

Oklahoma Senate Committee on Appropriations

2014-15 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, Vice Chairman, Lay Member  
Stanley Glanz, Sheriff Member  
Roger Webb , Lay Member  
Keith Humphrey, Chief of Police Member  
Mike Boring, 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, 2013 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, 2013. 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:

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.

During 2014, steps were taken to transfer the Digital Evidence Unit (DEU) from the Investigative Division to the Criminalistics Services Division (CSD) because the services provided by DEU are more closely related to those provided by the CSD. The transfer will result in an enhanced work product as the DEU will be governed by the CSD's strict quality system. The eventual goal is to have the DEU accredited through the American Society of Crime Laboratory Directors/Laboratory Accreditation Board. The immediate focus of the CSD will be to streamline workflows in the DEU and to standardize procedures and instruments utilized by the DEU.

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In September 2013, the Forensic Biology Unit transitioned to the 3500 Genetic Analyzer for casework. This instrument is at the forefront of forensic biology analysis. In addition to the multitude of product features, the 3500 uses an 8 capillary system instead of a 4 capillary system on the older instruments. This doubled our capacity for analyzing samples. The 3500 utilizes prepackaged consumables, which provide more consistent results, and it offers greater analysis parameters for better quality results. The OSBI was able to purchase these instruments through funding provided by the National Institute of Justice.

In 2014, the CSD restructured the Forensic Biology discipline and created a new unit, the Specialized Forensic Biology Unit (SFBU). Casework is divided so that property crimes and cold cases involving biological evidence are assigned to the SFBU. All other biology cases are assigned to the Forensic Biology Unit (FBU). Separating our resources into these two units through this reorganization allows both property and violent crime cases to get priority and attention much faster than they have in the past. As a result, our customers receive lab results faster and are able to more quickly develop investigative leads from the forensic evidence.

The Firearms Unit streamlined the documentation of analysis in cases involving firearms. The modifications resulted in a more structured case file which reduced the amount of time required to perform a review of these cases. It also resulted in less paperwork being produced and retained.

The Latent Evidence Unit and Forensic Biology Unit are moving towards a paperless system. While the disciplines will not be entirely paperless, they have significantly reduced the amount of paper used for documentation of case files.

In the spring of 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 January 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 Information System (ODIS) is currently undergoing an upgrade to be compatible with modern technology. The update will make 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?

In April 2014, the Forensic Biology discipline incorporated the AutoMate Express Forensic DNA Extraction System into its workflow. This system is a robust bench-top instrument that improves the quantity and quality of DNA isolated from forensic samples, thereby increasing the potential to obtain maximum information from the DNA analysis. This instrument reduced the extraction time of DNA samples from 24 hours to 2 hours.

The CODIS Unit dedicated efforts to validating a new DNA analysis kit for offender samples. The new kit, once in place, will result in a significant time savings in the analysis of CODIS samples. Currently it takes approximately 8.5 hours to perform the extraction step of the analysis on a set of samples. The new kit will reduce this time to 5.5 hours per set of samples. The CODIS Unit analyzes nearly 130 sets per year, so we anticipate seeing approximately 390 hours or time saved in offender analysis per year.

The Toxicology Unit focused resources on developing and validating a new analysis method for identifying and detecting drugs using the Liquid Chromatograph Mass Spectrometer (LCMS). This new method will greatly reduce the analysis time of some toxicology samples as well as cut down the amount of consumables needed to analyze these items. The extraction process was streamlined so that the number of steps that must be performed by an analyst dropped from 17 to 11. The amount of time it takes an analyst to extract a sample was reduced by approximately 35 minutes, and the instrument run time for each sample was cut by 29 and a half minutes.

The Forensic Biology Unit also began using GeneMapper ID-X in September 2013. This software provides powerful data analysis and is designed to drastically reduce the amount of time required to perform analysis on forensic DNA samples.

A current employee is being cross-trained in the Firearms Unit so that he can assist with the analysis of firearms cases. When an analyst is trained in a new discipline, we must typically dedicate a senior analyst to work directly with the new employee. This requires a significant time commitment from the senior analyst and reduces his time to work cases. To avoid burdening a senior analyst, we partnered with the Forensic Science Institute at the University of Central Oklahoma to have one of their experts train our analyst. This cooperative effort benefits both the OSBI and UCO. The OSBI does not have to pull a fully trained senior analyst off of casework to train, and UCO can fulfill its mission of training professionals in the field.

The SDA unit began imaging applications at the beginning of application processing through a vendor. 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 the file folders will be 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;

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- 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 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;

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- 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. Additionally, the OSBI provides aircraft services to Oklahoma law enforcement. This is also a duplicative service that is provided by the Department of Public Safety and the Oklahoma Bureau of Narcotics.

#### 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, 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.

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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.