



Off-Duty Police Employment Process Audit Report 202122-02

July 19, 2023

Executive Summary

The Florida Highway Patrol (FHP) allows sworn members to engage in off-duty police employment (ODPE) that does not conflict with primary job obligations and does not discredit the Department of Highway Safety and Motor Vehicles (Department) or diminish public confidence in law enforcement.

Private employers can request police services to be rendered by an FHP member. FHP evaluates private employer requests in accordance with Rule 60L-36.003, Florida Administrative Code (F.A.C.), FHP Policy 5.08, *Off-Duty Employment*, FHP Policy 5.10, *Escorts for Over-dimension Vehicles or Toxic/Hazardous Carriers*, and the 2020-2023 *Florida Police Benevolent Association (PBA) FHP Bargaining Agreement* to ensure that all requests meet the established requirements and do not constitute a conflict of interest. Additionally, members who want to work and/or schedule ODPE must obtain prior written approval from their Troop Commander. FHP members working ODPE rely on manual processes to request, schedule, and report hours of off-duty work.

During the 2020-2021 Fiscal Year, approximately 1,634 members participated in ODPE and worked 405,073 ODPE hours. Members are required to reimburse the Department for mileage accrued on state vehicles while working ODPE and approximately \$1,177,257 was collected for mileage reimbursement.

The purpose of this audit was to review and evaluate the FHP ODPE process and compliance with applicable state laws and Department policy and procedure. We reviewed Department documents relating to ODPE, which included; People First timesheets, monthly ODPE reports, Computer Aided Dispatch (CAD) system logs, the COVID isolation list, and liability and property damage insurance documentation.

Overall, we determined FHP generally complied with Florida Statutes, F.A.C., and Department policies and procedures. However, we noted areas where improvements could be made.

Our review determined oversight of ODPE time reported should be improved through stronger supervisory reviews and policy enforcement. Supervisors are not always adequately reviewing members' monthly ODPE reports, and members are not consistently reporting status changes within CAD as required by policy. Additionally, FHP Policy 5.08 is not specific regarding expectations for conducting supervisory reviews. We recommend FHP management review and revise the policy to provide specific guidance for conducting supervisory reviews of ODPE records and consider



implementing an electronic reporting process to reduce errors in reporting and increase efficiency.

Our review also determined that ensuring required ODPE forms and reports are properly completed and signed would improve accountability and compliance. We noted several instances in which forms and reports were not properly completed or signed. We recommend FHP management take action to ensure that required ODPE forms and reports are complete and accurate and include a signature of approval.

Additionally, our review determined that ensuring required support documentation is retained would improve accountability and compliance with FHP policy. Not all required supporting documentation for members was retained at the troop level or could be readily retrieved by the districts when requested. We recommend FHP management take action to ensure ODPE support documentation is retained as required.

Lastly, our review determined the monthly summary reporting process should be evaluated. Not all Troop Commanders submit monthly summary reports to the Office of Analytical Support as required by policy. Further, the Office of Analytical Support has no guidance regarding their responsibilities for what to do with the monthly reports, and currently, no action is taken when those reports are received. We recommend FHP management review and evaluate the expectations for completing and submitting the ODPE monthly troop summary reports and determine if the current process is necessary.

FHP management generally agreed with the recommendations and plans to take action to improve ODPE operations.



Background and Introduction

The PBA/FHP Bargaining Agreement defines ODPE as secondary employment undertaken while in “other than duty” status which entails actual or potential use of police authority and requires police powers as a condition of employment. This definition also encompasses those who schedule ODPE.

The PBA/FHP Bargaining Agreement states that an employee who wishes to perform police employment outside of state government shall secure the required approval in advance in accordance with the agency’s policies and procedures. Permission shall not be withheld as long as such outside employment does not conflict with the employee’s state employment or with the agency’s policies and procedures limiting such outside employment.

