



## Commission for Florida Law Enforcement Accreditation, Inc.

P.O. Box 1489 ~ Tallahassee, FL 32302  
(800) 558-0218 ~ (850) 410-7200

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December 11, 2014

Inspector General John Carey  
Palm Beach County, Office of the Inspector General  
100 South Australian Ave. 4th Floor  
West palm Beach, FL 33406

Dear Inspector General Carey:

Enclosed you will find a copy of the team leader's final report from your accreditation assessment. The Commission's next meeting is scheduled for Wednesday, February 25, 2015, at the Plaza, 600 N. Atlantic Ave., Daytona Beach, FL, 32118 telephone (855) 327-5292. The Commission meeting agenda is enclosed for your review.

Your agency will be reviewed by a panel of Commissioners prior to the regular business meeting. You have been assigned for review by Panel C. Panel reviews will begin at 8:00am, followed by the general business meeting at 10:00am. At the beginning of your agency's review, you will be given the opportunity to give a brief description of your agency size and service community. Please keep your comments to no more than two minutes. You will also be given the opportunity to make additional remarks after the Panel vote is taken. At the general business meeting, your agency's accreditation will be voted on by the full Commission.

The Commission expects the agency Chief Executive Officer will attend the Commission meeting. In the event the Chief Executive Officer is unavailable to attend, a high ranking agency official should be present to represent the agency. The very nature of the Committee Review and Commission Review processes may require a level of expertise and institutional knowledge commensurate with this level of authority.

If you have any questions, or require any additional information, please do not hesitate to contact me.

We look forward to seeing you in Daytona Beach!

Sincerely,

Lori Mizell  
Executive Director



# Commission for Florida Law Enforcement Accreditation

February 25, 2015

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## MEETING AGENDA

### I. AGENCY REVIEW PANELS – 8:00 A.M.

#### A. Panel A

1. Brevard County Sheriff's Office
2. Cocoa Beach Police Department
3. New Smyrna Beach Police Department
4. North Port Police Department
5. Volusia County Beach Patrol
6. Wauchula Police Department
7. Sunrise Police Department
8. South Daytona Police Department revisit

#### B. Panel B

1. Alachua County Sheriff's Office
2. Baker County Sheriff's Office
3. Gretna Police Department
4. Florida Agricultural and Mechanical University Police Department
5. Florida Fish and Wildlife Conservation Commission
6. Leon County Sheriff's Office
7. Palatka Police Department
8. St. Augustine Beach Police Department
9. Walton County Sheriff's Office

#### C. Panel C

1. Boca Raton Public Safety Department
2. Indian River Shores Public Safety Department
3. Key Biscayne Police Department
4. Palm Beach Office of the Inspector General
5. Polk County Office of the Inspector General
6. Office of the Chief Inspector General
7. Hollywood Police Department revisit
8. Plantation Police Department revisit

**II. OPENING CEREMONY – 10:00 A.M.**

- A. Colors / Pledge of Allegiance / Invocation
- B. Welcome VIPs
- C. Opening Remarks

**III. ROLL CALL**

**IV. APPROVAL OF MINUTES**

**V. EXECUTIVE DIRECTOR'S REPORT**

- A. Statistics
- B. Outreach
- C. Strategic Plan Update
- D. 2014 Budget Update
- E. 2015 Budget Update
- F.

**VI. STANDING COMMITTEE REPORTS**

- A. Standards Review & Interpretations
- B. Awards
- C. Bylaws
- D. Audit

**VII. OLD BUSINESS**

**VIII. NEW BUSINESS**

- A. Extension Requests
- B. Future Meetings
  - 1. June 23-24, 2015 - Orlando
  - 2. October 6-7, 2015 - Weston

**IX. AGENCY REVIEW COMMITTEES REPORT**

- A. Presentation of Excelsior Agencies
- B. Panel A
- C. Panel B
- D. Panel C

**X. GOOD OF THE ORDER**

- A. Commissioner Comments
- B. Public Input
- C. Power Standards Software Users Group –
- D. Managing the Accreditation Process –
- E. New Assessor Orientation –

