D I V I S I O N  O F  I N S P E C T O R  G E N E R A L

K e n  B u r k e ,  C P A
C l e r k  o f  t h e  C i r c u i t  C o u r t  a n d  C o m p t r o l l e r
P i n e l l a s  C o u n t y ,  F l o r i d a

E x a m i n a t i o n  O f  J u s t i c e  A n d  C o n s u m e r
S e r v i c e s  I n t e r n a l  C o n t r o l s  O v e r  D A V E
I n f o r m a t i o n

P i n e l l a s
C o u n t y
J U S T I C E  &  C O N S U M E R
S E R V I C E S

1 9 8 3  –  2 0 1 3

A  S A F E R
F L O R I D A
H I G H W A Y  S A F E T Y  A N D  M O T O R  V E H I C L E S

H e c t o r  C o l l a z o ,  J r . ,  D i r e c t o r
I n s p e c t o r  G e n e r a l / C h i e f  A u d i t  E x e c u t i v e

A u d i t  T e a m
M e l i s s a  D o n d e r o ,  C P A ,  C I A ,  C I G A ,  C I T P ,  C R M A  –  I n s p e c t o r  G e n e r a l  A u d i t o r  I I

M A Y  1 6 ,  2 0 1 3
R E P O R T  N O .  2 0 1 3 - 1 7
May 16, 2013

Mr. Tim Burns, Director
Department of Justice and Consumer Services

The Pinellas County Department of Justice and Consumer Services entered into a Memorandum of Understanding (MOU) with the Florida Department of Highway Safety and Motor Vehicles (DHSMV) to access the Driver and Vehicle Express (DAVE) system. On November 29, 2012, the DHSMV requested the department to submit an attestation ensuring DAVE data is used in an appropriate manner per the MOU. The attestation must be submitted to the DHSMV by May 29, 2013. The Department of Justice and Consumer Services requested the Clerk of the Circuit Court and Comptroller’s Division of Inspector General to perform the attestation engagement.

We have conducted an examination of Justice and Consumer Services internal controls over DAVE information. The objectives of the attestation engagement were to:

1. Determine if adequate policies and procedures are in place addressing DAVE access, distribution, use, modification, and disclosure.
2. Determine if access to the DAVE system is adequately managed.
3. Determine if appropriate logging and monitoring tools are used to manage DAVE access and use.
4. Determine if adequate physical security exists to protect confidential DAVE data from unauthorized access and use.

The internal controls over DAVE personal data have been examined and in our opinion are adequate to protect the personal data from unauthorized access, distribution, use, modification, or disclosure. Opportunities for improvement are presented in this report.

We appreciate the cooperation shown by the staff of the Department of Justice and Consumer Services during the course of this examination. We commend management for their responses to our recommendations.

Respectfully Submitted,

[Signature]
Hector Collazo, Jr., Director
Division of Inspector General

Approved:

[Signature]
Ken Burke, CPA*
Clerk of the Circuit Court and Comptroller
Ex Officio County Auditor

*Regulated by the State of Florida
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<td>1. Justice And Consumer Services’ DAVE Policies And Procedures Require Updating.</td>
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Synopsis

The internal controls over Driver and Vehicle Express (DAVE) personal data have been evaluated, and in our opinion, are adequate to protect the personal data from unauthorized access, distribution, use, modification, or discloser. The Pinellas County Department of Justice and Consumer Services is utilizing the DAVE information for appropriate business functions. All recommendations have been implemented.

Scope and Methodology

We have examined the internal controls used to protect personal data in the DAVE information portal from unauthorized:

- Access
- Distribution
- Use
- Modification
- Disclosure

The Department of Justice and Consumer Services' management is responsible for establishing adequate internal controls for compliance to the Data Exchange Memorandum of Understanding (MOU) dated February 29, 2012. Our responsibility is to express an opinion based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the auditing standards established by the International Standards for the Professional Practice of Internal Auditing and the Principles and Standards for Offices of Inspector General and, accordingly, included examining, on a test basis, evidence supporting compliance with the MOU and performing such other procedures as we considered necessary in the circumstances. The engagement period was March 1, 2013 through April 15, 2013. We believe that our examination provides a reasonable basis for our opinion.

