

19TH STATEWIDE GRAND JURY REPORT EVALUATION

Presented on November 18, 2011

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General

Governor Rick Scott

Recommendations

Strengthen independence of OIGs to improve effectiveness & increase efficiency

- Terms of Office
- Removal for Cause and 21 days written notice detailing reasons
- Concurrence before Removal by the CIG or others
- Enhance statewide coordination of the CIG
- OIGs continue in their current role to conduct IA investigations (FDLE does through EI)
- Improve transparency through added reporting to the Legislature and posting of IG reports on agency websites

Recommendations

Ensure adequate and independent staffing & operations

- Amend the IG Act to specify separate appropriations accounts for OIGs
- Ensure Staffing Decisions are not delegated to Agency staff, but are made by the IG
- Ensure adequate resources for OIGs
- Team provide staffing level recommendations (to Task Force and OPB) and Budget baselines for offices that are consolidating to ensure adequate oversight

Recommendations

Streamline the IG mission to maximize

Oversight of agency operations

- Team provide recommendations to Task Force, OPB and Agencies to streamline the functions assigned to the OIG
- Team recommend protocols to Task Force, OPG, and Agencies regarding placement of functions in the OIG

Recommendations

Provide statutory authority for OIGs and the Chief IG to have exclusive independent legal counsel

- In the interim, OIGs and OGCs can negotiate Memorandums of Understanding to establish independent legal counsel to serve the OIG and CIG including a stipulation that the attorney serving the OIG cannot be rewarded or removed by without the IG's approval

Recommendations

Provide OIGs with administrative subpoena power, but with oversight by the CIG

Strengthen “right to audit” clauses in state contracts to ensure ample access by IG’s

- full access to records
- full access to staff

Recommendations

Protect active investigations from improper disclosure

- Amend Florida Sunshine Law

Standardize Staffing Ratios, Position Descriptions, Ranks and Titles

Recommendations

Clarify Police Officers' Bill of Rights regarding whether sworn law enforcement must conduct IA investigations

- Seek Attorney General Opinion
- Seek Legislative changes
- Seek specific authority for OIGs to hire sworn
- Limit sworn staff in OIGs to the statutory mandates of the OIG

Recommendations

Remove conflicts between the Police Officers' Bill of Rights and the Whistle-blower's Act

- Seek Attorney General Opinion to clarify which statute has priority when both apply
- Seek Legislative changes to de-conflict these provisions