



# AUDIT REPORT



**DATE** August 9, 2019

**NO.** 2019-011

**CLERK OF THE CIRCUIT COURT'S INTERNAL CONTROLS  
OVER THE DRIVER AND VEHICLE INFORMATION DATABASE**

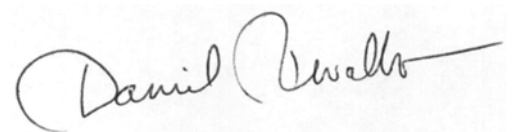
INTERNAL AUDIT DIVISION  
ROGER D. EATON  
CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER  
CHARLOTTE COUNTY FLORIDA

Honorable Roger D. Eaton  
Charlotte County Clerk of the Circuit Court and Comptroller  
350 East Marion Avenue  
Punta Gorda, Florida 33950

We have completed an audit of the Clerk of the Circuit Court's Internal Controls over the Driver and Vehicle Information Database (D.A.V.I.D.). The purpose of this audit was to verify that adequate controls exist and are operating effectively over the D.A.V.I.D. system.

The report details the current control environment and includes our comments and recommendations. Management responses have been included and immediately follow the audit report.

Respectfully submitted,

A handwritten signature in black ink that reads "Daniel Revallo". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Daniel Revallo  
Internal Audit Director

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## EXECUTIVE SUMMARY

The Internal Audit Division completed an audit of the Clerk of the Circuit Court's Internal Controls over Driver and Vehicle Information Database (D.A.V.I.D.) and found basic control over access to D.A.V.I.D. information was adequate to protect the personal data from unauthorized access, distribution, use, modification, or disclosure.

### Our audit procedures disclosed the following:

1. Access to the D.A.V.I.D. system is adequately managed. It is restricted to two users.
2. Adequate physical security exists to protect confidential D.A.V.I.D. data from unauthorized access and use.
3. Appropriate logging and monitoring tools are in place to manage D.A.V.I.D. access and use.

### Controls over authorized usage can be enhanced. Specifically:

1. **We recommend** the update of formalized policies and procedures addressing D.A.V.I.D. internal controls.
2. **We recommend** the consistent update of D.A.V.I.D. User accesses.
3. **We recommend** enhancing quarterly quality control reviews with identified opportunities.
4. **We recommend** the timely submission of the annual certification statement.

## BACKGROUND

The Charlotte County Clerk of the Circuit Court and County Comptroller (Clerk) signed a Memorandum of Understanding (MOU) with the Florida Department of Highway Safety and Motor Vehicles (DHSMV) for the purpose of establishing the conditions and limitations under which the DHSMV agrees to provide electronic access to D.A.V.I.D. information to the Clerk's office. D.A.V.I.D. users shall maintain confidentiality of all the information received in accordance with Florida Statutes' Chapter 119 and the Driver's Privacy Protection Act. D.A.V.I.D. information was utilized by the Criminal Courts Division of the Clerk's organization and has been recently limited to IT personnel (the Agency Point-of-Contact and the alternate Agency Point-of Contact).

### *Internal Control Attestation*

The attestation will be submitted following our review. It will indicate internal controls over personal data were evaluated. It will also indicate internal controls are adequate to protect the personal data from unauthorized access, distribution, use, modification, or disclosure. The attestation shall certify that any and all deficiencies/issues found during the review have been corrected and measures enacted to prevent recurrence. The certification will be complete once adequate responses are received.

## AUDIT OBJECTIVES

Our review was based on the following objectives:

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

## SCOPE AND METHODOLOGY

Our review was based on the Memorandum of Understanding (M.O.U.) for Governmental Entity Access to Driver and Vehicle Information Database System (D.A.V.I.D.) Contract Number HSMV-0496-16. We additionally considered Amendment Number 1 to the M.O.U., providing specific requirements regarding deceased individuals. The scope of our review was an assessment of the current internal controls in order to provide recommendations going forward.

