DIVISION OF INSPECTOR GENERAL
Ken Burke, CPA
Clerk of the Circuit Court and Comptroller
Pinellas County, Florida

INVESTIGATION OF TRAFFIC DEPARTMENT D6
REPORTING (Driver License Suspension)
To DHSMV

Hector Collazo, Jr., Director
Inspector General/Chief Audit Executive

Investigation Team
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APRIL 16, 2013
REPORT NO. 2013-13
April 16, 2013

Myriam Irizarry, Chief Deputy Director and General Counsel
Court and Operational Services
Clerk of the Circuit Court and Comptroller

Jim Russell, Interim Executive Director
Business Technology Services

RE: Investigation of Traffic Department D6 Reporting (Driver License Suspension) to DHSMV

The Division of Inspector General (IG) has completed an investigation of the Traffic Department D6 Reporting (Driver License Suspension) to the Florida Department of Highway Safety and Motor Vehicles (DHSMV), which includes five allegations listed below, received from the County’s Fraud, Waste and Abuse Hotline on April 12, 2012. The complaint covered five areas related to the Clerk of the Circuit Court and Comptroller’s (Clerk) processing of traffic citations. The allegations are:

1. The Clerk did not assess the proper fines. **Unfounded**
2. Adequate collection efforts for the fines were not performed by the Clerk’s Office. **Unfounded**
3. Citations were not properly processed and recorded. **Unfounded**
4. The D6 suspensions were not properly processed. **Unfounded**
5. Citation #3 did not properly suspend the driver license. **Substantiated**

The allegations were based on the following four traffic citations processed by the Clerk’s Traffic Department.

- Citation #1 issued on October 16, 2009; satisfied on November 12, 2010
- Citation #2 issued on October 28, 2010; satisfied on December 7, 2011
- Citation #3 issued on June 29, 2011; suspension transmitted to the Florida Department of Highway Safety and Motor Vehicles (DHSMV) on November 24, 2011
- Citation #4 issued on March 23, 2012; penalty due April 16, 2012
The allegations were resolved by June 4, 2012; IG contacted and worked with the DHSMV on allegation number 5 above and the driver license was properly suspended on June 4, 2012. However, additional analysis was required to determine what caused Citation #3 to not properly suspend the driver license as recorded on the DHSMV records. It has been determined that Pinellas County software has an intermittent problem in the transmission program that sends the D6 Suspension information to the DHSMV. The issue was discussed with Business Technology Services (BTS) management who are analyzing the applications to identify and resolve the problem. We commend BTS management for addressing our recommendation.

To determine whether the allegations were substantiated, we reviewed policies, procedures, and appropriate records. We also interviewed staff, other parties, and the complainant, as needed. Our investigation was performed according to the Principles and Standards for Offices of Inspector General and The Florida Inspectors General Standards Manual from The Commission for Florida Law Enforcement Accreditation.

The recommendation presented in this report may not be all-inclusive of areas where improvement may be needed. We believe that implementation of the recommendation will address the issue.

See the Glossary of Terms in this report for definitions and explanations of acronyms used, which are designated throughout the report [i.e., (*a), (*b), etc.] and correspond with the letters in the Glossary.

We appreciate the full cooperation and assistance of BTS and Clerk's staff and management during our investigation. If you have any questions, please do not hesitate to contact me at 464-8371.

Respectfully Submitted,

Hector Collazo, Jr. Director
Division of Inspector General

cc: Ken Burke, Clerk of the Circuit Court and Comptroller
Deborah Mellis, Chief Information Officer, Clerk of the Circuit Court and Comptroller
Belinda Huggins, Information Technology Supervisor, Business Technology Services
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glossary of Terms</td>
<td>5</td>
</tr>
<tr>
<td>Introduction</td>
<td>6</td>
</tr>
<tr>
<td>Action Plan</td>
<td>7</td>
</tr>
<tr>
<td>Investigative Findings, Issues and/or Concerns</td>
<td>11</td>
</tr>
<tr>
<td>1. Data Processing Problems For D6 Suspension Transactions Are Causing Driver Licenses To Not Be Suspended.</td>
<td>11</td>
</tr>
</tbody>
</table>
GLOSSARY OF TERMS


b. CJIS Pinellas Traffic Application – Pinellas County application used to record and process traffic citations.

