

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



**Limited Operational Review
of the
Nassau County
Police Department
8th Precinct**

HOWARD S. WEITZMAN

Comptroller

**MA-06
January 11, 2006**

**NASSAU COUNTY
OFFICE OF THE COMPTROLLER**

HOWARD S. WEITZMAN
Comptroller

Jane R. Levine
Chief Deputy Comptroller

Manuel Mosquera
*Deputy Comptroller
for Audits and Special Projects*

Susan D. Wagner
*Deputy Comptroller
for Operations/ Chief of Staff*

Randolph Ghisone
*Deputy Comptroller
for Accounting*

Allen M. Morrison
Director of Communications

Bruce G. Kubart
Deputy Field Audit Director

Carol Khoury
Special Project Manager

Audit Staff

Douglas Hutter
Field Audit Supervisor

Ellen Misita
Field Audit Supervisor

Executive Summary

Background

The 8th Precinct (the precinct) is one of 8 Nassau County Police Department (the department) precincts providing direct police services to county residents. The precinct is located on Wantagh Avenue in Bethpage, and serves the area bordered by the Southern State Parkway, the Wantagh Parkway, Old Country Road, and the eastern border of the county, an area of approximately 22 square miles. The precinct ranks second in population density with a population of over 171,000; however, according to the department's internal statistics, it has fewer sector cars assigned to it than any other county police precinct.

As of December 31, 2004, 137 sworn police personnel and 71 civilians (including 68 crossing guards) were assigned to the precinct. The precinct also houses the 8th Detective Squad, which reports to the Chief of Detectives. Employees from the Fleet Services Bureau and the Ambulance Bureau work out of the precinct, but report to their home commands.

The 8th Precinct, which is funded by the Police District Fund, had expenditures (exclusive of fringe benefits) of \$20.2 million in 2004, \$20.1 million in 2003, \$19.0 million in 2002, and \$19.9 million in 2001. The major challenge facing managers in the 8th Precinct, as well as the other precincts, is meeting the minimum staffing requirements under the county's contract with the Police Benevolent Association (PBA) while keeping overtime costs down. When an insufficient number of officers are available to meet the minimum staffing requirements, officers are deployed on an overtime basis. The precinct's overtime costs increased by 83.42% from 2001 to 2004; comparable to an 89.83% increase for all precincts.

Audit Scope, Objective and Methodology

The audit covered the period January 2001 through December 2004, and its objective was to provide reasonable assurance that the resources of the precinct are being used effectively. We reviewed precinct operations, focusing on: opportunities for civilianization, overtime costs controls, and general operational issues. We reviewed the functional aspects of the administrative duties performed by sworn police personnel for potential civilianization. We interviewed the precinct's staff extensively to understand where cost savings might be realized through more effective use of technology, elimination of duplication of effort, and other means.

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.

Executive Summary

Significant Findings:

Personnel Issues

We found that the precinct met minimum staffing requirements by incurring substantial overtime. These increases occurred despite the new PBA contract provision requiring each officer to work an additional 48 hours annually. Beginning in 2004, the contract authorized a reduction in the police department's (including the eight precincts and the highway unit) required number of annual patrols by 417. This change should permit the 8th Precinct to defray nearly 5,000 hours of overtime annually.

The increases in overtime were mainly due to a surge in short-roll call overtime (called when an insufficient number of officers are available to meet the minimum staffing requirements). With overtime earnings added to the officer's pension calculations, the county's pension costs were also increased.

Subsequent to the completion of our field work, the Administration presented to us a detailed cost-benefit analysis of hiring versus overtime to maintain the minimum staffing required by the Award. The administration's analysis concluded that in the long term it is more cost effective to continue covering staffing requirements with overtime. This analysis was based on assumptions and other data that included "tipping point" analyses, calculations of the cost of future fringe benefits, and wage progression information. Even if we had received this information prior to completing our audit field work, we would have required the assistance of outside consultants to evaluate it adequately. In addition, the 2006 budget passed by the county legislature and signed by the County Executive includes \$250,000 for the engagement of an independent, outside consultant to study police staffing. We believe that it is important for an outside consultant to re-examine appropriate staffing levels in county police precincts, and the cost-benefits, adequacy and appropriateness of using overtime versus hiring additional police officers to meet staffing requirements. .

