.C., states each agency shall establish access disablement and notification time frames for worker separations and ensure that access to Information Technology (IT) resources is removed when the IT resource is no longer required.

The Department Information Security Manual requires system administrators to modify the accounts of individuals that change duties within the Department or are separated from their employment or relationship with the Department upon notification of change or separation.

The principle of least privilege states only the minimum necessary rights should be assigned to a subject that requests access to a resource and should be in effect for the shortest duration necessary.

OIG staff reviewed a list of 76 active BITS users and identified 7 users (9%) who had separated from the Department and still had active user accounts. Including 1 who separated in 2012 and 2 who separated in 2015.

Our review of user access rights also identified 18 of 76 (24%) users have administrator access rights.

## **Recommendations**

We recommend FHP establish a process to timely inactivate BITS users access when they separate from the Department or no longer need access, per job duties.

We also recommend FHP establish a periodic review of BITS users with administrator access, to ensure the number of administrators is appropriate.

## **Management Response**

FHP management agrees with these recommendations and has developed a system for timely inactivation and periodic review. A catalog of BITS users and their supervisor

has been created. The list will be updated as necessitated by member separation or job reassignment by the Background Investigation Coordinator or designee.

BRS will conduct a quarterly audit of the BITS user catalog to ensure access is only available to those requiring access to BITS. The Background Investigation Coordinator or designee will prepare a quarterly report of accountability to the Academy Director by the 10<sup>th</sup> day of the month following the quarter.

### ***Polygraph***

**Finding No. 4:** Developing a polygraph policy would enhance the consistency of the polygraph examination process.

FHP Policy 25.02, *Selection Process*, requires all elements of the selection process will be administered, scored, evaluated, and interpreted in a uniform manner.

OIG staff reviewed and evaluated 230 applicants' selection files to determine if hiring standards are being applied consistently to all applicants, documentation is complete and accurate, and the process is effective and efficient.

Our review noted there is a large variation among polygraph examiners for recommending a straight pass versus recommending a staff review. The variation ranged from recommending approximately 63% of applicants as a straight pass to recommending 0% for a straight pass.

OIG staff also reviewed a sample of 30 applicants' polygraph examination results and determined:

- 25 of 30 (83%) polygraph examinations did not have the associated polygraph score charts included with the polygraph report; and
- 21 of 30 (70%) polygraph examinations did not have the polygraph chart analysis included in the polygraph report.

Furthermore, we interviewed a polygraph examiner and reviewed polygraph examiner training records for the past two years and determined all five examiners requested polygraph training annually, but one was not able to receive authorization and attend training annually.

### **Recommendations**

We recommend FHP develop a polygraph policy detailing the requirements for the polygraph examination process, training, and reporting.

## Management Response

FHP management agrees with this recommendation. BRS staff is working with FHP's PAIF office to update the Polygraph Program Guidelines to add training and reporting requirements, which has an anticipated completion date of June 2019.

### *Record Retention*

**Finding No. 5:** FHP should enhance records retention policies to increase compliance with record retention requirements.

Section 943.133 (1), F.S., states the employing law enforcement agency is fully responsible for the collection, verification, and maintenance of documentation establishing that an applicant complies with requirements of Sections 943.13 and 943.131, F.S., and any rules adopt pursuant to these sections.

General Records Schedule GS1-SL, State and Local Government Agencies, requires Personnel Records for the Florida Retirement System records must be retained for 25 fiscal years after any manner of separation or termination of employment. While Employment Application and Selection Records must be retained for four anniversary years after personnel action. For Background/Security Checks GS1-SL states Employment Application and Selection Records retention requirements be used for non-hires and Personnel Records for the Florida Retirement System records requirements be used for hired employees.

FHP Policy 25.02, *Selection Process*, requires all records pertaining to completed background investigations that have satisfactorily completed all phases of the selection process be retained in the Office of the Background Investigation Coordinator in a secure manner, when not being used. Additionally, all records pertaining to employment applications that have failed to meet the minimum qualifications and evaluation factors shall be retained in a secure manner in the Office of the Background Investigation Coordinator for a minimum of four years.