## COMMENTS AND RECOMMENDATIONS

### **1. Policies and Procedures addressing D.A.V.I.D. controls are not complete.**

The Clerk's Office should include certain formal written policies and procedures related to the D.A.V.I.D. system to assure compliance to Sections V. Safeguarding information. And VI. Compliance and Control Measures requirements of the Memorandum of Understanding. Specifically:

- a. *Completion of the Acknowledgement of Understanding in conjunction with each user request.*
- b. *Security measures specific to the Access of D.A.V.I.D. information.*
- c. *Quarterly Quality Control Review Report must be completed within 10 days after the end of each quarter and maintained for two years.*
  - i. *Report should be completed utilizing Attachment II "Quarterly Quality Control Review Report" which includes signature of the P.O.C. (Agency Point-of-Contact)*
- d. *An Annual Certification Statement and Submission to the DHSMV must be completed within 45 days after the anniversary date of the M.O.U.*
- e. *The Clerk's office must provide the DHSMV in writing any incident where determination is made that personal information has been compromised as a result of unauthorized access, distribution, use, modification, or disclosure, by any means, within 30 days of such determination. (Additionally this procedure should include specifications of the incident as documented in the M.O.U. Section VI. Compliance and Control Measures D. Misuse of Personal Information.)*

**We recommend** the update of formalized policies and procedures addressing D.A.V.I.D. internal controls.

**2. Inactivation of user access/permissions was not timely**

A review of user access/permissions determined D.A.V.I.D. User accesses need to consistently be included in the timely update of user profiles for job changes.

MOU Section IV. Statement Of Work B. 8. states “Immediately inactivate user access/permissions following termination or the determination of negligent, improper, or unauthorized use or dissemination of information. Update user access/permissions upon reassignment of users within **five (5) business days.**”

**We recommend** the consistent update of D.A.V.I.D. User accesses.

**3. Quarterly Quality Control Review Reports have opportunity for enhancement.**

Observation of Quarterly Quality Control Review Reports determined the opportunities to enhance:

- a. Reconciliations between state user records and agency user records,*
- b. Including records of new or inactivated users with each Quarterly Quality Control Review to show updates in user access, the reason for changes in access, and the date changes were made, and*
- c. Performing documented monitoring of usage to ensure proper, authorized use and dissemination was not documented.*

This information would be captured on the Quarterly Quality Control User Report which is identified as Attachment 2, but was not located with the M.O.U. A similar report was found on the Internet and was used as an example.

The requesting party shall comply with the MOU by notifying the Providing Agency in writing when any personal information has been compromised as a result of any means, within 30 days of such determination. The statement shall also indicate steps taken, or to be taken by the requesting agency to ensure that misuse of DAVID data does not continue.

**We recommend** enhancing quarterly quality control reviews with identified opportunities.

**4. Annual Certification Statement**

A statement shall be submitted annually, within 45 days after the anniversary date of the MOU, indicating evaluation and certification of adequate controls in place to protect the personal data from unauthorized access, distribution, use, modification, or disclosure and is in full compliance with the requirements of this MOU. The Internal Control Attestation will satisfy the requirement to submit an Annual Certification Statement during any year in which an Attestation Statement is provided.

**We recommend** the timely submission of the annual certification statement.

## CONCLUSION

Our review determined basic control over access to D.A.V.I.D. information was adequate to protect the personal data from unauthorized access, distribution, use, modification, or disclosure. Our review also determined opportunities for improvement to ensure compliance with the M.O.U.

## ACKNOWLEDGEMENT

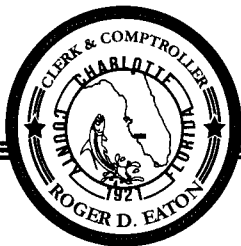
We would like to thank the Clerk Information Technology Division and the Clerk Criminal Courts Division for their assistance in the completion of this audit.

Audit performed by:

Dan Revallo, CIA, CFE

Internal Audit Director

Charlotte County Clerk of Court & County Comptroller



ROGER D. EATON  
Clerk of the Circuit Court and County Comptroller

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08/05/2019

Subject: Audit Response, D.A.V.I.D System

I have reviewed the audit findings as presented on August 2, 2019 and acknowledge areas of improvement identified.

At this time, I do not have any challenges to the findings and will address those area needing enhancements.

A handwritten signature in black ink that reads "David J. Lane".

David J. Lane  
Chief Information Officer  
Charlotte County Clerk of Circuit Court and County Comptroller



