

Oklahoma Senate Committee on Appropriations

2013-14 Performance Report

Oklahoma State Bureau of Investigation

MISSION STATEMENT:

The mission of every OSBI member is to ensure the safety and security of the citizens of Oklahoma.

AGENCY DIRECTOR:

Stan Florence, Director
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GOVERNANCE:

Here a brief description of the agency's governance structure should be provided. Is the agency headed by a Governor appointee? An appointee of an independent board? Who selects the board, and who are the current members of the board.

The OSBI is governed by the Oklahoma State Bureau of Investigation Commission (Title 74 § 150.3)

The OSBI Commission consists of seven members appointed by the Governor with the advice and consent of the State Senate. Four members represent the lay citizenry-at-large, one member will be a district attorney, one member must be a sheriff, and one member will be a chief-of-police. Members are appointed for terms of seven years and not more than two may be from the same congressional district.

Title 74 § 150.4 – the OSBI Commission appoints the Director of the Oklahoma State Bureau of Investigation.

Does the Board have any committees or subgroups? If so, please provide a detailed listing of the subgroups and their areas of focus.

The OSBI Commission does not have any committees or subgroups.

GOVERNANCE ACCOUNTABILITY:

Please provide copies of the minutes for any Commission/Board meetings the agency has had since July 1, 2010 in electronic format (Only in PDF format) Is there an attendance policy for board members/commissioners? If so, is it being followed?

The meeting minutes are attached with this document.

There is not an attendance policy for the Commission members but a quorum of four members of the Commission is necessary to conduct any official business.

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MODERNIZATION EFFORTS:

Please provide a listing of all government modernization efforts undertaken by the agency since July 1, 2010. Additionally, please provide any authorizing statutory changes that prompted the modernization efforts and whether those efforts have led to cost savings or additional cost burden.

While there have not been any authorizing statutory changes prompting modernization, the OSBI has implemented and/or is continuing to implement the following:

Funded by federal grants, a comprehensive web-based Investigative Case Management System (ICMS) has been implemented for the Investigative Services Division. The system supports all investigative activities including crime scene photos and case evidence tracking. This application allows for instant access to critical information necessary to identify suspects and better track case activities, as well as enables better and faster decisions on the deployment of resources.

The Investigative Services Division purchased fifty-three 800 MHz mobile radios with federal funding provided by the Oklahoma Office of Homeland Security and through the Criminal Information Sharing Alliance (CISA). The goal of this project is to provide statewide and regional secure communications capabilities for Agent personnel who are geographically assigned within the 800 MHz footprint, and to provide interoperability with other federal, state, county and municipal law enforcement agencies. Additionally, one hundred narrowband compliant VHF high band mobile radios were purchased with CISA grant funds, replacing the outdated, non-narrowband compliant mobile radios currently being used. These radios will be operable through the statewide radio network being implemented by the Oklahoma Department of Transportation and will provide interoperability with county and municipal law enforcement agencies that operate exclusively on high band.

The OSBI Laboratory System implemented a comprehensive Laboratory Information Management System (LIMS) using federal grant funding. This reduced paper files and allows customers to retrieve laboratory reports on-line electronically, eliminating the mailing of paper reports, which has reduced the OSBI cost of supplies needed to mail hard-copy reports and has also reduced personnel costs associated with the time involved in preparing/ mailing the hard-copy reports.

Many laboratory instruments use automation technology to streamline casework. For example, in the Toxicology and Drug disciplines, multiple samples can be loaded on automated instruments that run 24/7 with minimal hands-on intervention from analysts. Through the efficiencies these instruments provide, the backlog was practically eliminated and acceptable turnaround times maintained for our customers (though due to the hiring freeze the last couple years, these turnaround times are beginning to climb again).

New CODIS procedures, referred to as "half-reaction validation," were validated that reduce the volume of chemical reagents needed to analyze offender samples. This modification is expected to reduce reagent costs for CODIS by ~\$75,000 per year.

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Modifications to the workflow processes in the Biology and Toxicology sections have been made so that cases are processed in batches sized for best use of the reagents and consumable supplies, reducing waste of reagents/supplies.