Private employers either pay the member directly for the service or pay the scheduler, who will pay the member. The services could include traffic control, traffic security for utility workers, neighborhood patrol, road construction, scheduling other members to perform ODPE jobs, security for retail stores, courtrooms, and other duties. Scheduling or administrative duties related to ODPE should not occur while members are on a regular shift.

FHP Policy 5.08 states that sworn members are permitted to use FHP uniforms and equipment while working ODPE. Prior approval must be obtained to use state vehicles (i.e., patrol cars). When state vehicles are used, members are responsible for reimbursing the Department for mileage driven.

Request and Approval Process

FHP members who desire to schedule or work private police employment during off-duty hours or leave periods must obtain prior written approval from their Troop Commander through a request form. The form provides boxes for the requester to specify whether they will use their state vehicle while working ODPE. If the member is using their state vehicle, the form specifies they must attach proof of liability insurance.

The form further requires a recommendation signature by a Lieutenant or higher and an approval signature by a Major or higher. Each Troop Commander is responsible for the ODPE performed in their troop.

ODPE members can also perform ODPE by becoming a scheduler. Schedulers must also seek prior approval from the Troop Commander in the troop where the job will be performed.

Time Reporting Requirements

Regulations

According to FHP Policy 5.08, members' ODPE work hours must be scheduled and worked in a manner that does not conflict with or interfere with the member's on-duty performance. A member may work a combined total of no more than 32 hours of scheduled ODPE in each workweek, Friday through Thursday. Additionally, members are not permitted to work a combination of on-duty and off-duty hours of more than 16 hours in any 24-hour period.

ODPE Member Monthly Reporting

FHP Policy 5.08 requires ODPE members to prepare and submit a monthly report listing all periods of working off-duty during the month. Pertinent details, including the date, time, and duration of each ODPE job, as well as the name of the private employer and the miles driven in the state vehicle must be included in the report. The report includes a section to calculate the mileage reimbursement due to the Department. After completing the report, the member attaches payment for the mileage reimbursement, signs it, and submits the report to the appropriate District Commander for review and approval. Monthly reports must be submitted by a specific time period after the end of each month.

Scheduler Monthly Reporting

Schedulers are required to prepare and submit a scheduler's report listing all members they scheduled for ODPE during the preceding calendar month. The report should include a complete listing of the details related to each ODPE shift worked. The report requires the scheduler to attest that the report is complete and accurate. A separate scheduler's report must be completed for each member they scheduled. This report is forwarded to the District Commander for approval within the district.

CAD Reporting

FHP utilizes the Computer Aided Dispatch (CAD) system to enter and track calls for service, and dispatch troopers and other state law enforcement officers. The CAD system provides a suite of functions to include data reporting and officer-initiated daily activity logs.

According to FHP Policy 5.08, when working ODPE and using a state vehicle, members must notify their Regional Communications Center (by radio) or by entering their status change in CAD (via their assigned Mobile Data Computer) when they start ODPE. The member is responsible for reporting their destination and beginning mileage on the state



vehicle when they leave their shift, residence, or other location in order to begin ODPE. At the end of the ODPE shift and when the member returns to his/her assigned zone, residence, or other points where he/she is leaving the vehicle, the member must inform the Regional Communications Center of the ending mileage of the vehicle and change their CAD status as appropriate. In the event the member is using his/her personal vehicle, members must notify their Regional Communications Center when they begin and end periods of ODPE.

Mileage Reimbursement Requirements

Per FHP Policy 5.08, if using a state vehicle, reimbursement to the Department will be made for all miles driven to, from, and during ODPE. When using the state vehicle, it shall begin from the location of the member at the end of the member's regular shift or the residence of the member. If the state vehicle is picked up from another location, reimbursement shall begin from that location. Reimbursement shall continue for all miles driven until the member returns to his/her assigned zone or to his/her residence.

