

**Nassau County
Office of the Comptroller
Field Audit Bureau**



**Nassau County Police Department
Operational Review of
Records Bureau
Information Services Bureau
Court Liaison Unit**

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NASSAU COUNTY
OFFICE OF THE COMPTROLLER

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EXECUTIVE SUMMARY

Background

The Nassau County Police Department operates pursuant to the County Charter and the Administrative Code. There are two divisions, Police Headquarters and Police Districts, and each is a separate taxing jurisdiction. Police operations comprise approximately 24% of the county's \$2.3-billion operating budget, with a 2001 operating budget in excess of \$555 million. The Police Department is comprised of 78 commands with approximately 3,725 employees, 2,595 sworn members and 1,130 civilians. Given the county's current fiscal predicament, the department must reduce costs while still providing effective services to the public. The department can achieve cost reductions by civilianizing positions that are currently held by police officers working in administrative units.

Scope and Methodology

The scope of the audit was to review the operations of three commands - Records Bureau, Court Liaison Unit and the Information Systems Bureau - to ascertain whether police resources are utilized effectively. These commands, which are in the Support Division of the department, present the greatest opportunity for redeployment of sworn members and personnel- cost savings. We reviewed the functional aspects of each command's responsibilities, paying particular attention to the duties performed by the sworn members. We examined overtime within each area to determine the nature and necessity of the hours worked. We also interviewed department personnel to gain an understanding of the operations in order to identify potential cost savings through the use of advanced technology, elimination of duplicative work processes and other cost-efficiency methods.

This audit was conducted in accordance with generally accepted government auditing standards. These standards require that the audit be planned and performed to obtain reasonable assurance that the audited information is free of material misstatements. An audit includes examining documents and other available evidence that would substantiate the accuracy of the information tested, including all relevant records and contracts. It includes testing for compliance with applicable laws and regulations, and any other auditing procedures necessary to complete the examination. We believe that the audit provides a reasonable basis for the audit findings and recommendations.

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Major Findings and Recommendations

In our audit of the three commands, we identified 36 sworn members whose positions could be assumed by civilians. This would result in a savings of approximately \$2.2 million, excluding overtime (see Appendix III). This potential savings represents about 9% of the 2001 cost of \$24.5 million for the three commands. We recommend that these sworn officers be redeployed in law enforcement. In addition, we identified four civilians who should be reassigned into positions commensurate with their titles and replaced with civilians in more appropriate titles. This would result in annual savings of approximately \$76,000.

There appears to be a lack of cohesiveness in the department's use of advanced technology. Recent attempts to upgrade technology within the department have not encompassed the needs of the department as a whole. For example, the department recently spent \$1.7 million on a fingerprint-processing system that is not in operation because it cannot interface with existing systems. Arrest processing, warrant, accident and record sealing procedures remain dependent, in most cases, on paper-intensive processes. Where computerized systems exist, they do not interface with one another, and duplicate-data entry is required. We recommend that the department review these processes. Technology needs should be prioritized to ensure that purchasing decisions consider expansion, interface capacity, and vendor reliability. In addition, the department should contact the State Archives and Records Management Administration, which offers grant funding that the department could access to improve its records-maintenance function. We also recommend that the department re-evaluate its reliance on duplicative paper processes, such as those for time and leave. Currently, departmental procedures require leave usages to be entered both in the department's computerized time and leave system, and manually. The Police Department's Information Systems Bureau has estimated that the department could save \$1.7 million annually by discontinuing this practice.

The Records Bureau generates a significant amount of overtime in its prisoner detention and transportation unit. The major causative factors of this overtime are high personnel turnover due to retirements and minimum staffing requirements, as well as internal control weaknesses. We recommend that the department consider establishing a career development program that would rotate junior officers through the detention unit. We also noted that the Bureau does not require, either by policy, procedure or practice, the pre-approval of overtime. In our review we found the Bureau's timekeeper, a police officer, earned approximately \$61,000 in overtime in 2001. Upon further review, we found no documentation to support this overtime, nor had the workload in the unit increased substantially to warrant the overtime earned. This indicates a lack of management oversight and a control weakness.

EXECUTIVE SUMMARY

Major Findings and Recommendations (continued)

Our audit found operational inefficiencies created by the department's various work schedules and tours of duty, which resulted in unnecessary overtime costs and additional staffing requirements. Tours of duty, whether for sworn members or civilians, should be determined based on the department's operational needs. We found that, if the Records Bureau's Pistol Section work schedules and hours of operation were similar to Suffolk's, it could eliminate one supervisor and save approximately \$94,000 per year. We also noted instances of built-in overtime due to variances in work schedules. For example, a police officer in the Court Liaison Unit's Felony Screening Section on restricted duty earned approximately \$17,000 in overtime in 2001 because the officer's tour of duty was different than that of the sergeant assigned to the same section. Consequently, when the sergeant was absent, the police officer earned overtime. We recommend cross training of other officers to work in this area and eliminate unnecessary overtime.

In our review of the Records Bureau Warrants Section, we noted a significant amount of uncollected revenue due the county for unpaid fines. We identified total fines outstanding of \$705,000 for felonies, misdemeanors and violations dating from 1996 through 2001. We recommend the department consider obtaining the assistance of an outside collection agency in an effort to recover these outstanding fines.

In 2001, the Nassau County Police Department prepared approximately 39,000 Motor Vehicle Accident Reports (MV-104A). Our review of the Accident-Aided Section, which is responsible for their distribution and maintenance, found a paper-intensive process using approximately 350,000 sheets of paper annually. We recommend using technology to improve document storing and retrieval efficiency, which could save the county at least \$250,000 annually.

Other Significant Findings:

- The assignment of the vehicle to the commanding officer of the Court Liaison Unit appeared unnecessary.
- 23 sworn members of the Information Systems Bureau received "plain clothes" clothing allowances totaling \$28,500 in 2001, even though their administrative duties do not appear to require them to be performed in plain clothes. We recommend the administration re-evaluate the policy of granting these clothing allowances.
- Several operational improvements in the Pistol License Section of the Records Bureau, such as a changing in the hours of operation, were outlined that could result in significant savings.

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- A review of pistol-license renewal cash receipts found internal-control weaknesses in the reconciliation process.

Police Department Response

The matters covered in this report have been discussed with Police Department officials during, and at the conclusion of, this audit. On August 12, we submitted a draft report to Department officials with a request for comments. We received a written response from the Department on September 17. The Department agreed with the majority of our audit findings and recommendations. Excerpts from the responses have been incorporated into the report and the full text of the Department's responses is included as an addendum.

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INTRODUCTION

Background

The Police Department is comprised of 78 commands with approximately 3,725 employees, 2,595 sworn members and 1,130 civilians. Police Headquarters includes the administrative function, Detective Division, Support Division, general support and community services. The Police District Fund, which is responsible for patrol and traffic services within the county, consists of eight precincts. In addition, there are 16 separate police jurisdictions in villages and towns that have their arrests processed through Nassau Police Headquarters.

This audit report identifies major cost savings that could be realized if civilianization of numerous positions within the county's Police Department is implemented. The county's Police Department has already been attempting to civilianize positions to achieve cost savings. However, the prior administration entered into agreements that will impair the ability of the department to proceed with civilianization. For example, under a Memorandum of Agreement dated May 27, 1999, reached between the Police Benevolent Association (PBA) and Nassau County, only forty positions could be civilianized. Those positions are in the Records Bureau, Scientific Investigation Bureau, Print Shop and Property Bureau. Subsequent to these Memoranda of Agreement, the department's effort, in December 2000, to civilianize three positions in the Police Department's Building Maintenance Unit has been contested by the PBA, which filed a successful grievance. The county is appealing the decision in the courts.

Additionally, the auditors recognize that there are several issues that will need to be resolved. For example, there would have to be a transition period during which the sworn officers who will be reassigned would train newly hired civilians, which would result in an increase in costs in the short term. Many of these positions involve a number of duties that must be learned over a period of time, and, as a result, cost savings will not accrue from day one. Other problems involve the hiring of appropriate personnel. For example, are there appropriate civil-service-job titles in existence at this time; does a current list exist; do we need to establish related supervisory titles; and, how do we change the operations of the commands that will be affected if these positions are civilianized. Serious consideration of keeping civilian personnel-work tasks different/distinct from the tasks performed by sworn officers would be crucial in preventing the issue of "equal pay for equal work" from occurring.

INTRODUCTION

Objectives of Audit

Our objectives in performing this audit were: (1) to review procedures regarding potential cost savings and the effectiveness of management's control over high-cost areas such as overtime and (2) to identify areas within the department where there are opportunities to civilianize positions currently held by sworn officers, especially within the administrative areas and areas where use of advanced technology could reduce costs.

Scope and Methodology

The scope of this audit is limited to the operations of three commands: Records Bureau, Court Liaison Unit and the Information Systems Bureau. All of these commands are in the Support Division of the department, which presents the greatest opportunity for redeployment of sworn members and, thus, personnel cost savings.

We reviewed the functional aspects of each command's responsibilities, paying particular attention to the duties performed by the sworn members. We also examined overtime within each area to determine the nature and necessity of the hours worked.

The Appendix of this report contains schedules of cost information that relate to: the entire Police Department (Appendix I), the three commands examined in this report (Appendix II), potential cost savings from civilianization (Appendix III) and a summary of cost savings identified in the report (Appendix IV).

This report identifies significant savings that can be realized by civilianizing numerous positions within the three commands examined. To calculate the savings, we took the average earnings, excluding overtime, of the police officers in each command, and subtracted the salary of the recommended title of the civilian replacement in Step 1 of the county's Graded Service Salary Plan. We are assuming that the savings identified would be realized through police officer attrition and replacement by the Civil Service title-position recommended in the report.

Department's Response:

The matters covered in this report have been discussed with officials from the Police Department during, and at the conclusion of, this audit. On August 12, 2002, we submitted a draft report to Police Department officials with a request for comments. We received a written response from the Police Department on September 17, 2002. The Police Department agrees with the majority of our audit findings and recommendations. The written responses have been incorporated into the text of the report and the full text of the Police Department's responses is included as an addendum to this report.

FINDINGS AND RECOMMENDATIONS

Court Liaison Office

Background:

The Court Liaison Office's responsibilities include custody of all prisoners from the time they arrive at court until the arraignment process is over, ensuring that all police-related information necessary is made available to the district attorney (D.A.) and to act as liaison between the court, the public and other criminal justice agencies. They also act as liaisons between the D.A.'s office and the Police Department at the Felony Screening and Grand Jury sections of the court.

The number of personnel currently assigned to the Court Liaison Office is as follows:

- 1 Deputy Inspector
- 1 Lieutenant
- 6 Sergeants
- 15 Police Officers
- 1 C.B. Operator

Civilianization

Audit Finding (1):

In our review of the Court Liaison Office, we identified several duties that are currently being performed by sworn officers that could be performed by civilians at a greatly reduced cost to the county. Three sergeants perform duties of Court Desk Officers reviewing paperwork prepared at the precincts in conjunction with the rap sheet generated from the fingerprints sent to Albany. They also verify receipt of the certified copies of any warrants that the proper charges relating to the alleged crime have been listed and they compile this information as a package to be presented to the judge, the D.A.'s office and the offender's attorney. The Swift Justice System has the capability of generating the specific penal codes to which the charges relate. A paralegal or "attorney's assistant" who is conversant with the law would be qualified to review the offender's package for compliance with the law and determine if the necessary paperwork has been provided. In fact, attorney's assistants are currently employed by the D.A.'s office in a similar capacity.

Recommendation:

We recommend that, at least, one attorney's assistant be hired to replace a sergeant. This would leave two sergeants to provide coverage for the majority of the section's hours of operation who

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would be available to handle any special circumstances that would require their expertise. Based on the average sergeant's earnings (excluding overtime) and that of an attorney's assistant, the savings would approximate \$81,000 per year.

Department's Response:

In preparing a response to this audit recommendation, this command contacted the DA's office to determine the work responsibilities of persons holding the title of attorney's assistant. It was determined that there are actually two Civil Service titles, Attorney's Assistant I and Attorney's Assistant II. According to the district attorney's office, personnel in both of these categories essentially do research and administrative tasks. The office has apprised us that these individuals do not have the training to evaluate such critical issues as probable cause, nor do they have the training to evaluate proper charges or the sufficiency of arrest paperwork. As such, persons holding these Civil Service titles would not be able to replace police sergeants. There also are some issues regarding confidentiality of police operations that need to be addressed.

It is important to note that in addition to the evaluation of arrest paperwork, the sergeants supervise police officers in the courtroom and often help with prisoners in the court during arraignment. There is an average of 40 prisoners per day; the sergeants are responsible for resolving any problems, health-related or otherwise, that may arise prior to arraignment. The assignment of a sergeant to this position is reasonable and necessary due to the complexity, variety and volume of work.

The current work chart in CLO evolved out of an agreement between the unions and the police administration to adopt a modification of a 10-hour Chart Orange scheme; currently the members work four on/four off, 10 hours per day, 0700-1700 hours, seven days a week, 365 days a year. This work schedule is extremely efficient relative to the needs of the command. Arrest paperwork for the day arrives at approximately 0700, and must be in place by 0800; further, court processes generally run until 1700 hours. As a result, a 10-hour, 0700-1700 work schedule, serves the department's purposes as an efficient work chart.

Currently, the Court Liaison Office is one sergeant short of proper staffing and this often results in only one sergeant on duty. There are never more than two sergeants on duty at District Court. The recommendation to reduce staffing to two sergeants is at odds with the command's work chart. With only two sergeants assigned to the command, this suggestion does not allow for any excusals, and would result in inevitable and substantial overtime when one of the sergeants makes use of vacation, personal leave, or sick leave. The expected savings of \$81,000 would largely be offset by increased overtime. In reality, proper staffing under Chart Orange would call for the assignment of four sergeants. As it is, the command is managing the workload with three, although often times adjustments have to be made wherein a police officer is called upon to fill in for a sergeant.

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As a final note, the civilianization of a police supervisory position, while relevant to cost-savings, would have to be addressed in a negotiated/contractual setting with the relevant bargaining unit.

Auditor's Comment:

We commend the department for functioning with one less sergeant. If there is no corresponding overtime increase, the department has already accomplished significant savings.

Audit Finding (2):

A police Officer and a sergeant currently attend the information window at the Court Liaison's Office for all hours of operation. These officers provide information to family members of arrestees, field questions from attorneys and obtain information from various jurisdictions. They also maintain the arrestee-related paperwork and confiscated property and are available to answer questions concerning court procedures. This task, which requires a minimal amount of training for some of the services provided, does not require contact with arrestees. Consequently, a Police Service Aide (PSA) can perform it. PSAs possess some familiarity with police procedures, and proper training would enable a PSA to be more conversant with the specific knowledge required in this job function.

Recommendation:

We recommend that PSAs be assigned to attend the information window in place of police officers. Adequate coverage does not necessitate the need for two officers to be assigned to the window, but rather a sergeant and a PSA would suffice.

