

Seminole County



Special Review of DAVID
Report No. 010919

GRANT MALOY
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

William Carroll, CPA, CFE, CIG, CIGA
Inspector General

Division of Inspector General
Seminole County Clerk of the Circuit Court and Comptroller



DIVISION OF INSPECTOR GENERAL
Grant Maloy, Clerk of the Circuit Court and Comptroller
Seminole County, Florida

February 19, 2019

To: The Honorable Grant Maloy
Clerk of the Circuit Court and Comptroller

We have conducted a special review to determine if the Clerk's internal controls are adequate to protect personal data accessed through the Driver and Vehicle Information Database (DAVID). The results of the review are included in the report that follows.

We would like to acknowledge the assistance of Ms. Damaris Rivera (Director of Criminal Division) for her support of this review.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "William Carroll".

William Carroll, CPA,CFE,CIG,CIGA
Inspector General
Division of the Inspector General

Approved by:

A handwritten signature in black ink, appearing to read "Grant Maloy".

Mr. Grant Maloy
Clerk of the Circuit Court and Comptroller
Seminole County

SPECIAL REVIEW OF DAVID

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Table of Contents

INTRODUCTION

Background.....	1
Objectives	2
Scope.....	2
Overall Evaluation.....	2

OPPORTUNITIES FOR IMPROVMENT

Establish internal policies and procedures.....	3
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INTRODUCTION

Background

The Division of Inspector General has completed a limited review of the Clerk's internal controls to protect personal data accessed through the Driver and Vehicle Information Database (DAVID). This is our initial review of this program; additional reviews will be scheduled on an annual basis; or, as requested by the Office of the Clerk of the Circuit Court and Comptroller.

DAVID is a database that contains driver's license and motor vehicle information that is owned by the Department of Highway Safety and Motor Vehicles (DHSMV). The Clerk's Office signed a memorandum of Understanding (MOU) with the DHSMV on January 9, 2018. This authorizes Clerk employees to use DAVID for official Clerk of Court business. The MOU is scheduled to be renewed every three (3) years.

Under the agreement, the Point of Contact (POC) for the Clerk's Office is the Director of the Criminal Division. The POC assigns access to only a few employees who are in positions that require specific information from the database. In addition, a key internal control is that the POC monitors on a regular basis for any unauthorized access and uses of the database.

Copies of access report listings for each of the employees have been provided to the Division of Inspector General for our review for possible misuse. The report listings are from January 2018 through August 2018.

Objectives of Review

The objective of the review was to determine if the Clerk's internal controls are designed to protect personal data accessed through the DAVID.

Scope and Methodology

The scope of the review was to analyze reports of employee queries to determine if DAVID information was obtained for a legitimate court related purpose. We reviewed the activity for authorized users from December 2017 to August 2018.

We reviewed for the following:

- Internal administrative controls limit access to specific uses;
- Inquiry dates and times are within normal business hours;
- Reference is made to document that inquiry is related to a specific court related function;
- No inquiries are being made on self, relatives, celebrity, or political figures; and,
- Access inquiries are being monitored by the POC.

Overall Evaluation

It is our opinion the internal administrative controls over the use of the DAVID is adequate and access to the system is for legitimate Clerk business. The Clerk does not have a policy and procedure manual to complement the requirements of the MOU. It is our recommendation that the office should establish an internal policy and procedure manual.

Opportunities for Improvement

1. No written policies and procedures.

The Clerk's Office does not have written policies and procedures that govern the administration over DAVID.

Written policies and procedures might include such topics as: (1) defining the responsibilities of the POC; (2) who is responsible for training; (3) the process for establishing users and how they are added and removed when necessary; (4) disciplinary actions when violations occur; (5) proving a proper purpose code as to the reason for the search; (6) defining roles of the users; (7) auditing responsibilities; (8) assigning a backup POC; (9) completing the annual affirmation and attestation statements; (10) signoff by users of a Confidentiality and Criminal Sanctions Statement.

Establishing internal policies and procedures ensures that the office has a formal plan for compliance with the MOU and Florida Statutes.

Recommendation

Publish a policy and procedure manual.

Management Response

I concur with the recommendation by the Inspector General. Written policies and procedures will be drafted and published by July 31, 2020.

Damaris Rivera
Director Criminal Division
Seminole County Clerk of Court and Comptroller