Vehicle Liability Insurance Requirements

Proof of liability insurance must be submitted with the request form if the state vehicle is to be used. Members are required to provide at least \$200,000/\$300,000 vehicle liability insurance and property damage coverage of \$50,000 for the other vehicle/property involved. The State of Florida requires coverage for property damage and the cost of the annual premium coverage is payroll deducted from each ODPE member's payroll for a one-month period (usually July of a new fiscal year). This lump sum payroll deduction covers property damage to the state vehicle through the fiscal year if a member is at fault. Coverage is limited to vehicles for which mileage reimbursement is required.

A copy of the insurance policy and/or endorsement page must be attached to the member's request for approval of ODPE. Section 324.021, Florida Statutes (F.S.), requires maintaining the required coverage during periods of ODPE. The member should immediately notify the Troop Commander of insurance coverage termination or cancellation and shall cease using any state vehicle during ODPE until the necessary insurance coverage has been re-established.

Oversight and Monitoring

Employer Request for Services

Private individuals or employers desiring to employ FHP members for ODPE submit a request for services form to the Troop Commander of the district in which the actual delivery of services will take place. Anytime a Troop Commander approves a private



employer's request, he/she posts the employer's information, such as the business name, type of business, scheduler's name and phone number, and the members' duties/responsibilities for the job on the troop's SharePoint site.

Members' Request to Engage in Private ODPE

It is the ODPE member's responsibility to provide a request to work form to the Troop Commander of the troop in which the member desires to work ODPE. The Troop Commander provides an acknowledgment of receipt of the request and indicates whether or not the member is approved to work within the troop's boundaries. Approval must be obtained prior to the member beginning any such work in any troop district.

The decisions regarding approval/disapproval of ODPE requests are rendered by the Troop Commander or Deputy Director, who determines whether such off-duty employment adheres to FHP policy.

Reviewing/Approving Monthly ODPE Reports

According to FHP Policy 5.08, each District Commander is responsible for reviewing and approving all monthly ODPE reports (members and schedulers) or returning them to subordinates for correction. The District Commander compares entries by the member with the reports that were submitted by schedulers. If the member's monthly report and the scheduler's monthly report do not match, the District Commander follows up to determine the nature of the discrepancy. Once approved, the District Commander arranges for copies to be made of ODPE monthly reports and appended checks/money orders to be kept at their district office. They forward the original monthly ODPE reports and attached checks/money orders to the Bureau of Accounting, Cashier/Refund Section, at the Neil Kirkman building.

All completed ODPE reports for each district are sent to troop headquarters for compilation, recorded on a spreadsheet template, and then forwarded to the Troop Commander for review.

FHP COVID Isolation List

The Department's Bureau of Personnel Services started a tracking list in November 2020 to track Department members exposed to COVID, who tested positive for COVID, and/or were hospitalized. FHP members who contracted or were exposed to COVID were required to follow the Department's quarantine guidelines. During this time, members who were exposed or tested positive needed to quarantine for a specific period of time: either 10, 14, or 20 days.



Any member who was quarantined due to COVID was required to follow the Department's attendance and leave policy. Members were required to use sick leave and prohibited from working ODPE for a 24-hour period commencing with the beginning of the shift for which the member was unable to report for duty due to quarantine. As of the date of this report, the Department no longer tracks members exposed to or tested positive for COVID.

Supervisory Oversight of ODPE

No formal, structured, or consistent supervisory oversight process for members' ODPE is currently in place. Front-line supervisors (Sergeants) are required to be generally aware of their members' work schedules, sick and annual leave, or other duty statuses. However, no formal review and reconciliation of member's timesheets, leave, ODPE claimed, scheduler's reports and other ODPE forms, regular duty schedule, overtime, CAD information/status, and alternate duty assignments occurs to ensure that ODPE is scheduled and worked appropriately, according to policy directives. Without this control, there is an increased possibility that members may work ODPE during a time that is not authorized (such as while on personal or family sick leave, disability leave, Family Medical Leave, or alternate duties).

