

Law Enforcement Consolidation Task Force

INVESTIGATIONS TEAM REPORT

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CONTENTS

EXECUTIVE SUMMARY 1

BACKGROUND..... 3

MISSION STATEMENTS 4

MAJOR LAW ENFORCEMENT FUNCTIONS..... 5

Major Criminal Investigations 6

Domestic Security and Mutual Aid 7

Investigative Assistance..... 9

Intelligence 11

EFFICIENCY OPPORTUNITIES 13

CONSOLIDATION OPPORTUNITIES..... 13

RECOMMENDATIONS 14

Appendix

EXECUTIVE SUMMARY

The *Investigations Team*, one of ten Task Force Subject Matter Work Groups formed to facilitate and expedite the information gathering and evaluation process, was comprised of the following agencies:

- Florida Department of Law Enforcement (FDLE);
- Florida Department of Highway Safety and Motor Vehicles (DHSMV), Florida Highway Patrol (FHP);
- Florida Department of Environmental Protection (DEP);
- Florida Fish & Wildlife Conservation Commission (FWCC);
- Florida Department of Agriculture & Consumer Services (DACS), Division of Law Enforcement;
- Florida Department of Business & Professional Regulations, Division of Alcoholic Beverages & Tobacco (ABT);
- Florida Attorney General, Medical Fraud Control Unit (MFCU).

The *Investigations Team's* scope of work included evaluation of each entity's investigative and/or intelligence functions as relates to their statutory/constitutional authority and/or agency mission, focusing on the identification of possible duplication of efforts and potential efficiencies that might be gained with the consolidation of law enforcement operations.

A matrix was developed with the information provided by each agency to assist in the evaluation process. The matrix provides side by side comparison among the agencies, helping to focus on efficiencies and real or perceived overlaps in major law enforcement

Investigations Team Report

functions: *major criminal investigations, domestic security preparedness/mutual aid, investigative assistance, and intelligence*. Each agency's subject matter experts analyzed and provided feedback to the team regarding each major law enforcement function.

After careful consideration of the information available, the team concluded that the mission statement for each agency accurately reflects their unique statutory authority; and that agency law enforcement functions are appropriately aligned to support their mission. It is important to note that recent legislative actions have already realigned law enforcement functions to streamline agency missions and create efficiencies. No further duplication of efforts among the member agencies was identified. Examples of recent realignments include:

- **Public Assistant Fraud Unit** – transferred from Florida Department of Law Enforcement (FDLE) to Department of Financial Services (DFS).
- **Cyber Crime Unit** – the Florida Attorney General's Cyber Crime Unit was merged with FDLE Computer Crime Center.
- **Motor Carrier Compliance Unit** – transferred from the Department of Transportation (DOT) to the Florida Highway Patrol (FHP).

The *Investigations Team* did recognize a potential for operational efficiency that might be gained by combining certain law enforcement functions of three agencies: Department of Environmental Protection (DEP), Department of Agriculture & Consumer Services (DACS) and Fish & Wildlife Conservation Commission (FWCC). The law enforcement components of these agencies have similar roles defined by very specific jurisdictional boundaries that prevent overlap, but can also present obstacles to efficiency in law enforcement operations. The

Environmental Team reached the same conclusion, and has pursued this issue to full recommendation in their final report to the Task Force.

BACKGROUND

The scope of work for the *Investigations Team* was to evaluate each entity's investigative and/or intelligence functions as related to their statutory/constitutional authority and/or agency mission. The goals for the *Investigations Team* were to:

- Determine if there is any duplication of efforts or scope of work in the investigative and/or intelligence functions within state law enforcement entities;
- Identify possible efficiencies that could be realized by combining agency functions;
- Provide recommendations as appropriate.

Several meetings were held with task force members and subject matter expert teams to gather information related to the agencies' organization, structure, investigation functions, mission statements and other relevant data. The information was compiled using a template provided by the task force. Information initially gathered was analyzed and discussed resulting in a narrowing of the team's focus to concentrate primarily on a comparison of agency missions and major investigative functions. A matrix was created detailing the following functions: *criminal investigations, domestic security preparedness & mutual aid, investigative assistance, and intelligence*. The matrix, attached as an appendix to this report, facilitated the process of identifying real or perceived duplicative efforts within the scopes, missions, and functions of each agency across the state law enforcement spectrum.