Currently, four police officers and four sergeants attend this information window for all hours of operation. Civilianizing these four police officer positions with a comparable number of PSAs would result in annual savings of approximately \$218,000, exclusive of overtime.

Department's Response:

The auditors refer to this work responsibility as an "information window". Although this position does provide information to the public, such a description is not completely accurate. A significant body of knowledge concerning Police Department procedures, court processes, arrest procedures, and statutory law is required to competently staff this post. Officers assigned to this desk, both Police Officers and Sergeants, often assist in the courtroom during the day, are occasionally called upon to take people with warrants into custody, and assist in restraining/calming unruly prisoners.

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Having the flexibility of temporarily using desk personnel in the courtroom at different times allows the arraignment process to proceed much more smoothly and efficiently, particularly when there is a heavy prisoner load. PSAs would not be able to perform this function.

PSAs would also be required to handle prisoner property. There has been no area of CLO that has caused more problems or reports than prisoner property. In order to maintain the integrity of this process, the Police Department has traditionally made this the responsibility of sworn personnel. This suggestion will be further reviewed. However, in light of the inability of PSAs to handle prisoners, the issue is somewhat moot.

The auditors state, "Currently, four police officers and four sergeants attend this information window for all hours of operation." It should be noted, for purposes of clarity, that at any given time, Court Liaison's desk is staffed by one police officer and one sergeant, or two sergeants, during hours of operation.

As a final note, the civilianization of a sworn police position, while relevant to cost-savings, would have to be addressed in a negotiated/contractual setting with the relevant bargaining unit.

Auditor's Comment:

Our recommendation is for a PSA to replace a police officer, with which the commanding officer previously concurred. In our discussions, he stated that a PSA, with some additional training, could be used since he/she possesses familiarity with police procedures. The "Duties and Qualifications" of a PSA include: "receive and store property, evidence and maintain inventory control; release property and evidence to authorized persons..." Our recommendation was also made in consideration of the fact that this position does not require prisoner contact. In fact, the commanding officer informed us that a "light duty" officer was also assigned at times to attend the information window.

Overstaffing

Audit Finding (3):

Based on the description of job functions provided to us by the commanding officer of the Court Liaison Office, there does not appear to be a need to assign a lieutenant to this section in addition to the commanding officer and three sergeants. The duties of the deputy commanding officer (lieutenant) described in a memo to this office are as follows:

"The deputy commanding officer assists the commanding officer as required. In the absence of the commanding officer, the deputy commanding officer performs all duties of the commanding officer."

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Recommendation:

In the absence of the commanding officer, satisfactory staffing could be achieved using the three sergeants or, if necessary, by calling in another Superior Officer to provide coverage on a temporary basis. Temporary cross assigning, which has already taken place in other sections of the Police Department, would work well in this situation and would result in an annual savings of approximately \$125,000.

Department's Response:

There are essentially two issues that relate to this audit finding. The first issue relates to the elimination of the deputy commanding officer's position, the second relates to what is referred to as "temporary cross assignment" of supervisors.

With regard to the deputy commanding officer position, it should be noted that a recent redeployment of personnel in the Police Department has resulted in the assignment of the commanding officer, a deputy inspector, outside the command. As a result, the commanding officer is now a lieutenant, and in effect, there is no deputy commanding officer. The managerial hazard of not having a deputy commanding officer is most apparent during those times when the commanding officer is on authorized leave. It is not as simple as it would appear in the auditor's finding to replace the deputy commanding officer's position with a rotation among the three sergeants. The duties of the deputy commanding officer are significantly different than those of the sergeant's. In addition, on a normal day, the sergeant's are far too busy to take on the administrative responsibilities of the deputy commanding officer. Further, had audit finding number one been implemented, there would not be three sergeants in the command.

As to the issue of the temporary cross-assignment of personnel, it is true that this practice is currently in place in the Patrol Division; it is commonly referred to as "flying." Flying supervisors is a stopgap measure used to cover temporary personnel shortages. It is realistic and workable in circumstances where the work assignments are relatively homogeneous, as is the case generally throughout the Patrol Division. Flying in supervisors to cover specialized work assignments is not practical. In particular, CLO has unique problems and demands made on it from various areas outside the department -- including the district attorney's office, judges, and other police jurisdictions. The administrative functions of the command cannot be learned in a few days and certainly should not be managed by spot filling on a daily basis.

Auditor's Comment:

The suggestion to eliminate the deputy commander's position was made because his function was described as to "...assist the Commanding Officer as required. In the absence of the Commanding Officer, the Deputy Commanding Officer performs all duties of the Commanding Officer". With the recent assignment of the commanding officer outside the command,

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eliminating the deputy commander's position at this time would not be prudent.

Vehicle Assignment

Audit Finding (4):

A review of the three vehicles assigned to the Court Liaison Office indicated that two of these are used for reasons associated with the functions of the office. The third vehicle is assigned full-time to the commanding officer, including nights and weekends. When questioned as to his need for a vehicle, the commanding officer responded that once every six weeks or so he is assigned a "duty week" during which he may have to respond to extraordinary events or problems that require his services after normal work hours. There does not appear to be a need to assign a police vehicle to the commanding officer on a full-time basis in his capacity as commanding officer of the Court Liaison Office.

Recommendation:

We recommend that a department-wide review be conducted to identify excessive allocation of vehicles. The Police Department should assign vehicles only when valid reasons are presented for their usage. In addition, we noted that a protocol policy for the assignment of vehicles could not be provided by the Police Department. We recommend that a policy be established and followed.

Department's Response:

The Police Department is currently undertaking a complete review of the suitability and appropriateness of assigning unmarked vehicles throughout the agency. To the extent that the bargaining unit representing the supervisors may claim the vehicles as a "condition of employment" the police department must be prepared to justify any significant changes.

Auditor's Comment:

We agree with the corrective action being taken by the department.

Built-in Overtime Due to Inconsistencies in Tours of Duty

Audit Finding (5):

Our review of the operations at the Felony Screening Section indicated that a police officer on restricted duty assigned to this section earned overtime due to the differences in tours of duty between the police officer and the sergeant assigned to this section. This cost the county \$17,000 in overtime in 2001.

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Recommendation:

The tours of these two officers should be changed to enable sufficient coverage of the section's operation. Another option would be to cross-train other officers in this area to be available to provide coverage without incurring overtime. To ensure the continuity of operations and the feasibility of cross training, a manual should be prepared detailing the policies and procedures of the section. In fact, manuals should be prepared for all sections of the Police Department where they currently do not exist, especially in those in which only one or two officers possess the requisite specialized skills.

Department's Response:

CLO concurs with the auditor's finding that the tours of the Police Officers and police supervisor should be congruent. To the extent that work charts are the domain of the negotiated/contractual arena, compatible work charts are not always possible.

As to the feasibility of temporary cross assignments to cover these positions, it should be noted that specialized knowledge is required in many areas of the Department. This is one of those areas, and the specialization leads to efficiency and a quality work product. Mistakes in the Felony Screening Office could easily result in lost cases, released defendants, and significant loss of man-hours on investigated cases. Cross training external personnel would enable a member to be present, but it would not be effective due to the need for significant specialized knowledge. Cross assignment in this area has been tried previously, but led to significant problems with the Detective Division and the District Attorney's Office. Both frequently call for advice and guidance with a problems or procedures. These matters are often time sensitive and cannot wait until the next day or the next few days. The Detective Division and the D.A.'s office require contact personnel to possess detailed specialized knowledge.

CLO concurs with the auditor's finding regarding a work manual. It should be noted that a manual, or listing of office responsibilities, already exists. However, no manual can spell out all of the problematic areas, the solutions to which only comes from experience.

Felony Screening has previously been staffed by a Lieutenant and two Sergeants and has been downsized several times to today where it is staffed by a Sergeant and a Police Officer. The volume of work handled by these members is extraordinary and their performance is consistently top notch. It should be noted that overtime is only incurred when absolutely necessary.

Auditor's Comment:

We note that the department agrees with our recommendation of a formal manual to be developed and implemented.

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Personnel Reassignment & Tour of Duty

Audit Finding (6):

Currently the Grand Jury Section uses a Communications Bureau Operator (C.B. Operator) to transmit teletypes necessary to obtain witnesses. The C.B. Operator is on a flex schedule, which results in no coverage for this function at least one day a week. On the days that the C.B. Operator is absent, the sergeants perform this function.

Recommendation:

A Multi-Keyboard Operator I should fill this function. Based on the average C. B. Operator's salary and that of a Multi-Keyboard Operator I, the savings would approximate \$18,000 per year. The C.B. Operator should be reassigned to the Communications Bureau, where he or she has been trained and there is a greater demand for his or her services. In addition, the Multi-Keyboard Operator I work schedule would be more in line with the hours of operation, resulting in this function being performed on a continual basis. This also would enable the sergeants to concentrate entirely on their duties.

Department's Response:

This audit finding has merit. However, it should be noted that the assignment of the CB Operator to Grand Jury Section is a necessary accommodation for a specific worker suffering from an illness; due to the employee's allergic reaction incurred while working in the Communications Bureau environment, a Workers' Compensation hearing indicated that she should be assigned to a worksite other than Communications Bureau. As such, the assignment of this employee to Grand Jury was an accommodation to salvage an employee who is described as very competent and conscientious in fulfilling her responsibilities in the Grand Jury.

Auditor's Comment:

Through further conversations with the department concerning this matter, we understand that the Communications Bureau is planning on moving to a different location. At that time, the employee will be transferred back to the Communications Bureau.

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Internal Control Weaknesses Re: Timekeeping

Audit Finding (7):

The police officer and sergeants working in the Felony Screening and Grand Jury Sections call into the Arraignment Section when arriving at their assigned posts. However, there are no controls in place to verify their times of departure since they work until 7p.m., the Arraignment Section is closed and no one is available to take their calls.

Recommendation:

More stringent controls should be established to monitor and verify the hours worked by the personnel assigned to the Grand Jury and Felony Screening Sections. For example, we observed that a time-punch machine in the Grand Jury Section is used by those police officers coming in to testify to verify their times of arrival and departure. The personnel assigned to the section could use this same time-punch machine. Another option would be to install a telephone system at the Arraignment Section, which could identify the number called, the time it was placed and possibly print out the information. The Police Department should also consider instituting this system in other sections in which similar practices of calling in/out are followed.

Department's Response:

Supervising officers in CLO monitor the work hours of subordinate employees.

Auditor's Comment:

Verification of the departure time of 7 p.m. by the supervising officers in the CLO appears to be precluded by the supervising officers' tours of duty: the Commanding Officer's departure time was 4 p.m. (at the time of audit); the Lieutenant works on alternate weeks until 5 p.m. and the Sergeants tour is until 5 p.m. Therefore, we believe our recommendation should be reconsidered.

Maintenance of Time and Leave

Audit Finding (8):

Time and leave information is concurrently maintained on a computer-mainframe system and manually. Also, a sergeant is responsible for Arraignment Section time-and-leave maintenance. The duties of a sergeant should not include maintenance of time and leave.

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Recommendation:

We previously recommended that a PSA be hired to work at the information window. This individual could also perform the function of recording time and leave information for the section. In addition, the time-and-leave function should not be performed manually. This function is computerized; it is therefore a duplication of effort. This subject is covered in greater detail under a review of the Records Bureau's maintenance of time and leave.

Department's Response:

It is important that a sergeant be involved with the time and leave entries. The sergeant has the authority to grant or deny leave and in this command there is a need for the entries as well. There are no other administrative personnel.

The auditor's report gives the impression that time and leave is the sergeant's sole responsibility. The time Sergeant performs this work in addition to other day-to-day responsibilities.

As to the assignment of a PSA to the information window, please refer to the response to Audit Finding 2.

Auditor's Comment:

We are not asserting that time and leave is the sergeant's sole responsibility. In fact, we are aware that the deputy commanding officer is also responsible for time and leave entries. We recommend the assignment of a PSA to perform timekeeping duties in an effort to maximize the effectiveness of the supervisors and, concurrently, reduce personnel costs.

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Information Systems Bureau

Background

The Information Systems Bureau is responsible for developing systems and programs that deal with maintaining statistical records, developing and distributing analytical crime reports, and coordinating the activities of the Police Department in developing and maintaining the computer system network. The bureau is also responsible for coordinating the planning, design, integration and implementation of the various technological programs and systems in use within the department and those contemplated for future implementation. In addition, the bureau coordinates with other appropriate agencies as necessary.

The number of personnel currently assigned to the Information Systems Bureau is as follows:

- 1 Lieutenant (Commanding Officer)
- 2 Sergeants
- 1 Director of Police Information Systems
- 1 Assistant Director of Police Information Systems
- 18 Police Officers
- 2 Police Service Aides
- 1 Programmer Analyst II
- 1 Network Analyst I

Civilianization

Audit Finding (9):

In our review of the Information Systems Bureau, we identified several duties currently performed by sworn officers that could be performed by civilians at a greatly reduced cost to the county. For example, four police officers perform basic installation, wiring and configuration tasks.

Recommendation:

We recommend civilianizing these police officer positions by replacing them with LAN & PC Support Aide I's. This would result in annual savings of approximately \$206,000, exclusive of overtime.

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Department's Response:

The Police Officers who perform basic installation, wiring, and configuration also perform other duties such as help desk, product support, law administration, and clerical duties as needed.

It should be noted that the auditors have over estimated savings by using Step 1 salaries for the Support Aide I title.

Lastly, civilianization of these positions is part of the general issue related to the appropriateness of using sworn personnel in positions that appear to be non-operational. To the extent that civilian titles are broad enough to cover the ISB work assignments, have salaries lower than that of sworn personnel, and work hours compatible with the needs of the Command, such civilianization may be possible. As a final note, the civilianization of sworn police positions, while relevant to cost-savings, would likely have to be addressed in a negotiated/contractual setting with the relevant bargaining units.

Auditor's Comment:

Our recommendations for civilian employees are based on the job descriptions of the sworn personnel that were provided to us by the bureau commanding officer. We compared them with the job descriptions of a Local Area Network and Personal Computer Aide I, obtained from the Nassau County Civil Service Commission. Help Desk. - We believe product support, and clerical work can be adequately performed by civilians. The job duties are similar in nature and sufficiently broad to cover the job requirements. Additionally, the Civil Service Commission has advised us that it is reworking these titles to encompass additional duties. This may allay the department's concerns about the additional duties performed by the sworn officers who are currently handling these tasks. Sworn officers should devote their time to police-related matters and make better use of the special duties they were trained to perform. There appears to be no reason why civilians who have specific qualifications and experience cannot replace sworn officers in these tasks.

To calculate the savings, we took the average earnings, excluding overtime, of the police officers in the command, and subtracted the salary of the recommended title of the civilian replacement in Step 1 of the county's Graded Service Salary Plan. We are assuming that the savings identified would be realized through police officer attrition and replacement by the Civil Service title-position recommended in the report.

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Audit Finding (10):

Six police officers perform hardware and software troubleshooting and related tasks, such as the “help desk” function.

Recommendation:

We recommend civilianizing these police officer positions by replacing them with PC Support Specialist Is. This would result in annual savings of approximately \$250,000, exclusive of overtime.