**XI. ADJOURNMENT OF GENERAL BUSINESS MEETING**

To: Commission for Florida Law Enforcement Accreditation  
From: Captain David Pate, Team Leader  
Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement  
Date: November 20, 2014  
Re: Full Compliance On-Site Assessment Report  
Office of Inspector General Palm Beach County  
Standards Manual Version: 1.0.5

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**A. Date of On-Site Assessment:** November 6, 2014

Key Agency Personnel:

Inspector General: John A. Carey  
Accreditation Manager: Flora Butler

**B. Assessment Team:**

Team Leader: Captain David Pate **(DP)**  
Florida Fish and Wildlife Conservation Commission  
Division of Law Enforcement  
75 Academy Drive  
Havana, Florida 32333  
(850) 558-4087  
[David.Pate@myfwc.com](mailto:David.Pate@myfwc.com)

Team Member: Inspector General Julie Leftheris **(JL)**  
Florida Department of Highway Safety and Motor Vehicles,  
Office of Inspector General  
2900 Apalachee Parkway, A310, MS03  
Tallahassee, FL 32399  
(850) 617-3104  
[julieleftheris@flhsmv.gov](mailto:julieleftheris@flhsmv.gov)

**C. Standards Summary Tally:**

Total Number of Standards	Number of Standards Not Applicable (By Function)	Number of Standards Waived	Number of Applicable Standards in Compliance	Percent of Applicable Standards in Compliance
42	8	0	34	100%

#### **D. Agency Profile:**

The Office of Inspector General (OIG) Palm Beach County, Florida was created pursuant to County Ordinance (2009-049) in December 2009. The OIG provides an independent oversight to promote accountability, transparency and efficiencies in local government. The Palm Beach County Inspector General (IG) is unique in that while the IG is selected by the IG Committee (Commission on Ethics, State Attorney, and Public Defender), to ensure independence, the IG reports to the citizens of Palm Beach County, not the County Administration.

In June 2014, the IG Committee selected Inspector General John A. Carey to replace former Inspector General Sheryl Steckler who served from June 2010 to June 2014. The OIG's initial jurisdiction when it opened its office doors (June 28, 2010) was limited to that of the County and its Departments. However, in the November 2010 general election, voters elected to put all 38 municipalities under the OIG jurisdiction. Subsequently, the Solid Waste Authority and Children's Services Council voluntarily came under the jurisdiction of the OIG. The OIG's span of oversight includes all elected and appointed officials, employees, agencies, instrumentalities, contractors, their sub-contractors and lower tier sub-contractors and other parties doing business with and or receiving funds from any of the over forty public entities within the OIG jurisdiction. The dynamics of having over forty separate, and at times competing, entities within its jurisdiction require the OIG to be innovative and adaptive to constantly changing priorities.

The OIG plays a significant role in the furtherance of ethics reform in Palm Beach County. Enabling legislation outlines the OIG's purpose to promote economy, efficiency, and effectiveness and its priority to prevent and detect fraud and abuse in programs and operations administered or financed by the public entities within OIG jurisdiction. To that end, the Inspector General has established an infrastructure with the capacity, diversity, and flexibility to address each complaint in a timely manner and focus audits on the most high-risk areas. The diversity of OIG staff education, training, and certifications reflects the OIG's ability to succeed and accomplish its mission of *"Enhancing Public Trust in Government."* Furthermore, the professional ethics and personal behavior of the OIG staff are of great significance. Every employee must maintain unassailably high ethical and professional standards, faithful obedience to the law, and a strict avoidance of even the appearance of unethical behavior.

The OIG's Fiscal Year 2014 budget is \$2.7 million with an authorized staff of 23. There are three separate units within the OIG: Audit, Investigations, and Contract Oversight.

