

**SPECIAL REVIEW OF DAVID**

**REPORT NO. 120820**

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

December 08, 2020

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 (Courts Director) for her support of this review.

Respectfully submitted,

Handwritten signature of William Carroll in black ink.

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

Approved by:

Handwritten signature of Grant Maloy in black ink.

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



Special Review of DAVID  
Report No. 111620

**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

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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).

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 Courts Director. 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 August 2018 through September 2020.

## *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 August 2018 to September 2020.

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 POC is doing an excellent job at limiting access to DAVID. And in addition, the POC is faithfully auditing the transactions each quarter to provide added assurance that all inquiries into the system are for official Clerk of Court business.

The Clerk does not have its own internal policies and procedures to complement the requirements of the MOU. It is our understanding that management is in the process of developing internal policies and procedures. The Clerk's Office should proceed with plans to publish internal policies and procedures.

## *Opportunities for Improvement*

### *1. Internal policies and procedures should be considered.*

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 signs a Memorandum of Understanding (MOU) with the DHSMV every 3 years. Under the agreement, the Point of Contact (POL) for the Clerk's Office is responsible for assigning certain employees' access to the system. In addition, a key internal control is to monitor inquiries made by Clerk employees.

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

It is our understanding that management is in the process of developing internal policies and procedures. Establishing policies and procedures ensures that the office has a formal plan for compliance with the MOU and Florida Statutes.

### **Recommendation**

Publish internal policies and procedures that complement the requirements of the MOU.

### **Management Response**

The Clerk's Office concurs with the findings and recommendations of the Inspector General's Office. The Clerk's Office is in the process of creating internal written policies and procedures to govern the administration of DAVID and will ensure that topics such as those identified in this Special Review will be addressed. The Clerk's Office will finalize the internal policies and procedures by February 1, 2021.