OIG staff interviewed BRS staff and noted the following:

- BRS can't account for blue files prior to the 90<sup>th</sup> recruit class (1994);
- BRS has not conducted record destructions/purges in several years;
- There is a discrepancy between BRS staff members understandings of the record retention requirements; and
- BITS doesn't have a record destruction/purge process.

## Recommendations

We recommend FHP conduct a record retention review of all selection files and conduct record destructions as necessary.

We also recommend FHP enhance policies for record retention to include management oversight, retention requirements, and purge process for all files including paper and electronic.

## Management Response

FHP Management agrees with these recommendations. In February 2019, BRS will launch an audit of all selection files and conduct record dispositions pursuant to the General Records Schedules. A copy of the Records Disposition Document will be provided to the Academy Director upon the conclusion of any records being destroyed.

BRS will include language in their procedures that will require the Background Investigation Coordinator or designee to provide a memorandum to the Academy Director at the beginning of each fiscal year documenting that all records have been audited for compliance with the General Records Schedules which will include any Records Disposition Documents identifying records destroyed during that fiscal year.

## Purpose, Scope, and Methodology

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The objective of this audit was to review and evaluate the Department's hiring and background process for FHP sworn employees, and to ensure efficiency and compliance with applicable laws, Department policy, and procedure.

The scope of this audit included all background investigation and selection documentation for the 2016-18 calendar years.

The methodology included:

- Reviewing applicable Florida Statutes and Administrative Code;
- Reviewing applicable Department policies and procedures;
- Interviewing BRS staff members;
- Reviewing FHP sworn selection files for FHP Academy classes 136-140;
- Reviewing BRS' systems and user access;
- Reviewing FHP's sworn selection process; and
- Reviewing other applicable documentation.



## Distribution, Statement of Accordance, and Project Team

### Distribution

Terry L. Rhodes, Executive Director  
Jennifer Langston, Acting Chief of Staff  
Colonel Gene Spaulding, Director of the Florida Highway Patrol  
Lt. Colonel Troy Thompson, Deputy Director of the Florida Highway Patrol  
Major Nancy Rasmussen, Chief Training Officer

Melinda M. Miguel, Chief Inspector General  
Sherrill F. Norman, Auditor General

### Statement of Accordance


Section 20.055, Florida Statutes, requires the Florida Department of Highway Safety and Motor Vehicles' Inspector General to review, evaluate, and report on policies, plans, procedures, accounting, financial, and other operations of the Department and to recommend improvements. This audit engagement was conducted in accordance with applicable *International Standards for the Professional Practice of Internal Auditing* published by the Institute of Internal Auditors and *Principles and Standards for Offices of Inspector General* published by the Association of Inspectors General.

### Project Team

Engagement conducted by:  
Sean Shrader, Auditor  
John Brancale, Auditor

Under the supervision of:  
David Ulewicz, Audit Director

Approved by:



David Ulewicz, Acting Inspector General

## ATTACHMENT - Management Response



Terry L. Rhodes  
Executive Director

2900 Apalachee Parkway  
Tallahassee, Florida 32399-0500  
www.flhsmv.gov

### MEMORANDUM

DATE: February 8, 2019

TO: David Ulewicz, Audit Director

FROM: Troy Thompson *[Signature]* Revised 2/8/2019  
FHP Deputy Director

SUBJECT: Management Response to the FHP Background Audit (201819-06)

The following is our response to the findings and recommendations presented in the audit report:

#### Finding 1- Selection Process

FHP should enhance the selection process to ensure it is conducted in a complete and uniform manner.

#### Recommendations

We recommend FHP enhance procedures for the selection process to include at a minimum:

- The documents required to be collected and maintained as part of applicant's selection file;
- Disqualifier list;
- Background completion timeframes; and
- Requirements for final/supervisory review.

We also recommend FHP conduct periodic reviews of applicant selection files to ensure all required documentation is maintained within the selection files.

We also recommend FHP change the Command Staff Review portion of the appeal process to a committee vote to ensure a more equitable process.

We further recommend FHP require any overruling of the selection process include an explanation for the action.

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## Management Response

FHP management agrees with these recommendations.