Civilianization

In our review of the precinct's operations, we identified five sworn police personnel whose positions should be considered for civilianization. Most of the work they performed was clerical and did not require specialized police officer training. The County Executive's Office has agreed to negotiate with the PBA about specific positions to be civilianized. The terms of the September 14, 2003, Police Arbitration Award provided that 50 police positions were to be civilianized in 2004, with 50 more scheduled for civilianization in 2005. In January 2005 we requested that the Police Department provide us with details of the positions it civilianized in 2004. This information has not been provided.

The 8th Precinct could potentially save \$325,000 if these five police officers were replaced by appropriate civilian titles. We understand from precinct officials that similar situations exist in all 8 precincts and at the Highway Patrol. If similar positions were civilianized throughout the department, savings could approximate \$3.45 million. In

Executive Summary

addition to salary rate cost savings, civilianization would free up police officers to meet minimum staffing requirements and reduce overtime costs.

Time and Leave

As of December 31, 2003, the precinct employed 68 crossing guards at an annual cost of approximately \$1.4 million. We found significant deficiencies in the manner in which the school crossing guards' time records were maintained during school breaks and vacations. The records did not sufficiently support the payroll expenditures, and were discarded at the end of the payroll period. We could only review current period records.

We found that 26 school crossing guards were paid for a day during the 2004 winter recess, when there is no evidence that they reported to work. We estimate that the overpayment for this one day was \$2,120.

Technology

We performed a limited operational review of the technology utilized by the 8th precinct. Most of our findings concerning the use of technology by the precinct are applicable department-wide because the precinct uses the same technology as the rest of the department. Many of the precinct's business practices—most of which are department-wide practices-- are effectively redundant or obsolete. Our findings in this area are as follows:

- The precinct enters traffic and summons data into both a manual ledger and a computerized database.
- The precinct has been provided with computerized handheld ticket writers but it does not optimize their use because of both jurisdictional and functional limitations. We were informed by several parking enforcement aides that the computerized ticket writers do not work in freezing weather and that the location within the precinct where a majority of parking tickets are written does not accept the ticket format produced.
- The department's computer system does not maintain statistics on the number of parking tickets issued.
- The impound area function requires writing letters and completing forms. Much of the information required is contained in the department's computer system but is not extracted in order to computerize form completion and to produce form letters.
- Information required for the Nass-Stat (a manual proactive crime prevention system whereby crime incidents are isolated and analyzed) presentation on crime trends and statistics is contained in the department's data collection system, Swift Justice. The information needed, however, has to be compiled manually because it cannot be downloaded from the system, or from any other applications in the department's wide-area network. In addition, there is no

Executive Summary

formalized training for officers who are new to the Nass-Stat function and therefore the compilation of statistics from one precinct to the next may differ.

- The Nassau County Police Department does not have Automatic Vehicle Location Technology (AVL). AVL is important for the safety of police officers, the public and for the effective supervision of the officers. AVL uses the global positioning system (GPS), a worldwide radio navigation system, to continuously monitor the exact location of each vehicle.
- Incident reports must be called in by officers to the Case Offense Section of the Communications Bureau. Officers reported waiting as long as 45 minutes to complete calls to the section because of the transcribers' work backlogs. Officers must call in these reports because they cannot transmit reports electronically through their patrol cars. Technology that permits real time incident reporting is available and is currently being used by police departments throughout the country.
- The telephone technology used by the precinct does not include caller ID. The department's present protocol for unidentified callers requires that two patrol cars are dispatched to check on the caller. The precinct cannot follow this protocol without caller ID, because the location of the caller cannot be retrieved without it.

Administration

We found a lack of consistent efficient procedures in the administration of several areas as follows:

- There are no written job procedures available for officers assuming administrative duties within the precinct. The precinct relies on incumbents to train their replacements, which could leave the precinct at risk if an incumbent is not available for training.
- The precinct has 171 burglar alarm locations within its boundaries that have been flagged for "no response". These include locations where burglar alarms are not permitted and locations that have an unacceptable level of false alarms. Outstanding fines on these 171 locations range from \$25 to \$625. Collection of these outstanding fines would yield a minimum of \$8,550 in revenue for the county, estimating an average fee outstanding of \$50. In addition, there was no indication that the precinct is taking action to ensure that these premises apply for permits or repair the conditions that lead to the "no response" flag.
- The precinct employs 68 crossing guards, many more than can be effectively used during school vacations. We were advised that it has been long-standing department practice to assign work to all guards who wish to work during school breaks, but that there is no written requirement to provide continuous summer and vacation employment for crossing guards. The precinct cannot absorb 68 additional employees during school vacations. The cost of paying crossing guards

Executive Summary

during a one week school vacation is approximately \$27,200 in the 8th Precinct alone.