Department’s Response:

The sworn members perform many various functions and handle projects, problems and new assignments as needed. Civilianizing these positions would greatly reduce the areas of responsibilities that could be assigned to one person. In addition, the cost savings the auditors refer to is incorrect, hiring civilians of the necessary technical level needed to perform these many functions in some cases cost more then a sworn member or save very little with losing a tremendous amount of latitude we currently have with the sworn members.

Auditor’s Comment:

Again, our recommendations for civilian employees are based on the job descriptions provided by the bureau. We reviewed the job description of a PC Support Specialist I and believe that this title is appropriate to perform hardware and software support tasks. In addition, the Civil Service Commission is reworking these titles to encompass additional duties. The department’s concerns about assigning additional responsibilities to these civilian employees may be dispelled by the reworking of the duties associated with these titles. We believe civilians possessing the requisite technical and professional expertise can perform the job functions referred to above.

Audit Finding (11)

Two police officers perform time and leave, purchase order coordination and related accounting duties.

Recommendation:

We recommend civilianizing these police officer positions by replacing them with Accounting Assistant IIs or a similar title. This would result in annual savings of approximately \$103,000, exclusive of overtime.

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Department's Response:

Agree with recommendation to civilianize positions.

Auditor's Comment:

We concur.

Overstaffing

Audit Finding (12):

Based on the job descriptions provided by the section, two of the sergeants in the section perform similar job responsibilities, coordinating the day-to-day operational tasks of the section. Civilianization of the section would not require as many sworn officers to supervise the section.

Recommendation:

We recommend civilianizing one of the positions currently held by a sergeant and assigning those administrative duties to the two civilian supervisors currently on staff. This would result in annual savings of approximately \$115,000, exclusive of overtime.

Department's Response:

The civilianization of a police supervisory position, while relevant to cost-savings, would have to be addressed in a negotiated/contractual setting with the relevant bargaining unit.

Auditor's Comment:

We concur.

Technology Decisions

Audit Finding (13):

The Information Systems Bureau staff acknowledges that technology decisions by the Police Department are not cohesive. For example, the Records Bureau, without the assistance and guidance of the Information Systems Bureau, purchased AFIS/Livescan - a system that uses computer technology in obtaining fingerprints. The system cannot interface with other systems in the Police Department such as the "Swift Justice" system, which is used to enter arrest

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information. Swift Justice, Livescan, and Mobile Data Terminal purchases, with expenditures to-date approaching \$5 million, appear to have been made without consideration of expansion, interface capability or vendor reliability.

Recommendation:

The Police Department should establish a technology review committee comprised of high-ranking members of the department to establish priorities and develop a five-year plan for technology improvements-- particularly in the area of police-work processes. The Information Systems Bureau should have an advisory role in this committee. In addition, the department should evaluate all technology purchases in terms of their ability to interface with the current systems it uses.

The Information Systems Bureau should also focus more efforts on developing systems to streamline or eliminate manual duplicative police-work processes. For example, the Records Bureau could use their help in streamlining arrest paperwork, warrant records, improving public accessibility to accident and aided reports and in getting Livescan operational.

Department's Response:

Technology Review Committee has already been established with make-up and duties as described.

Auditor's Comment:

We urge the committee to concentrate on developing systems that would streamline or eliminate manual duplicative police-work processes. Its assistance in this area would be extremely helpful in reducing costs and generating revenues for the county.

Duplicative Efforts

Audit Finding (14):

The Police Department maintains a Computerized History Information Enforcement Files system (CHIEF), whose applications include maintenance of time-and-leave information. However, every section of the Police Department enters time-and-leave information both manually and onto the CHIEF system, thereby creating double work that results in overtime for the time-and-leave clerks. For example, the Records Bureau had a police officer whose main duty was to record the overtime earned and leave taken by personnel in the command. This officer earned \$61,000 in overtime in 2001 primarily because she/he was performing duplicative posting of time and leave records. The Information Systems Bureau estimated that the county could save

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\$1.7 million per year by eliminating the posting of time and leave manually.

Recommendation:

The Police Department should review procedures relative to the duplicative maintenance of time-and-leave records. This finding is discussed in greater detail in this report's section on the Records Bureau's maintenance of time and leave records.

Department's Response:

Audit Finding 14 will be evaluated by the Police Department's Technology Review Committee. Further, the elimination of the PDCN 230 Card is also being evaluated; consultation with the County Comptroller's Office is necessary in order to insure the existence of acceptable audit procedures.

Auditor's Comment:

It is imperative that the department eliminate the duplicative maintenance of time-and-leave records. Comptroller's office staff is readily available to review the adequacy of any new procedures initiated in this area.

Clothing Allowance

Audit Finding (15):

Pursuant to Section 9.6 (B) of the PBA contract, any employee assigned to perform duty in plain clothes by order of the Commissioner of Police shall receive additional compensation in lieu of clothes. The 23 sworn officers of the Information Systems Bureau all receive clothing allowances, which totaled \$28,505 in 2001. The duties performed by the sworn officers of the bureau and any sworn officer who is performing administrative duties does not appear to require them to be performed in plain clothes. Although we are recommending the civilianization of most of these positions, if the sworn officers continue to perform these administrative functions, we see no reason to pay them to wear plain clothes.

Recommendation:

The Commissioner should re-evaluate the policy of granting clothing allowances to sworn officers where it does not appear to be required by their duties.

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Department's Response:

Police Department Administrative Order 02-012, effective September 16, 2002, indicates that members of the force outside of the Detective Division or without Detective designation will no longer be assigned to perform duty in plain clothes. In this regard, ISB personnel will report to work in the uniform of the day.

Auditor's Comment:

We agree with the corrective action taken by the department.

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Records Bureau

The Records Bureau is comprised of the following sections:

Mail Room
Sealed Records
Accident-Aided Section
Time & Leave Section
Warrant Section/Microfilm
Pistol License Section
Prisoner Processing & Central Testing Unit

For the purpose of this report each section of the Records Bureau will be addressed separately.

Mail Room

Background:

The Mail Room responsibilities include the sorting of all incoming mail for the entire Police Department and delivering it to all commands, precincts and courts.

The number of personnel currently assigned to the Mail Room is as follows:

1 Ambulance Medical Technician
2 Laborer Is

Utilization of More Cost Efficient Staffing

Audit Finding (16):

2 Laborers and 1 Ambulance Medical Technician (AMT) are currently staffing the mailroom.

Recommendation:

To minimize cost, the mailroom should be staffed with messengers whose annual salary is approximately \$25,000, rather than laborers and AMTs whose annual salaries are \$37,000 and \$61,000, respectively. This would result in an annual savings of \$58,000. The AMTs and laborers should be reassigned to functions that are more in line with the responsibilities that their titles entail.

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Department's Response:

The Police Department supports Audit Finding 16, which essentially recommends the hiring of three Messengers. Once the Messengers are hired the incumbent personnel would be reassigned.

Auditor's Comment:

We agree with the corrective action being taken by the department.

Ineffective Tours of Duty

Audit Finding (17):

The Laborers currently work a flex schedule wherein one employee is out on either a Monday - the busiest day - or a Friday. Only one employee performs mail delivery on these days to the precincts and courts. (The AMT has physical limitations and cannot travel to the various locations.) As a result, mail has not been delivered in a timely manner and valuable police time has been lost because police at the precincts at times have to pick up their own mail. In addition, we noted that the flex schedule has resulted in overtime being incurred on Saturdays when the following Monday was a holiday.

Recommendation:

The employees' tours of duty should correspond to the needs of the department. Part-time employees should be considered, or a mixture of part time and full time to provide coverage for peak times when volume is heavy. If the policy is not changed and the present staff is retained, the laborers should be on regular work hours instead of on flex time, which would enable better coverage and result in a more efficient operation.

Department's Response:

With regard to Audit Finding 17, it should be noted that Saturday overtime has been eliminated. Further, the elimination of flextime for Mail Room personnel is under consideration. The Police Department views the recommendation of hiring part-time employees in certain circumstances to have merit.

Auditor's Comment:

We concur.

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Operation Efficiency

Audit Finding (18):

The employees decide between themselves as to how to split the mail deliveries to the various precincts and commands.

Recommendation:

An examination should be performed of the routes used to deliver the mail to determine the most efficient division of labor. This would allow delivery in a more expeditious manner.

Department's Response:

Audit Finding 18 correctly indicates that the employees decide how best to split up the mail on a given day for delivery to the various Commands. Experience has shown that the personnel who perform the mail delivery function, adjust the mail delivery and the routes used according to the volume.

Auditor's Comment:

On a periodic basis, a review should be performed to verify that the deliveries are being done in an expeditious manner.

Civilianization

Audit Finding (19):

Currently, Sergeants working in the Pistol Section supervise the mailroom employees. The responsibility of supervising the section does not require a sworn officer.

Recommendation:

We recommend that a civilian supervisor be assigned who could also be cross trained to be responsible for other functions such as time and leave or personnel-related duties and perform regular mail deliveries when the need arises.

Department's Response:

Audit Finding 19 has merit. Currently, the Mail Room is administration of the Records Bureau.

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There are no civilian supervisors in the Records Bureau. Therefore the supervision of the Mail Room personnel has devolved to the sworn police supervisors. If the Records Bureau had a civilian supervisor, this recommendation would be implemented. In addition, the Police Department is reviewing the feasibility of reassigning the Mail Room function to another Command where civilian supervisors are available.

Auditor's Comment:

We concur.

Sealed Records

Background:

The Sealed Records Unit processes court orders mandating sealing of arrest records. This involves locating hard copy files and computer-data-base records, returning fingerprint cards to a defendant, notifying other concerned agencies and maintaining sealed records on microfiche.

The number of personnel currently assigned to the Sealed Records Section is as follows:

- 1 Police Officer
- 2 Police Service Aides
- 1 Clerk

Civilianization

Audit Finding (20):

In our review of the Unit we noted that the Police Service Aides are performing the same duties as the police officer assigned. This unit does not require any prisoner contact and is basically responsible for the performance of clerical duties.

Recommendation:

We recommend civilianizing the police officer position, replacing it with a Police Service Aide. This will result in annual savings of approximately \$61,000, exclusive of overtime. This would permit the officer to devote time to police-related matters and make better use of the special duties they were trained to perform. In fact, the unit has recently streamlined its operations and eliminated backlog. As a result, it is quite possible that the position currently held by the police officer could be eliminated entirely.

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Department's Response:

Currently, the Police Department has three Police Service Aides and one Clerk/Typist I on staff in Sealed Records. This has saved the County \$50,000.00 a year. The Police Officer's position has been eliminated; this unit has no overtime and no Police Officers.

Auditor's Comment:

We agree with the corrective action taken by the department.

Use of Advanced Technology

Audit Finding (21):

Sealing defendants' arrest records involves pulling hard copies of defendants' jackets, retyping 'rap sheets', and removing and microfiching arrest records. Technology improvements could greatly improve these manual work processes.

Recommendation:

We recommend the department consider using available technology to streamline its operations. For example, 'electronic folders' can be created on a server that would provide access to a defendant's arrest history and pedigree by his or her identification number (IDB #). They would permit arrest records to be e-mailed back and forth to the courts and could easily be backed-up offsite. Currently, there is no backup system offsite if records are destroyed or damaged. Implementation of this technology, within the boundaries of the law, would also eliminate the work outlined above to seal a defendant's records. Additionally, the space requirement to store the documents would be unnecessary. Only upon the court's request would a hard copy be generated, and the court would thus be responsible for its storage.

Department's Response:

Audit Finding 21 has merit. In fact, these features are requested items in the Department's new Records Management System (RMS).

Auditor's Comment:

We agree with the corrective action taken by the department.

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Audit Finding (22):

The procedure currently used to search for arrest records to be sealed is to input the defendant's last name in the Swift Justice System. This is a time-consuming process because of the number of common last names. Furthermore, the name might be misspelled or the defendant may use an assumed name.

Recommendation:

The Swift Justice System should be modified to allow direct access to records that relate to the specific arrest to be sealed. This could be achieved by enabling the user to access this information by inputting the defendant's specific arrest number. The time spent in searching through the defendant's entire arrest history to locate a specific arrest would be lessened, especially in those cases where the defendant has voluminous records.

Department's Response:

In response to Audit Finding 22, it should be noted that a new Swift Justice update will accommodate this recommendation. This modification will provide for sealing by arrest number. The Police Department is currently testing new version of Swift Justice. Time frame is vendor dependent, should be functional by November 2002.

Auditor's Comment:

We agree with the corrective action being taken by the department.

Productivity Monitoring

Audit Finding (23):

Monthly administrative reports are prepared showing the total arrest records that were sealed. These monthly reports are based on a compilation of informal tallies prepared by each staff member. The reports do not provide a breakdown by employee, but are used to monitor the section's workload and backlog. They also use this report to establish control over overtime costs.

Recommendation:

We recommend that a breakdown be provided on these reports so as to identify the number of sealed records completed by each employee. This would enable management to monitor the

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productivity of employees.

Department's Response:

With regard to Audit Finding 23, it should be noted that the recommended system is in place. Transmittal sheets breaking down each employee's productivity weekly and monthly total of sealed records are completed in the time office. Overtime has been completely eliminated as of January 2002. Subsequently, the procedure was streamlined and the seven-month backlog eliminated.

Auditor's Comment:

During the course of our review of this section, we inquired as to the maintenance of any reports that detailed both the section's activity and each employee's productivity. We were given copies of the 2001 and 2002 Annual Activity Reports. These reports provide a monthly breakdown by the number of records sealed specific to each of the governing Criminal Procedure Laws. These reports, however, do not provide a breakdown by employee. We were not made aware of any other reports completed by the time office.

Audit Finding (24):

In addition to the responsibility of sealing the defendant's arrest record, information contained in the case-offense report may have to be deleted. The case report differs from the arrest report in that it may include many people involved in the criminal event, from which an individual's arrest report is generated. Therefore, it requires a thorough search of the record and deletion of all mention of the defendant. This is extremely time-consuming since the CHIEF system does not have the capability of 'blocking' information and finding and searching the person's name and any specifics relating to the arrest in the narrative to be deleted.

Recommendation:

Without the ability to block repetitive information for example and remove the defendant's name wherever it is mentioned in the report, the resulting process is unnecessarily time-consuming. As this ability exists in most off-the-shelf computer applications, this capability should be provided within the CHIEF system.

Department's Response:

Because of various legal issues, the process of redacting public records, particularly criminal records, must be done with precision. This Command has consulted with Information Systems Bureau. ISB is unaware of any off-the-shelf product that will accomplish this task. However, the

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audit finding does have merit and is included in recommendations for the proposed Records Management System, which will eventually replace Swift Justice.

Auditor's Comment:

We concur.

Accident-Aided Section

Background:

The Accident-Aided Section operates a public counter, Monday through Friday, for distribution of reports of auto accidents or aided cases, taking of fingerprints, employment background checks, collection of related fees and processing of subpoenas for department records and appearances. It also maintains files of auto accident reports in hard copy and microfilm.