c. D6 Suspension – Traffic transaction that suspends a driver license, related to CJIS Traffic, TCATS, and "flccis" Applications.

d. DHSMV Records – The individual driver record related to a Florida driver license. (Other than the status of a driver license available on the Florida web-site, information not public record.) DHSMV is the Department of Health Safety and Motor Vehicles.

e. Docket – Display of the traffic entries (display of case progress) related to the court case for the citation. (Docket information available to the public.)

f. Driver and Vehicle Express (DAVE) – On-line Florida DHSMV application that contains driver license records. (DAVE not available to the public)

g. "flccis" Application – Florida state application used to record all counties’ transactions sent to the DHSMV by TCATS (see “m” below). The “flccis” Application is not available to the public.

h. “flccis” Application D6 Detail Report – Report from the “flccis” application that shows driver license suspension transaction information. The “flccis” Application is not available to the public.

i. “Reissue” – Transaction that re-suspends the driver license by the courts after the license has been suspended and that suspension released.

j. “Reissue” D6 Transaction – Transaction that re-suspends a driver license when the terms of the violation requirements are not met.

k. “Reissue Date” – The date that a driver license is re-suspended by the courts. Also a required field for the transaction to re-suspend a driver license.

l. “Reissue Flag” – An electronic flag that is required to be set to re-suspend a driver license. Also, a required field for the transaction to re-suspend a driver license.

m. Traffic Citation Accounting Transmission System (TCATS) – The Florida Association of Court Clerks’ (FACC) application used by all Florida counties to transmit traffic citation information to the DHSMV.
Synopsis

We determined that four of the five allegations were unfounded (allegation numbers 1 through 4). However, allegation number 5, which stated that Citation #3 did not properly suspend the driver license, was substantiated. Additional analysis was required to determine what caused the processing of this citation to not properly suspend the driver license as recorded on the Florida Department of Highway Safety and Motor Vehicles (DHSMV) records. It has been determined that Pinellas County software has an intermittent problem in the transmission program that sends the information to the DHSMV.

(*) See Glossary Of Terms
### Action Plan

<table>
<thead>
<tr>
<th>FINDING NO.</th>
<th>FINDING (CAPTION) RECOMMENDATIONS</th>
<th>MANAGEMENT RESPONSES</th>
<th>IMPLEMENTATION STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>Data Processing Problems For D6 Suspension Transactions Are Causing Driver Licenses To Not Be Suspended.</strong></td>
<td>Concur</td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td>Analyze the TCATS (*m) application and related code to determine the problem programming code and resolve the &quot;Reissue&quot; D6 Transaction (*j) problems.</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

(*) See Glossary Of Terms
Background

On April 12, 2012, the Division of Inspector General (IG) received a complaint on the County’s Fraud, Waste and Abuse Hotline that alleged the Clerk’s Traffic Department did not properly process four traffic citations issued to the same driver. The areas of concerns relate to the collection of traffic fines, the accuracy of reporting traffic citations, and reporting driver’s license suspensions to the DHSMV. The allegations were based on the following four traffic citations processed by the Clerk’s Traffic Department.

- Citation #1 issued on October 16, 2009; satisfied on November 12, 2010
- Citation #2 issued on October 28, 2010; satisfied on December 7, 2011
- Citation #3 issued on June 29, 2011; suspension transmitted to the Florida Department of Highway Safety and Motor Vehicles (DHSMV) on November 24, 2011
- Citation #4 issued on March 23, 2012; penalty due April 16, 2012

Our analysis focused on Citation #3 since the case was still open at the time of the investigation. However, the other citations were included in the analysis. Additional analysis was conducted on the Pinellas County’s Clerk’s Traffic Department processing of "Reissue" D6 Transactions (*) to the DHSMV to determine the cause of the problem.