The Investigations Unit's Intake Section is responsible for receiving complaints involving fraud, waste, misconduct, mismanagement, and other abuses. Each complaint is considered for its qualification under Florida Statutes 112.3187 – 112.31895, also known as the "Whistle-Blower's Act." The Investigations Unit coordinates inquiries and

referrals and conducts investigations and management reviews. Once completed, investigations and reviews are submitted to the head of the affected public entity, the IG Committee, and posted to the OIG website. The OIG Investigations Unit highlights the implementation of its paperless, web-based case management system that incorporates accreditation standards (Inspector General Information Management System – IGIMS) into all work products.

The Office of the Inspector General, Palm Beach County was initially accredited in February, 2012. This is their first reaccreditation.

#### **E. On-Site Assessment Summary:**

On October 1, 2014, the Office of Inspector General (OIG) Palm Beach County provided the assessment team with an assessor packet for review. The packet included an itinerary and all necessary supporting documentation relative to the scheduled assessment. Team Leader Pate and Assessor Leftheris met on October 29, 2014 for a pre-assessment team meeting. Chapter assignments, Commission philosophy and protocol were discussed.

On November 5, 2014 the team met Accreditation Manager Flora Butler at the OIG office in West Palm Beach. Ms. Butler assisted the team with signing into the building and entering the secure area.

After arriving at the OIG, Ms. Butler escorted the team to their work area. Visitors are not permitted without having checked in with the receptionist and allowed access to the secured area, which is controlled by coded access. Once inside the secure area, the team was escorted through the OIG suites. The OIG suites were clean, organized and professional in appearance. Ms. Butler provided a briefing regarding various resources in the room and computer access for the electronic assessment.

An entrance interview was conducted with the assessors, Inspector General John Carey, Accreditation Manager Flora Butler, and Intake Specialist Cynthia Montero, who also serves as the Assistant Accreditation Manager. Inspector General Carey was supportive of the accreditation process and was very open regarding his office and he displayed a willingness to have an impartial assessment of their capabilities.

After the entrance interview, the team was taken on a tour of the office. During the tour, assessors made multiple standards related observations, asked questions relating to standards, and met key people to possibly be interviewed at a later time.

After the tour of their main office, assessors returned to the work area and began the assessment which consisted mostly of file reviews and interviews as necessary. During the assessment, the team reviewed all files, interviewed multiple agency members and found no areas of concern or non-compliance issues. All individuals interviewed were knowledgeable in the accreditation process and with the policy and procedures of the agency. Key observations during the assessment included the overall security of the

facility, records security, evidence processing and storage, and their investigative database/tracking system.

Key employee interviews:

Inspector General John A. Carey  
Accreditation Manager Flora Butler  
Intake Specialist Cynthia Montero  
General Counsel Robert Beitler  
Investigator Robert Flechaus  
Investigator Leo Allen  
Intake Manager Evangeline Rentz  
Auditor Donna M. Wisneski  
Assistant County Administrator Brad Merriman

### **Conclusion**

The OIG assessment was concluded in a single day. The exit interview was conducted on the afternoon of November 5, 2014 with Team Leader Pate, Assessor Leftheris, Inspector General John Carey, Accreditation Manager Flora Butler, and Intake Specialist Cynthia Montero.

During the exit interview, assessors discussed their assigned chapters and any comments or issues related to those particular topics and standards. The discussion centered on their adherence to the standards, with no negative findings being presented.

As a county agency, many of the specific reporting requirements for *entities contracting with the state* and *individuals substantially affected* as defined in Section 20.055, Florida Statutes, only apply to state agency Inspector Generals. As a result of this, all of Chapter 6 was found to be not applicable by function. It should be noted that the OIG's policies meet or exceed the requirements listed in statute for state agencies as it relates to their notification processes.