On November 21, 2005, we submitted a draft report to department officials with a request for comments. The department's comments were received on December 9, 2005. The department's comments and our response to those comments are included as an addendum to this report ((Appendix 1)

Table of Contents

<u>Findings and Recommendations</u>	<u>Page Number</u>
Personnel Issues	1
<u>Short-Roll Calls/Overtime</u>	2
<u>Civilianization</u>	4
<u>Civilianization of Precinct Clerk Position</u>	5
<u>Civilianization of Summons Office Supervisor</u>	7
<u>Civilianization of Impound Desk</u>	8
<u>Civilianization of Time and Leave</u>	9
<u>Time and Leave</u>	10
<u>Processing of Employee Resignations</u>	10
<u>Crossing Guards</u>	11
<u>Maintenance of Crossing Guard Time and Leave Records</u>	11
<u>Supervision of Crossing Guards</u>	14
<u>Commanding Officer and Deputy Commanding Officer Timesheets</u>	16
<u>Automotive Mechanics Time and Leave Certification</u>	17
<u>Incomplete Time and Leave Records</u>	18
<u>Technology Issues</u>	19
<u>Inability to Identify and Locate Hang Up Calls</u>	19
<u>Manual Compilation of Computerized Records</u>	20
<u>Use of Handheld Ticket Writers</u>	21
<u>Computerization of Impound Correspondence, Records, and Other Forms</u>	23
<u>Lack of Data Interface</u>	25
<u>Department Website Information should be Updated and Improved</u>	26
<u>Lack of Automatic Vehicle Locator Technology</u>	28
<u>Communication Bureau Backlogs</u>	29
<u>Administration/Operations</u>	30
<u>Lack of Written Administrative Procedures</u>	30
<u>Delay in Removal of Abandoned Vehicles</u>	31
<u>Unlicensed/False Burglar Alarms</u>	32
<u>Crime Analysis Nass-Stat</u>	33
<u>Record Retention</u>	34
Appendix 1.....	36
Department's Response and Auditor's Follow-up.....	36

Findings and Recommendations

Personnel Issues

One of the major challenges facing the precinct is the effective use of police officers. Meeting this challenge is difficult because contractual minimum staffing requirements, although reduced by the Police Arbitration Award (the Award) dated September 14, 2003, covering the period January 1, 2001 through December 31, 2006, constrain flexibility in police staffing. The minimum staffing requirements dictate the number of police officers who must be on outside patrol duty at all times and are strictly interpreted at the precinct level.

As of December 31, 2004, the 8th Precinct had 137 sworn police officers assigned to it including 22 supervisory positions and 115 police officers, but only 95 out of the 115 police officers were available to fulfill minimum staffing assignments. The other 20 police officers were on other assignments such as the administrative chart (the chart of police officers assigned to administrative duties) or Problem Oriented Policing.

The arbitration award authorizes each precinct to reduce the total number of patrols by 417 annually: 104 day tours and 313 night tours. This change reduces the number of work hours per year by approximately 5,000 per precinct, depending on whether the tours of duty chosen for reduction are 10 or 12 hours long. In addition to the decrease in hours, each officer is required to work an additional 48 hours (one 12 hour day per quarter known as “quarter days”) annually. These initiatives are intended to alleviate short-roll call overtime, which is overtime caused by shortages in the number of officers available to meet minimum staffing requirements. (These short-roll calls are particularly acute during the summer and winter holiday seasons, when many officers take vacation.)

The precinct’s overtime costs increased by 83.42% from 2001 to 2004, comparable to an 89.83% increase for all precincts.

Nassau County Police Department Precinct Overtime Costs

Year	8th Precinct			Total for all Precincts		
	Overtime Cost	Increase/ (Decrease)	Percentage Change	Overtime Cost	Increase/ (Decrease)	Percentage Change
2001	\$1,345,000			\$12,607,000		
2002	\$1,256,000	(\$89,000)	-6.62%	\$11,057,000	(\$1,550,000)	-12.29%
2003	\$2,366,000	\$1,110,000	88.38%	\$22,224,000	\$11,167,000	100.99%
2004	\$2,467,000	\$101,000	4.27%	\$23,932,000	\$1,708,000	7.69%
Total Change		<u>\$1,122,000</u>	<u>83.42%</u>		<u>\$11,325,000</u>	<u>89.83%</u>

Findings and Recommendations

Audit Finding (1):

Short-Roll Calls/Overtime

In 2004, the precinct incurred 35,446 hours of overtime, an increase of 85% compared with 2002. These increases occurred despite the new PBA contract provision requiring each officer to work an additional 48 hours annually. Beginning in 2004, the contract authorized a reduction in the police department's (including the eight precincts and the highway unit) required number of annual patrols by 417. This change should permit the 8th Precinct to defray nearly 5,000 hours of overtime annually.