The Clerk’s Traffic Department citations are received daily from the law enforcement departments in Pinellas County. The citation information is uploaded and/or input into the CJIS Pinellas Traffic Application (*b). The Traffic Department and the Courts, with the support of the Traffic Application, process the citation in compliance with Florida Statutes and internal procedures. Non-compliance to the citation requirements results in Court action, fines and fees assessed, and possible suspension of the driver license. The State provided applications for the Florida Counties to send the citation information to the DHSMV. As related to this investigation, the Traffic Citation Flow Chart is presented below.

(*) See Glossary Of Terms
Analysis and conclusion of the allegations:

1. The Clerk did not assess the proper fines - A review of the Docket (*e) entries for the four citations determined the fees assessed by the Court complied with Florida Statutes. The processes followed by the Clerk were also in compliance with Florida Statutes. The entries recorded on the Docket (*e) were accurate and recorded timely. The IG determined that the allegation is **Unfounded**.

2. Adequate collection efforts for the fines were not performed by the Clerk's Office - A review of the Docket (*e) entries for the citations determined that the required notices were sent for payment of fines and fees. The Clerk's Office also utilizes a collection agency for unpaid fines and fees. The IG determined that the allegation is **Unfounded**.

(*) See Glossary Of Terms
3. **Citations were not properly processed and recorded** - A review of the Docket (*e) entries for the four citations found that the processes followed by the Clerk complied with Florida Statutes. The entries recorded on the Docket (*e) were accurate and recorded timely. The IG determined that the allegation is **Unfounded**.

4. **The D6 Suspensions (*c) were not properly processed** - Based on the review of the four citations’ case Dockets (*e), all D6 transactions were transmitted to the DHSMV as required by Florida Statute. The IG determined that the allegation is **Unfounded**.

5. **Citation #3 did not properly suspend the driver license.** The Docket (*e) for Citation #3 showed the D6 transaction was transmitted on November 24, 2011. However, on April 18, 2012, the DHSMV Records (*d) noted the license was not suspended. The citation Docket (*e) showed no entries since November 24, 2011. The license should have been suspended by December 28, 2011. We determined that the allegation is **Substantiated**. We worked with the DHSMV on the issue and the driver license was properly suspended on June 4, 2012.
INVESTIGATIVE FINDINGS

1. *Data Processing Problems For D6 Suspension Transactions Are Causing Driver Licenses To Not Be Suspended.*

The “Reissue” D6 Transaction (\(\star\)) to re-suspend the driver license for Citation #3 did not properly re-suspend the driver license. We checked the State Public Record Driver License website for the status of the driver license on April 13, 2012. The report indicated “Status Valid.” We also checked the Driver and Vehicle Express (DAVE) (\(\star\ f\)) application on April 18, 2012, which also indicated the license was not suspended. The citation Docket (\(\star\ e\)) showed no entries since November 24, 2011. The “Reissue” D6 Transaction (\(\star\)) of November 24, 2011 should have suspended the license by the DHSMV.

Once a D6 Suspension (\(\star\ c\)) request is received via the Traffic Citation Accounting Transmission System (TCATS) (\(\star\ m\)) and processed by the DHSMV, and no action is taken by the license owner over that period, the driver license will be suspended in about 30 days.

The transmission process to record information to the driver’s DHSMV record is through the State TCATS Processing Procedures that go through the Florida Association of Court Clerk’s (FACC) “flccis” Application (\(\star\ g\)) to the DHSMV Records (\(\star\ d\)).

The error/reject reports for the TCATS (\(\star\ m\)) process were reviewed to assure that the November 24, 2011 D6 transaction was not rejected. The IG requested the DHSMV office to review the transaction to determine why the D6 Suspension (\(\star\ c\)) was not recorded on the driver record since no action was taken by the license owner [per the Docket (\(\star\ e\))].

The DHSMV supplied the D6 Detail Report (\(\star\ h\)) from the “flccis” Application (\(\star\ g\)) showing that the transaction recorded on the record did not contain information for two out of three fields that are required for the DHSMV to process the “Reissue” D6 Transaction (\(\star\)). The two incomplete fields were:

“Reissue Date” (\(\star\ k\))
“Reissue Flag” (\(\star\ l\))

We were unable to review the Pinellas County TCATS (\(\star\ m\)) transaction file for that day, as Business Technology Services (BTS) no longer had a copy of the transmission file.