Findings and Recommendations

Reporting Hours

Finding No. 1: Oversight of ODPE time reported should be improved through stronger supervisory reviews and policy enforcement.

FHP Policy 5.08.06 (G)(3) states District Commanders are responsible for comparing entries from the members' monthly ODPE reports to the reports submitted by the schedulers. The ODPE reports are required to be returned to subordinates for corrections.

Also, FHP Policy 5.08.06 (G)(1) states when working off-duty and using a state vehicle, the ODPE member must notify their Regional Communications Center when they end their regular shift and start ODPE work. The member is responsible for reporting their destination and mileage on the state vehicle when they leave their shift, residence, or other location and ensuring their duty status is updated in CAD to reflect ODPE. At the end of the ODPE shift and when the member returns to his/her assigned zone, residence, or other points where he/she is leaving the vehicle, the member must inform their Regional Communications Center of the ending mileage of the vehicle. In the event the member is using his/her personal vehicle, the member shall notify their Regional Communications Center when they begin and end periods of ODPE.



Additionally, FHP Policy 5.08.07 (A) provides that a member may work a combined total of no more than 32 hours of scheduled overtime, hireback, or ODPE in each workweek, Friday through Thursday. If a member takes either annual leave or compensatory leave during the workweek, he or she is authorized to work additional hours of scheduled overtime, hireback, or ODPE not to exceed the number of hours of annual or compensatory leave taken.

Further, FHP Policy 5.08.06 (C)(2)(c) specifies that members are not allowed to engage in ODPE while on personal or family sick leave, disability leave, a leave of absence without pay, family medical leave, or parental leave.

We reviewed a sample of 50 out of 439 scheduler's monthly reports and compared them to the corresponding members' monthly ODPE reports (which totaled 538 reports) for members for whom they scheduled off-duty work to determine if discrepancies exist. Our review covered documentation for the period of October 2020 through January 2021. We noted the following discrepancies:

- 24 of 538 (4%) – Members' monthly ODPE reports did not match the scheduler's monthly report.

In response to our audit inquiry, FHP management advised that the scheduler and members' monthly reports do not always match. There can be acceptable variances between the scheduler and members' reports; for example, if a job runs longer or ends earlier than expected.

Also, we compared a sample of ODPE time reported by 60 members on their member monthly ODPE reports to the status change logs in CAD to determine if discrepancies exist. The first ODPE entry on each member's monthly ODPE report for January 2021 through June 2021 was compared to CAD Unit Secondary Activity Tracking Log entries. We determined 136 out of 360 entries (38%) had discrepancies or insufficient documentation:

- 123 instances where the overall difference between the ODPE time reported on the monthly report and the ODPE time reported in CAD was 30 minutes or greater;
- 7 instances where no monthly report could be provided by the troop for review, but ODPE entries were found in CAD; and
- 6 instances where ODPE entries listed on monthly reports were not found in CAD.

The table below summarizes the 123 instances where the overall difference between the ODPE time reported on the monthly report and the ODPE time reported in the CAD Unit Secondary Activity Tracking Log was 30 minutes or greater¹.

Difference	Number of Deficient Records (instances)	Percentage
30 min - 1 hour	59	48%
1 - 2 hours	39	32%
2 - 3 hours	11	9%
3 - 4 hours	6	5%
4 - 5 hours	2	2%
5 - 6 hours	2	2%
6 - 7 hours	0	0%
7 - 8 hours	1	1%
Over 8 hours	3	3%
Total	123	

Further, we compared a sample of ODPE records in CAD and corresponding People First timesheets to determine if the member worked more than the maximum allowable time within a week. We noted the following discrepancies out of the 60 records reviewed:

- 2 instances where the member worked a combined total of greater than 32 hours of scheduled overtime, hireback, or ODPE in a workweek;
 - 1 member worked 3 hours and 57 minutes over the maximum allowable time;
 - 1 member worked 4 hours and 47 minutes over the allowable time;
- 1 instance where the member worked ODPE while on Family and Medical Leave Act-related leave.