The number of personnel currently assigned to the Accident-Aided Section is as follows:

- 1 Lieutenant
- 2 Police Officers
- 3 Police Service Aides
- 1 Clerk Typist I
- 1 Clerk I

Civilianization

Audit Finding (25):

In our review of the unit, we noted that the Police Service Aides (PSAs) are performing the same duties as the police officers assigned.

Recommendation:

We recommend replacing the two officers assigned to this unit with PSAs. This will result in a savings of approximately \$122,000 per year.

Department's Response:

Audit Finding 25 has merit, although it should be noted that there have been instances in which Police Officers discovered open warrants and effected arrests while performing this function. Further, the civilianization of sworn police positions, while relevant to cost-savings, would likely have to be addressed in a negotiated/contractual setting with the relevant bargaining units.

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Auditor's Comment:

We concur. However, in instances in which open warrants are discovered, a PSA could always alert a police officer to effect an arrest.

Audit Finding (26):

By implementing the aforementioned recommendation, this section will be staffed solely with civilians. Thus, the need for a Superior Officer to supervise this section would be unnecessary. A civilian would best fill this position.

Recommendation:

The Police Department, in conjunction with the Civil Service Commission, should establish a title such as 'PSA Supervisor'. Employing civilian supervisors in sections that use either Superior Officers or police officers to supervise civilians could achieve additional savings. This would permit these sworn officers more time to devote to police-related matters and to make better use of their law enforcement skills. Using a civilian supervisor at a starting salary of \$41,000, rather than the lieutenant currently working in this section, would result in savings of approximately \$86,000 per year.

Department's Response:

The creation of a PSA Supervisor title has merit. The issue of replacing a police supervisor with a civilian, while relevant to cost-savings, would likely have to be addressed in a negotiated/contractual setting with the relevant bargaining units.

Auditor's Comment:

We concur.

Use of Advanced Technology

Audit Finding (27):

Currently, Motor Vehicle Accident Reports are manually completed by police officers at accident scenes. Each report is assigned an individual accident number; the Department of Motor Vehicles is sent the original; the officer's precinct retains a carbon copy, and the remaining carbon copy is sent to the Accident-Aided Section. The Accident-Aided Section makes two photocopies; one is filed and the other is sent to the Police Department's Traffic

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Safety Unit. Approximately 350,000 sheets of paper are used annually and difficulties have been encountered in locating accident reports under the current system if the accident number, the date, or the location of the accident is not known. The search can be extremely difficult and time-consuming due to the volume of reports that are maintained.

Recommendation:

The Police Department should consider acquiring computer equipment that would eliminate the need for manual preparation of vehicle-accident reports. For example, police officers could enter the information required on Vehicle Accident Reports directly onto a laptop. The laptop could also be linked to a Computer-Aided Dispatch System capable of accessing warrant and pistol-license information and Department of Motor Vehicles records. A web site could be developed to enable interested persons to download accident reports, rather than having to visit a police precinct or headquarters to obtain the information. The department currently charges a \$10 fee for a copy of an accident report; the Accident-Aided Section received approximately \$400,000 in 2001. New York State is in the process of posting accident reports on-line. This will impact the amount of monies collected by the county.

If the option cited above is not achievable, the purchase of scanning equipment to capture images of the motor vehicle accident reports and digitally store these reports ought to be considered.

Either technology improvement selected by the department will result in:

- Reducing the time spent searching reports;
- Reducing the cost and time involved in delivering reports to insurance companies;
- Reducing the expense and waste of nearly one-half million sheets of paper yearly;
- Reducing the current strain on the Traffic Safety Unit in gathering statistics;
- Reducing the need for storage; creating more office space; and
- Reducing staffing requirements in this section by eliminating many of its duties.

It should be noted that the Accident-Aided Section, through the Local Government Records Management Improvement Fund, drafted a grant application to purchase the above scanning equipment. This grant would result in reduced costs and work hours at the Accident-Aided Section and should have similar positive results in other sections of the police department. For example, the Prisoner Processing Section uses the 'Swift Justice' system to compile and maintain all arrest records generated after 1996. However, manual arrest records generated prior to 1996

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are currently being microfilmed. By scanning these records, the related cost and time expended by this section would be substantially reduced. Use of a digital imaging-storage system could also produce significant savings in the Pistol Section, where voluminous files are maintained.

We recommend that the department apply for grants to obtain the technological equipment. The advances outlined herein should be actively pursued. If the grant application is unsuccessful, the county should consider purchasing the necessary computer equipment since it could save at least \$250,000 annually by using the recommended technology improvements.

Department's Response:

There is no doubt that technological innovation could assist in the acquisition, storage, and dissemination of auto accident reports. As such, Audit Finding 27 has merit. Considerations to make technological improvements in this regard will be considered by the Police Department's Technology Review Committee. Further, the future Records Management System will also assist in achieving this goal. Such innovations are contained in part in ISB's 2003 Budget.

With regard to the commentary, vis-à-vis grant funding, it should be noted that such a grant was disapproved, and will be resubmitted in early 2003.

Auditor's Comment:

We agree with the corrective action being taken by the department.

Time & Leave Section

Background

The Time & Leave Section's responsibilities include maintenance of all time and overtime records for personnel within the command.

The number of personnel assigned to the Time and Leave Section at the time of the audit was as follows:

2 Police Officers
1 Clerk Typist
1 Police Service Aide

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Civilianization

Audit Finding (28):

Currently, the section is using two police officers to maintain the time-and-leave records of the Records Bureau. The maintenance of time-and-leave records is not a law-enforcement function and should be performed by civilians.

Recommendation:

We recommend replacing the police officers currently performing the duties of a time-and-leave clerk with a title more commensurate with the duties such as an Accounting Assistant II. This will result in annual savings of approximately \$122,000, exclusive of overtime. This would also enable these officers to devote their time to police-related matters, while making better use of the special skills for which they were trained.

Department's Response:

Audit Finding 28 has already been implemented; Police Officers have been replaced with civilians. It should be noted, the PBA has filed a grievance.

Auditor's Comment:

We agree with the corrective action taken by the department.

Overtime

Audit Finding (29):

In our review of this unit, we noted that one police officer worked an inordinate amount of overtime during our audit period. A review of the overtime slips submitted by this officer showed that all overtime hours related to his function of maintaining the Records Bureau's time and leave. In other words, overtime was earned to input the bureau's overtime. During January 2001, this police officer worked, on average, from 4:30 a.m. to 7:00 p.m. every day with the exception of his scheduled days off, during which he worked from 10:00 a.m. to 6:45 p.m. The officer also worked every holiday-- including those that were scheduled days off-- thus increasing his premium holiday pay. The officer resigned as of February 1, 2002, shortly after we arrived to perform the audit and soon after all commands were ordered to restrict all overtime to essential services. This officer earned approximately \$61,000 in overtime on top of a base salary of \$73,588 in 2001. Combined with longevity pay, holiday pay and shift differential the

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officer's earnings in 2001 totaled approximately \$154,000, making him the highest-paid member of the PBA in 2001. These excess earnings will be factored into the officer's pension benefits, which are primarily based on his last year's earnings. We also found that the workload of the Records Bureau had not increased substantially enough during the audit period to warrant such a tremendous increase in overtime in the time-and-leave unit. Furthermore, there was no documentation available to support the granting of this excessive overtime. No written policy or procedure in the department requires pre-approval of overtime, while in the Records Bureau overtime is not required to be pre-approved by either the commanding officer or his deputy.

Recommendation:

This finding shows a lack of management oversight and a weakness in control over the granting of overtime. We recommend that the department investigate any possible wrongdoing and obtain a written explanation from the supervisor responsible for approving this officer's overtime. We also recommend that, in the future, all overtime -- whenever practical -- be pre-approved by the commanding officer or his/her designee prior to it being incurred. The approval of overtime should only be granted after it has been determined through a review that it is completely necessary. In addition, the police department should consider limiting the number of consecutive days in which an officer is allowed to work excessive amounts of hours. It would be cheaper to hire a civilian to perform this task.

Department's Response:

The current Commanding Officer (CO) of Record Bureau was assigned to this unit in September 2001. It took several months to analyze the operation of this complex bureau. The events of September 11, 2001, and the fact that the security of the Headquarters complex is the responsibility of this command took much time from this process.

In January 2002, it was determined that one PO was assigned to prepare the time and leave records and was making a significant amount of overtime. Steps were taken to assign first a PSA and then a clerk to the Time Office. This has resulted in a management-labor conflict, with the PBA filing a grievance against the Commanding Officer of Records Bureau and the Department

Had the Commanding Officer of Records Bureau assigned another Police Officer to the Time Office, it would have eliminated overtime in that unit but generated it in another part of the Command. As a result, a decision was to have one Police Officer to handle the time and leave. It should be noted, the overtime generated in the time and leave section was monitored by the Deputy Commanding Officer; all overtime incurred by the time and leave Police Officer was pre-approved.

The Department will investigate to determine if there was any wrongdoing.

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Auditor's Comment:

We note that the department will conduct an investigation. We questioned the propriety of the police officer working what appeared to be an excessive amount of overtime through testing conducted in December 2001. In our findings, there was no indication of a substantive increase in the workload of the bureau to warrant this overtime. Therefore we question the contention that the overtime was monitored. In addition, we did not find any written evidence to support the contention that the overtime was pre-approved. During the period under review, there were two police officers assigned to the unit, in addition to a Clerk-Typist I. We have had several discussions with the new commanding officer, as well as other representatives of the department, regarding our recommendation that all overtime --whenever practicable --be pre-approved. We believe that this recommendation is particularly relevant with regard to administrative overtime.

Attendance Verification

Audit Finding (30):

Our test to verify officers' attendance in the Records Bureau required a review of a number of duty charts, blotters, diaries and attendance forms in order to verify the time spent on-and-off duty. Because of the complexity of these attendance records, it is difficult to detect when an officer is absent from duty. For example, in a test of four officers over a period of one month, we found an instance where a supervisor's diary had to be consulted to verify the on-duty status for two weeks when the officer was in training.

Recommendation:

The Bureau should streamline its attendance procedures. With the exception of the Prisoner Processing and Central Testing Units, all administrative members of the bureau should sign on-duty in a central location. In addition, all time spent by officers reporting to duty away from the bureau should be entered in a centralized diary.

Department's Response:

Records Bureau has devised an administrative flow chart indicating where everyone is working. There are three sign-in books that are located in the Warrants Section, Aided Section and Pistol Section. This system has been working sufficiently.

Auditor's Comment:

As stated in our findings, the attendance records in the Records Command require review of

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multiple documents in order to verify the on-duty status of an officer. Authorized leave is not reflected in the three blotter books within the command. That information, exclusive of sick leave, is only available from the command diary located in the time-and-leave section. Sick leave is on a separate report, and authorized duty -- such as training -- was, in one instance, only reflected in a supervisor's personal diary. Through further conversations with the department, we understand that it intends to launch a pilot roll-call program that may alleviate some of the problems in this area.

Maintenance of Time and Leave Records

Audit Finding (31):

We noted that unit personnel are required by departmental procedures to enter leave usages and overtime on both the CHIEF system and on a manual form (PDCN 230). The CHIEF system has a component designed specifically for the maintenance of time and leave and overtime. This practice is a duplication of effort and a prime contributor to the overtime generated in this unit.

There is also an additional requirement, which is only pertinent to the Records Bureau, to enter overtime accruals into a special Access database to provide the commanding officer with supplemental information relative to overtime earned in the command. The Information Systems Bureau can provide this information in a specialized report.

Recommendation:

We recommend that the department use only the CHIEF system to enter leave usages and overtime. The practice of manually entering time and leave on the PDCN 230 should be discontinued throughout the entire police department. The Information Systems Bureau estimated that the county could save \$1.7 million per year by eliminating the manual posting of time and leave. In addition, any supplemental information required by the commanding officer for overtime management should be discussed with the department's Information Systems Bureau so that appropriate reports may be generated.

Department's Response:

Audit Finding 31 has merit. The Police Department's Technology Review Board has already had discussions regarding various options to facilitate the management of time and leave records, eliminate duplication, and to provide a control mechanism for audit purposes.

Auditor's Comment:

We realize that there would be problems in immediately eliminating the use of manual records.

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For example, there is information recorded on these records that does not appear in the CHIEF system. The differences between these records would have to be rectified prior to elimination of the manual records, either through modifications in the CHIEF system or through other methods. We also recommend that the CHIEF system be modified to posting in hours (see Audit Finding 34) and be tested in one command or precinct prior to complete elimination of the manual records.

Audit Finding (32):

The Police Department's rules and regulations call for time records to be maintained for members above the rank of lieutenant. There are no attendance attestation procedures for the commanding and deputy commanding officers in the Records Bureau. Currently, the desk officer in the Detention Area notes the arrival and departure of these officers in the area's blotter. A similar procedure is in use in the precincts. We found that there was no indication of the commanding or the deputy commanding officers in the Records Bureau being on or off duty for nearly 40% of the duty days tested over a two-month period.

Recommendation:

The current procedure used to record the attendance of officers above the rank of lieutenant is insufficient. The department should devise procedures to adequately satisfy the time-record requirements promulgated in its rules and regulations.

Department's Response:

The commanding Officer of Records Bureau has been directed to insure that the Department's rules and regulations are carried out. It should be noted that time and leave records are maintained by the Office of Chief of Support for Commanding Officers and Deputy Commanding Officers within the Support Division.

Auditor's Comment:

We concur.

Audit Finding (33):

Pursuant to Section 8.5-14 of the Superior Officers Association contract, an employee who attends up to two officers' meetings a month when otherwise off duty shall receive four hours compensatory time for each meeting. We found no standard policy for submission of slips to receive this time. We tested two supervisors in the Records Bureau over a one-month period: one had no sign out in the blotter; the other had no sign in or out or evidence of slips submitted.

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The commanding officer of the Records Bureau advised us that the supervisors' meetings last, on average, one to one and one-half hours. Therefore, supervisors can receive up to eight hours of credit-per-month for approximately three hours work.

Recommendation:

The commands should attempt to have supervisory meetings when supervisors are on duty to avert the necessity to credit these officers with compensatory time, especially if the meeting is to last one hour. In addition, we see no reason why these meetings cannot occur during regular business hours, especially in an administrative command.

The department should institute a policy with respect to the recording of compensatory time for supervisory meetings.

Department's Response:

A PDCN Form 207 will be prepared for all officers' meetings. The hours credit for attending meetings while off-duty takes into account travel time and is a contractual provision. In most cases, Department policy restricts members to one off-duty officers meeting per month.

Auditor's Comment:

We concur with the department's decision to require that PDCN Form 207 (Overtime Slips) be prepared for all officers' meetings. We recommend that, wherever possible, these meetings occur during business hours to avoid the necessity of overtime payments.

Audit Finding (34)

The most significant weakness found in the time-and-leave system (CHIEF) is that it is based on a standard eight-hour day. Department employees currently work 6 ¾, eight, nine, 10 and 12-hour tours. This is confusing, cumbersome and time-consuming when inputting leave usages into the system. For example, employees working a nine-hour four-day week use one day plus one hour of straight time for every day used. An employee working 12-hour tours use 1.5 days for every day used. In reviewing a sample entry, we found an error in posting that resulted in one day less vacation leave posted with a value of \$329.13. Therefore, the member's leave balance was overstated. It is imperative that leave usages be accurately recorded since they form the basis for severance payouts.

