
Office of Legislative Auditor

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Informational Report: Potential Duplication With Online Sexual Predator Investigations

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About This Informational Report

Louisiana Revised Statute 24:522(C) requires the Louisiana Legislative Auditor (LLA) to evaluate programs and services of state government agencies and identify areas needing improvement. In the last regular session, the legislature formed the Commission on Streamlining Government (Commission), and LLA has been assigned to assist the Commission. One of the topics the Commission is focusing on is duplication of services provided by two or more programs.

To assist the Commission, we will report on areas of potential duplication by two or more agencies in delivering services. We defined duplication as identical or similar activities performed by more than one agency leading to accomplishment of the same or similar goals. We will issue individual reports addressing different areas of duplication.

To be responsive in a timely manner, we obtained information from state law, budget documents, agency interviews, and other sources. We did not conduct an audit in accordance with all government auditing standards. Though we performed procedures adequate to identify potential duplication, we did not perform sufficient procedures to make definitive conclusions or estimate potential savings, if any, that may result from any action taken by these entities to eliminate such potential duplication.

We identified two agencies that perform online sexual predator investigations.

These agencies are the Department of Justice (herein referred to as the "AG's Office") and the Department of Public Safety and Corrections, Office of State Police (OSP).

Duplication Between the AG's Office and the OSP

Potential duplication exists because both the AG's Office and the OSP perform online sexual predator investigations throughout the state. Both agencies have separate staff members and similar equipment to perform online sexual predator investigations. In fiscal year 2009, the two agencies spent approximately \$1,467,405 and had 32 employees working on sexual predator investigations. These costs involved both state and federal funds.

Officials from both agencies informed us that they meet weekly to discuss their investigations to ensure that both agencies are not investigating the same individual or Internet protocol (IP) address. They both use the same software and database program that will flag an individual or IP address if it is being investigated by anyone nationally.

AG's Office

The United States Department of Justice awarded the AG's Office a grant to establish the ICAC Task Force in April 2003, which the AG's Office merged into its High Tech Crime Unit (HTCU). The HTCU investigates crimes relating to child exploitation and abuse on the Internet by conducting proactive online undercover operations. The HTCU also investigates child exploitation cases referred to the department from other agencies such as the National Center for Missing and Exploited Children. In addition, the AG's Office assists 150 local agencies in their investigations and provides training to entities throughout the state, including the OSP. Furthermore, the AG's Office has provided 18 computers and software to OSP in fiscal year 2009.

The AG's jurisdiction is statewide which allows it to take up a case that crosses multiple local sheriffs' jurisdictions (i.e., the crime is detected in one sheriff's jurisdiction and the predator's IP address originates in a different sheriff's jurisdiction).

The HTCU has 20 staff members. State funds pay for 16 staff members and federal funds pay for four staff members. In addition, there are three local sheriffs' deputies on loan with the office. The HTCU spends approximately 75% of its time on online sexual predator investigations. This includes providing training to law enforcement agencies.

The AG's Office spent approximately \$1,257,405 (\$921,300 in state general funds) for online sexual predator investigations in fiscal year 2009. The AG's Office spent a total of \$1,676,540 (\$1,228,482 state general funds + \$376,623 federal funds + \$71,435 interagency transfer) on all HTCU activities in fiscal year 2009.

OSP

The OSP, Detectives Division performs, on a part-time basis, peer-to-peer investigations for online sexual predators. The OSP's jurisdiction is statewide. The OSP uses software to locate individuals who may be downloading child pornography and acquires the IP address of the offender. The OSP uses the same software to do investigations as the AG's Office uses.

The OSP had 12 staff members performing peer-to-peer investigations part time for a total cost of \$210,000 (approximately \$135,000 in statutory dedications + \$75,000 in self-generated funds) in fiscal year 2009.

FOR QUESTIONS RELATED TO THIS INFORMATIONAL REPORT,
CONTACT MIKE BATTLE, PERFORMANCE AUDIT MANAGER,
AT (225) 339-3800.

A copy of this report is available at our Web site www.lla.la.gov.

Under the provisions of state law, this report is a public document. A copy of this report has been submitted to the Governor, to the Attorney General, and to other public officials as required by state law. A copy of this report has been made available for public inspection at the Baton Rouge office of the Legislative Auditor.

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