FHP has created checklists for employment file organization (Forms 61298A, 61298B, 61298C) and required documents have been created to enhance the uniformity of the selection process. Background Recruitment and Selection (BRS) reviews all files upon submission from the background investigators to ensure all required materials are present and accurate, and meet the qualifications of Section 943.13, Florida Statute, 11B-27.002, F.A.C and FHP Policy, 25-02. As a secondary review, the Bureau of Personnel Services (BPS) began conducting an independent review of the hiring packets beginning November 2018 for the BRC 141 to ensure accuracy and completeness prior to all future applicants being hired. Additionally, the Florida Department of Law Enforcement (FDLE) completes an audit of all applicants on-boarded during each academy class.

Background investigations are required to be submitted to the BRS office for approval three weeks prior to the start of a class, unless approved by the Chief Training Officer. These files are reviewed by the BRS leadership team and reviewed by BPS for comprehensiveness prior to an applicant's selection for hire.

BRS is updating the current disqualification list and working with Policy, Accreditation, Inspections and Forms (PAIF) office to update FHP policy 25-02, *Selection Process*.

New forms and procedures have been created to ensure the appeal process remains consistent (Forms 61299, 62000). A command staff review committee will review appeals and subsequently document the committee's determination with a written explanation.

## Finding 2- Selection Tracking

FHP should enhance and fully utilize BITS's tracking features to improve the selection process's accountability.

## Recommendations

We recommend FHP require BRS members to utilize the tracking functions within BITS.

We also recommend FHP upload all completion dates within BITS.

We further recommend FHP work with ISA to enable BITS to track all information collected during the selection process.



## Management Response

BRS will continue to upload hiring selection data into the BITS system and track with the Master Active Files list through Excel and SharePoint until a BITS system upgrade or other viable solution is developed. BRS will audit both systems when the employment file is returned from BPS to ensure uniformity of both tracking systems.

The Academy is researching a Talent Management System (TMS) web-based platform that will create a resolution to the BRS tracking issues that will at a minimum, track applicants, manage employee information, organize the hiring process, use data for strategic purposes and document the lifecycle of an employee (applicant to retirement) that will replace BITS and the spreadsheet. FHP will continue to work with ISA and LDO to find a software program that will work with the systems already in place to make a seamless transition to the new platform.

## Finding 3- User Access

Administrator and user access rights should be reviewed to ensure the security of BITS.

## Recommendations

We recommend FHP establish a process to timely inactivate BITS users access when they separate from the Department or no longer need access, per job duties.

We also recommend FHP establish a periodic review of BITS users with administrator access, to ensure the number of administrators is appropriate.

## Management Response

Management agrees with these recommendations and has developed a system for timely inactivation and periodic review.

A catalog of the BITS users and their supervisors has been created by the BRS office. The list will be updated as necessitated by member separation or job reassignment by the Background Investigation Coordinator or designee. BRS Staff has established the following procedure.

BRS will conduct a quarterly audit of the BITS user catalog to ensure access is only available to those requiring access to BITS. The Background Investigation Coordinator or designee will prepare a quarterly report of accountability to the Academy Director by the 10<sup>th</sup> day of the month following the quarter.

## **Finding 4- Polygraph**

Developing a polygraph policy would enhance the consistency of the polygraph examination process.

### **Recommendations**

We recommend FHP develop a polygraph policy detailing the requirements for the polygraph examination process, training, and reporting.

### **Management Response**

Management agrees with this recommendation.

BRS Staff is working with FHP's PAIF office to update the Polygraph Program Guidelines to add training and reporting requirements, which has an anticipation of completion date of June 2019.

## **Finding 5- Record Retention**

FHP should enhance records retention policies to increase compliance with record retention requirements.

### **Recommendations**

We recommend FHP conduct a record retention review of all selection files and conduct record destructions as necessary.

We also recommend FHP enhance policies for record retention to include management oversight, retention requirements, and purge process for all files including paper and electronic.

### **Management Response**

Management agrees with these recommendations.

In February 2019, BRS will launch an audit of all selection files and conduct record dispositions pursuant to the General Records Schedules. A copy of the Records Disposition Document will be provided to the Academy Director upon the conclusion of any records being destroyed.

BRS will include language in their procedures that will require the Background Investigation Coordinator or designee to provide a memorandum to the Academy Director at the beginning of each State Fiscal Year documenting that all records have been audited for compliance with the General Records Schedules which will include any Records Disposition Documents identifying records destroyed during that fiscal year.