Recommendation:

The department should consider modifying the current time-and-leave system to enable all leave

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entitlements to be maintained in hours. If the current system cannot be modified, the department should consider instituting a new system for recording time and leave.

Department's Response:

The Police Department concurs with Audit Finding 34. However, computer programming for the time and leave management system is a County Department of Information Technology (DoIT) function. Approximately two (2) years ago, the Police Department's Personnel and Accounting Bureau requested that these changes be made. County DoIT indicated that such changes would incur significant work assignments. ISB has requested the above changes to be made and included in a copy of this recommendation to Nassau Auditors to DoIT for their approval.

Auditor's Comment:

We concur.

Warrants Section

The Warrants Section inputs arrest warrants issued by local criminal courts into the New York Statewide Police Information Network (NYSPIN) and the Police Department's own database. Section employees also enter orders of protection, perform criminal history checks, handle transactions on NYSPIN, and maintain files of active warrants and orders of protection.

The number of personnel assigned to the section at the time of the audit was as follows:

1 Sergeant
1 Clerk III
5 Police Service Aides

Civilianization

Audit Finding (35):

In our review of this section, we noted that, aside from the supervisor, the entire staff is comprised of civilians. All of the civilian employees are certified to enter information into NYSPIN, and there are no law-enforcement functions that would require supervision by a sworn officer.

Recommendation:

The Department should consider creating a civilian supervisory title -- for example, Police

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Service Aide Supervisor -- responsible for overseeing areas in which there is no direct need for a sworn officer.

We recommend civilianizing the police sergeant position currently charged with supervising the section by replacing it with the newly created title. This would result in annual savings of approximately \$80,000, exclusive of overtime.

Department's Response:

The Department is actively seeking to maximize the use of civilian personnel in place of sworn officers wherever appropriate. In some instances this will require the creation of new job titles and negotiation with the Superior Officers Association, Police Benevolent Association, etc.

Auditor's Comment:

We concur with the department's proposed use of civilian personnel and its finding of merit in the concept of the creation of new job titles.

Systems Management

Audit Finding (36):

In our review of the Warrants Section, we identified several duplicative work processes:

- The CHIEF system and the NYSPIN system do not interface. As a result, duplicative data entry is required. All warrants are entered into CHIEF, while only felonies are entered into NYSPIN.
- Prior to the Y2K conversion, employees in the section had access to the court system's computerized records. However, they have since lost that access. Access to the Court's records improves the Section's ability to exchange information on recalled and executed warrants.
- The Section maintains an extensive card system that includes information on original warrants returned to the Court when executed or recalled. It would be more efficient for Section personnel to be able to retrieve this information from a database.

Recommendation:

The expertise of the Police Department's Information Systems Bureau should be utilized to identify extraneous paperwork in the Warrants Section and to streamline the data-entry process for both CHIEF and NYSPIN.

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The Department should take steps to regain access to the Court System's computerized records. Since this existed prior to the Y2K conversion, implementation costs should be minimal and, as a result, productivity would increase, freeing up personnel to assist in other areas where there are backlogs.

Department's Response:

NYSPIN is a New York State system which does not provide for a method to import data from other systems. This is technologically impossible at this time and will continue to necessitate some duplicate data entry.

The Information Systems Bureau is currently working to restore access to the court system's computerized records.

Auditor's Comment:

We support the department's efforts to restore access to the court system's computerized records. However, the department's response did not address the duplicative work involved in maintaining the warrant section's card system. We reiterate our recommendation that the Information Systems Bureau review the flow of paperwork in the section.

Outstanding Warrants

Audit Finding (37):

Records Bureau personnel have suggested that there could be a significant amount of uncollected revenue due the county for unpaid fines on outstanding warrants. The field notes on the outstanding warrants report identify all unpaid fines relative to these. Accordingly, we identified total fines outstanding of \$705,000 for felonies, misdemeanors and violations dating from 1996 through 2001.

Recommendation:

Currently, the Police Department does not devote the time and the resources necessary to process warrants issued by the county, district and central traffic courts. These warrants are based solely on the failure to pay fines and surcharges. The amount of time and resources spent in processing these warrants greatly exceeds the fines involved. We recommend that the department consider turning over outstanding warrants -- which have been identified as having unpaid fines associated with them -- to an outside collection agency in an effort to recover these outstanding fines.

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Department's Response:

Since arrest warrants are involved, in addition to the payment of the fine, these warrants must be vacated by the Court System. Failure to vacate the warrant can result in serious liability consequences for false arrest. However, the department will continue to investigate the feasibility of using an outside agency to perform this service.

Auditor's Comment:

We are pleased with the department's willingness to examine the feasibility of using a collection agency to recover outstanding fines on warrant.

Pistol License Section

The Pistol License Section operates a public counter for the processing and collection of fees associated with pistol-license applications, renewals, and weapons inspections. The section's other responsibilities include maintaining records of licenses and licensed pistols, and investigating new applicants and circumstances leading to suspension or revocation of pistol licenses.

The number of personnel assigned to this section at the time of audit was as follows:

- 2 Sergeants
- 14 Police Officers
- 1 Multi Keyboard Operator
- 5 Clerk Typists

Civilianization

Audit Finding (38):

The majority of the operations conducted at the Pistol License Section's front counter involve renewals, which requires that the licensee bring in all weapons (unloaded) for inspection. Other primary activities involve clerical duties and the fingerprinting of licensee applicants. No contact with prisoners occurs. The front counter is currently staffed by two police officers for each of the three-day work-tours of the section. We do not find it necessary to have two police officers staffing the front counter.

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Recommendation:

We recommend that only one officer be posted at the front counter and the second officer be replaced with a Police Service Aide, who can assist and also perform all of the fingerprinting. Since the coverage of the front counter for all hours of operation requires approximately four police officers, the replacement of one officer with a PSA for each work tour would amount to a savings of approximately \$122,000, exclusive of overtime.

Department's Response:

Due to the volume of firearms that must be inspected and verified each day two officers are required. This position requires extensive knowledge in the safe handling of a wide range of semiautomatic handguns. Since installing the bulletproof counter in 2000, the department has encountered at least six (6) loaded weapons at the counter. This is despite numerous warnings that no loaded weapons are to be brought into the building and that such a violation can result in revocation of a subject's pistol permit. Cost recovery for this operation is built into the \$200.00 pistol license fee.

Auditor's Comment:

Based on the "Daily Totals" forms that are prepared by the section, an analysis of these forms for the months of November and December 2001 disclosed an average of three instances per hour that would require weapons inspection. Even if there are a number of firearms to be inspected in each instance, the time required for weapons inspection is minimal. It would be cost effective to replace a police officer with a PSA, especially since other police officers are in close proximity if the need arises.

Audit Finding (39):

The Nassau County Pistol License Section uses police officers to conduct investigations, both in the office and in the field. Many of the duties performed by these officers in-house are administrative in nature. In the New York City Police Department's License Division, civilian investigators conduct investigations from the office that are primarily administrative in nature.

Recommendation:

We recommend that the Police Department examine the operations of the city's Pistol License Division with an eye toward making more efficient use of the its personnel. We estimate that the section could civilianize approximately three police officer positions by replacing them with a newly created title such as the 'civilian investigator' title used in New York City. Having

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civilian investigators perform those administrative duties relating to in-house investigations currently performed by police officers. would result in annual savings of approximately \$163,000, exclusive of overtime. It would also enable those police officers to devote more of their time to law-enforcement duties.

Department's Response:

The Department will investigate the practicality of creating the Civil Service title, and utilizing this position.

Auditor's Comment:

We agree with the corrective action being taken by the department.

Operational Improvements

Audit Finding (40):

Coverage at the pistol-license counter is currently provided by two police officers for four-hour periods, while the remaining part of their shift is spent conducting investigations. This system can be improved since, in some instances, it requires officers to return from the field mid-morning to provide coverage and then incur additional travel time to go back out into the field.

Recommendation:

We recommend that police officers stationed at the front counter provide coverage for the entire day. This would ensure operational continuity and efficiency.

Department's Response:

Covering the counter by the same two (2) P.O.'s for twelve (12) hours was found to be tedious and often mistakes were found towards the end of the tour. In addition, it was found that the investigators could meet with licensees or applicants in the field in the morning or afternoons while working their 12-hour shifts. This was found to be more conducive for both the investigator and the licensees.

A departmental review of the hours of operation on the Pistol Permit Section is being conducted regarding the need to maintain extended hours to accommodate the public.

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Auditor's Comment:

The officers of this section are assigned to one of two shifts – one covers Mondays through Wednesdays, the other Wednesdays through Fridays. Due to these tours, the current staffing level of twelve officers, and overlapping coverage on Wednesdays, it is conceivable that an officer would have to staff the front window for twelve hours only one-day per-week. This would provide the officer with the remaining two-thirds of his/her tour to meet with applicants in the field. Devoting the entire day to a specific job task would be more efficient and economically prudent.

Audit Finding (41):

Currently the hours of operation for the Pistol License Section are Monday through Friday from 7:30 a.m. – 7 p.m., and from 9 a.m. to 4 p.m. on Saturdays. In comparison, Suffolk County's Pistol License Unit operates five days a week, Monday-Wednesday and Friday from 9 a.m. –5 p.m., and Thursdays from 9 a.m.-8:30 p.m. An analysis of the activities conducted on Saturdays determined that approximately 20 renewals are handled on these days. In addition, if the county eliminated Saturday operations, there would be no impact on the revenues collected.

Recommendation:

We realize that the Police Department operates to serve the needs of the public. However, in light of the current fiscal crisis the county is facing and the light usage of the unit on Saturdays, we recommend the Police Department consider eliminating Saturday hours for the Pistol License Section.

Department's Response:

The Department is investigating the need for extended hours of operation, and if it is determined that these hours are not necessary or are too costly to maintain changes will be made.

The Saturday hours are as requested by permit holders. In addition, Saturday shifts permit officers to contact licensees and applicants who are unable to be contacted during the week. At present time there are no 0900x2030 hours. The Suffolk PD operates Monday, Tuesday, Wednesday, Friday 0900x1630. And on Thursday 0900x2030 hours. However no weapon checks are conducted, only renewal forms are examined.

NOTE: Suffolk P.D. advised Records Bureau that their hours may be changed due to the fact they will change to our procedure of checking all serial numbers.

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Auditor's Comment:

The current hours of operation for this section are Monday-Friday from 7:30 a.m.-7:30 p.m. Twelve hours per-day of operation should permit the officers to contact licensees and applicants in a relatively expeditious manner without the Saturday hours.

Audit Finding (42):

Pursuant to the duty chart of this section, officers are assigned to work twelve-hour tours three-days per- week. These officers are assigned to one of two shifts, either Monday- Wednesday or Wednesday- Friday. To provide supervisory coverage, one sergeant has been assigned to each of these shifts, with overlapping coverage on Wednesdays. The condensed nature of this duty chart has resulted in the assignment of two sergeants. In fact, this duty chart -- which requires sworn officers to work shortened weeks but longer hours -- has resulted in unnecessary administrative appointments and overtime costs.

In addition, the two sergeants assigned to the Pistol License Section are performing duties that include statistical and financial reports, correspondence, etc. The accounting assistant or the clerk typist currently assigned to this section should perform these duties. The Sergeants are also responsible for overseeing the mailroom and an employee from Fleet Service who handles the gas pumps. Besides the fact that these functions are unrelated to the Pistol Section, a civilian should supervise these areas. This would enable the sergeant to provide more time and be more effective in his role as section supervisor.

Recommendation:

We recommend that the Department examine the feasibility of establishing a duty chart that would require fewer hours over a longer workweek. This would be more cost-effective and efficient. In keeping with this new work schedule, the hours of operation would have to be changed to be in conformity.

In conjunction with changing the duty chart to a more effective work schedule and reducing the number of unrelated supervisory tasks performed, we recommend that one sergeant's position be eliminated to achieve savings of. \$115,000, exclusive of overtime.

Department's Response:

Even if the hours of operation are changed (see item 41) the department still believes that the investigation workload will still require two Sergeants to oversee that aspect of the operation.

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Auditor's Comment:

We believe that the reduction in sergeants' administrative responsibilities and the reassignment of unrelated supervisory duties -- in addition to a change in operating hours -- would make it feasible for one sergeant to supervise this section.

Monitoring of Section's Activity

Audit Finding (43):

Police officers in this section do not maintain any daily logs documenting their investigations. A review of the section's activity reports indicated that none provide an accurate assessment of each police officer's productivity or an accounting of the section's performance. More importantly, accurate levels of staffing cannot be determined by a review of these reports.

Recommendation:

An ongoing schedule should be established and maintained that includes the date an investigation is assigned, the officer's name, the name of the licensee and the date closed. A monthly aging of the open cases should be performed. Officers should also be required to maintain logs of their daily investigations, which include the nature of the investigation conducted, dates of field visits, phone calls and the related time spent on each. An analysis of this information, in conjunction with the aforementioned schedule, should be made; minimum-staffing levels should be re-evaluated, and acceptable parameters of performance should be established. Variances in performance between the officers should be examined and addressed in a timely manner.

Department's Response:

Pistol Section supervisors discuss cases with the investigators on a daily basis. Entries are made on cases by the investigators in the CHIEF System, recording such information as names, dates, interview results, document examination etc. These entries are reviewed routinely by supervisors. Completion dates are also recorded in the CHIEF System such as Activated, Suspended, Revoked, Cleared, etc. Performance evaluation, although not written, is performed on a regular basis, and cases are discussed in depth when needed.

Auditor's Comment:

The notation of the cases' status in the CHIEF System does not enable the section to prepare an analysis of the caseload of the individual officers. The start and completion dates entered into

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the system would enable an aging analysis to be performed. However, this is not currently being done.

Audit Finding (44):

On a daily basis, police officers in this section sign a 'blotter' that is used to record their on-duty and off-duty times and the times that they leave and return from a field investigation. For this purpose, they have been instructed to record their time in and out, sign their names and include their badge numbers. Officers are also required to indicate the ID. number of the vehicle taken out; however, they are not required to indicate the destination. A review of pages from the blotter reveals instances in which officers failed to indicate their sign-out times and/or to indicate the vehicle numbers.

Recommendation:

Officers should be required to enter the destinations of their field investigations, as well as their sign-out times, on the blotter daily. The vehicle ID. number should also be entered.

Department's Response:

Officers are required to list their destinations, times, vehicles, etc in official departmental records. (Desk Blotter and Time Record) This activity is reviewed by Pistol Section supervisors and policy restated periodically at turnouts. Non-compliance with bureau policy has been corrected.

Auditor's Comment:

We agree with the corrective action taken by the department.