The team leader communicated to Inspector General Carey that the assessment team would recommend to the Commission that the Office of Inspector General Palm Beach County be reaccredited at the next meeting to be held in February, 2015. On behalf of the Commission, the team leader thanked all those in attendance for their cooperation and enthusiasm. Inspector General Carey was very supportive of the process in his remarks and thanked the team for their hard work and professionalism. Additionally, he thanked the team for their diligence with regard to the above listed discussion on specific reporting requirements for entities contracting with the state and individuals substantially affected as defined by Section 20.055, Florida Statutes.

**F. Standards Noncompliance Discussion:** None.



**G. Corrective Action Discussion:** None.

**H. Standards Verified by the Team as “Non Applicable” to the Agency:**

1.11 (JL)	3.04M (DP)
3.05M (DP)	4.11M (DP)
4.13M (DP)	6.01M (JL)
6.02M (JL)	6.03M (JL)

**I. Standards, the Status of Which, Were Changed by Assessors:**

6.01M (JL)	6.02M (JL)
6.03M (JL)	

The above listed standards were listed by the OIG as “In Compliance.” After diligent review, it was determined that it would be more appropriate to list these standards as “Not Applicable” by function. The specific reporting requirements for *entities contracting with the state and individuals substantially affected* as defined in Section 20.055, Florida Statutes, only apply to state agency Inspector Generals, not a County agency. It should be noted that the OIG’s policies meet and or exceed the requirements listed in statute for state agencies as it relates to their notification processes. Discussion was held with CFA staff on potential adjustments to standards that more effectively and accurately measure County agencies with regard to these reporting requirements.

**J. Public Information Activities:**

**J-1. Correspondence and Media Interest:** None.

**J-2. Follow up by Assessment Team:** None.

**K. Exemplary/Projects/Procedures:** None.

**L. Quality of Service:**

## **CHAPTER 1: ORGANIZATION AND GOVERNING PRINCIPLES (Assigned Assessor: JL)**

The Office of Inspector General (OIG), Palm Beach County, Florida was authorized pursuant to County Ordinance (2009-049) in December 2009. The OIG was created to provide an independent oversight authority to ensure accountability, transparency and efficiencies in local government. To ensure independence of the OIG, the Inspector General is selected by the Inspector General (IG) Committee and reports to the citizens of Palm Beach County. The IG Committee is currently comprised of 7 members, and shall include the commission on ethics, the State Attorney for the Fifteenth Judicial Circuit or his or her designee, and the Public Defender for the Fifteenth Judicial Circuit

or his or her designee. The chairperson of the IG Committee is the chairperson of the Commission on Ethics.

The mission of the OIG is "Enhancing Public Trust in Government" which is prominently displayed throughout the OIG operations, to include the entry into the office, the OIG website, as well as on the cover of every investigative report. In order to meet that mission, each staff member signs an acknowledgement of receipt attesting to receiving the Mission Statement/Core Values. Also, each staff member completes an annual attestation of independence from impairments. The mission, code of ethics, and employee pledge are of such importance to the OIG, each member has their respective signed documents framed and located within their assigned work area.

The policies and procedures clearly define the authority and responsibilities of the Office of Inspector General and contain a procedure for numbering, indexing or searching. There is a format for each type of directive and a system for keeping the directives current. The directive system has procedures to carry out activities, for staff review and approval, and for dissemination. Only the Inspector General has the authority to approve policy.

The Palm Beach County Deputy Administrator for Risk Management serves as the designated Americans with Disabilities Act (ADA) coordinator in accordance with 28 C.F.R. 35.107.

The OIG submitted annual reports to the Commission to report compliance efforts with accreditation standards during the reaccreditation period.

## **CHAPTER 2: PERSONNEL PRACTICES (Assigned Assessor: DP)**

The OIG has procedures in place defining the qualifications investigators and investigative teams must possess, to include educational and relevant experience requirements. Staff members sign their individualized position descriptions which provide a detailed accounting of work expectations. All members who were interviewed had a clear understanding of their responsibilities, are supervised by one supervisor and have participated in various layers of performance evaluation.

