

**Re: Employees of the Oklahoma State Bureau of Investigation hereby issue a complaint concerning the ineffective leadership of Director Stan Florence.**

Dear Chair Noble and Commissioners Humphrey, Hauf, Boring, Webb & Stephens,

We write to file a formal complaint about OSBI Director Stan Florence. Director Florence was appointed Director November 15, 2010. During his tenure, employees have provided unequivocal support by continuing to perform their duties to the highest standard despite growing concerns regarding his leadership. Over the years, numerous employees have expressed concern with the Director's leadership and decisions, both through routine staff meetings and in individual meetings with the Director. Most recently employees expressed concern during two meetings held in December 2016, one at OSBI Forensic Science Center and one at OSBI Headquarters. Both of these meetings were held to address employee concerns regarding Director Florence's decision to submit a last minute legislative bill for a \$10,000 pay increase for each Agent.

Although the proposed Agent pay increase was discussed at these meetings, our complaint is not about the pay increase nor is it about an attempt to lobby for a pay increase for any other employee class. The proposed legislation was simply the proverbial "straw" that served as a catalyst that led to the filing of this ineffective leadership complaint. Director Florence's decisions often conflict with, instead of support, the Agency's core mission. In addition, his actions have undermined or often conflicted with the OSBI core values of Trust, Integrity, and Respect. Furthermore, Director Florence has failed to create and communicate a cohesive vision for the Agency. Director Florence is unable to understand, prioritize, and address the challenges facing the OSBI. For these reasons, Director Florence is ineffective as the leader and Director of the OSBI. Please refer to the attachments for specific examples and a more detailed explanation of these complaints.

The seriousness of this complaint is understood and as such this letter is submitted with the utmost respect for the OSBI Commission, Director Florence, and the entire OSBI agency. Extreme diligence was used in deciding what course of action, if any, was necessary. It was determined through collective communication among 40-50 individuals from the Edmond Laboratory and Headquarters Office that sufficient cause for issuing this complaint exists. This complaint is not due to a single occurrence but rather from a multitude of occurrences spanning across the past several years and across all divisions, management, and the "rank and file" employees of the OSBI.

It is understood that a series of leadership evaluations of Director Florence have already been conducted and reviewed by the OSBI Commission. These include an agency environmental assessment, agent surveys, two years of special commission meetings as well as individual employee meetings. We sincerely appreciate the effort made by the Commission to evaluate and develop Director Florence's leadership skills. However, from our perspective, these leadership issues remain unresolved. As a result, employee morale continues to decline and intra-agency

unity held under previous leadership has eroded into an internal culture of distrust fueled by dissimilar values and beliefs. If current leadership practices continue, we believe the OSBI is at risk of losing its ability to function effectively and to continue accomplishing its stated mission – "...to ensure the safety and security of the citizens of Oklahoma."

As a result, we felt it necessary to bring this complaint to your attention, with the hope that the commission will take further action to ensure our agency has strong and effective leadership to help us continue meeting our mission.

The undersigned employees fully support and agree with this complaint concerning the ineffective leadership of Director Stan Florence. Additional employees also expressed agreement with the content of this complaint; however, they were unwilling to sign due to apprehension concerning potential retribution.

Respectfully Submitted,

Employees of OSBI

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[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]





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ATTACHMENT "A"

LAWTON LABORATORY – CLASS ACTION LIABILITY

The Lawton facility initially underwent attempted mold remediation in 2007 and employees were allowed to return to the facility in January 2008. Evidence of mold was observed again in 2008. These alarming concerns of continual reoccurrence of mold in the Lawton facility were first brought to the attention of Director Florence in the year 2011. Despite notification by OSBI staff of ongoing mold concerns, staff suggestions to close the building, and continued employee exposure to the toxic mold from 2011 through 2014, Director Florence took no action to determine the severity of the problem until the year 2014.

Ongoing medical issues have surfaced over several years from employees who worked in this facility. From 2004 to July 2014, 6 out of 31 employees (nearly 20%) assigned to the Southwest Regional Office & Laboratory were diagnosed with cancer, two of whom succumbed to their illness: Agent Ray Homer and Agent Secretary Shirley Atkinson. Other employees were plagued with numerous health conditions, including hair falling out in small patches as well as asthmatic breathing problems. In September of 2014, an outside vendor was asked to test the facility – three years after the problem was initially brought to the Director attention. The results revealed dangerous levels of toxic mold. The OSBI ordered an additional mold assessment that upheld and confirmed earlier findings. The building was proven to be an unsafe work environment.

Director Florence ignored these distressing reports and would take no action to close the facility. There is evidence that shows the Director was informed and well aware that employees who worked within the building were at an elevated risk for serious health issues. To make matters worse, Director Florence refused to go into the building on more than one occasion when visiting employees, choosing instead to meet agents at an off-site location.