Most of the increase is due to a surge in short-roll call overtime, which nearly tripled from 2002 to 2004. Short-roll call overtime is defined as the roll call needed when an insufficient number of officers are available to meet the minimum staffing requirements. Optimally, the precinct and the department should have been able to reduce overtime hours and costs due to the additional "quarter days" (one additional day per quarter that police officers are required to work paid at the regular time rate) and the reduction in the number of cars required to be out on patrol. However, we found that 2004 precinct overtime hours increased by approximately 7% over 2003. It appears that decreases in staffing levels caused an additional need for overtime that more than offset the benefits gained by concessions on minimum staffing and additional shift requirements.

We calculated the minimum staffing needed to avoid incurring these amounts of short-roll call overtime, incorporating the changes mandated by the award, and concluded that the precinct would need a minimum of 106 officers. As of December 2004, 95 officers were available for patrol duties. Attrition has reduced the available staff, thereby:

- reducing the number of officers available to meet minimum staffing requirements; and
- increasing the need for rolls to be filled through overtime.

The contract concession which increased the number of workdays and reduced the number of patrols has not been sufficient to offset the overtime necessitated by a decrease in the number of staff through attrition.

In addition, the number of police officers earning overtime in excess of 25% of base pay increased from two in 2001 to thirty-one in 2004.

In 2004, these 31 officers earned an average \$30,086 each, for a total of \$932,655 in overtime for these 31 officers alone. Three of the 31 officers retired in 2004. Overtime is included in the officers' pension calculations, thereby also increasing pension costs to the county.

We found that the precinct met minimum staffing requirements by incurring substantial overtime. These increases in overtime occurred despite the new PBA contract provision requiring each officer to work an additional 48 hours annually. Beginning in 2004, the

Findings and Recommendations

contract authorized a reduction in the police department's (including the eight precincts and the highway unit) required number of annual patrols by 417. This change should permit the 8th Precinct to defray nearly 5,000 hours of overtime annually.

Subsequent to the completion of our field work, the Administration presented to us a detailed cost-benefit analysis of the issue of hiring versus overtime to maintain the minimum staffing required by the Award. The administration's analysis concluded that in the long term it is more cost effective to continue covering staffing requirements with overtime. This analysis was based on assumptions and other data that included "tipping point" analyses, calculations of the cost of future fringe benefits, and wage progression information. Even if we had received this information prior to completing our audit field work, we would have required the assistance of outside consultants to evaluate it adequately. Therefore, we are pleased that the 2006 budget, passed by the legislature and signed by the county executive, includes \$250,000 for the engagement of an independent evaluation of this issue.

The analysis is a complicated one that relies on assumptions that are central to the analysis's outcome. It also incorporates many variable factors such as wage rate projections, average annual attrition, pension rates and health insurance costs. The Administration used three different approaches: Comparison of Costs to Maintain 2001 Headcount Level; Hours worked Methodology; and a "Tipping Point" Exercise, but it did not have the assistance of an outside, independent source.

Audit Recommendations:

The administration should:

1. periodically revisit this important issue and monitor the data and assumptions used for their affect on the conclusions reached;
2. continue to negotiate changes in minimum staffing requirements that would permit precinct commanders greater flexibility, such as inter precinct cooperation in assigning officers, and other shared services between precincts,
3. as budgeted for in 2006, engage an outside, independent consultant to re-examine what appropriate staffing levels should be in county police precincts and the cost-benefits, adequacy and appropriateness of using overtime versus hiring additional police officers to meet precinct staffing requirements. An independent, expert evaluation could determine whether the administration's cost-benefit analysis supports the use of this amount of overtime rather than the hiring of additional officers to meet the minimum staffing requirements.