Internal Control Weaknesses Re: Cash Receipts

Audit Finding (45):

Our review of the procedures used to ensure that cash receipts for pistol renewals and amendments are properly and accurately being accounted for showed an inherent weakness in the section's reconciliation process. Currently, officers ring up monies collected at the counter in conjunction with the renewal and/or amendment forms received. The forms are placed in a bin to be picked up by clerks in the office. However, these clerks do not perform a reconciliation between the number of forms picked up and the amount of monies collected.

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Recommendation:

We recommend that the clerks keep a daily tally of the number of forms received and produce a reconciliation statement at the end of the day. This would establish better internal control over the monies collected.

Department's Response:

The Department agrees and Records Bureau has instituted policy changes and added responsibilities to existing personnel. Most of these duties will be performed by a civilian employee with the Accounting Assistant civil service job title.

Auditor's Comment:

We agree with the corrective action taken by the department.

Vehicle Assignment

Audit Finding (46):

Police officers in this section are required to indicate in the blotter the ID. number of the vehicle they are taking into the field. In a review of the blotter, we noticed two officers going out in the same vehicle. When we brought this to the attention of the section supervisor, we were told that this occurs when either two officers are going to the same vicinity or there is a shortage of vehicles. Five vehicles are assigned to this section and one is for the exclusive use of the supervisor.

Recommendation:

We recommend that the section be provided with an adequate number of vehicles to ensure operational efficiency. There does not appear to be a need to assign a vehicle to the exclusive use of the supervisor. The supervisor, on an as-needed basis, can obtain a vehicle from the police vehicle pool.

Department's Response:

There is no vehicle exclusively assigned to a supervisor. When an officer or supervisor signs on, he/she typically picks up a set of keys to a particular vehicle from a group of available vehicles within the command.

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Auditor's Comment:

There are currently five unmarked vehicles assigned to the section. From these five, one vehicle is reserved for the use of the two sergeants. Due to the fact that the shortage of vehicles assigned to the section may necessitate two officers going out in the same vehicle, we recommend that the sergeants obtain another vehicle from the police fleet. This would promote operational efficiency.

Prisoner Processing & Central Testing Unit

Prisoner Processing operates 24 hours a day, seven days a week. The unit is responsible for fingerprinting and photographing persons placed under arrest (19,458 in 2001), as well as for providing overnight lodging and transportation to district court for arraignment (11,632 in 2001). Its functions also include processing arrest reports for various jurisdictions and researching arrest histories on a local, state and federal level. In addition, the section prepares and is responsible for storage of all paperwork required by the courts, as well as other law-enforcement jurisdictions within the county. The Central Testing Unit (CTS) is responsible for administering breath and drug tests to all persons arrested for driving while intoxicated (DWI).

The number of personnel currently assigned to the Prisoner Processing Section is as follows:

- 7 Sergeants
- 24 Police Officers
- 9 Police Service Aides
- 6 Detention Aides

The number of personnel currently assigned to the Central Testing Unit is as follows:

- 1 Lieutenant
- 2 Sergeants
- 7 Police Officers
- 1 Police Service Aide

Civilianization

Audit Finding (47):

There are four police officers whose duties relate solely to the operation of the Facsimile station. The operation of the facsimile station does not require any prisoner contact. Typical duties include the faxing of fingerprint and arrest information to the state and monitoring the teletype for responses.

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Recommendation:

We recommend civilianizing these police officer positions and replacing them with Police Service Aides. This would result in annual savings of approximately \$244,000, exclusive of overtime.

Department's Response:

Most Police Service Aides have already trained to operate the "FAX" position. They are presently being used to replace Police Officers. Additional PSA's are being sought by the Department to further civilianize these positions.

Auditor's Comment:

We agree with the corrective action taken by the department.

Overtime

Audit Finding (48):

The Records Bureau offers the greatest opportunity for police officers to earn overtime in the entire department. For example, the 62 officers who worked overtime in the bureau compiled average overtime earnings in 2001 of \$24,597, compared with 1,474 police officers in the patrol commands whose overtime earnings averaged \$8,089 during the same period. There is a high turnover of personnel in the Records Bureau, as it is often a last stop prior to retirement. In 2001, there were 13 retirements, including eight in the Detention/CTS Unit. Our review indicated that seven of the eight retirees from this unit earned overtime in excess of 20% of their 2001 base- salaries and these overtime earnings were factored into their retirement benefits. Personnel turnovers and minimum staffing requirements are the major factors in generating overtime costs within the Records Bureau. Another factor, which mainly impacts the overtime earned in the Central Testing Unit, is the shortage of Certified Breath Analysis Operators.

Recommendation:

The department should consider developing a career program that would rotate junior officers through the Detention Unit as part of their career development. This would assist in alleviating the situation where senior officers earn significant overtime as they approach retirement.

The department should require or encourage detention officers to obtain certification as Breath Analysis Operators. This would enable Central Testing Unit positions and the Detention Unit

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positions to be more interchangeable.

Adequate staffing of the unit to meet minimum staffing requirements should also be addressed to alleviate the necessity of overtime.

Department's Response:

The department agrees. However it does require extensive training and certification which is time consuming and costly. In addition by contract Certified Breath Technicians permanently assigned to CTS receive a \$4,000 annual stipend.

Auditor's Comment:

We understand that there is extensive training required and that Certified Breath Analysis Operators receive an additional stipend. However, the overtime earnings in that unit are significant. DWI enforcement is a high-profile activity and the department needs to ensure that it is adequately staffed.

Audit Finding (49):

In our review of overtime within the Central Testing Unit, we noted a shortage of staff on Friday and Saturday nights between 7 p.m. and 9 p.m. that results in overtime on these days.

Recommendation:

The department should reevaluate the deployment of personnel within the unit to eliminate overtime occurring on these days.

Department's Response:

As of August 8, 2002 two Police Officers were reassigned from the day shift to squads working nights in the Central Testing Section. The Department believes that a tour start time at 9 P.M. is better to eliminate end of tour overtime. Earlier tour starting times would cause extensive end of shift overtime in excess of anything saved by starting a shift at an earlier time than 9 P.M.

Auditor's Comment:

We concur with the re-assignment of personnel to the evening shift in the Central Testing Section. We defer to the department's evaluation of the tour start-times in avoiding excess-overtime costs.

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Audit Finding (50):

Command procedures require that civilians be called in to cover civilian positions before calling in an officer on overtime. In our attempt to verify that the command is following this procedure, we found that records are not maintained that would enable us to determine whether civilians were contacted prior to contacting an officer.

Recommendation:

Records should be maintained to enable verification of command procedures.

Department's Response:

Department and Records Bureau policy is to offer all civilians overtime before any Police Officers are utilized. Better records reflecting this will be maintained in the future. While it was not clearly documented this is regarded as a serious issue by the Civil Service Employees Union (civilian employees) and would have resulted in a grievance had the policy been violated.

Auditor's Comment:

We concur.

Records Management

Audit Finding (51):

As mentioned previously, the Police Department's arrest records management system, known as "Swift Justice", does not interface with any other system in the department. This seriously impedes the potential effectiveness of the Livescan Fingerprint System that was recently purchased by the department to automate the fingerprint and mug-shot process. As a result of not being able to interface, all arrest information entered into Swift Justice has to be reentered into the Livescan database. Additionally, since the warrant system does not interface with Swift Justice, officers have to verbally request warrant status on arrests.

Recommendation:

It is our understanding that Swift Justice is going to be replaced. Prior to issuance of a Request for Proposals, the department should evaluate the long-term needs of the arrest-processing area. Any replacement should be able to interface with other components of the arrest-processing system, as well as the warrant system.

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Department's Response:

Funding for a Swift Justice replacement system capital project was denied by Nassau County Capital Process Committee, however Swift Justice should be replaced to a large extent in the near future (end of 2003) as part of the Computer Aided Dispatch (CAD) Capital Project. Funding is in place and an RFP is in development. Specifications for replacement systems require the ability to interface with existing and future department systems and must provide real-time data exchange using open-architecture.

Auditor's Comment:

We believe that the inefficiencies of the Swift Justice system seriously impede the effectiveness of the arrest and detention process. We concur with the department's comments regarding a replacement system for Swift Justice. We also recognize the financial constraints the department is facing. We commend the department for establishing a technology review committee (Audit Finding 13), which will set priorities for systems development and replacement.

Audit Finding (52):

Currently, all other police jurisdictions in Nassau County have their own arrest forms. Consequently, the desk officers in the detention area of police headquarters must make entries whenever a non-Nassau arrest is processed.

Recommendation:

In order to develop uniformity in arrest reports, we recommend the creation of one arrest report acceptable to all police jurisdictions.

Department's Response:

All jurisdictions obviously must concur. Since local jurisdictions have developed their own policies and forms to meet their unique needs this is essentially out of the control of the Department. However, the Department's future records management package will have the ability to import data from external systems that are capable of providing such data. Local agencies will also be offered and encouraged to use the Department's future Records Management System as their own.

Auditor's Comment:

Both the local agencies and the department will achieve efficiencies from having uniformity in

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the arrest-processing system. Our recommendation is based on having positive, cooperative relationships between all police jurisdictions within the county.

Audit Finding (53):

The Police Department has spent over \$1.8 million on Livescan technology to enable the transmittal of fingerprint and mug-shot data via a computer server to the New York State Division of Criminal Justice. However, the software application had to be modified to enable printing of the multiple-format fingerprint cards used by the department; the server has not yet been purchased, and a potential PILOT program and staff training remain on hold. In the meantime, fingerprints are still rolled by hand, faxed to Albany and mailed to the Federal Bureau of Investigation (FBI). Responses from the FBI can take up to two weeks, which could result in a prisoner with a prior record being mistakenly released.

Recommendation:

The department should give top priority to getting Livescan fully operational at the earliest possible date.

Department's Response:

Livescan is only a portion of the electronic fingerprint project. The Automated Fingerprint Identification System (AFIS) has been operational for quite some time and is used extensively by the Detective Division. Livescan is currently in operation at Police Headquarters and is used to fingerprint and photograph **all arrests** (Since July 2002). The server to send prints to Division of Criminal Justice Services was not part of the original purchase, but was added at a later date. It has been installed and will permit the electronic transmission of fingerprints and photographs to DCJS by October 2002. The additional cost (\$125,000) of the server and software to transmit data to is being 75% funded by a grant from NYS DCJS.

Precincts will be on line as soon as server testing is completed, procedures are developed and training is completed.

This project has significant cost savings implications. The potential exists to largely eliminate the processing and detention of prisoners at headquarters which can eliminate the need for sworn personnel to staff as many as 40 positions.

FINDINGS AND RECOMMENDATIONS

Auditor's Comment:

The comments on Livescan focused on the inability of the department to implement the operation of this system. As we noted in Audit Finding 13, this system, as well as several others, was purchased without any guidance from the Information Systems Bureau, and without regard to its interface capability. While progress appears to have been made in electronic transmittal as a result of the purchase of the server, equipment remains unused in the precincts pending training and procedures development. We trust that full implementation of this system is a high priority for the department since it will eliminate the need to staff 40 sworn positions at headquarters.

Audit Finding (54):

The Detention Area is also responsible for determining if an arrestee has a prior history and pulling the relevant file, known as an IDB jacket, or creating a new one. All IDB jackets are stored on the premises, either in the Records Bureau or in the basement of headquarters. There are currently over 440,000 IDB jackets on file representing persons arrested dating back to 1925. Searching and pulling out the jackets and updating them for the most recent arrest of the individuals in question is very labor-intensive. The maintenance of all this paper is cumbersome and expensive. In addition, no off-site backup-storage system is maintained. Therefore, all arrest files could be lost in the event of a fire or other catastrophe.

Recommendation:

The department has put forth various proposals to either microfilm or digitally scan older jackets, but financial considerations have impeded these efforts. We recommend that the department seek ways to obtain grant funding, perhaps from the New York State Archives and Records Administration, to obtain updated technology on retention and storage of arrest records. We also recommend that the Administration expedite the electronic conversion of these highly vital records.

The department should arrange an off-site backup system for the storage of arrest records.

Department's Response:

Agreed. Consultants hired by the County will review disaster recovery for the Police Department and all county agencies. At least one meeting has taken place at this time.

The Department is developing grant funding applications for NYS Archives and Records Administration support.

FINDINGS AND RECOMMENDATIONS

Records Bureau is investigating the possibility of discontinuing the practice of IDB jackets for non-printable offenses. While this is not required by law, it is contingent upon the agreement of the District Attorney's Office and the Court System.

Auditor's Comment:

We concur with the preliminary steps being taken by the department to update the technology and procedure used in determining what records are legally required to be retained. As noted in this report, the New York State Archives and Records Administration should be consulted and opportunities for grant funding pursued to assist in overcoming the financial impediments. We urge the department to work with the district attorney and the court system to clarify what records are required under New York State law.

Audit Finding (55):

The Central Testing Unit keeps statistics regarding the arrests of persons charged with DWI in a manner that is useful for deployment of personnel. For example, the unit determined that in 2001, 71% of the total DWI arrests were made over the weekend and that 85% of the total arrests occurred between 11 p.m. and 6 a.m. The Detention Unit, on the other hand, currently maintains arrest statistics in a rudimentary manner. Totals are maintained by month and by year; however, there is no information available regarding the day of the week or time of day these arrests take place.

Recommendation:

The Detention Unit should maintain arrest statistics similar to those used by the Central Testing Unit that will assist in evaluating when staffing needs are the greatest.

Department's Response:

Agreed. The Police Department is actively seeking additional Police Service Aides or Clerk Typists.

Auditor's Comment:

As noted in our finding, our recommendation is to change the methodology currently used to maintain statistics in the Detention Unit. While we concur with the department's desire to assign police service aides or clerk typists to perform statistical and clerical assignments, we believe that the current personnel have the ability to accomplish this task.

