

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
405-879-2585
stanley.florence@osbi.ok.gov

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, 2012 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, 2012. 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:

On April 1, 2013, the OSBI Investigative Services Division consolidated eight (8) investigative regions into six (6) investigative regions. This change standardized the regional service areas and reduced the number of regional secretaries by two; one temporary regional secretary voluntarily separated from state employment to accept employment in the private sector, and one regional secretary retired. The implementation of standardized services areas established a foundation for future growth and will help administrators with the ability to better forecast necessary adjustments of personnel.

A new statewide Crime Scene Investigation Unit (CSI) was created. This new unit established and enacted standardized operating procedures and training for CSI personnel assigned to this unit in order to provide exceptional service to our requestors in this specialized area.

The response to the May 20, 2013 tornado disaster in Newcastle, Moore, and Oklahoma City revealed a critical deficiency in portable radio communication capabilities. OSBI Agents who arrived on the disaster scene had no radio communication capabilities once outside of their radio equipped vehicles. As a result, eighty-four (84) portable 800 MHz radios have been procured through funding made available by the Oklahoma Department of Homeland Security, the Internet Crimes Against Children grant, and the OSBI that will further enhance the OSBI interoperability with municipal, county, state and federal public safety agencies.

Through funding from federal DNA grants, the CSD purchased Automate and "3500" Genetic Analyzers for processing DNA samples. These instruments greatly lower the amount of hands-on time required by our analysts and reduce the time the samples are on the instrument. The cost of performing DNA tests with the use of these new instruments has resulted in significant cost savings in consumable costs. With our old instruments, the cost for running one DNA sample was \$128.44 to \$140.91 depending on the technique used. With the new instruments, the cost to run one DNA sample is now \$72.55 - \$85.04 depending on the technique. Our savings per sample average \$52.04.

The Drug and Toxicology disciplines went "paperless". By entering and storing all of their case information electronically, they have drastically reduced the amount of paper, file folders and other office supplies they historically used to create standard case files. This modification to their work product has also streamlined the process for logging-in cases that

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are submitted to our laboratory. This reduces the amount of time each Physical Evidence Technician dedicates to creating and managing files.

The chemistry-based disciplines in the CSD purchased new instruments to replace our antiquated instruments which were no longer being maintained by the manufacturers. The new instruments have higher capacities and can, therefore, process more samples in each individual run. The instruments perform the analyses in shorter time allowing us to analyze more samples in less time for drug and toxicology cases.

The Forensic Chemistry Unit expanded training on the Fourier Transform Infrared Spectrometer (FTIR) so that analysts utilize this instrument to perform drug analyses on samples of higher purity. These samples were previously tested on the GC/MS. By performing the initial analysis on the FTIR instrument, we have cut the analysis time by 67% for these samples.

The Latent Print Unit has updated the alternative light source that is used to search for fingerprint evidence on items. The Unit purchased a Laser Light for this task which assists analysts in locating evidence more quickly.

The FBI has modernized its Integrated Fingerprint Identification System (IAFIS) so that it can now perform latent print searches at a much higher accuracy level and in a shorter time frame than the previous version. Searches that historically took an entire work day now take less than 2 hours.

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 is developing an online system for Self-Defense Act License Applications through ok.gov. The program will allow OSBI to more accurately and efficiently add data to the SDA database since the data will come from the applicants themselves. It will also be easier for the applicants to apply and should expedite the application process.

The OSBI IT and Information Services Division's staff members have been able to convert 138 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.

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?

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An on-line computer based training module was designed for recertification training for Livescan users. As a result, OSBI staff no longer travels across the state to train law enforcement personnel for recertification in Livescan. This has saved on gas, maintenance on vehicles, and OSBI employee time.

A newly developed on-line SDA application program will reduce processing time in both the SDA Unit and Accounting/Cashiers, allowing them to concentrate their efforts in areas other than the initial logging and data entry. Additionally, it should help reduce the number of citizens that apply with existing preclusions, which creates additional research to be conducted by employees, additional review for denial purposes and appeals of denials.

The OSBI SDA Unit began using a fax server associated with networked copy machines/printers to send and receive fax requests to/from law enforcement agencies and individuals. This process eliminates the need for paper and ink and adds to the efficiency of application processing since documents can be indexed into the imaging system and documented in the SDA program that everyone has access to.

At our request, OMES is developing an on-line module for reporting of Uniform Crime Report information. It is in its final stages of development and testing. This will allow law enforcement agencies to report crime statistics to the OSBI on-line rather than the traditional pen and paper method.

Criminalistic Services division employees tasked with purchasing laboratory instruments, worked closely with vendors to buy multiple instruments during one purchase deal, resulting in vendors providing larger discounts. In addition, personnel continued to review purchases of laboratory consumable supplies to identify other vendors at significant savings.

The Criminalistic Services division continues to work closely with the University of Central Oklahoma's Forensic Science Institute to meet employees' continuing education needs. UCO's FSI allows us to request and actively participate in the development of training courses. These courses are provided to OSBI staff free of charge. This relationship allows OSBI to receive world-class training with no registration fees and no requirement for employees to travel out of state.

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?

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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;
- 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;

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- 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 this service for the State. There are also some municipal labs (Oklahoma City PD, Tulsa PD, Broken Arrow 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 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

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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.