We inquired with the appropriate troop districts about the specific cases noted above. For two of the noted instances, district management was not aware that the member had reported working more than the maximum allowable time. In one instance, management had reviewed the time reported on the member's monthly ODPE report, however, they had not reviewed and compared the monthly report to CAD. The time claimed on the member's monthly report did not match the time reported in CAD.

In response to our audit inquiry, FHP management advised they are aware of challenges in ensuring status changes are appropriately recorded in CAD. FHP management mentioned there could be opportunities to utilize electronic reporting through Mobile Forms which would eliminate the need for paper forms and would increase reporting accuracy.

¹ Percentages are rounded.



We also obtained an isolation list from the Bureau of Personnel during the 2020-2021 Fiscal Year of members who had contracted or were exposed to COVID and compared the list to the FHP's CAD system to determine if the ODPE member reported any ODPE activity while being on the isolation list. We reviewed a sample of 60 ODPE members and schedulers. Our review noted the following:

- 10 of 60 (17%) reported working ODPE while required to isolate.

There are no specific expectations to guide supervisors conducting reviews and approvals of ODPE schedulers and members' monthly reports. A lack of adequate guidance to clarify supervisor responsibilities for reviewing and approving monthly reports can cause inconsistent and inadequate supervisory oversight.

Recommendations

We recommend FHP management review and revise FHP Policy 5.08 to provide specific guidance for conducting supervisory reviews of ODPE records, including:

- A process for reviewing and approving the scheduler and members' monthly ODPE reports;
- Expectations for documenting discrepancies of hours reported by schedulers compared to members; and
- Consideration for enforcing maximum hours worked in anyone-week or one-day period.

We also recommend FHP management take action to ensure supervisors enforce the policies and procedures governing reporting of ODPE time worked. Specifically, management should develop tools and techniques for supervisors to monitor member compliance efficiently and effectively with ODPE timekeeping and reporting policies.

We further recommend FHP management consider implementing an electronic reporting process to reduce errors in reporting and increase efficiency.

Management Response

The Florida Highway Patrol will review FHP Policy 5.08 to determine if revisions are necessary and/or determine if there are alternative methods to provide guidance for supervisory review, such as providing procedures and/or implementing an electronic process that guides supervisors through conducting reviews.

The Florida Highway Patrol has confidence that supervisors have adequate policies and tools in place to take corrective action when policies are violated. The Florida Highway Patrol will review opportunities to leverage technology through an electronic reporting process that will assist leadership to identify potential policy violations to take appropriate corrective action.



Incomplete ODPE Forms and Reports

Finding No. 2: Ensuring required ODPE forms and reports are properly completed and signed would improve accountability and compliance with FHP policy.

FHP Policy 5.08 states the duties of the District Commander, Troop Commander, and Deputy Director are to receive, review, and approve/deny/rescind requests to engage in secondary employment submitted by subordinates. Any member who desires to schedule or seek private police employment during off-duty hours or leave periods must obtain prior written approval from their Troop Commander or Deputy Director. It is a member's responsibility to provide a copy of the completed and approved form to the Troop Commander over any troop in which the member desires to work ODPE.

Also, FHP Policy 5.08 specifies that certain sections of the members' monthly ODPE reports are filled out, signed, and forwarded to the District Commander for approval. The District Commander reviews and approves the ODPE monthly reports or returns them to subordinates for correction. Additionally, FHP Policy 5.08 specifies that the signature of the scheduler is required to attest that their scheduler's monthly report is complete and accurate. The District Commander reviews and compares entries made by the scheduler to the ODPE member's report.