NASSAU COUNTY POLICE DEPARTMENT
Schedule of Expenditures
1999-2001

(Dollars in Thousands)

	<u>1999</u>			<u>2000</u>			<u>2001</u>		
	Police District	Police Headquarters	Total	Police District	Police Headquarters	Total	Police District	Police Headquarters	Total
Salaries	\$158,414	\$148,266	\$306,680	\$166,923	\$140,758	\$307,681	\$169,138	\$144,293	\$313,431
Overtime	13,321	14,071	27,392	5,351	9,950	15,301	14,791	14,668	29,459
Terminal Leave	2,132	6,231	8,363	13,998	29,345	43,343	9,601	18,140	27,741
Fringe Benefits	46,105	43,983	90,088	46,589	42,742	89,331	51,462	47,844	99,306
Total Personnel Costs	219,972	212,551	432,523	232,861	222,795	455,656	244,992	224,945	469,937
Other Expenses	26,804	28,252	55,056	26,811	33,116	59,927	28,146	32,859	61,005
Total Expenses	\$246,776	\$240,803	\$487,579	\$259,672	\$255,911	\$515,583	\$273,138	\$257,804	\$530,942

APPENDIX I

NASSAU COUNTY POLICE DEPARTMENT
 Schedule of Expenditures of the Records Bureau,
 Court Liaison Unit and Information Systems Bureau
 1999-2001

(Dollars in Thousands)

	<u>1999</u>	<u>2000</u>	<u>2001</u>
<u>Records Bureau</u>			
Salaries & Fringe	\$12,615	\$12,939	\$13,663
Overtime	2,725	2,296	2,311
Termination Pay	915	4,068	2,131
Other Expenses	<u>215</u>	<u>293</u>	<u>272</u>
Total for Records Bureau	16,470	19,596	18,377
<u>Court Liaison Unit</u>			
Salaries & Fringe	2,401	2,905	2,790
Overtime	188	72	117
Termination Pay	16	207	1
Other Expenses	<u>33</u>	<u>33</u>	<u>35</u>
Total for Court Liaison Unit	2,638	3,217	2,943
<u>Information Systems Bureau</u>			
Salaries & Fringe	4,228	3,112	2,855
Overtime	409	79	97
Termination Pay	0	7	0
Other Expenses	<u>185</u>	<u>158</u>	<u>230</u>
Total Information Systems Bureau	4,822	3,356	3,182
 Grand Total	 <u>\$23,930</u>	 <u>\$26,169</u>	 <u>\$24,502</u>

**Potential Cost Savings from Civilianization/Redeployment
Nassau County Police Department**

Bureau/Unit	Total Number of Uniformed Officers	Number of Positions Identified for Civilianization	Potential Cost Savings
Court Liaison Unit	23	6	\$424,000
Information Systems Bureau	23	13	674,000
Records Bureau:			
Sealed Records	1	1	61,000
Accident & Aided	3	3	208,000
Time & Leave	2	2	122,000
Warrants	1	1	80,000
Pistols	16	6	400,000
Detention/CTS	41	4	244,000
Totals	110	36	\$2,213,000

**Nassau County Police Department
Summary of Potential Cost Savings**

Finding #	Explanation	Potential Cost Savings
(1) - (3)	Civilianization of the Court Liaison Office - 6 positions	\$ 424,000
(6)	Replace 1 CB Operator with 1 Multi-Keyboard Operator I - Ct. Liaison Office	18,000
(9) - (12)	Civilianization of the Information Systems Bureau - 13 positions	674,000
(15)	Re-evaluate Department's clothing allowance policy (i.e. ISB)	28,500
(16)	Replace 2 Laborers and 1 AMT with 3 Messengers - Mail Room	58,000
(20)	Civilianization of the Sealed Records Unit - 1 position	61,000
(25) - (26)	Civilianization of the Accident-Aided Section - 3 positions	208,000
(27)	Utilization of Advanced Technology - Accident Aided Section	250,000
(28)	Civilianization of the Time and Leave Section - 2 positions	122,000
(31)	Eliminate manual posting of time and leave - Time and Leave Section	1,700,000
(35)	Civilianization of the Warrants Section - 1 position	80,000
(37)	Process outstanding warrants - Warrants Section	705,000
(38), (39), (42)	Civilianization of the Pistol License Section - 6 positions	400,000
(47)	Civilianization of the Prisoner Processing and Central Testing Unit - 4 positions	<u>244,000</u>
	Total	<u>\$ 4,972,500</u>

Appendix IV

Nassau County Police Department
Draft Response Comments to Audit

COURT LIAISON OFFICE

BACKGROUND

In the “Background” section (page 4), please note that there are 14 police officers, not 15, due to an April retirement. In addition, the deputy inspector is no longer assigned to this command.

AUDIT FINDING (1)

DEPARTMENT’S RESPONSE

In preparing a response to this audit recommendation, this command contacted the DA’s Office to determine the work responsibilities of persons holding the title of Attorney’s Assistant. It was determined that there are actually two Civil Service titles, Attorney’s Assistant I and Attorney’s Assistant II. According to the District Attorney’s Office, personnel in both of these categories essentially do research and administrative tasks. Further, according to the District Attorney’s Office these individuals do not have the training to evaluate such critical issues as probable cause, nor do they have the training to evaluate proper charges, or sufficiency of arrest paperwork. As such, persons holding these Civil Service titles would not be able to replace a police sergeant. Lastly, there are some issues regarding confidentiality of police operations that would need to be addressed.

It is important to note, that in addition to the evaluation of arrest paperwork, the sergeants supervise police officers in the courtroom and often help with prisoners in the court during arraignment. There is an average of 40 prisoners per day; the sergeants are responsible for resolving any problems, health or otherwise, that may arise prior to arraignment. The assignment of a sergeant to this position is reasonable and necessary due to the complexity, variety, and volume of work.

The current work chart in CLO evolved out of an agreement between the unions and the police administration to adopt a modification of a 10-hour Chart Orange scheme; currently the members work 4 on/4 off, 10 hours per day, 0700-1700 hours, 7 days a week, 365 days a year. This work schedule is extremely efficient relative to the needs of the command. Arrest paperwork for the day arrives at approximately 0700, and must be in place by 0800; further, court processes generally run until 1700 hours. As a result, a 10-hour 0700-1700 work schedule serves the department’s purposes as an efficient work chart.

Nassau County Police Department
Draft Response Comments to Audit

Currently, the Court Liaison Office is one sergeant short of proper staffing and this often results in only one sergeant on duty. There are never more than two sergeants on duty at District Court. The recommendation to reduce staffing to two sergeants is at odds with the command's work chart. With only two sergeants assigned to the command, this suggestion does not allow for any excusals, and would result in inevitable and substantial overtime when one of the sergeants makes use of vacation, personal leave, or sick leave. The expected savings of \$81,000 would largely be offset by increased overtime. In reality, proper staffing under Chart Orange would call for the assignment of four sergeants. As it is, the command is managing the workload with three, although often times adjustments have to be made wherein a police officer is called upon to fill in for a sergeant.

As a final note, the civilianization of a police supervisory position, while relevant to cost-savings, would have to be addressed in a negotiated/contractual setting with the relevant bargaining unit.

AUDIT FINDING 2

DEPARTMENT'S RESPONSE

The auditors refer to this work responsibility as an "information window". Although this position does provide information to the public, such a description is not completely accurate. A significant body of knowledge concerning Police Department procedures, court processes, arrest procedures, and statutory law is required to competently staff this post. Officers assigned to this desk, both Police Officers and Sergeants, often assist in the courtroom during the day, are occasionally called upon to take people with warrants into custody, and assist in restraining/calming unruly prisoners.

Having the flexibility of temporarily using desk personnel in the courtroom at different times allows the arraignment process to proceed much more smoothly and efficiently, particularly when there is a heavy prisoner load. PSAs would not be able to perform this function.

PSAs would also be required to handle prisoner property. There has been no area of CLO that has caused more problems or reports than prisoner property. In order to maintain the integrity of this process, the Police Department has traditionally made this the responsibility of sworn personnel. This suggestion will be further reviewed. However, in light of the inability of PSAs to handle prisoners, the issue is somewhat moot.

The auditors state, "Currently, four police officers and four sergeants attend this information window for all hours of operation." It should be noted, for purposes of clarity, that at any given time, Court Liaison's desk is staffed by one police officer and one sergeant, or two sergeants, during hours of operation.

As a final note, the civilianization of a sworn police position, while relevant to cost-savings, would have to be addressed in a negotiated/contractual setting with the relevant bargaining unit.

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AUDIT FINDING 3

DEPARTMENT'S RESPONSE

There are essentially two issues that relate to this audit finding. The first issue relates to the elimination of the Deputy Commanding Officer's position, the second relates to what is referred to as "temporary cross assignment" of supervisors.

With regard to the Deputy Commanding Officer position, it should be noted that a recent redeployment of personnel in the Police Department has resulted in the assignment of the Commanding Officer, a Deputy Inspector, outside the command. As a result, the Commanding Officer is now a Lieutenant, and in effect, there is no Deputy Commanding Officer. The managerial hazard of not having a Deputy Commanding Officer is most apparent during those times when the Commanding Officer is on authorized leave. It is not as simple as it would appear in the auditor's finding to simply replace the Deputy Commanding Officer's position with a rotation among the three Sergeants. The duties of the Deputy Commanding Officer are significantly different than those of the Sergeant's. In addition, on a normal day, the Sergeant's are far too busy to take on the administrative responsibilities of the Deputy Commanding Officer. Further, had audit finding number 1 been implemented, there would not be three Sergeants in the Command.

As to the issue of the temporary cross assignment of personnel, it is true that this practice is currently in place in the Patrol Division; it is commonly referred to as "flying". Flying supervisors is a stopgap measure used to cover temporary personnel shortages. It is realistic and workable in circumstances where the work assignments are relatively homogeneous, as is the case, generally, throughout the Patrol Division. Flying in supervisors to cover specialized work assignments is not practical. In particular, CLO has unique problems and demands made on it from various areas outside the Department including the District Attorney's Office, judges, and other police jurisdictions. The administrative functions of the Command cannot be learned in a few days and certainly should not be managed by spot filling on a daily basis.

AUDIT FINDING 4

DEPARTMENT'S RESPONSE

The Police Department is currently undertaking a complete review of the suitability and appropriateness of assigning unmarked vehicles throughout the agency. To the extent that the bargaining unit representing the supervisors may claim the vehicles as a "condition of employment" the police department must be prepared to justify any significant changes.

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AUDIT FINDING 5

DEPARTMENT'S RESPONSE

CLO concurs with the auditor's finding that the tours of the Police Officers and police supervisor should be congruent. To the extent that work charts are the domain of the negotiated/contractual arena, compatible work charts are not always possible.

As to the feasibility of temporary cross assignments to cover these positions, it should be noted that specialized knowledge is required in many areas of the Department. This is one of those areas, and the specialization leads to efficiency and a quality work product. Mistakes in the Felony Screening Office could easily result in lost cases, released defendants, and significant loss of man-hours on investigated cases. Cross training external personnel would enable a member to be present, but it would not be effective due to the need for significant specialized knowledge. Cross assignment in this area has been tried previously, but led to significant problems with the Detective Division and the District Attorney's Office. Both frequently call for advice and guidance with a problems or procedures. These matters are often time sensitive and cannot wait until the next day or the next few days. The Detective Division and the D.A.'s office require contact personnel to possess detailed specialized knowledge.

CLO concurs with the auditor's finding regarding a work manual. It should be noted that a manual, or listing of office responsibilities, already exists. However, no manual can spell out all of the problematic areas, the solutions to which only comes from experience.

Felony Screening has previously been staffed by a Lieutenant and two Sergeants and has been downsized several times to today where it is staffed by a Sergeant and a Police Officer. The volume of work handled by these members is extraordinary and their performance is consistently top notch. It should be noted that overtime is only incurred when absolutely necessary.

AUDIT FINDING 6

DEPARTMENT'S RESPONSE

This audit finding has merit. However, it should be noted that the assignment of the CB Operator to Grand Jury Section is a necessary accommodation for a specific worker suffering from an illness; due to the employee's allergic reaction incurred while working in the Communications Bureau environment, a Workman's Compensation hearing indicated that she should be assigned to a worksite other than Communications Bureau. As such, the assignment of this employee to Grand Jury was an accommodation to salvage an employee who is described as very competent and conscientious in fulfilling her responsibilities in the Grand Jury.

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AUDIT FINDING 7

DEPARTMENT'S RESPONSE

Supervising officers in CLO monitor the work hours of subordinate employees.

AUDIT FINDING 8

DEPARTMENT'S RESPONSE

It is important that a sergeant be involved with the time and leave entries. The sergeant has the authority to grant or deny leave and in this command there is a need for the entries as well. There are no other administrative personnel.

The auditor's report gives the impression that time and leave is the sergeant's sole responsibility. The time Sergeant performs this work in addition to other day-to-day responsibilities.

As to the assignment of a PSA to the information window, please refer to the response to Audit Finding 2.

Nassau County Police Department
Draft Response Comments to Audit

Information Systems Bureau

EXECUTIVE SUMMARY

SCOPE AND METHODOLOGY

Major Findings and Recommendations

Information Systems Bureau has budgeted for new RMS in 2003 Budget. A previous Capital Project was denied.

ISB has already recommended a Data Warehouse and RMS.

Information Systems Bureau Staff (Sworn Officers only)

2 Sergeants
18 Police Officers
1 Lieutenant

CIVILIANIZATION

Audit Findings (9):

The Police Officers who perform basic installation, wiring, and configuration also perform other duties such as help desk, product support, law administration, and clerical duties as needed.

It should be noted that the auditors have over estimated savings by using Step 1 salaries for the Support Aide I title.

Lastly, civilianization of these positions is part of the general issue related to the appropriateness of using sworn personnel in positions that appear to be non-operational. To the extent that civilian titles are broad enough to cover the ISB work assignments, have salaries lower than that of sworn personnel, and work hours compatible with the needs of the Command, such civilianization may be possible. As a final note, the civilianization of sworn police positions, while relevant to cost-savings, would likely have to be addressed in a negotiated/contractual setting with the relevant bargaining units.

Nassau County Police Department
Draft Response Comments to Audit

Audit Finding (10):

Department's Response:

The sworn members perform many various functions and handle projects, problems and new assignments as needed. Civilianizing these positions would greatly reduce the areas of responsibilities that could be assigned to one person. In addition, the cost savings the auditors refer to is incorrect, hiring civilians of the necessary technical level needed to perform these many functions in some cases cost more than a sworn member or save very little with losing a tremendous amount of latitude we currently have with the sworn members.

Audit Finding (11):

Department's Response:

Agree with recommendation to civilianize positions.

Audit Finding (12):

Department's Response:

The civilianization of a police supervisory position, while relevant to cost-savings, would have to be addressed in a negotiated/contractual setting with the relevant bargaining unit.

Technology Decisions:

Audit Finding (13):

Recommendation:

Technology Review Committee has already been established with make-up and duties as described.

Duplicative Efforts:

AUDIT FINDING (14):

Recommendation:

Audit Finding 14 will be evaluated by the Police Department's Technology Review Committee. Further, the elimination of the PDCN 230 Card is also being evaluated; consultation with the County Comptroller's Office is necessary in order to insure the existence of acceptable audit procedures.

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Clothing Allowance:

AUDIT FINDING (15)

Department's Response:

Police Department Administrative Order 02-012, effective September 16, 2002, indicates that members of the force outside of the Detective Division or without Detective designation will no longer be assigned to perform duty in plain clothes. In this regard, ISB personnel will report to work in the uniform of the day.

UTILIZATION OF MORE COST EFFICIENT STAFFING

AUDIT FINDING (16):

DEPARTMENT'S RESPONSE:

The Police Department supports Audit Finding 16, which essentially recommends the hiring of three Messengers. Once the Messengers are hired the incumbent personnel would be reassigned.

INEFFECTIVE TOURS OF DUTY

AUDIT FINDING (17):

DEPARTMENT'S RESPONSE:

With regard to Audit Finding 17, it should be noted that Saturday overtime has been eliminated. Further, the elimination of flextime for Mail Room personnel is under consideration. The Police Department views the recommendation of hiring part-time employees in certain circumstances to have merit.

OPERATION EFFICIENCY

AUDIT FINDING (18):

DEPARTMENT'S RESPONSE:

Audit Finding 18 correctly indicates that the employees decide how best to split up the mail on a given day for delivery to the various Commands. Experience has shown that the personnel who perform the mail delivery function, adjust the mail delivery and the routes used according to the volume.