The objectives of the attestation engagement were to:

1. Determine if adequate policies and procedures are in place addressing DAVE access, distribution, use, modification, and disclosure.
2. Determine if access to the DAVE system is adequately managed.
3. Determine if appropriate logging and monitoring tools are used to manage DAVE access and use.
4. Determine if adequate physical security exists to protect confidential DAVE data from unauthorized access and use.

In order to meet the objectives of our engagement, we interviewed individuals responsible for administering DAVE to obtain a clear understanding of how DAVE is accessed and used. We reviewed and evaluated policies and procedures addressing DAVE access, distribution, use, modification, and disclosure. We examined logging and monitoring tools employed for DAVE and physical security of DAVE data. We tested, on a sample basis, internal controls to protect personal DAVE data from unauthorized access, distribution, use, modification, and disclosure to ensure they are functioning appropriately.

**Overall Conclusion**

In our opinion, the internal controls over DAVE personal data are adequate to protect the personal data from unauthorized access, distribution, use, modification, or disclosure.

1. Justice and Consumer Services’ internal policies and procedures are sufficient to assure compliance to Sections V and VI of the MOU, *Safeguarding Information*, and *Compliance and Control Measures* requirements. Minor updates are required; however, the updates needed do not affect the current effectiveness of DAVE security over access, distribution, use, modification, and disclosure. DAVE users are aware of DAVE security policies, the confidential nature of DAVE information, and understand there are potential criminal sanctions for misuse of DAVE information.

2. There is adequate oversight of DAVE access by the DAVE Administrator that assures user access is authorized and used in the performance of their job responsibilities.

3. Our testing utilizing the Department of Highway Safety and Motor Vehicle access transaction reports found that use of DAVE information was for legitimate Justice and Consumer Services business purposes.

4. Adequate physical security exists to protect confidential DAVE information from unauthorized access and use.
# Action Plan

<table>
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<tr>
<th>FINDING NO.</th>
<th>FINDING (CAPTION) RECOMMENDATIONS</th>
<th>MANAGEMENT RESPONSES</th>
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<td>1</td>
<td>Justice And Consumer Services’ DAVE Policies And Procedures Require Updating.</td>
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<td>A</td>
<td>We recommend management add an effective or revision date to the DAVE Access Policies &amp; Procedures and DAVE Administrator/Point of Contact S.O.P documents. We recommend the quarterly review of policies and procedures be documented on the Quarterly Quality Control Review reports.</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>B</td>
<td>We recommend management update the DAVE Access Policies &amp; Procedures and/or the DAVE Administrator/Point of Contact S.O.P. to include the details on how security incidents are reported and user access updated. In addition, we recommend the procedure include a document/checklist for terminated/reassigned staff that includes a field to record the user termination/reassignment date and the date the user access permissions were updated by DHSMV for compliance with the MOU.</td>
<td>✓</td>
<td>✓</td>
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Background

The Pinellas County Department of Justice and Consumer Services was formed through the merging of Justice Coordination and Consumer Protection. The department covers four key areas within criminal justice including Justice Coordination, Consumer Mediation, Regulatory Services and Criminal Investigations as detailed below:

Consumer Protection

- Mediation of Consumer Complaints
- Criminal Investigations of Consumer Fraud
- Regulatory enforcement for Charitable Solicitation, Bingo, Fortunetelling, Price Gouging, Towing, Moving, and Adult Use Ordinances

Justice Coordination

- Performing Policy Analysis and Planning Functions
- Public Safety Contract Management
- Grant Management
- Project Coordination
- Specialty Projects and Analyses

The Department of Justice and Consumer Services conducts consumer fraud investigations. The agency also assists/acts as the investigative arm to the Consumer Fraud Division of the State Attorney's Office – Sixth Judicial Circuit.