We reviewed a sample of 121 members' ODPE documentation to determine if the forms were properly completed and signed. Out of the 121 forms reviewed, we noted 12 (10%) deficiencies, which include the following:

- 8 members' monthly ODPE reports were not signed by a District Commander or higher;
- 2 members' request to work forms did not have boxes checked for the recommendation and/or approval;
- 1 member's request to work form was not signed by the requester; and
- 1 member's request to work form did not have a recommendation signature.

We further reviewed a sample of 50 schedulers who submitted monthly reports for members for whom they scheduled ODPE work. Our review determined:

- 3 of 50 (6%) – Scheduler monthly reports were missing the signature.

Supervisors are not always ensuring the forms and reports are properly completed and signed, resulting in noncompliance with the FHP policy. Properly completed and approved documentation of work performed provides a level of assurance that members are only claiming ODPE hours actually worked.



Recommendation

We recommend FHP management take action to ensure that required ODPE forms and reports are complete and accurate and include a signature of approval at the level of authority outlined in FHP Policy 5.08.

Management Response

The Florida Highway Patrol will review opportunities to leverage technology through an electronic reporting process to ensure ODPE forms and reports are complete and accurate, including the signature of approving authorities.

Retaining Support Documentation

Finding No. 3: Ensuring required support documentation is retained would improve accountability and compliance with FHP policy.

FHP Policy 5.08 requires the member who desires to schedule/seek private ODPE must provide written notification through a request to work form and provide a copy of the completed and approved form to the Troop Commander or Deputy Director in which the member desires to work ODPE.

Also, FHP Policy 5.08 requires the members using state vehicles while working ODPE to provide proof of liability insurance. ODPE members are required to provide at least \$200,000/\$300,000 vehicle liability insurance and property damage coverage of \$50,000 and provide a copy of the request to work form.

Further, FHP Policy 5.08 states that District Commanders should arrange for copies to be made of the ODPE monthly reports and attached checks for retention. The original ODPE monthly reports and attached checks should be forwarded to the Bureau of Accounting.

The State of Florida General Records Schedule GS-2 requires ODPE records to be kept for four anniversary years. The FHP Common Retention Schedule GS-2 document specifies the original records are held at each troop level by the District Commander.

During our review, we noted some copies of required supporting documentation for ODPE members were not retained at the troop level or could not be readily retrieved by the districts when requested.

We reviewed a sample of 50 scheduler monthly reports and compared them to the corresponding member monthly ODPE report (which totaled 538 reports).



Our review noted the following deficiencies:

- 8 of 50 (16%) – No scheduler monthly reports or member monthly ODPE reports were retained for the four-month time period (the same troop district), which was October 2020 through January 2021; and
- 4 of 538 (1%) – Troop districts were unable to provide a copy of the corresponding member's monthly ODPE report for comparison to the scheduler's monthly report.

We also reviewed a sample of 121 members' ODPE records to determine the following:

- If a request to work form was completed and approved;
- If off-duty mileage was documented, reimbursed, and compliant with Department policies and procedures; and
- If liability insurance was obtained for the required coverage and retained during any calendar month that the member was working off-duty.

Pertaining to the request to work forms:

- 3 out of 121 (2%) forms were not retained and therefore we were unable to determine compliance.

Pertaining to liability insurance coverage for the ODPE use of state vehicles:

- 25 out of 121 (21%) were missing proof of liability insurance; and
- 18 out of 121 (15%), vehicle liability insurance documentation was not retained at the troop level. Districts in Troop E only keep current insurance documentation on file; they discard expired proofs of insurance.

Pertaining to off-duty mileage documentation, reimbursement, and compliance:

- 113 out of 121 members reviewed used their state vehicle when working off-duty;
- Of the 113 members, 9 (8%) were missing reimbursement payment documentation; and
- Of the 113 members, 14 (12%) could not be determined because reimbursement payment documentation was not retained at the troop level.