The TCATS (\(\star\ m\)) transaction to transmit a D6 Suspension (\(\star\ c\)) is triggered by the CJIS Pinellas Traffic Application’s (\(\star\ b\)) input from the “AJ Screen” (\(\star\ a\)). Review of this screen and program logic that creates the TCATS (\(\star\ m\)) transaction file for the November 24, 2011 transaction by BTS showed the origin of the required fields as follows:

(*) See Glossary Of Terms
Failed to Comply Date Field - Input from the "AJ Screen" (*a). This screen obtains information for this field from the Docket (*e) date field named "Notice to DHSMV" and states the reason for failure to comply.

"Reissue Date" (*k) Field - Program generated. The date is obtained from the Docket (*e) entry for the re-suspension transaction.

"Reissue Flag" (*l) Field - Flag is set by the "Reissue Date" (*k) field if the date is different from the prior "D6 Suspension" (*c) date.

The above analysis still did not provide the information needed to determine why the November 24, 2011 transaction was missing the required fields when posted to the "flccis" Application (g). In order to determine what caused the "Reissue" D6 Transaction (*j) to not properly suspend the driver license, additional analysis was performed on the process used by Pinellas County.

A. **First Analysis** - In order to analyze the data being transmitted through the TCATS (*m) process by Pinellas County, BTS supplied a TCATS (*m) D6 transmission file for June 1, 2012. The transmission file contained 16 D6 related entries. The TCATS (*m) transmission files for the traffic transactions are generated by in-house developed programs that run in conjunction with the CJIS Pinellas Traffic Application (*b) that creates the TCATS (*m) transmission file. Twelve of the 16 citation transactions met the criteria as it related to the allegation that Citation #3 did not properly suspend the driver license. All 12 "flccis" Application D6 Detail Reports (*h) contained the required fields, which were confirmed by reviewing each item through the "flccis" Application (*g), which showed they contained the required "Reissue Date" (*k) and "Reissue Flag" (*l) fields.

<table>
<thead>
<tr>
<th># of Transactions</th>
<th>Driver License Status</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>The cause for the suspension was satisfied prior to the 30 days elapsed after which the DHSMV process suspends the driver license.</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>The driver license was suspended by the DHSMV.</td>
<td></td>
</tr>
</tbody>
</table>

This analysis confirmed that if the required fields are contained in the TCATS (*m) transmission, the transaction is properly recorded on the "flccis" Application (*g). However, the results do not give any insight as to why the original issue with Citation #3 occurred.

B. **Second Analysis** - We requested BTS to provide a report for May, June, and July 2012 from the CJIS Pinellas Traffic Application (*b) Docket (*e) record that contained citations that had a driver's license D6 Suspension (*c), followed by a suspension release, and followed by a second D6 Suspension (*c). We selected the last 30 transactions that met the criteria from the provided report, which contained 615 citations. Of the 30 transactions selected for testing:

(*) See Glossary Of Terms

Public Integrity Investigations Unit, Division of Inspector General
Clerk of the Circuit Court
Page 12
We confirmed from the Docket (*e) that the citations met our criteria.

Seven transactions were missing the required fields that were confirmed by reviewing each item through the "flccis" Application (*g), which showed they did not contain the required "Reissue Date" (*k) and "Reissue Flag" (*l) fields.

<table>
<thead>
<tr>
<th># of Transactions</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The license was suspended by two other citations.</td>
</tr>
<tr>
<td>2</td>
<td>The suspensions were satisfied.</td>
</tr>
<tr>
<td>1</td>
<td>There was no record of the transaction being received by the &quot;flccis&quot; Application (*g) and the license was not suspended.</td>
</tr>
<tr>
<td>3</td>
<td>The license was not suspended.</td>
</tr>
</tbody>
</table>

Twenty-three (23%) percent of the D6 "Reissue" (*i) transmissions sent to the DHSMV did not have the two required fields to properly transmit the "Reissue" D6 Transactions (*j).

Based on the Docket (*e) and the "flccis" Application D6 Details Report (*h), we could not find any reason why the seven transactions were missing the required fields. We could not obtain a copy for the TCATS (*m) file for the dates of the transactions for further analysis because the BTS file retention period had passed (ten days). Without the TCATS (*m) files, the IG could not conclude that the transmissions were being generated correctly.

