

2. REPORT TO BE RECEIVED FOR FILING:

Division of Inspector General, Audit Services, Clerk of the Circuit Court and Comptroller, Report No. 2014-17 dated May 28, 2014 – Follow-Up Audit of the Examination of Justice and Consumer Services Internal Controls Over DAVE Information.



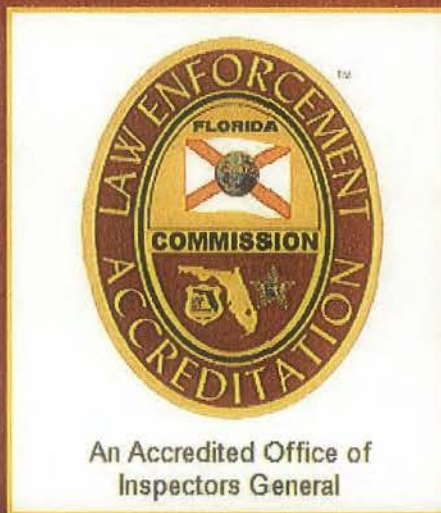
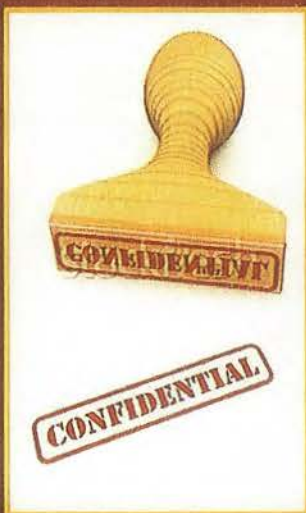
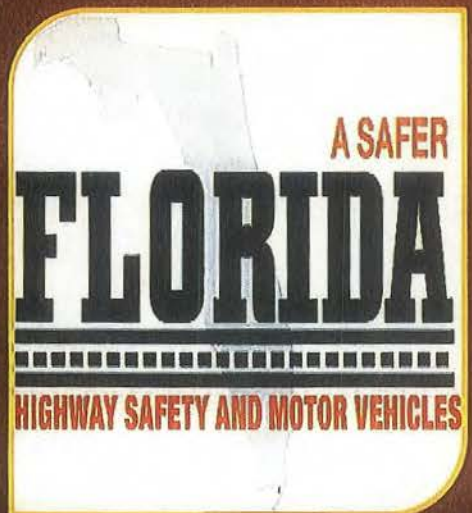
DIVISION OF INSPECTOR GENERAL

KEN BURKE, CPA

CLERK OF THE CIRCUIT COURT AND COMPTROLLER

PINELLAS COUNTY, FLORIDA

FOLLOW-UP AUDIT OF THE EXAMINATION OF JUSTICE AND CONSUMER SERVICES INTERNAL CONTROLS OVER DAVE INFORMATION



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MAY 28, 2014
REPORT NO. 2014-17



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May 28, 2014

The Honorable Chairman and Members of the Board of County Commissioners

We have conducted a Follow-Up Audit of the Examination of Justice and Consumer Services Internal Controls Over DAVE Information. The objective of our review was to determine the implementation status of our previous recommendations.

Of the 2 recommendations contained in the audit report, we determined that both have been implemented. The status of each recommendation is presented in this follow-up review.

We appreciate the cooperation shown by the staff of the Department of Justice and Consumer Services during the course of this review.

Respectfully Submitted,

Hector Collazo Jr.
Inspector General/Chief Audit Executive

Approved:

Ken Burke, CPA*
Clerk of the Circuit Court and Comptroller
Ex Officio County Auditor

*Regulated by the State of Florida



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INTRODUCTION

Scope and Methodology

We conducted a follow-up audit of the Examination of Justice and Consumer Services Internal Controls Over DAVE Information. The purpose of our follow-up review is to determine the status of previous recommendations for improvement.

The purpose of the original audit was to:

- 1) Determine if adequate policies and procedures are in place addressing DAVE access, distribution, use, modification, and disclosure.
- 2) Determine if access to the DAVE system is adequately managed.
- 3) Determine if appropriate logging and monitoring tools are used to manage DAVE access and use.
- 4) Determine if adequate physical security exists to protect confidential DAVE data from unauthorized access and use.

To determine the current status of our previous recommendations, we surveyed and/or interviewed management to determine the actual actions taken to implement recommendations for improvement. We performed limited testing to verify the process of the recommendations for improvement.

Our follow-up audit was conducted in accordance with the *International Standards for the Professional Practice of Internal Auditing* and the *Principles and Standards for Offices of Inspector General*, and, accordingly, included such tests of records and other auditing procedures, as we considered necessary in the circumstances. Our follow-up testing was performed during the month of April. The original audit period was March 1, 2013 through April 15, 2013. However, transactions and processes reviewed were not limited by the audit period.

Overall Conclusion

Of the 2 recommendations in the report, we determined that both were implemented. We commend management for implementation of all of our recommendations.