MISSION STATEMENTS

The first area evaluated in this process was the mission statements for each agency. Each agency's representative provided feedback and made a presentation to the team explaining how the agency operates and accomplishes their respective missions, within the statutory authority.

The mission statements for each agency represented in the *Investigations Team* reflect their statutory/constitutional authority:

- **Florida Department of Law Enforcement (FDLE)** - Public safety & strengthen domestic security in partnerships with local, state & federal criminal justice agencies.
- **Florida Highway Patrol (FHP)** - Highway safety & security through professional law enforcement & excellence.
- **Department of Environmental Protection (DEP)** - Excellence in public service & environmental protection.
- **Alcoholic Beverages and Tobacco (ABT)** – Public safety, welfare, and economic well-being through enforcement of laws, statutes and regulations related to the complex entities of the Alcoholic Beverages and Tobacco Industries.
- **Medicaid Fraud Control Unit (MFCU)** - Detect & prosecute Medicaid fraud and abuse, neglect & exploitation of patients & health and safety of state's residents.

- **Department of Agriculture Law Enforcement (AgLaw)** - Consumer protection, protection of agricultural industry from criminal acts, preserving & safeguarding food & consumer products & protect state's natural resources.
- **Fish & Wildlife Conservation Commission (FWC)** - Protect state's natural resources and people through proactive & responsible law enforcement services.

Within the law enforcement function, agencies operate under a different set of rules consistent with their unique mission. The *Investigations Team* found three agencies that have similar responsibilities regarding the protection of the environment and natural resources: Department of Environmental Protection (DEP), Agriculture Law Enforcement (AgLaw) and Fish and Wildlife Conservation (FWC). The common denominator in these three agencies' mission is the protection of the environment and natural resources. Their law enforcement components have similar roles within defined jurisdictions that might bring some efficiency through consolidation. The *Environmental Team* has identified the same potential for efficiency. Their report will detail the discussion, conclusions and recommendations regarding potential consolidation of similar roles. The *Investigation Team* found no other overlaps or duplication of efforts among state law enforcement investigative functions.

MAJOR LAW ENFORCEMENT FUNCTIONS

The *Investigations Team* validated the missions and objectives for the state law enforcement agencies, worked to identify possible efficiencies that could be created between agencies, and reduce redundant efforts among agency missions and activities. The team defined major law enforcement investigative functions as: *major criminal investigations*,

domestic security preparedness & mutual aid, investigative assistance, and intelligence. This section of the report details the results of the evaluation of each component.

MAJOR CRIMINAL INVESTIGATIONS

Conducting major criminal investigations is one of the core investigative functions of law enforcement agencies. Depending on agency-specific mission statement and statutory/constitutional authority, the scope of major criminal investigations varies between agencies. For example, the Florida Department of Law Enforcement (FDLE) *major criminal investigations* target crime and criminal organizations whose illegal activities and/or associates cross jurisdictional boundaries, include multiple victims, represent a major social or economic impact to Florida, and/or address a significant public safety concern. FDLE focuses this type of investigative activity on violent crime, drug crime, economic crime, public integrity, domestic security and threat investigations.

Major crime investigations for the Florida Highway Patrol (FHP) focus on driver license, vehicle title and odometer fraud cases, traffic homicide, cargo theft and threat investigations.

The Department of Environmental Protections (DEP) major criminal investigations focus on environmental threats and illegal transportation, storage and disposal of hazardous waste, solid waste and chemicals.

Department of Agriculture and Consumer Services, Division of Law Enforcement (AgLaw) focuses on consumer fraud, including unfair and deceptive practices, agricultural crimes, criminal acts within state forests, environmental crimes (illegal dumping & outdoor open burning) and wildfire investigations.