Additionally, we reviewed and compared 60 members' monthly ODPE reports to the CAD Unit Secondary Activity Tracking Log to determine if discrepancies exist. Out of 360 entries reviewed, we noted the following discrepancy below:

- 7 instances where no monthly report could be provided by the troop for review, but ODPE entries were found in CAD.

Without controls to ensure supporting documentation for ODPE members is retained, FHP is not compliant with state record retention requirements. FHP cannot substantiate compliance with FHP Policy 5.08 and the administrative, legal, fiscal, and historical value is lost, and operational audits are impeded.



Recommendation

We recommend FHP management take action to ensure support documentation for ODPE records is retained, including; requests to work, monthly reports, liability insurance coverage, and evidence of off-duty mileage reimbursement, in accordance with FHP Policy 5.08.

Management Response

The Florida Highway Patrol will review opportunities to leverage technology through an electronic reporting process to ensure ODPE forms and reports are retained in accordance with FHP Policy 5.08 and the Florida General Records Schedule.

Evaluate the Monthly ODPE Reporting Process

Finding No. 4: The monthly summary reporting process should be evaluated.

The Internal Control-Integrated Framework, published by the Committee of Sponsoring Organizations (COSO), discusses documented policies and procedures as control activities to establish clear responsibility and accountability.

FHP Policy 5.08.06 (G)(3)(e) states the District Commander is required to forward the completed ODPE Troop Monthly Report for the district to troop headquarters for troop compilation. Further, the Troop Commander will forward the completed troop summary to the FHP Research and Evaluation Section before the twentieth day of the following month.

We inquired with FHP Troop Commanders to determine whether ODPE monthly summary reports were being sent to the FHP's Research and Evaluation section monthly. After the inquiry, we learned this section is now called the Office of Analytical Support.

After communicating with the Office of Analytical Support, we learned not all Troop Commanders submit the monthly summary reports to this section as required by FHP policy. When reports are submitted, they are placed in a file with no further action taken. The Office of Analytical Support lacks clear direction regarding the submitted reports, and no follow-up is conducted for districts that do not submit reports. At this time, the Office of Analytical Support does not generate any type of summary report of statewide ODPE activity.

Without updated policies, FHP management and ODPE members could experience inconsistent and inefficient practices and an inability to enforce accountability. Further, summary reports provide management with valuable data. Absent consistent reporting



practices, management could be lacking key information needed to make informed decisions.

Recommendation

We recommend FHP management review and evaluate the process of forwarding the ODPE monthly troop summary reports to the Office of Analytical Support and determine:

- If the current process is determined to be necessary, we recommend FHP management review and update FHP Policy 5.08 to include adequate guidance for the monthly troop summary reporting process; or
- If the current process is determined not necessary, we recommend FHP management remove the monthly troop summary reporting process requirement from FHP Policy 5.08.

Management Response

The Florida Highway Patrol plans to continue documenting and maintaining ODPE monthly troop summary reports. The Florida Highway Patrol will review opportunities to leverage technology through an electronic reporting system to transfer data into automated summary reports.



Purpose, Scope, and Methodology

The purpose of this engagement was to review and evaluate the FHP ODPE process and compliance with applicable state laws and Department policy and procedure.

The scope of this audit included all the Department's ODPE documentation for the 2020-21 Fiscal Year.

The methodology included:

- Reviewing applicable statutes, rules, policies, and procedures;
- Interviewing appropriate Department personnel;
- Reviewing monitoring and oversight activities of ODPE;
- Reviewing the process of approving members' ODPE requests;
- Reviewing member's and scheduler's ODPE monthly reports;
- Reviewing CAD system log entries by ODPE members;
- Reviewing People First timesheets;
- Reviewing mileage reimbursement records; and
- Reviewing members' ODPE insurance policy for use of state vehicles.

Acknowledgment

We would like to thank the FHP management and each troop district who assisted during the audit and express our appreciation for their cooperation during the course of our examination.