These actions demonstrated a lack of integrity and destroyed any trust that the Director had the best interest of the Lawton employees at heart. Director Florence was not proactive on their behalf. Each employee incurred mounting debt due to the incurrence of medical treatment as a seemingly direct result of working in this facility and each employee was forced to use their own leave to contend with these medical issues. Employees stated they did not feel they could ask for assistance from OSBI because they feared losing their job or would be forced to relocate to another city, thus disrupting their family roots in Lawton.

The Director was well aware of increased employee health risks but chose to completely disregard these issues. He waited until Fall 2016, almost two years from the initial mold assessment to close the building. Director Florence's decision to not sufficiently address the concern of toxic mold has substantially increased the liability of OSBI, placing employees at higher risk for further illness and ultimately inferring these employees were not valued by the Director.

Of special note, this is the facility in which long-time employee Shirley Atkinson was assigned, until she passed away in 2015. Contrary to his custom of attending funerals for other employees, Director Florence did not attend her funeral services, did not send an official representative in his absence, and apparently failed to offer immediate condolences to the family. Many employees at the funeral service were furious with his absence.

Director Florence's actions handling this situation demonstrated a lack of respect for employees and illustrate one example of his inability to effectively recognize, prioritize, and address a serious concern and challenge facing the Agency.

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ATTACHMENT "B"  
PERSONNEL ACCOUNTABILITY & HIGH GRIEVANCE RATIO

While personnel matters are held in strict confidentiality, there are some issues that have been made public either inadvertently or by the individual employees who have witnessed or have been a direct part of these issues. The information available has created a widely-held perception throughout OSBI that not all employees are required to follow approved OSBI policies and procedures.

One example is the accidental discharge of a firearm by an Agent in which the bullet impacted a Bureau owned vehicle. Typically, as stated in OSBI policy 211, damage to property with a market value of \$500 or greater would have been evaluated by the Property Loss Committee. Investigations into accidental discharges are also routinely conducted, such as the inquiry conducted when a round of live ammunition fell on the ground and discharged. It appears that this accidental discharge and damage of an OSBI vehicle was not investigated. It is also unknown if the vehicle was inspected to ensure all safety components, including the air bag system, remain functional. Director Florence is well aware of this incident as he is currently driving the vehicle.

Although OSBI Policy 211 does allow the Director, Deputy Director, or Division Director to decide that damage to a vehicle of less than \$2000 does not require review by the Property Loss Review Committee, the policy does require the Agency Risk Manager be notified of the incident. The Director's apparent decision that this case did not require review demonstrates questionable integrity and feeds the perception that not all employees are required to follow policy.

There is also significant information that leads employees to believe there are an extraordinarily high number of grievances filed in the Investigative Division as compared to other divisions. In one division, there was an instance of workplace hostility, in which hostile acts were encouraged and conducted by the employee supervisor. In this instance, Director Florence sent communication through supervisory staff that the employee was under strict order to never speak of this matter. Director Florence refused to interview the employee in question, thus promoting acts of culpable behavior in which an abuse of power was seemingly carried out by the first line supervisor. Despite these apparent grievable acts, a grievance was not filed out of fear of retribution.

In addition, in at least one grievance, Director Florence instructed the assigned decision maker to re-write the decision when he disagreed with the decision maker's conclusion. This was after the decision maker determined there was some validity in the submitted grievance. The actions taken by the Director to countermand decisions made through the grievance process undermine the effectiveness of this policy to ensure employees are treated appropriately. This also leaves the Agency vulnerable to potential lawsuits.

A statistical analysis of frequency of grievances and actions taken may well illustrate where leadership weaknesses exist in the Agency.

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ATTACHMENT "C"  
LACK TRUST & INTEGRITY

During two employee meetings with Director Florence in December 2016, employees expressed concern regarding the Director's decision to request a pay increase for Agents during the current economic crisis. The foremost concern among employees was the possibility that, if passed, the increase could result in furloughs for all employees if the economic situation worsened and the Agency had to make further budget cuts. Employees wanted to know what assurances the Director could give that this would not happen. The Director minimized these concerns, stating that the bill might not even make it out of committee, but did nothing to assure employees that furloughs would not occur.

Employees voiced concern that there were many other priorities and that critical infrastructure items that are inadequately funded would inhibit the OSBI from meeting its current mission. Employees inquired why these particular infrastructure items did not receive higher priority in order to help provide more services and better our mission. The Director acknowledged there were many things which needed funding, but stated he had to "strike while the iron was hot" with regard to submitting the bill in question. Additionally, the Director stated submitting a needs-based plan to the Oklahoma Legislature, based on Agency priorities, was hopeless and not an effective method in fulfilling Agency needs.

