



**Date:** 12/07/2016

This audit was requested by the Interim Director of Probation on December 7<sup>th</sup>, 2016. The Interim Director look at financial procedures along with operational procedures.

**Objectives:**

- Does the Probation have adequate operational policies and procedures?
- Does the Probation have adequate financial policies and procedures?

**Scope:** 1/1/14 – 12/31/16

**Data Base Controls**

The Probation Department uses database to manage all aspects of the departments operations. This system known as the FE (Front End) system is a homegrown system that was developed and is maintained by the Wayne County IT Department. Every aspect of Probation is entered into the FE system including; Probation Supervision, Investigations, Interim Probation Supervision, DWI Specialized Supervision, Sex Offender specialized Supervision, Drug Court specialized Supervision, Juvenile Delinquent Diversion and Supervision, Pre-PINS, PINS, Family Offenses (Willful Violation of Child Support), Electronic Monitoring (EM), Ignition Interlock Monitoring, Community Service, Money Judgements, Restitution, Restitution Joint and severally, Surcharges, Fines, Fees, and Drug Testing fees. All aspects of a probationers case is recorded in their electronic file. We reviewed that internal controls of the system and found them to be adequate, the system does track changes to files and who made the changes.

**Operational Policies and Procedures:**

We requested an electronic copy of the must current policy manual from the Interim Director of Probation and received a copy of the, “Wayne County Department of Probation And Correctional Alternatives Policy and Procedure Manual” in a word document.

The Policy and Procedure Manual is very comprehensive and covers all aspects of department operations including administrative polices and interactions with clients. We noted that the file name had what appeared to be a revision date of 4-21-16 in it, but did not find a revision date or effective date on the cover or first few pages. We did note that various section had specific effective dates within them.

During our review we noted copies of memos to staff in the policy manual following the Firearm, OC Pepper Spray, Handcuff, Baton, and NARCAN policies. These memo’s outline who is authorized to carry or use policy specific items. We also noted that numerous polices contain

the following wording, “at the discretion of the director”. This wording can cause confusion and provide a grey area to exist in policies. It also make it difficult to review and audit policies as there is not a clear directive to follow.

#### Documentation of Completed Training

We reviewed Probation department employee files to ensure proper documentation was in their file showing that they were approved to carry specific items, in accordance with policies. We found all employees employed by the department on 3/8/17 had the required trainings to carry specific items that they were approved to.

#### Firearm Policy Review

The firearms policy outlines in very good details the requirements and necessary training to carry a county issued firearm during the course of duty. One aspect of the policy that we found interesting and explored further, was the ability for employees to carry personally owned firearms while on duty as long as they had approved instruction and training on the personal firearm and had the director’s approval to carry it. We found that currently no employees are authorized to carry a personal firearm while on duty in the probation department. We were advised during our audit that there may be request in the future due to a new smaller frame model firearm becoming available.

For reference we compared this policy to the Wayne County Sheriff’s Office firearm policy found in General Order 214 issued 9-1-16. We found that section VI. Assignment of Firearms letter C stated that, “Only department approved and issued weapons and service ammunition may be carried while on duty”. While Sheriff Offices and Probation Departments operate under different laws, they are the only departments in our county that have employees authorized to carry firearms during the course of their job duties. For this reason we believe the Sheriff’s Office made for a good policy comparison

#### Telephone Policy Review

The Telephone Policy outlines who will be assigned cellphones but, does not outline what appropriate use of the cellphone is. The policy also outlines the use appropriate use of the department’s 800 telephone number. Effective October 1994 the Probation department had a 1-800 phone number set up for the department to ensure that field staff could always have the ability to contact the office. The policy clearly states that this number is only for department staff to use. During calendar year’s 2015 and 2016 the probation department spent \$206.65 and \$197.39 respectively on maintaining this phone number for employee use. The monthly charge for number was \$17.25 in 2015 and \$18.00 in 2016. The chart below outlines the number of calls placed to this number in 2015 and 2016.

2015	12
2016	7

Per the 2017 budget the Probation department had 30 non clerical employee and a review of the County cell phone bill found that 11 cellphones are issued to the probation department. Also, with the increase use of personal cellphones and changes in telephone billing method employees would most likely not incur cost for calling the probation department directly, if they were calling from another area code.

**Financial Policies and Procedures:**

The County Auditor’s office routinely audits the restitution account and its transactions. An audit of the restitution account was done in the fall of 2016 when Dale Mead retired as Director, so it is not included in this audit.

At the January 3<sup>rd</sup>, 2017 Public Safety Committee meeting Interim Director Ameele disclosed that there were concerns about the appropriateness and reasonableness of employee mileage reimbursement request. After this disclosure and a review of the Probation departments Mileage Reimbursement policy the County Auditor determined this to be a high risk financial policy.

The Probation Department uses a program referred to as the FE system to record communication between probation officers and their probationers, as well as the probation officer’s daily activity. The activity in this report was reviewed and compared the mileage reports submitted by the employee for reimbursement on a monthly basis. The starting location and destinations were entered in Google Maps to compare to the amount of mileage recorded by the employee in the monthly mileage report. Of 23 probation officers in the department during our audit time frame, the mileage reports of 12 were tested for reasonableness using this method. Six months of each of the years 2014, 2015, and 2016 were included in this test, for a total of 18 months. The results of one officers testing were not included in the totals below due to their position within the juvenile unit, which does not require them to record their contacts, or the addresses of these contacts, resulting in an unreliable approximation of the probation officers actual mileage. The results of the mileage audit displayed significant deviation between actual mileage and the mileage that was submitted for reimbursement. The table below represent the total difference between the amount of mileage that was reported and reimbursed, and the amount the Probation Officer actual traveled and should have been reimbursed.