C. Third Analysis – On December 28, 2012, we requested BTS provide a second sample of transactions meeting our criteria. We also requested that BTS change the retention period for TCATS (*m) files to 90 days. The report supplied by BTS contained 89 transactions that met our criteria. Of the 89 transaction selected for testing:

- We confirmed from the Docket (*e) that the citations met our criteria.
- 21 transactions were missing the required fields that was confirmed by reviewing each item through the "flccis" Application (*g), which showed they did not contain the "Reissue Date" (*k) and "Reissue Flag" (*l) fields.

<table>
<thead>
<tr>
<th># of Transactions</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The license was suspended due to another reason.</td>
</tr>
<tr>
<td>6</td>
<td>The license was not suspended.</td>
</tr>
<tr>
<td>5</td>
<td>The license is scheduled to be suspended.</td>
</tr>
<tr>
<td>9</td>
<td>The license was suspended.</td>
</tr>
</tbody>
</table>

Twenty-four (24%) percent of the "Reissue" D6 Transactions (*i) sent to the DHSMV did not have the two required fields to properly transmit the "Reissue" D6 Transactions (*j).

(*) See Glossary Of Terms
We requested the TCATS (*m) transaction file from BTS for further analysis. However, BTS provided us the wrong files and could not send the correct files because the retention period had not been changed to 90 days as requested. Without the TCATS (*m) transmission file, we could not conclude that the Pinellas County TCATS transmissions were being generated correctly for our sample of citations.

D. **Fourth Analysis** – BTS requested the IG review one D6 transaction for a citation (Citation A) that could meet our criteria. The preliminary analysis on Citation A noted that:

- The citation met our criteria per the Docket (*e).
- The “flccis” Application D6 Detail Report (*h) showed that the two required fields for “Reissue” (*i) were missing.

The TCATS (*m) file supplied by BTS showed the citation information sent to the “flccis” Application (*g) did not contain the two required fields for “Reissue.”

We then selected another citation (Citation B) on the same TCATS (*m) file as a control item. The file did have the two required fields for “Reissue” (*i). The analysis on Citation B found that:

- The citation met our criteria per the Docket (*e).
- The “flccis” Application D6 Detail Report (*h) showed that the two required fields for “Reissue” (*i) were present.

Based on this analysis of the two citations (Citation A and Citation B) above for the January 23, 2013 Docket (*e) date, we found that:

- Citation A was posted to the “flccis” Application D6 Detail Report (*h) with the “Reissue Date” (*k) and “Reissue Flag” (*l) fields not completed.
- Citation B was posted to the “flccis” Application D6 Detail Report (*h) with the “Reissue Date” (*k) and “Reissue Flag” (*l) fields completed.

The TCATS (*m) transmission file supplied by BTS showed that Citation A did not contain the two required fields and Citation B did contain the two required fields.

The analysis indicates there is a programming problem with the TCATS (*m) code(s) that produced the “Reissue” D6 Transaction (*j) for the TCATS (*m) transmissions. The TCATS (*m) transaction for the transmission of the D6 “Reissue” (*i) notification to the DHSMV is not consistent, including the two required fields for processing of the entry. This issue was discussed with BTS management who are analyzing the TCATS (*m) code to identify and resolve the problem. Furthermore, the Fourth Analysis results from the additional analysis performed by the IG were discussed with BTS management. We commend BTS management for addressing our recommendation below.

(*) See Glossary Of Terms
When the fines, fees, or consequences resulting from an issued citation are not fulfilled by the cited driver and programming issues of TCATS (*m) are present, this results in drivers with licenses that should be suspended driving unlawfully.

**We recommend** BTS management analyze the TCATS (*m) application and related code to determine the problem programming code and resolve the "Reissue" D6 Transaction (*j) problems.

**Management Response:**

BTS is reviewing the related applications for the transmission of D6 information to the DHSMV. When the issued is determined and corrected, BTS will request IG to test the output for resolution of the issue.

(*) See Glossary Of Terms
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