The OSBI deployed a new Self Defense Act database program. This program has improved functionality, improving processing time for SDA applications. On November 1, 2011, legislation went into effect mandating a 60-day application processing timeframe without exceptions. The new and improved SDA program has been instrumental in enabling OSBI to meet this mandate. In addition, the SDA unit now needs fewer temporary workers than in years past and requires less outside assistance from other OSBI work units.

A new web-centric, user friendly Automated Criminal History System was deployed, with additional improvements in the system planned that will make the on-line system accessible to more customers. The updated system will result in better public access as well as possibly fewer agency personnel in the future.

The OSBI IT and Information Services Division's staff members have been able to convert 70 ODIS agencies to the SIBRS program. SIBRS is an electronic reporting system which assists in reporting a more accurate reflection of the crime in Oklahoma. Agencies prior to this reported in UCR format which is manual and not an accurate reflection of the true crime rate. This process will continue until all law enforcement agencies in Oklahoma report in the SIBRS format.

The OSBI installed video conferencing capabilities at most regional offices to save on time and travel.

What steps has the agency taken to cut costs and/or eliminate waste? Are there efforts that have been successful which you believe could serve as a model for other state agencies seeking to keep costs minimal?

In FY2011 and FY2012 many cost saving measures were implemented to manage the reduced appropriation level resulting from the budget cuts. These included:

- a hiring freeze for 35 positions (10.5% of the authorized FTE level);
- reduced budgets for overtime, training travel, supplies, equipment and major facility projects;
- facility janitorial, lawn care and maintenance contracts were reduced with savings of approximately \$100,000;
- utility cost savings came from the use of zone heating and cooling settings as well as reducing the time the heat and air systems operate in many of the facility spaces;
- the agency eliminated the vehicle take-home practice for Criminalists, with projected annual savings of \$35,000;
- all the copier rental contracts were re-evaluated and changes made to the size and quantity of copiers with annual saving estimated around \$30,000;
- Criminalists identified numerous chemicals for the laboratory system that could be purchased from vendors other than the state contract vendor with significant savings over the state contract cost. An exemption from the state contract was obtained, saving approximately \$100,000;

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- the OSBI is developing/implementing computer based training to meet many of the mandated supervisory training requirements, which allows employees to meet these training mandates with less time spent outside the office.

For FY2013, because of increased revolving revenues, the hiring freeze list was reduced to 17 and budgets increased for overtime, training travel, replacement equipment and some deferred facility projects, utility savings measures and vehicle use policy change were continued and the reduced facility maintenance, janitorial and lawn care contracts were continued at the reduced level.

CORE MISSION:

What services are you required to provide which are outside of your core mission? Are any services you provide duplicated or replicated by another agency? Are there services which are core to your mission which you are unable to perform because of requirements to perform non-core services elsewhere?

The Core Mission of the OSBI includes the following statutory duties and responsibilities:

- Maintaining scientific laboratories to assist all law enforcement agencies in the discovery and detection of criminal activity, including operating a DNA program and convicted offender DNA database;
- Maintaining fingerprint and other identification files;
- Operating the Arrest/Disposition Reporting System;
- Operating teletype, mobile and fixed radio or other communication systems;
- Conducting schools and training programs for the agents, peace officers and technicians of the state charged with the enforcement of law and order and the investigation and detection of crime;
- Assisting all law enforcement officers and district attorneys when such assistance is requested;
- Investigating and detecting criminal activity as directed by the Governor, Attorney General, Council on Judicial Complaints, Legislative investigative committees with subpoena powers, Director of DHS, or District Court Judge as authorized by law;
- -Conducting special background investigations of nominees for the Supreme Court, Horse Racing Commission, Lottery Commission, for the Governor with written consent of the investigation subject, or the State Treasurer as authorized by law;
- Maintaining a Uniform Crime Reporting system; collecting and correlating information and compiling statistics concerning the volume and nature of crime and the administration of criminal justice within the state;
- Administering the Oklahoma Reward Fund to give cash awards to people who assist law enforcement agencies in the solution of specified crimes;
- Investigating motor vehicle thefts, oil and gas thefts, and computer crimes violations in Oklahoma;
- Directing, controlling, and administering a Missing Persons Information Program for all law enforcement offices in the State of Oklahoma;