The procedures for employee evaluations detail a fair and impartial process for staff development. Required proofs and documents were found in good order. In reviewing the personnel records it is evident there is a strong experience level of individual members as well as the investigative section as a whole.

## **CHAPTER 3: TRAINING (Assigned Assessor: DP)**

The OIG meets their training policy requirements, including but not limited to a requirement for a 40 hour minimum of training every two years. A diligent review of individual training records revealed a significant history of continuing education in various disciplines to include interview techniques, basic and advanced investigations

and financial and auditing strategies. Additionally, all members were familiar with and had documented training relative to public records, the Law Enforcement and Correctional Officers' Rights and the Florida Whistle-Blower Act. All members were familiar with and comply with the Principles and Standards for the Office of Inspector General as well as the policies for the County and the OIG.

Observations and interviews demonstrated files are in order and complete and the OIG currently is in compliance with all accreditation standards related to training. Records are maintained in each member's respective training files.

There are no sworn law enforcement members in the OIG.

#### **Chapter 4: INVESTIGATION PROCESS (Assigned Assessor: DP)**

The OIG has a structured system for the initial intake, review, and assignment of all complaints received by the office as well as a detailed process for initiating, conducting and reporting of investigative activities. This system is clearly outlined in procedures and provides detailed descriptions of each required investigative element to include investigative planning, gathering and maintaining relevant documentation and interviewing critical witnesses, subjects and complainants. All investigations must have a detailed written investigative plan.

The OIG maintains a full time general counsel who assists in reviewing cases at all stages to determine issues relative to scope of authority, legal sufficiency and consistent findings are applied. This was confirmed both by file review and employee interviews. All cases reviewed included relevant information, had logical, sensible relationships to the allegation and provided sufficient information to provide an accurate finding or conclusion. All of the reports are in a consistent format, as directed by their policies.

The OIG does not maintain any evidence at their facility. This was verified both by observation and through employee interviews. Any supporting case documentation is maintained by the case investigator in a secure area.

Completed work products and investigative reports were reviewed and were found to include all of the elements required by the standards. Staff interviews confirmed the employee Bill of Rights and Union Contracts are respected and multiple layers of investigative support and review exist. Additionally, investigative members demonstrated a complete understanding of the procedures and were conversant regarding the investigative process.

All investigative records are stored in a consistent and secure manner

## **Chapter 5: WHISTLE-BLOWER'S ACT (Assigned Assessor: JL)**

The OIG has thorough policies and procedures to ensure proper investigations of Whistle-Blower's Act allegations. The purpose of the Whistle-Blower's Act is to provide safeguards for reporting allegations of gross misconduct, gross mismanagement and gross waste of public funds.

The Intake Manager is responsible for reviewing and assessing each initial complaint to determine whether the provisions of the Whistle-blower's Act could apply. If it is determined upon initial assessment that the provisions of the Whistle-blower's Act do not apply, the Intake Manager will document their review. If it is determined upon initial assessment that the provisions of the Whistle-blower's Act may apply, the Intake Manager will initiate the completion of a Whistle-blower Complaint Determination form which is reviewed by the Investigations Manager and Inspector General. The Inspector General makes the final whistle-blower determination.

There were two completed Whistle-Blower's Act investigations during the assessment period which are maintained within three layers of security, to include a secured area, secured office, and a secured filing cabinet.

Palm Beach County Ordinance No. 2011-009, Section 2-427 establishes procedures for finalization of reports and recommendations which make findings as to the person or entity being reviewed or inspected. This ordinance states whenever the Inspector General determines it is appropriate to publish and deliver a report or recommendation which contains findings as to the person or entity being reported on or who is the subject of the recommendation, the Inspector General shall provide the affected person or entity a copy of the findings. Any timely submitted written explanation or rebuttal shall be attached to the finalized report or recommendations.

The ordinance specifically excludes from its provisions, matters subject to the Florida Whistle-blower's Act. Therefore, the provisions for whistle-blowers to respond to the final report, and procedures for dissemination of the final report to mandated recipients do not apply to the OIG.