Status

OFI NO.	PREVIOUS RECOMMENDATION	IMPLEMENTATION STATUS				
		Implemented	Acceptable Alternative	Partially Implemented	Not Implemented	No Longer Applicable
1	Justice And Consumer Services' DAVE Policies And Procedures Require Updating.					
	A. Add an effective or revision date to the DAVE Access Policies & Procedures and DAVE Administrator/Point of Contact S.O.P documents. We recommend the quarterly review of policies and procedures be documented on the Quarterly Quality Control Review reports.	✓				
	B. Update the DAVE Access Policies & Procedures and/or the DAVE Administrator/Point of Contact S.O.P. to include the details on how security incidents are reported and user access updated. In addition, we recommend the procedure include a document/checklist for terminated/reassigned staff that includes a field to record the user termination/reassignment date and the date the user access permissions were updated by DHSMV for compliance with the MOU.	✓				

Background

The Pinellas County Department of Justice and Consumer Services was formed through the merging of Justice Coordination and Consumer Protection. The department covers four key areas within criminal justice including Justice Coordination, Consumer Mediation, Regulatory Services and Criminal Investigations as detailed below:



Consumer Protection

- Mediation of Consumer Complaints
- Criminal Investigations of Consumer Fraud
- Regulatory enforcement for Charitable Solicitation, Bingo, Fortunetelling, Price Gouging, Towing, Moving, and Adult Use Ordinances

Justice Coordination

- Performing Policy Analysis and Planning Functions
- Public Safety Contract Management
- Grant Management
- Project Coordination
- Specialty Projects and Analyses

The Department of Justice and Consumer Services conducts consumer fraud investigations. The agency also assists/acts as the investigative arm to the Consumer Fraud Division of the State Attorney's Office – Sixth Judicial Circuit.

The Department of Justice and Consumer Services has entered into a Memorandum of Understanding (MOU) with the Florida Department of Highway Safety and Motor Vehicles (DHSMV) to access the Driver and Vehicle Express (DAVE) system. DAVE is a multifaceted database that affords retrieval of driver information such as information about driver licenses, driver records, and vehicle title and registration data. Justice and Consumer Services' staff access the DAVE system for lawful investigative activities associated with the investigation of consumer fraud complaints to identify suspects and witnesses in investigations. The DAVE system contains confidential personal information protected by Chapter 119 Florida Statutes and the Driver Privacy Protection Act.

On November 29, 2012, the DHSMV requested that a Data Exchange MOU audit be performed for the Pinellas County Department of Justice and Consumer Services. The agency was selected randomly to submit an attestation ensuring DAVE data is used in an appropriate manner. The attestation must be submitted to the DHSMV by May 29, 2013. The Department of Justice and Consumer Services requested the Clerk of the Circuit Court and Comptroller's Division of Inspector General to perform the attestation engagement.

STATUS OF RECOMMENDATIONS

This section reports our follow-up on actions taken by management on the Recommendations for Improvement in our original audit of the Examination of Justice and Consumer Services Internal Controls Over DAVE Information. The recommendations contained herein are those of the original audit, followed by the current status of the recommendations.

1. Justice And Consumer Services' DAVE Policies And Procedures Require Updating.

Current Justice and Consumer Services' policies and procedures related to the Driver and Vehicle Express (DAVE) system do not contain an effective/revision date and do not address how security incidents will be reported and user access updated.

The Pinellas County Department of Justice and Consumer Services' DAVE Access Policies and Procedures and DAVE Administrator/Point of Contact Standard Operating Procedure (S.O.P). are reviewed by the Justice and Consumer Services' DAVE Administrator at the time of quarterly quality control reviews and updated as needed. However, this date is not noted on the documents.

Regarding security incidents, the DAVE Memorandum of Understanding (MOU) states:

IV. Statement of Work

B. "The Requesting Party agrees to...

9. Update user access permissions upon termination or reassignment of users within 5 working days and immediately update user access permissions upon discovery of negligent, improper, or unauthorized use or dissemination of information."

In the case of a security incident, notification would be made via email to the Department of Highway Safety and Motor Vehicles' (DHSMV) contacts and noted on the Quarterly Quality Review Report produced by the Justice and Consumer Services' DAVE Administrator. This notification procedure is not documented in the DAVE Access Policies & Procedures and/or the DAVE Administrator/Point of Contact S.O.P. The procedure should also include a document/checklist for terminated/reassigned staff that includes a field to record the user termination/reassignment date and the date the user access permissions were updated by DHSMV for compliance with the MOU.

The lack of an effective/revision date on policies and procedures' documents and the lack of details on how security incidents are reported do not affect the current effectiveness of DAVE security.

We Recommended management:

- A. Add an effective or revision date to the DAVE Access Policies & Procedures and DAVE Administrator/Point of Contact S.O.P documents. We recommend the quarterly review of policies and procedures be documented on the Quarterly Quality Control Review reports.
- B. Update the DAVE Access Policies & Procedures and/or the DAVE Administrator/Point of Contact S.O.P. to include the details on how security incidents are reported and user access updated. In addition, we recommend the procedure include a document/checklist for terminated/reassigned staff that includes a field to record the user termination/reassignment date and the date the user access permissions were updated by DHSMV for compliance with the MOU.

Status:

- A. **Implemented.** Management has added a revision date to both the DAVE Access Policies & Procedures and DAVE Administrator/Point of Contact S.O.P. documents. In addition, Management documents the quarterly review of policies and procedures on the Quarterly Quality Control Review reports.
- B. **Implemented.** Management has updated the DAVE Administrator/Point of Contact S.O.P. to include details on how security incidents are reported and user access updated. In addition, Management added a checklist document for terminated/reassigned staff that includes the fields recommended.



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