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- Investigating threats against the person of elected or appointed officials and providing protection for foreign visiting officials;
- Administering the Self Defense Act licensing of individuals to carry a concealed weapon;
- Operating the Criminal Information Unit, including the Statewide Intelligence Network, to collect, analyze, and disseminate information concerning the "activity and identity of individuals reasonably believed to be engaged in organized crime, criminal conspiracies, or threatening violent crime;"
- Provide criminal history record info to the public; conduct criminal justice information system audits;
- Investigate and enforce all laws relating to any crime listed as an exception to the definition of "non-violent offense" as set forth in Section 571 of Title 57 of the Oklahoma Statutes that occur on turnpikes;
- Establish, coordinate, and maintain the Automated Fingerprint Identification System (AFIS) and the DNA Laboratory;
- Establish an Internet Crimes Against Children (ICAC) unit for the primary purpose of investigating Internet crimes committed against children; the unit shall additionally promote safe Internet use among children and their parents;
- Establish the Child Abuse Response Team (CART) for the purpose of investigating cases of physical and sexual abuse of a child;
- Recognized by the Bureau of Justice Statistics as the Statistical Analysis Center (SAC) to provide a central contact point for federal, state, and local criminal justice agencies.
- Administer a data information system called the "Offender Data Information System" (ODIS).

Services outside of the core mission provided by OSBI include destruction services for controlled substances that are collected and/or tested by the agency. The cost for this service is ~\$50,000 per year.

The destruction of outdated prescription drugs from pharmacies, nursing homes, etc, was performed by OSBI (per statute). Since this was a non-core function, service was cut in early 2011 as a way to reduce spending, with savings estimated to be ~\$25,000 per year.

Because OSBI agents have expertise in law enforcement specialty areas, OSBI provides training to state and local law enforcement officers. This is a duplicative responsibility as this is also the primary responsibility of CLEET.

PRIVATE ALTERNATIVES:

Are any of the services which are performed by the agency also performed in the private sector in Oklahoma? In other states? Has the agency been approached by any foundation,

for-profit or not-for-profit corporation with efforts to privatize some of the functions of the agency?

Title 74-150.37 requires the State to ensure that forensic work performed on behalf of the prosecution in Oklahoma be conducted by a nationally accredited laboratory. There are some private laboratories that conduct forensic analysis; however, the fees charged by independent labs for testing and courtroom testimony is exorbitant. It is far more cost effective for the State to maintain its own forensic laboratory to perform this service for the State. There are also some municipal labs (Oklahoma City PD, Tulsa PD, Broken Arrow PD, Midwest City PD, Ardmore PD) that perform some level of forensic analysis. Another issue to consider is that federal requirements restrict which entities have access to CODIS, the national DNA database. Presently, only government entities are allowed to participate fully in the CODIS program. If private labs were utilized to perform DNA testing, the State would still be required to maintain a CODIS lab that could input/access the CODIS system.

There are vendors that sell name-based criminal history information utilized by employers in making hiring decisions. These are name-based checks of open records whereas the OSBI maintains the state's criminal history repository and provides a more comprehensive search. Also, many statutes require fingerprint-based record checks at the local and national level. The OSBI is the only authorized entity in Oklahoma able to complete this process. Additionally, for fingerprint-based record searches, the OSBI provides "rap-back" - this provides notification to submitting agencies of an Oklahoma arrest that occurs after the initial record search was completed. This allows the submitting agency to be able to monitor the case to determine possible impact on employment or licensing.

There are some private polygraphists that conduct polygraph exams, vendors that provide computer forensic analysis and a few that provide audio/video analysis, all of which are services provided by the OSBI. Also, private oil and gas companies conduct a certain level of oil field theft investigative activities.

The OSBI has not been approached by any foundation or corporation to privatize any functions of the agency.