The Department of Justice and Consumer Services has entered into a Memorandum of Understanding (MOU) with the Florida Department of Highway Safety and Motor Vehicles (DHSMV) to access the Driver and Vehicle Express (DAVE) system. DAVE is a multifaceted database that affords retrieval of driver information such as information about driver licenses, driver records, and vehicle title and registration data. Justice and Consumer Services' staff access the DAVE system for lawful investigative activities associated with the investigation of consumer fraud complaints to identify suspects and witnesses in investigations. The DAVE system contains confidential personal information protected by Chapter 119 Florida Statutes and the Driver Privacy Protection Act.

On November 29, 2012, the DHSMV requested that a Data Exchange MOU audit be performed for the Pinellas County Department of Justice and Consumer Services. The agency was selected randomly to submit an attestation ensuring DAVE data is used in an appropriate manner. The attestation must be submitted to the DHSMV by May 29, 2013. The Department of Justice and Consumer Services requested the Clerk of the Circuit Court and Comptroller's Division of Inspector General to perform the attestation engagement.
OPPORTUNITIES FOR IMPROVEMENT

Our examination disclosed certain policies, procedures, and practices that could be improved. Our examination was neither designed nor intended to be a detailed study of every relevant system, procedure, or transaction. Accordingly, the Opportunities for Improvement presented in this report may not be all-inclusive of areas where improvement may be needed.


Current Justice and Consumer Services’ policies and procedures related to the Driver and Vehicle Express (DAVE) system do not contain an effective/revision date and do not address how security incidents will be reported and user access updated.

The Pinellas County Department of Justice and Consumer Services’ DAVE Access Policies and Procedures and DAVE Administrator/Point of Contact Standard Operating Procedure (S.O.P.) are reviewed by the Justice and Consumer Services’ DAVE Administrator at the time of quarterly quality control reviews and updated as needed. However, this date is not noted on the documents.

Regarding security incidents, the DAVE Memorandum of Understanding (MOU) states:

IV. Statement of Work
B. "The Requesting Party agrees to...
9. Update user access permissions upon termination or reassignment of users within 5 working days and immediately update user access permissions upon discovery of negligent, improper, or unauthorized use or dissemination of information."

In the case of a security incident, notification would be made via email to the Department of Highway Safety and Motor Vehicles’ (DHSMV) contacts and noted on the Quarterly Quality Review Report produced by the Justice and Consumer Services’ DAVE Administrator. This notification procedure is not documented in the DAVE Access Policies & Procedures and/or the DAVE Administrator/Point of Contact S.O.P. The procedure should also include a document/checklist for terminated/reassigned staff that includes a field to record the user termination/reassignment date and the date the user access permissions were updated by DHSMV for compliance with the MOU.

The lack of an effective/revision date on policies and procedures’ documents and the lack of details on how security incidents are reported do not affect the current effectiveness of DAVE security.
We recommend management:

A. Add an effective or revision date to the DAVE Access Policies & Procedures and DAVE Administrator/Point of Contact S.O.P documents. We recommend the quarterly review of policies and procedures be documented on the Quarterly Quality Control Review reports.

B. Update the DAVE Access Policies & Procedures and/or the DAVE Administrator/Point of Contact S.O.P. to include the details on how security incidents are reported and user access updated. In addition, we recommend the procedure include a document/checklist for terminated/reassigned staff that includes a field to record the user termination/reassignment date and the date the user access permissions were updated by DHSMV for compliance with the MOU.

Management Response:

A. Management concurs with the recommendation, which has been reviewed and fully implemented to satisfy the recommendation.

B. Management concurs with the recommendation, which has been reviewed and fully implemented to satisfy the recommendation.
Services Provided

Audit Services
Investigations
Guardianship Services
Consulting
Training
Guardianship Fraud Hotline
County Fraud Hotline

Accredited Office of Inspector General
by the Commission for Florida Law Enforcement Accreditation

Write: Fraud Hotline
Public Integrity Unit
Division of Inspector General
510 Bay Avenue
Clearwater, FL 33756

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