Florida Fish & Wildlife Conservation (FWC) major criminal investigations focus on vessel thefts, vessel title and license fraud, boating accidents, federal and state criminal violations within wilderness and marine areas, hunting accidents and federal and state commercial fishing violations.

Alcoholic Beverages and Tobacco (ABT) investigates violations of laws and regulations related to alcoholic beverage and tobacco industries and focus on all crimes with a nexus to alcoholic beverages and tobacco licensed and non-licensed premises within the State.

The Medical Fraud Control Unit (MFCU) works only fraud cases related to Medicaid and/or patient abuse, neglect or exploitation.

In conclusion, the major criminal investigation function in each agency is delineated by their unique mission statement and statutory authority. Some components of the law enforcement function in DEP, AgLaw and FWC are similar with respect to their specific jurisdiction. Consolidating some of these functions within a single agency may eliminate some investigative inefficiency created by jurisdictional boundaries. Discussion of these potential efficiencies will be detailed in the Environmental Team's report.

DOMESTIC SECURITY AND MUTUAL AID

The Commissioner of FDLE, or his designee, serves as the Incident Commander for the state in the event of a terrorist incident, acts as Florida's Homeland Security Advisor and works closely with the Division of Emergency Management and other federal, state and local agencies to enhance the state's domestic security preparedness through the implementation of Florida's Domestic Security Strategic Plan, the state's blueprint for anti-terrorism prevention,

preparedness and response. DEP, AgLaw and FWC are first responders in environmental emergencies and support other law enforcement agencies whenever the environmental emergency response expertise is needed.

The Florida Mutual Aid Act, Chapter 23, and Part I, Florida Statutes, directs the creation of a state law enforcement mutual aid plan to provide for the command and coordination of law enforcement planning, operations, and mutual aid. The Florida Mutual Aid Plan for law enforcement shall:

- Prepare for the allocation and distribution of state law enforcement resources in support of Florida's overall responsibility for public safety, including the emergency law enforcement and security support provided by the Florida National Guard (FLNG).
- Be administered by the Department of Law Enforcement (FDLE) to implement the policy and purposes set forth in §23.121, Florida Statutes.
- Establish planning and incident command guidelines by which state law enforcement resources meet this mandate as they are mobilized in response to law enforcement emergencies or disaster situations.
- Plan, coordinate, and deploy state law enforcement mutual aid to support local law enforcement.
- Recognize the need for local law enforcement planning and may provide for technical assistance in such efforts and cooperation through the Florida Sheriffs' Task Force and participating agencies of the Florida Police Chiefs' Association.

Most of the agencies evaluated are Mutual Aid partners with FDLE as the lead agency for state law enforcement. The only exception is the MFCU, which by federal regulation cannot

Investigations Team Report

perform other duties aside from Medicare/Medicaid Fraud, Patient Abuse, Neglect or Exploitation. During emergencies, their sworn members respond to health care facilities to insure that those facilities are capable of continued operation and assist in coordinating help as needed.

With the exception of MFCU, agencies partner with other local, state and federal agencies in task forces and work groups, such as Immigrations and Customs Enforcement (ICE), Drug Enforcement Agency (DEA), Federal Bureau of Investigations (FBI), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), as well as many other state and local law enforcement task forces.

INVESTIGATIVE ASSISTANCE

All sworn law enforcement officers employed by the agencies have statewide power and authority to enforce state laws. In most cases, it is statutorily mandated that each agency provides investigative assistance to other law enforcement agencies. Therefore, based on their specific mission and authority, each agency provides investigative assistance to federal, state and local law enforcement agencies, as follows:

- FDLE – violent crime response (Electronic Surveillance Support Teams (ESST), Child Abduction Respond Teams (CART), K-9 Units, Amber Alerts, Fugitive Apprehension, Cold Cases Investigations, Clandestine Methamphetamine Laboratory Cleanup); polygraph/criminal profiling; computer crime investigations, training and support; background investigations; law enforcement specialty training; high risk/critical incident response.