## **Chapter 6: NOTIFICATION PROCESS (Assigned Assessor: JL)**

Standards outlined in this chapter address the procedures for Offices of Inspector General to notify *entities contracting with the state and individuals substantially affected* as defined in Section 20.055, Florida Statutes, of their opportunity to respond to findings.

Section 20.055(6)(e) states that at the conclusion of each investigation in which the subject of the investigation is a specific entity contracting with the state or an individual substantially affected as defined by this section, and if the investigation is not confidential or otherwise exempt from disclosure by law, the Inspector General shall, consistent with Section 119.07(1), Florida Statutes, submit findings to the subject that is

a specific entity contracting with the state or an individual substantially affected, who shall be advised in writing they may submit a written response within 20 working days after receipt of the findings. Such response and the Inspector General's rebuttal to the response, if any, shall be included in the final investigative report.

While the OIG is not an office established by 20.055, Florida Statutes, and therefore not subject to the standards within the Chapter, they have established detailed procedures for providing copies of investigative findings to individuals substantially affected which they define as all elected and appointed county/municipal officials and employees, county or municipal agencies.

In addition, while not a state agency Office of Inspector General, OIG has also established detailed and specific procedures to address complaints or allegations of misconduct related to the Office of Inspector General or its employees.

The procedures established by the OIG do not conflict with the Standards and reflect their commitment to addressing complaints if any, against the Inspector General or any of its employees, as well as affording individuals they define as substantially affected the opportunity to respond to investigative findings.

#### **CHAPTER 7: CASE MANAGEMENT (Assigned Assessor: DP)**

The OIG exercises tight controls over case management and confidentiality of files. All documents and data are protected and are stored on their secure computer system which is supported by Palm Beach County Information Technology staff. Interviews with employees confirmed password access is maintained for all elements of the investigative process as well as compliance with all public records and retention laws.

The OIG case tracking system was observed by the assessors and it includes all pertinent case information to include a listing of all allegations as well as the current status of the investigation. The electronic and paper files observed were consistent and contained all information relative to the intake process, interviews and referral information if applicable. These processes are defined in the OIG's written directives.

#### **CHAPTER 8: FINAL REPORTING PROCESSES (Assigned Assessor: DP)**

The OIG policies and procedures define and address investigative conclusions, distribution of final reports, post investigative activities, and notification of criminal allegations. Directives were observed that describe the various conclusions of fact and allow for the efficient distribution of completed reports. Applicable post investigative response examples were also provided.

A sufficient quantity of review and response documentation was provided for review. OIG operations are consistent with Florida Statutes, OIG policies, and Principles and Standards for Offices of Inspector General adopted by the Association of Inspectors General.

**M. Summary and Recommendations:**

**OVERALL CONCLUSIONS:**

The OIG is a professional, well trained and engaged unit. This office has embraced their responsibilities as a steward of public trust for the citizens. The culture of the accreditation process is evident in their policies, practices and attitudes towards their mission. The policies of the OIG are sound, allow for effective work flow and are compliant with state statute, agency policy and established principles of operation for investigative functions in an Office of Inspector General.

The assessment team observed a unit that not only has defined missions, but genuinely understand the value that the Inspector General System provides to not only the citizens of Palm Beach County, but to the members themselves. The unit's cohesiveness reflects compliance with all standards both in spirit and letter of the standard. The assessment was flawless, with no discussion of non-compliance issues. The OIG presents an image that exudes respect for the county and is also reflective of the professional attitude found in its leadership and members.

The assessment team recommends the Office of Inspector General Palm Beach County be favorably reviewed for reaccreditation status by the Commission for Florida Law Enforcement Accreditation at the next Commission meeting.

**NON-COMPLIANCE SUMMARY:** None.

**Submitted by:**

**Captain David Pate, Team Leader  
Florida Fish and Wildlife Conservation Commission Division of Law Enforcement**