Nassau County Police Department
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CIVILIANIZATION

AUDIT FINDING (19):

DEPARTMENT'S RESPONSE:

Audit Finding 19 has merit. Currently, the Mail Room is administration of the Records Bureau. There are no civilian supervisors in the Records Bureau. Therefore the supervision of the Mail Room personnel has devolved to the sworn police supervisors. If the Records Bureau had a civilian supervisor, this recommendation would be implemented. In addition, the Police Department is reviewing the feasibility of reassigning the Mail Room function to another Command where civilian supervisors are available.

SEALED RECORDS

AUDIT FINDING (20):

DEPARTMENT'S RESPONSE:

Currently, the Police Department has three (3) Police Service Aides and one (1) Clerk/Typist I on staff in Sealed Records. This has saved the County \$50,000.00 a year. The Police Officer's position has been eliminated; this unit has no overtime and no Police Officers.

UTILIZATION OF ADVANCED TECHNOLOGY

AUDIT FINDING (21):

DEPARTMENT'S RESPONSE:

Audit Finding 21 has merit. In fact, these features are requested items in the Department's new Records Management System (RMS).

AUDIT FINDING (22):

DEPARTMENT'S RESPONSE:

In response to Audit Finding 22, it should be noted that a new Swift Justice update will accommodate this recommendation. This modification will provide for sealing by arrest number. The Police Department is currently testing new version of Swift Justice. Time frame is vendor dependent, should be functional by November 2002.

Nassau County Police Department
Draft Response Comments to Audit

PRODUCTIVITY MONITORING:

AUDIT FINDING (23)

DEPARTMENT'S RESPONSE:

With regard to Audit Finding 23, it should be noted that the recommended system is in place. Transmittal sheets breaking down each employee's productivity weekly and monthly total of sealed records are completed in the time office. Overtime has been completely eliminated as of January 2002. Subsequently, the procedure was streamlined and the seven-month backlog eliminated.

AUDIT FINDING (24):

Department's Response:

Because of various legal issues, the process of redacting public records, particularly criminal records, must be done with precision. This Command has consulted with Information Systems Bureau. ISB is unaware of any off-the-shelf product that will accomplish this task. However, the audit finding does have merit and is included in recommendations for the proposed Records Management System, which will eventually replace Swift Justice.

ACCIDENT-AIDED SECTION

AUDIT FINDING (25)

DEPARTMENT'S RESPONSE:

Audit Finding 25 has merit, although it should be noted that there have been instances in which Police Officers discovered open warrants and effected arrests while performing this function. Further, the civilianization of sworn police positions, while relevant to cost-savings, would likely have to be addressed in a negotiated/contractual setting with the relevant bargaining units.

AUDIT FINDING (26):

DEPARTMENT'S RESPONSE:

The creation of a PSA Supervisor title has merit. The issue of replacing a police supervisor with a civilian, while relevant to cost-savings, would likely have to be addressed in a negotiated/contractual setting with the relevant bargaining units.

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UTILIZATION OF ADVANCED TECHNOLOGY:

AUDIT FINDING (27):

DEPARTMENT'S RESPONSE:

There is no doubt that technological innovation could assist in the acquisition, storage, and dissemination of auto accident reports. As such, Audit Finding 27 has merit. Considerations to make technological improvements in this regard will be considered by the Police Department's Technology Review Committee. Further, the future Records Management System will also assist in achieving this goal. Such innovations are contained in part in ISB's 2003 Budget.

With regard to the commentary, vis-à-vis grant funding, it should be noted that such a grant was disapproved, and will be resubmitted in early 2003.

TIME & LEAVE SECTION

CIVILIZATION

AUDIT FINDING (28)

DEPARTMENT'S RESPONSE:

Audit Finding 28 has already been implemented; Police Officers have been replaced with civilians. It should be noted, the PBA has filed a grievance.

OVERTIME

AUDIT FINDING (29)

DEPARTMENT'S RESPONSE:

The current Commanding Officer (CO) of Record Bureau was assigned to this unit in September 2001. It took several months to analyze the operation of this complex bureau. The events of September 11, 2001, and the fact that the security of the Headquarters complex is the responsibility of this command took much time from this process.

In January 2002, it was determined that one PO was assigned to prepare the time and leave records and was making a significant amount of overtime. Steps were taken to assign first a PSA and then a clerk to the Time Office. This has resulted in a management-labor conflict, with the PBA filing a grievance against the Commanding Officer of Records Bureau and the Department

Had the Commanding Officer of Records Bureau assigned another Police Officer to the Time Office, it would have eliminated overtime in that unit but generated it in another part of the Command. As a result, a decision was to have one Police Officer to handle the time and leave. It

Nassau County Police Department
Draft Response Comments to Audit

should be noted, the overtime generated in the time and leave section was monitored by the Deputy Commanding Officer; all overtime incurred by the time and leave Police Officer was pre-approved.

The Department will investigate to determine if there was any wrong-doing.

ATTENDANCE VERIFICATION:

AUDIT FINDING (30):

DEPARTMENT'S RESPONSE:

Records Bureau has devised an administrative flow chart indicating where everyone is working. There are three sign-in books that are located in the Warrants Section, Aided Section and Pistol Section. This system has been working sufficiently.

MAINTENANCE OF TIME AND LEAVE RECORDS:

AUDIT FINDING (31):

DEPARTMENT'S RESPONSE:

Audit Finding 31 has merit. The Police Department's Technology Review Board has already had discussions regarding various options to facilitate the management of time and leave records, eliminate duplication, and to provide a control mechanism for audit purposes.

AUDIT FINDING (32)

DEPARTMENT'S RESPONSE:

The Commanding Officer of Records Bureau has been directed to insure that the Department's rules and regulations are carried out. It should be noted that time and leave records are maintained by the Office of Chief of Support for Commanding Officers and Deputy Commanding Officers within the Support Division.

AUDIT FINDING (33):

DEPARTMENT'S RESPONSE:

A PDCN Form 207 will be prepared for all officers meetings. The 4 hours credit for attending meetings while off duty takes into account travel time, and is a contractual provision. In most cases, Department policy restricts members to one off-duty officers meeting per month.

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AUDIT FINDING (34)

DEPARTMENT'S RESPONSE:

The Police Department concurs with Audit Finding 34. However, computer programming for the time and leave management system is a County Department of Information Technology (DoIT) function. Approximately two (2) years ago, the Police Department's Personnel and Accounting Bureau requested that these changes be made. County DoIT indicated that such changes would incur significant work assignments. ISB has requested the above changes to be made and included in a copy of this recommendation to Nassau Auditors to DoIT for their approval.

WARRANTS SECTION:

AUDIT FINDING (35):

DEPARTMENT'S RESPONSE:

The Department is actively seeking to maximize the use of civilian personnel in place of sworn officers wherever appropriate. In some instances this will require the creation of new job titles and negotiation with the Superior Officers Association, Police Benevolent Association, etc.

SYSTEMS MANAGEMENT:

AUDIT FINDING (36)

DEPARTMENT'S RESPONSE:

NYSPIN is a New York State system which does not provide for a method to import data from other systems. This is technologically impossible at this time and will continue to necessitate some duplicate data entry.

The Information Systems Bureau is currently working to restore access to the court system's computerized records.

OUTSTANDING WARRANTS:

AUDIT FINDING (37)

DEPARTMENT'S RESPONSE:

Since arrest warrants are involved, in addition to the payment of the fine, these warrants must be vacated by the Court System. Failure to vacate the warrant can result in serious liability consequences for false arrest. However, the department will continue to investigate the feasibility of using an outside agency to perform this service.

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PISTOL LICENSE SECTION:

AUDIT FINDING (38):

DEPARTMENT'S RESPONSE:

Due to the volume of firearms that must be inspected and verified each day two officers are required. This position requires extensive knowledge in the safe handling of a wide range of semiautomatic handguns. Since installing the bulletproof counter in 2000, the department has encountered at least six (6) loaded weapons at the counter. This is despite numerous warnings that no loaded weapons are to be brought into the building and that such a violation can result in revocation of a subject's pistol permit. Cost recovery for this operation is built into the \$200.00 pistol license fee.

AUDIT FINDING (39)

DEPARTMENT'S RESPONSE:

The Department will investigate the practicality of creating the Civil Service title, and utilizing this position.

OPERATIONAL IMPROVEMENTS:

AUDIT FINDINGS (40)

Covering the counter by the same two (2) P.O.'s for twelve (12) hours was found to be tedious and often mistakes were found towards the end of the tour. In addition, it was found that the investigators could meet with licensees or applicants in the field in the morning or afternoons while working their 12-hour shifts. This was found to be more conducive for both the investigator and the licensees.

A departmental review of the hours of operation on the Pistol Permit Section is being conducted regarding the need to maintain extended hours to accommodate the public.

AUDIT FINDING (41)

DEPARTMENT'S RESPONSE:

The Department is investigating the need for extended hours of operation, and if it is determined that these hours are not necessary or are too costly to maintain changes will be made.

The Saturday hours are as requested by permit holders. In addition, Saturday shifts permit officers to contact licensees and applicants who are unable to be contacted during the week. At present time there are no 0900x2030 hours. The Suffolk PD operates Monday, Tuesday, Wednesday, Friday 0900x1630. And on Thursday 0900x2030 hours. However no weapon checks are conducted, only renewal forms are examined.

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NOTE: Suffolk P.D. advised Records Bureau that their hours may be changed due to the fact they will change to our procedure of checking all serial numbers.

AUDIT FINDING (42)

DEPARTMENT'S RESPONSE:

Even if the hours of operation are changed (see item 41) the department still believes that the investigation workload will still require two Sergeants to oversee that aspect of the operation.

MONITORING OF SECTION'S ACTIVITY

AUDIT FINDING (43)

Pistol Section supervisors discuss cases with the investigators on a daily basis. Entries are made on cases by the investigators in the CHIEF System, recording such information as names, dates, interview results, document examination etc. Supervisors review these entries routinely. Completion dates are also recorded in the CHIEF System such as Activated, Suspended, Revoked, Cleared, etc. Performance evaluation, although not written, is performed on a regular basis, and cases are discussed in depth when needed.

AUDIT FINDING (44)

DEPARTMENT'S RESPONSE:

Officers are required to list their destinations, times, vehicles, etc in official departmental records. (Desk Blotter and Time Record) This activity is reviewed by Pistol Section supervisors and policy restated periodically at turnouts. Non-compliance with bureau policy has been corrected.

INTERNAL CONTROL WEAKNESSES RE: CASH RECEIPTS

AUDIT FINDING (45)

DEPARTMENT'S RESPONSE:

The Department agrees and Records Bureau has instituted policy changes and added responsibilities to existing personnel. Most of these duties will be performed by a civilian employee with the Accounting Assistant civil service job title.

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VEHICLE ASSIGNMENT

AUDIT FINDING (46)

DEPARTMENT'S RESPONSE:

There is no vehicle exclusively assigned to a supervisor. When an officer or supervisor signs on, he/she typically picks up a set of keys to a particular vehicle from a group of available vehicles within the command.

AUDIT FINDING (47)

DEPARTMENT'S RESPONSE:

The number of personnel currently assigned to Prisoner Processing Section is as follows:

- 1 Lieutenant
- 7 Sergeants
- 30 Police Officers
- 9 Police Service Aides
- 3 Detention Aides Full Time
- 2 Detention Aides Part Time

The number of personnel currently assigned to CTU

- 1 Lieutenant
- 2 Sergeants
- 8 Police Officers
- 1 Police Service Aide

Most Police Service Aides have already trained to operate the "FAX" position. They are presently being used to replace Police Officers. Additional PSA's are being sought by the Department to further civilianize these positions.

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OVERTIME

AUDIT FINDING (48)

DEPARTMENT'S RESPONSE:

The department agrees. However it does require extensive training and certification which is time consuming and costly. In addition by contract Certified Breath Technicians permanently assigned to CTS receive a \$4,000 annual stipend.

AUDIT FINDING (49)

DEPARTMENT'S RESPONSE:

As of August 8, 2002 two Police Officers were reassigned from the day shift to squads working nights in the Central Testing Section. The Department believes that a tour start time at 9 P.M. is better to eliminate end of tour overtime. Earlier tour starting times would cause extensive end of shift overtime in excess of anything saved by starting a shift at an earlier time than 9P.M.

AUDIT FINDING (50)

DEPARTMENT'S RESPONSE:

Department and Records Bureau policy is to offer all civilians overtime before any Police Officers are utilized. Better records reflecting this will be maintained in the future. While it was not clearly documented this is regarded as a serious issue by the Civil Service Employees Union (civilian employees) and would have resulted in a grievance had the policy been violated.

RECORDS MANAGEMENT

AUDIT FINDING (51)

DEPARTMENT'S RESPONSE:

Funding for a Swift Justice replacement system capital project was denied by Nassau County Capital Process Committee, however Swift Justice should be replaced to a large extent in the near future (end of 2003) as part of the Computer Aided Dispatch (CAD) Capital Project. Funding is in place and an RFP is in development. Specifications for replacement systems require the ability to interface with existing and future department systems and must provide real-time data exchange using open-architecture.

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AUDIT FINDING (52)

DEPARTMENT'S RESPONSE:

All jurisdictions obviously must concur. Since local jurisdictions have developed their own policies and forms to meet their unique needs this is essentially out of the control of the Department. However, the Departments future records management package will have the ability to import data from external systems that are capable of providing such data. Local agencies will also be offered and encouraged to use the Departments future Records Management System as their own.

AUDIT FINDING (53)

DEPARTMENT'S RESPONSE:

Livescan is only a portion of the electronic fingerprint project. The Automated Fingerprint Identification System (AFIS) has been operational for quite some time and is used extensively by the Detective Division. Livescan is currently in operation at Police Headquarters and is used to fingerprint and photograph **all arrests** (Since July 2002). The server to send prints to Division of Criminal Justice Services was not part of the original purchase, but was added at a later date. It has been installed and will permit the electronic transmission of fingerprints and photographs to DCJS by October 2002. The additional cost (\$125,000) of the server and software to transmit data to is being 75% funded by a grant from NYS DCJS.

Precincts will be on line as soon as server testing is completed, procedures are developed and training is completed.

This project has significant cost savings implications. The potential exists to largely eliminate the processing and detention of prisoners at headquarters which can eliminate the need for sworn personnel to staff as many as 40 positions.

AUDIT FINDING (54)

DEPARTMENT'S RESPONSE:

Agreed. Consultants hired by the County will review disaster recovery for the Police Department and all county agencies. At least one meeting has taken place at this time.

The Department is developing grant funding applications for NYS Archives and Records Administration support.

Records Bureau is investigating the possibility of discontinuing the practice of IDB jackets for non-printable offenses. While this is not required by law, it is contingent upon the agreement of

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the District Attorney's Office and the Court System.

AUDIT FINDING (55)

DEPARTMENT'S REPOSE:

Agreed. The Police Department is actively seeking additional Police Service Aides or Clerk Typists.