Investigations Team Report

- FHP – highway criminal interdiction; identity theft; fraudulent documents related to vehicle registration, odometers and driver licenses; facial recognition.
- MFCU – assist in cases related to Medicare/Medicaid fraud or patient abuse, neglect or exploitation.
- ABT – access to ABT extensive databases and expertise in violations of alcoholic beverage and tobacco laws, and investigative assistance to other local, state, and federal law enforcement agencies.
- DEP – assist in investigations & prosecution of environmental crimes and environmental sampling to support criminal investigations.
- AgLaw – Domestic Marijuana Eradication Program; cargo and agricultural theft; animal abuse and animal cruelty investigations.
- FWC – aerial support, emergency response to remote areas; special operations group (remote woodland & marine), K-9 units; search & rescue; animal attacks; and boating accidents investigations.

Examples of close collaboration within law enforcement agencies are search and rescue operations, critical incident response, emergency operations, drug interdictions, document fraud (vehicle licenses, vessel licenses, and driver's licenses), child abduction cases and participating in multijurisdictional or specialized task forces.

There is no perceived duplication of efforts, since each agency provides their unique expertise that complements other agencies' resources and areas of expertise.

INTELLIGENCE

The Florida Fusion Center (FFC), housed at FDLE, brings together a multidisciplinary group of partners blending data from a variety of sources for analysis. The FFC provides meaningful, actionable intelligence analysis that is shared with state, local and national partners on a daily basis to facilitate the investigative function. The FFC has organized the creation of the Florida Fusion Center Network which links the state's seven regional fusion centers. The network coordinates training opportunities, travel and planning resources, and features the statewide deployment of a collaborative web-based software system that allows the regional fusion centers to track situational awareness, intelligence products and alerts. The system also allows each regional fusion center to provide needed access to trusted private sector partners.

Florida continues to expand the Florida Law Enforcement eXchange (FLEX), a statewide data sharing system that provides law enforcement across the state the ability to quickly and easily access and analyze thousands of records found in individual city, county and state law enforcement agencies records management systems. Another very important tool is InSite, which is a web application located on the Criminal Justice Network (CJNet) and serves law enforcement agencies (federal, state and local) by providing a secure database of active criminal intelligence and investigative information to legally authorized users across the state. The main goal of InSite is to improve the effectiveness of criminal investigations on all levels and provide for the exchange of intelligence between Florida law enforcement agencies.

The Fusion Center includes the following state and federal agencies that have designated an intelligence liaison officer/analyst to the FFC:

Florida Law Enforcement Consolidation Task Force

Investigations Team Report

- Agency for Enterprise Information Technology
- Department of Agriculture and Consumer Services,
Division of Law Enforcement
- Department of Business and Professional Regulation,
Alcoholic Beverages and Tobacco
- Department of Corrections
- Department of Education
- Department of Environmental Protection
- Department of Financial Services/
State Fire Marshal
- Department of Health
- Department of Highway Safety & Motor Vehicles/
Florida Highway Patrol
- Department of Law Enforcement
- Department of Transportation
- Division of Emergency Management
- Fire Chief's Association
- Fish and Wildlife Conservation Commission
- Office of Attorney General
- Police Chief's Association
- Sheriff's Association
- Department of Homeland Security
- Intelligence & Analysis
- Immigration and Customs Enforcement
- Domestic Nuclear Detection Office
- Transportation Security Administration
- Federal Bureau of Investigation
- Florida National Guard
- US Attorneys Office
- US Forest Service

Serving as the first point of contact for the Florida Fusion Center, Watch Desk analysts act as conduits for vetting information from and to the U.S. Department of Homeland Security including its National Operations Center, the Federal Bureau of Investigation, Florida Regional Domestic Security Task Forces, and Statewide Warning Point operated by Florida's Division of Emergency Management.

The intelligence and information sharing component within the law enforcement function is streamlined to facilitate collaboration and joint operations of federal, state and local law enforcement agencies in Florida and no overlaps or duplicative efforts are identified. The current structure for intelligence sharing is continuously evolving to adapt to ever changing circumstances. This is another example where each agency provides expertise to support other law enforcement agencies in promoting public and officers' safety and national security.