Distribution, Statement of Accordance, and Project Team

Distribution

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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:
Kim Butler, Auditor
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Under the supervision of:
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Approved by:



Mike Stacy, Inspector General


ATTACHMENT - Management Response



Dave Kerner
Executive Director

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MEMORANDUM

DATE: July 7, 2023 (July 10, 2023 – Without Highlights)
TO: Erin Mook, Audit Director
FROM: Lt. Colonel Troy Thompson 
FHP Deputy Director
SUBJECT: ODPE Audit (202122-02)

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

Finding 1 - Reporting Hours

Oversight of ODPE time reported should be improved through stronger supervisory reviews and policy enforcement.

Recommendations

We recommend FHP management review and revise FHP Policy 5.08 to provide specific guidance for conducting supervisory reviews of ODPE records, including:

- A process for reviewing and approving the scheduler and members' monthly ODPE reports;
- Expectations for documenting discrepancies of hours reported by schedulers compared to members; and
- Consideration for enforcing maximum hours worked in any one-week or one-day period.

We also recommend FHP management take action to ensure supervisors enforce the policies and procedures governing reporting of ODPE time worked. Specifically, management should develop tools and techniques for supervisors to monitor member compliance efficiently and effectively with ODPE timekeeping and reporting policies.

We further recommend FHP management consider implementing an electronic reporting process to reduce errors in reporting and increase efficiency.

Management Response

Service • Integrity • Courtesy • Professionalism • Innovation • Excellence
An Equal Opportunity Employer



The Florida Highway Patrol will review FHP Policy 5.08 to determine if revisions are necessary and/or determine if there are alternative methods to provide guidance for supervisory review, such as providing procedures and/or implementing an electronic process that guides supervisors through conducting reviews.

The Florida Highway Patrol has confidence that supervisors have adequate policies and tools in place to take corrective action when policies are violated. The Florida Highway Patrol will review opportunities to leverage technology through an electronic reporting process that will assist leadership identify potential policy violations to take appropriate corrective action.

Finding 2 - *Incomplete ODPE Forms and Reports*

Ensuring required ODPE forms and reports are properly completed and signed would improve accountability and compliance with FHP policy.

Recommendations

We recommend FHP management take action to ensure that required ODPE forms and reports are complete and accurate and include a signature of approval at the level of authority outlined in FHP Policy 5.08.

Management Response

The Florida Highway Patrol will review opportunities to leverage technology through an electronic reporting process to ensure ODPE forms and reports are complete and accurate, including the signature of approving authorities.

Finding 3 - *Retaining Support Documentation*

Ensuring required support documentation is retained would improve accountability and compliance with FHP policy.

Recommendations

We recommend FHP management take action to ensure support documentation for ODPE records is retained, including; requests to work, monthly reports, liability insurance coverage, and evidence of off-duty mileage reimbursement, in accordance with FHP Policy 5.08.

Management Response

The Florida Highway Patrol will review opportunities to leverage technology through an electronic reporting process to ensure ODPE forms and reports are retained in accordance with FHP Policy 5.08 and the Florida General Records Schedule.

Finding 4 - *Evaluate the Monthly ODPE Reporting Process*

The monthly summary reporting process should be evaluated.



Recommendations

We recommend FHP management review and evaluate the process of forwarding the ODPE monthly troop summary reports to the OAS and determine:

- If the current process is determined to be necessary, we recommend FHP management review and update FHP Policy 5.08 to include adequate guidance for the monthly troop summary reporting process; or
- If the current process is determined not necessary, we recommend FHP management remove the monthly troop summary reporting process requirement from FHP Policy 5.08.

Management Response

The Florida Highway Patrol plans to continue documenting and maintaining ODPE monthly troop summary reports. The Florida Highway Patrol will review opportunities to leverage technology through an electronic reporting system to transfer data into automated summary reports.

Cc: Mike Stacy, Inspector General