



Angelina "Angel" Colonnese

CLERK OF THE CIRCUIT COURT AND COMPTROLLER OF MANATEE COUNTY

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MEMORANDUM

TO: Michael Bennett, Supervisor of Elections

FROM: Angelina "Angel" Colonnese, Clerk of the Circuit Court and Comptroller

DATE: April 2, 2019

RE: Data Exchange (DAVID) MOU Attestation Engagement

Angel Colonnese

We have evaluated the Manatee County Supervisor of Elections' internal controls over the use of the Florida Department of Highway Safety and Motor Vehicles' (DHSMV) Driver and Vehicle Information Database (DAVID) for the purpose of providing an attestation to the DHSMV. The requirements for the attestation are specified in the Data Exchange Memorandum of Understanding (MOU) (HSMV-0793-16) between the Supervisor of Elections and DHSMV.

Based on our evaluation of the access and use of DAVID, it appears that the Supervisor of Elections Office has adequate internal controls in place to properly protect the personal data from unauthorized access, distribution, use, modification, or disclosure. Opportunities for improvement identified during test work have been discussed with management and incorporated in this report.

Attached is a completed Attestation Statement to be signed by you and submitted to the DHSMV by April 13, 2019, as per the MOU.

We appreciate the cooperation of the management and staff throughout this engagement and commend them for their efforts and timeliness in addressing the issues raised.

"Pride in Service with a Vision to the Future"

Clerk of the Circuit Court - Clerk of Board of County Commissioners - County Comptroller - Auditor and Recorder



Angelina “Angel” Colonnese

CLERK OF THE CIRCUIT COURT AND COMPTROLLER OF MANATEE COUNTY

Internal Audit Department

Manatee County Supervisor of Elections

Data Exchange MOU Attestation

DHSMV Driver and Vehicle Information Database (DAVID)

April 2, 2019

Audit No. 21910400

**MANATEE COUNTY CLERK OF THE CIRCUIT COURT
INTERNAL AUDIT DEPARTMENT**

**MANATEE COUNTY SUPERVISOR OF ELECTIONS
DATA EXCHANGE (DAVID) MOU ATTESTATION**

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**MANATEE COUNTY CLERK OF THE CIRCUIT COURT
INTERNAL AUDIT DEPARTMENT**

**MANATEE COUNTY SUPERVISOR OF ELECTIONS
DATA EXCHANGE (DAVID) MOU ATTESTATION**

The Internal Audit Department has evaluated the Manatee County Supervisor of Elections' use of the Florida Department of Highway Safety and Motor Vehicles' Driver and Vehicle Information Database (DAVID). The engagement was limited to an evaluation of the internal controls to protect the personal data obtained from the DAVID database from unauthorized access, distribution, use, modification, or disclosure. The engagement was conducted in accordance with the generally accepted government auditing standards (GAGAS), issued by the Comptroller General of the United States. These standards incorporate the American Institute of Certified Public Accountants' (AICPA) Statements on Standards for Attestation Engagements. GAGAS requires that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

BACKGROUND

The Supervisor of Elections (SOE) is a constitutional office created and provided for under the Laws of the State of Florida. One of the duties assigned to the SOE is processing and maintaining voter registrations. Per Florida Statute 97.053, the information necessary to establish a voter's eligibility, as set by Florida Statute 97.041, must be verified by the voter registration official. In addition, per Florida Statute 98.075, the SOE has to confirm voter information from notifications of death or felony conviction, as these names are ultimately removed from the voter registration system.

In order to fulfill their voter registration responsibilities, the SOE must access reliable information about the voter's address, name, driver's license, social security number, etc. This personal and protected information is maintained in DAVID, the Florida Department of Highway Safety and Motor Vehicles' (DHSMV) web-based database. DHSMV grants access to DAVID through a Data Exchange Memorandum of Understanding (MOU). The SOE currently has an MOU with DHSMV for DAVID access that is effective from April 13, 2016 through April 12, 2022.

This MOU requires an attestation, verifying that internal controls over personal data obtained through DAVID are adequate to protect the data from unauthorized access, distribution, use, modification or disclosure, be conducted before the third anniversary of the agreement. The third anniversary of the MOU is April 13, 2019.

PURPOSE/OBJECTIVES

The purpose/objectives of this engagement included:

- evaluating the internal controls over the personal data in order to determine whether they are adequate to protect that data from unauthorized access, distribution, use, modification, or disclosure;
- completing the Attestation Statement provided by DHSMV.

SCOPE

The scope of this engagement included examining the DAVID activity for employees of the Manatee County SOE for the week ended February 3, 2019, and reviewing the stipulations in Sections IV.B. and V. of the MOU.

METHODOLOGY

The access and use of the DAVID database were tested through matching the DAVID searches with corresponding voter registration activity. Internal controls and MOU compliance were evaluated through observation, review of supporting documentation, and discussion with personnel and management.

RESULTS

Based on our evaluation of the Manatee County SOE's DAVID activity for the week ending February 3, 2019, it appears that users have been accessing the database for business purposes only, as specified in the MOU. The users are aware of the confidential nature of the information obtained from DAVID and understand that they may not disseminate or disclose this information to unauthorized users.

The engagement did identify two areas where improvements could be made for protecting DAVID data. However, as detailed below, these issues have been corrected and adequate measures enacted to prevent recurrence.

Security for Printed Data

The SOE maintains printed data from DAVID for the felony files, as is required by the Florida Department of State for documentation that the correct person was made an ineligible voter. Some of these felony files are stored in an office and filing cabinets that are not kept under lock and key. Section V.C. of the MOU states that "any and all DAVID-related information provided to the Requesting Party as a result of this MOU, particularly data from the DAVID system, will be stored in a place physically secure from access by unauthorized persons."

Corrective Measure:

The files kept in the office are now secured in a locked file drawer as of March 12, 2019. The keys for the filing cabinets were obtained and are now locked as of March 18, 2019.

Timely Termination of DAVID Access

One SOE employee with DAVID access retired from the agency on November 30, 2018; however, the employee's access to DAVID was not made inactive until January 30, 2019. Section IV.B.8. of the MOU states that the agency is to "immediately inactivate user access/permissions following termination..."

Corrective Measure:

SOE management created a separation checklist for when employment is terminated. This checklist, which became effective as of March 25, 2019, includes verification that DAVID access is canceled as of the separation date.

CONCLUSION

Based on our evaluation of the access and use of DAVID, it appears that the Manatee County Supervisor of Elections has adequate internal controls in place to properly protect the personal data from unauthorized access, distribution, use, modification, or disclosure.