

Oklahoma Senate Committee on Appropriations

2015-16 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 shall be a district attorney, one member shall be a sheriff, and one member shall 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.

Current members of the Oklahoma State Bureau of Investigation Commission are:

Rusty Noble, Chairman, Lay Member  
Rick Stephens, Lay Member  
R B Hauf, Sheriff Member  
Roger Webb , Lay Member  
Keith Humphrey, Chief of Police Member  
Mike Boring, Vice Chairman, District Attorney Member  
Jeb Boatman, Lay Member

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.

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GOVERNANCE ACCOUNTABILITY:

Please provide copies of the minutes for any Commission/Board meetings the agency has had since July 1, 2014 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.

MODERNIZATION EFFORTS:

Please provide a listing of all government modernization efforts undertaken by the agency since July 1, 2014. 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:

The CODIS Unit (Combined DNA Index System aka DNA Database) utilized a combination of federal grant funding and agency funds to validate new procedures for processing convicted offender samples for entry into CODIS. The Unit tested a new DNA kit which will increase the number of loci analyzed in offender samples, going from 16 loci to 23 loci. The use of a new kit was required by the FBI; however, the CODIS Unit completed testing and implemented the new kit a year ahead of the federally established deadline. The new kit and procedures will slightly reduce the cost per sample to analyze offender samples and will enhance the results obtained by testing.

The Firearms Unit is in the process of purchasing a new NIBIN system (National Integrated Ballistic Information Network). This system is often referred to as the bullet/casing database and is used to compare projectiles from crime scenes to those fired by suspect weapons. The NIBIN system currently used by the OSBI is antiquated and does not possess many of the features offered with the newest system available. The BrassTrax NIBIN system is highly advanced and offers improved imaging and higher quality comparisons. It is anticipated that through the use of the new system, we will increase the number of identifications made between crime scene samples and weapons submitted for comparison.

The Toxicology and Drug Units continue to increase the methods available to them to analyze the increasing number of synthetic cannabinoids being submitted to our laboratory. Additionally, the Drug Unit has been working to implement new methods to analyze food products submitted that are alleged to contain marijuana/THC. Our

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laboratory has experienced an increase in cases involving food items purchased in Colorado and brought into Oklahoma.

The Digital Evidence Unit (DEU) has fully transitioned from the Investigative Division to the Criminalistics Division. Lab staff members have visited accredited DEU labs in surrounding states to gather information about their functionality, and we are in the process of creating training and quality manuals as well as protocols for work that is performed in this discipline. The goal for this unit is to apply for ASCLD/LAB accreditation in FY17.

During 2014, the Investigative Services Division (ISD) implemented the Crime Scene Investigation (CSI) Unit Development Plan to further enhance the services provided by CSI to our statutory requestors and Oklahoma law enforcement. As a result of this plan, the CSI obtained a state of the art Ground Penetrating Radar (GPR) for use in searching for clandestine graves and evidence. All of the Special Agents assigned to CSI have been trained on the GPR and are prepared to respond to requests for service statewide.

Additionally, Special Agents assigned to CSI are in the process of obtaining certification in Advanced Crime Scene Investigation by the International Association for Identification (IAI). Study materials for IAI certification have been obtained and disseminated to CSI personnel with the goal of all personnel obtaining said certification by the end of the fourth quarter.

The CSI continues to search for grant funding opportunities to fund the purchase of a FARO 360 Scanner. The FARO 360 Scanner is at the forefront of technology in crime scene mapping.

In 2014 the OSBI launched a computer based system to allow law enforcement agencies to submit their summary crime statistics electronically. The new process eliminates the need for paper submissions and expedites the compilation of crime data for the state.

In 2014, the OSBI offered an online application portal for Self Defense Act (SDA) license applicants. The portal allows applicants to securely initiate and pay for their application. In addition to offering convenience to the applicant, this portal makes processing the application more efficient. In the first year of operation, 14,364 applications were initiated through the portal and 12,841 applicants paid for their application fees online.

The SDA Unit developed an automated electronic approval process for SDA license applications that do not require follow up or research. This process allows for applications without exceptions to be processed very quickly. It has redirected the labor force to addressing applications which require follow up or research.

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The SDA Unit completed a project which imaged all stored applications. This project eliminates the need to store paper copies and makes records more accessible.

The Computerized Criminal History (CCH) program was modernized in 2014. The system maintains the State Criminal History Records Repository information and works in concert with the Automated Fingerprint Identification System (AFIS). The updated CCH included significant improvements to the program operations, dependability and efficiency.

A committee was formed and began preparations to update the current AFIS system. The committee worked to develop system requirements to begin the purchasing process.

The Offender Data Information System (ODIS) has been upgraded to be compatible with modern technology. The update made ODIS compatible with both 32 and 64 bit technology. ODIS is utilized by Oklahoma law enforcement agencies as a records and jail management system.

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?

With the Governors' initiative for all agencies to save 20% of electrical cost by the year 2020 based on the year 2012 consumption. The OSBI has converted four facilities from fluorescent lighting to LED lighting. The estimated annual energy reduction for this conversion is 732,327 kWh per year at an estimated average of \$0.08 per kWh for an estimated annual savings of \$58,586.16. As an Agency we are continuing to look at various ways to meet this initiative for energy savings.

The Criminalistics Services Division continues to cross-train employees between disciplines. By having analysts who can perform analysis in more than one discipline, we have the flexibility of temporarily shifting our staff to areas in which we have an increase in backlog or turn-around time. This has proven to be critically important as we face hiring freezes due to the State's budget. The opportunity to learn new responsibilities and to take on additional assignments has been beneficial to our employees as well. The morale among those involved in this program is very high.

The SDA unit began using a vendor to image applications at the beginning of application processing. Previously, paper applications were stored in a folder, affixed with a label and moved through the process manually. Often times, this process led to delays in responding to inquiries by applicants. The applications were stored in large rolling file cabinets until they were completed and imaged. Imaging the applications at the beginning of the process makes them instantly accessible to employees when responding to inquiries by customers thereby improving customer service. It has eliminated the need for rolling file cabinets, file folders, and labels. The space that held

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the file folders was converted to work space for the SDA Unit. Work hours spent filing and imaging applications has been redirected to processing the applications in a more efficient manner thereby reducing the time it takes to issue a license and improving customer service.

The SDA automated approval process has significantly reduced the use of employees outside of the SDA unit to review and approve license applications. The increased efficiency has allowed the SDA unit to process applications in a timely manner utilizing the resources within the unit even during times of substantial workload increases

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;

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- Directing, controlling, and administering a Missing Persons Information Program for all law enforcement offices in the State of Oklahoma;
- 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 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 information 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 law enforcement training. 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

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this service for the State. There are also some municipal labs (Oklahoma City PD, Tulsa PD, Midwest City PD, Ardmore PD and Norman 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 into which we could enter and access the CODIS system as well as to employ a Technical Manager in Biology to technically review the private laboratory's records and case reports.

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 fingerprint based 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" that 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.