Mileage Variance by Year	
2014	\$1,034.44
2015	\$1,101.82
2016	\$622.02

Other occurrences that were noticed during the audit of the mileage reports were one employee stated they traveled to the County Clerk’s Office on a Sunday, some employees were being reimbursed for mileage incurred on the weekend, and one employee requested a mileage reimbursement on day that they were out sick. Also, we found instances where visits and other contact information was entered in excess of 15 days after the visit or contact occurred.

**Recommendation**

- 1) A revision date and effective date should be on the cover or index page so that employees can quickly ensure they are looking at the most recent version of the manual.

- 2) Probation should review its policies and procedures to remove the wording “at the discretion of the director”, to provide clear guidance to employees.
- 3) List of employee’s authorized to use or carry policy specific items like firearms, pepper spray, handcuff’s, batons, and NARCAN; should not be in the actual policy. An appendix could be included with the policy manual, this would allow only the appendix to need updating when someone is added or removed, not the whole policy manual itself.
- 4) The firearm policy should be reviewed by the Probation Director, County Administrator, and County Attorney to determine if it is appropriate to be authorizing the use of personally owned firearms while on duty.
- 5) The Telephone policy should be reviewed to ensure the cellphone section is in line with county cellphone policies for appropriate use.
- 6) The probation department should review and determine if the 1-800 phone line is still necessary.
- 7) The mileage policy and procedures should be updated and controls put in place to ensure that only actual miles driven are reimbursed.
- 8) A policy should be developed to require timely entry of information into the FE system.

### **Managements Response**

In an email dated 3/24/17 Interim Director Ameen provided the following response:

### **Response to Audit findings and recommendations**

As the Interim Director of Probation, I made the Policy and Procedures Manual a priority. I have identified numerous issues and have had concerns for years that I had shared with former Directors, regarding professionalism and accountability. I agree completely with the findings of the audit and concur with the recommendations from the County Auditor, Patrick Schmitt. My response will follow the order of recommendations, 1-8 and will also include a few additional actions taken by the Department at the end.

The Policy Manual is currently in the process of being completely re-written and re-formatted to include a revision date on the new cover page that includes the counties new Logo.

I appointed two committees of Officers to work with Supervisors, Coriza Rivera and Greg Caster to review the language of the manual and to bring forward new ideas as well as recommended changes to the current language. The groups meet several times to review each section of the P&P Manual. Identified, was contradicting language, which has subsequently been changed or removed completely. Additional reviews to identify specific “at the discretion of the Director” will be scheduled and all suggested language will be removed and if it has not already been changed a change will be made to reflect a specific directive.

The list of employee’s (memos) authorized to carry specific items like Firearms, Pepper Spray, Handcuffs, Batons and Narcan have already been removed. Per the recommendation of Patrick, these lists will be added as an appendix to the Manual so changes can be made to the appendix only when adding or removing an employee.

The Firearms policy will be reviewed with the County Administrator as well as with the County Attorney to determine whether the current language is appropriate. Current policy could allow for Peace Officers to train and qualify with the Compact version of their County issued weapon. This has happened in the past with our former Glock Model. This has not yet been an issue as our new model; FNS .40 has just come out with their compact version. No officer’s have

inquired as to whether they will be allowed to train, qualify and carry their compact pistol on the job. If either the County Administrator or County Attorney determines that the language should be changed or removed, we will make the necessary changes as required.

The cell phone policy will be updated to include the requested language to parallel the Counties Cell phone policy as well as to identify the specific programs assigned a phone and to which officers the phone is assigned. As for the (800) Number, I contacted IT on 3/20/17 immediately following the Audit review with Patrick and requested that they cancel this number immediately in that we have not used this number in years.

The Mileage Policy and Procedure was the first policy that was amended and modified to introduce new controls to be able to validate the activities of the Officers when out in the field conducting home visits and/or collateral contacts. The officers are required to enter their starting mileage from the office and then the ending mileage when arriving at their first stop. They are to document each subsequent home visit in the same manner. This Policy was implemented on 12/8/16. Since the implementation, Officers mileage has been verified by acquiring the Radio Log from 911, entry of contacts following the home visits and by officers calling in from collateral locations to the receptionist who then documents the officer's activity. Actual mileage reimbursement amounts have been reduced by almost \$1,000.00 monthly. This has also been as a result of requiring officers to utilize county vehicles for all activities if and when available.

The final recommendation requires officers to enter contact information into the Fe Database in a timely manner. Language to this effect has already been implemented as part of the "Itinerary and Mileage" section. A separate section will be added to the P&P's to specifically spell out the responsibility of the PO to have contacts entered within 48 hours or by the next business day.

Other additions to the Policy Manual will include a specific Procedure for calling in and reporting that you will be in late or will not be in. Language will encourage attendance and timeliness but give specific direction as to the chain of communication the Officer is to use to notify of their schedule change. An additional change will be made in regards to the use of Annual Leave, to provide specific instruction to the employee as to the procedures rather than the language now that states, refer to the Contract.

In conclusion, I agree with the finding of the audit and fully support the recommendations moving forward. The Department has made huge strides over the past few months in regards to documentation, accountability efforts and appearance. The payroll process has never been smoother now that everyone is held to the same standards. The environment of the office has improved drastically.

Patrick Schmitt, CFE  
County Auditor  
4/3/17