EFFICIENCY OPPORTUNITIES

The Legislature already realigned law enforcement components within state government to produce efficiencies within the Florida Department of Law Enforcement and Florida Department of Highway Safety. State law enforcement components are already cooperating through a variety of cross-agency partnerships including Florida's Mutual Aid Plan, multiple investigative task forces, the Florida Fusion Center, and statewide and regional information and intelligence systems. Each agency brings a unique mission and expertise to the State's law enforcement investigative capabilities, coordinating when appropriate to protect Florida's citizens and visitors. Additional opportunity for efficiency may be gained by consolidating some investigative functions of three state law enforcement agencies. These efficiencies are detailed within the Environmental Team's report.

Based on the uniqueness of state law enforcement missions, the efficiencies already accomplished through realignment of appropriate law enforcement function, and the systems already in place to maximize investigative cooperation and efficiencies among state law enforcement agencies, the Investigative Team has no additional recommendation for consolidation or realignment of investigative functions among state law enforcement agencies.

CONSOLIDATION OPPORTUNITIES

Besides the potential consolidation of certain law enforcement investigative functions in the Department of Environmental Protection, the Department of Agriculture and Consumer Services and the Fish & Wildlife Conservation Commission the Investigations Team found no additional opportunities for consolidation.

RECOMMENDATIONS

The *Investigations Team* supports the conclusions and recommendations of the Environmental Law Enforcement Team regarding potential consolidation of similar components within the Department of Environmental Protection, the Department of Agriculture and the Fish & Wildlife Conservation Commission.

Additionally, the *Investigations Team* acknowledges the critical role that intelligence and investigative information sharing plays in ensuring efficiency and effectiveness of the law enforcement mission. The *Team* further acknowledges the progress that state law enforcement in cooperation and collaboration with federal, state, and local law enforcement have made to join together to establish secure, credible data interoperability across the spectrum of law enforcement jurisdictions. Through task forces, state and regional fusion centers, and the use of technology to share information between disparate systems and reduce redundant system functionality, Florida law enforcement communication has been improved.

It is the recommendation of the *Investigations Team* that local agencies be encouraged to participate with their regional fusion centers, and have their appropriate personnel trained in the use of InSite, Florida's statewide intelligence system. It is further recommended that agencies be discouraged from building new disparate investigative and intelligence records systems that do not integrate into regional and state fusion center systems, and do not support the goal of improved information sharing and interoperability.

Florida State Law Enforcement Consolidation Task Force

AGENCIES	FDLE	FHP	MFCU	ABT	DEP	AgLaw	FWC
Mission Statement	Public safety & strengthen domestic security in partnership with local, state & federal CJ agencies.	Highway safety & security through professional law enforcement & excellence.	Detect & prosecute Medicaid fraud and abuse, neglect & exploitation of patients & health and safety of state's residents.	Regulate the distribution of alcoholic beverages & tobacco products, collection of licenses fees & taxes.	Excellence in public service and environmental protection.	(Bureau of Investigative Services) Consumer protection, protection of agricultural industry from criminal acts, preserving & safeguarding food, consumer products & protect state's natural resources.	Protect state's natural resources and people through proactive & responsible LE services.
Major Law Enforcement Functions							
Criminal Investigations (Major criminal investigations)	<ul style="list-style-type: none"> • Violent Crime • Drug Crime • Economic Crime • Public Integrity • Domestic Security • Threat Investigations 	<ul style="list-style-type: none"> • Driver license, vehicle title & odometer fraud • Traffic homicide • Cargo Theft • Threat investigations 	<ul style="list-style-type: none"> • Fraud related to Medicaid and / or patient abuse, neglect or exploitation. 	<ul style="list-style-type: none"> • Criminal violations associated with sale / distribution of cigarettes and alcoholic beverages 	<ul style="list-style-type: none"> • Environmental threats (air, drinking water and natural resources). • Illegal transportation, disposal or storage of hazardous waste, solid waste or chemicals. 	<ul style="list-style-type: none"> • Unfair & deceptive trade practices. • Agricultural crimes • Criminal violations within state forests. • Environmental crimes – illegal dumping & outdoor open burning. • Wildfires investigations 	<ul style="list-style-type: none"> • Vessel thefts • Vessel license & title fraud • Boating accidents • Federal & state criminal violations within wilderness & marine areas • Hunting accidents • Federal & state commercial fishing violations
Domestic Security Preparedness & Mutual Aid	<ul style="list-style-type: none"> • Mutual Aid coordination (ESF 16) • Homeland Security Advisor • Multi-agency counter terrorism coordination 	<ul style="list-style-type: none"> • Mutual Aid partner (ESF 16) • Emergency Response - Domestic / Natl. Security threats 	<ul style="list-style-type: none"> • Emergency response – health care facilities. 	<ul style="list-style-type: none"> • Mutual Aid partner (ESF 16) • Federal Task Forces – Marshalls, DEA 	<ul style="list-style-type: none"> • Mutual Aid partner (ESF 16) • Environmental Response Team • Federal & state task force partners 	<ul style="list-style-type: none"> • Mutual Aid partner (ESF 16) Agricultural Emergency Response Team • Wildfire emergencies 	<ul style="list-style-type: none"> • Mutual Aid partner (ESF 16) • 1st. responders - disasters in wilderness and maritime areas.