The manner in which Director Florence introduced this bill also created concern among employees. Historically, legislative proposals are discussed and determined with input from upper management (e.g. all Division Directors, Deputy Director, legal, etc.); however, Director Florence stated he chose in this case to bypass this process. The director was unable to explain why upper management was not involved, stating this was solely his decision. It has now been uncovered that the Director did meet with Investigative Staff prior to introducing the bill and apparently informed them that the lab and Andrea (Lab Director) would be upset. Despite anticipating a negative reaction from at least some employees, the Director took no proactive steps to address any concerns. Furthermore, excluding Division Directors in the planning process prohibited his staff from being able to advise him of these concerns ahead of time.

Since these two December 2016 meetings, the Director has mandated vision meetings with all employees. The director opened the January 18, 2017 meeting with this statement, "I have just realized in the last couple of weeks from speaking with legislators that if we want to have more success with our legislative requests, that we need to bring a plan to them of what we need." This is in stark contrast with his December 2016 statement that it is never effective to submit needs-based plans to the Oklahoma Legislature. These conflicting statements have contributed to an erosion of trust and respect in the Director's ability to continue leading the OSBI.

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ATTACHMENT "D"  
EMPLOYEE VISIONARY STATEMENT

There is a well known phenomenon called the "sunk cost effect." In the simplest of terms, Psychologist Dr. Hal Arkes describes this effect as something that occurs once an "investment in money, effort, or time has been made." This effect is the tendency of human behavior to continue investing in something that is not working just to avoid admitting something has failed. He states, "A prior investment should not influence one's consideration of current options..."

Considering the current state of the OSBI, our investment into Director Florence as the OSBI visionary has likely inhibited us from admitting sooner that what the Director has been doing, is not working. Under Director Florence's leadership, the agency exists now as a group of employees who lack direction, avoid asking the Director questions because of fear of retribution, and are very uncertain of what the future holds. This complaint has demonstrated that OSBI is an agency in which the internal culture has resulted in a splintered group of personnel who have been encouraged to look out for their own best interest instead of looking out for the best interest of the OSBI. Allowing current leadership practices to continue is nothing less than investing effort into something that is clearly not working.

Likely the underlying cause for this failed investment is that the Agency as a whole lacks a shared vision. An effective leader encourages employees by delivering a succinct vision and by inspiring everyone to achieve its stated mission. The employees of OSBI desire a Director who projects a unified vision, has the ability to achieve stated goals with the resources available, and someone who has creative responses, not in spite of challenges, but because of the challenges.

The employees of OSBI desire and expect a leader who values its employees and encourages them to overcome obstacles not by demanding status quo, but by expecting excellence in all that is done. Director Florence's lack of vision and inability to inspire the workforce has been his greatest downfall. OSBI employees expect a leader who has a high level of understanding for the work done in all divisions. OSBI employees expect a leader who has the capability to grasp the functional essence of every OSBI division. Employees expressed some of these concerns to Director Florence in his recent "vision meetings," which he later referred to as "bitch sessions." The citizens of Oklahoma deserve more from the leader of the top Oklahoma Law Enforcement Agency than one who repeatedly devalues, berates, and ridicules its employees.

The employees of OSBI are desperate for a leader who can clearly communicate their needs to the Oklahoma Legislature in a way that would allow them to envision OSBI not only as the Top Oklahoma Law Enforcement Agency, but as a leader among leaders at the national level. A clear vision can serve as a guidepost for day to day decision making. Director Florence repeatedly demonstrates that he lacks the ability to look past "today" and does not seem to grasp the significance of how his decisions today, will affect OSBI tomorrow. Because of this, personal agendas have taken root, have begun to grow and are rapidly fracturing any remaining agency unity that is left.

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Oklahoma State Bureau of Investigation

Ineffective Leadership Complaint  
Director Stan Florence  
January 30, 2017

## Via Certified Mail

Chairman Russel Noble  
OSBI Commission, Lay Member  
Sea Cattle Company, President  
Quien Sabe Corporation, President  
Ardmore, OK

Commissioner Keith L. Humphrey  
OSBI Commission, Chief Member  
Norman Police Department, Chief  
Norman, OK

Commissioner Mike Boring  
OSBI Commission, D.A. Member  
District One, District Attorney  
Guymon, OK

Commissioner Rick Stephens  
OSBI Commission, Lay Member  
Law Enforcement  
Pryor, OK

Commissioner R.B. Hauf  
OSBI Commission, Sheriff Member  
Payne County, Sheriff  
Stillwater, OK

Commissioner W. Roger Webb  
OSBI Commission, Lay Member  
UCO, President Emeritus  
Arcadia, OK

## Attachments:

- A. Lawton Laboratory – Class Action Liability
- B. Personnel Accountability & High Grievance Ratio
- C. Lack of Trust & Integrity
- D. Employee Visionary Statement