AGENCIES	FDLE	FHP	MFCU	ABT	DEP	AgLaw	FWC
Mission Statement	Public safety & strengthen domestic security in partnership with local, state & federal CJ agencies.	Highway safety & security through professional law enforcement & excellence.	Detect & prosecute Medicaid fraud and abuse, neglect & exploitation of patients & health and safety of state's residents.	Regulate the distribution of alcoholic beverages & tobacco products, collection of licenses fees & taxes.	Excellence in public service and environmental protection.	(Bureau of Investigative Services) Consumer protection, protection of agricultural industry from criminal acts, preserving & safeguarding food, consumer products & protect state's natural resources.	Protect state's natural resources and people through proactive & responsible LE services.
Major Law Enforcement Functions							
Investigative Assistance (Assistance to other law enforcement agencies)	<ul style="list-style-type: none"> • Violent Crime Response (Electronic Surveillance, CART, Amber Alert, Fugitive Apprehension, Cold Case, Meth Clean-up) • Polygraph / Criminal Profiling • Computer Crime Training & Investigations • Background Investigations • Law Enforcement Specialty Training • High risk / critical incident response 	<ul style="list-style-type: none"> • Highway criminal interdiction • Identity theft • Fraudulent documents related to vehicle registration, odometers & driver licenses • Facial recognition (DL photos) 	<ul style="list-style-type: none"> • Can provide assistance when there is a Medicaid nexus. 	<ul style="list-style-type: none"> • Joint investigations with other law enforcement agencies that involve alcoholic beverages and/or tobacco products 	<ul style="list-style-type: none"> • Assistance in investigations & prosecution of environmental crimes. • State and federal Task Force & workgroup partners • Child Abduction Response Team (CART) partner • Environmental sampling to support criminal investigations 	<ul style="list-style-type: none"> • Child Abduction Response Team partners • Domestic Marijuana Eradication Program coordinators • Federal & state Task Force partners 	<ul style="list-style-type: none"> • Aerial support • Emergency response to remote areas • Special Operations Group – remote woodland & marine • K-9 teams • Search & rescue • Animal attacks • Assistance to local law enforcement agencies in boating accident investigations
Intelligence	<ul style="list-style-type: none"> • Florida Fusion Center operations • Tactical & Strategic Intelligence • FLEX / RLEX coordination 	<ul style="list-style-type: none"> • Fusion Center partner • Intelligence collection & sharing • Tactical & operational intelligence dissemination to internal patrol operations component • Data driven approaches to crime & traffic safety (DdACTS) 	<ul style="list-style-type: none"> • Fusion Center partner 	<ul style="list-style-type: none"> • Fusion Center partner 	<ul style="list-style-type: none"> • Fusion Center partner 	<ul style="list-style-type: none"> • Fusion Center partner 	<ul style="list-style-type: none"> • Fusion Center partner • Intelligence collection & sharing • Tactical & operational intelligence dissemination to internal patrol operations component