Findings and Recommendations

Civilianization

As of December 2004, nine sworn police personnel, including three supervisors, were assigned to administrative positions within the precinct. The six nonsupervisory officers are on the administrative chart (Chart 13)¹ and are deployed as follows:

- two precinct clerks;
- one time and leave clerk;
- one summons clerk;
- one impound clerk; and
- one crime analyst.

In addition to the police officer who functions as a time and leave clerk, a civilian employee was hired to replace a second officer assigned to time and leave who retired in 2004. There is no statutory requirement that these administrative positions be filled by police officers. Under the terms of the September 2003 Arbitration Award, on a department-wide basis, 50 police positions were to be civilianized in 2004, with 50 more scheduled for 2005. We requested, but did not receive, updated information from the department regarding progress made to date on the civilianization efforts.

The 8th Precinct could potentially save \$325,000 if five of these police officers were replaced by appropriate civilian titles. We understand from precinct officials that similar situations exist in all 8 precincts and at the Highway Patrol. If similar positions were civilianized throughout the department, savings could approximate \$3.45 million. In addition to salary rate cost savings, civilianization would free up police officers to meet minimum staffing requirements and reduce overtime costs.

<u>Position</u>	<u>Savings</u>	
	<u>8th Precinct</u>	<u>Department-wide</u>
Two Precinct Clerks	\$130,000	\$1,170,000
One Summons Office Supervisor	65,000	585,000
One Impound Desk Officer	65,000	585,000
One Time and Leave Officer	65,000	1,105,000 ²
Total	<u>\$325,000</u>	<u>\$3,445,000</u>

¹ The Administrative Chart (Chart 13) is a special chart that allows officers performing administrative functions to work a 4-day work week. All other police personnel in the precinct are assigned to the steady tour chart ("Chart Orange"), except for the commanding officer and deputy commanding officer who work a Monday through Friday schedule.

² A second time and leave officer at the precinct retired in 2004, and was replaced by a civilian employee. Our projections are based on at least two police officers assigned to time and leave duties in the other commands.

Findings and Recommendations

Civilianization of Precinct Clerk Position

Audit Finding (2):

We found no substantive difference in duties performed by administrative police officers and work normally performed by civilian clerical personnel. The duties carried out by these officers involve clerical duties that do not require the specialized skills of a police officer.

There is no civilian clerical assistance at the precinct. The two clerk-typists assigned to the precinct left within the past year and have not been replaced. As a result, work that could be efficiently performed by clerks, such as answering telephones and typing routine correspondence, has been assumed by the administrative police officers with the assistance of three crossing guards who work on a part-time basis within the precinct.

The duties currently being performed by police officers employed as precinct clerks that could be performed by civilian clerks include:

- accounting for: fingerprinting, accident reporting and bail money;
- verification and distribution of paychecks;
- crossing guard time and leave recordkeeping and scheduling school vacation assignments;
- coordination of parades;
- liaison to Department of Motor Vehicles and Information Systems;
- maintaining public and non-sensitive records;
- researching and preparing monthly reports for headquarters and maintaining records of correspondence, reports, departmental awards; and
- maintaining records of purchase requests and ordering supplies.

We found that the precinct has effectively used 3 crossing guards to perform some clerical tasks, such as payroll duties for the other crossing guards and assisting the officer assigned to summons duty. Crossing guards are required to work during the business day between crossings in order to “make-up” their regular workweek of 20 hours. However, the precinct has 65 other crossing guards who could be trained to do various clerical jobs during their required “make-up” time. These clerical jobs are now being performed by police officers. More efficient use of crossing guards could make more officers available for patrol, reducing the need for overtime.

We found that officers’ work schedules conflict with the administrative positions’ 5-day per week coverage requirement. These positions require two employees because coverage is required for Fridays and Mondays, but the officers work Chart 13, overlapping early and late shifts with a four-day workweek. Two police officers are therefore required to accommodate 5-day coverage, an additional inefficient use of police officer time.

Findings and Recommendations

Audit Recommendations:

The department should consider civilianizing the precinct clerk position. We recommend the department consider replacing the two police officers with police service aides or another appropriate civilian title. This would permit the police officers assigned to administrative tasks at the precinct to devote their time to police related matters and to make better use of the special skills for which they were trained. This will result in annual savings within the precinct of approximately \$130,000 in pay differential, exclusive of overtime. The seven other precincts and the highway patrol have similar positions which should also be evaluated for civilianization. We estimate that the savings from this initiative could be \$1,170,000 if applied throughout the department. There would also be overtime savings within the precincts by redeploying these officers back to patrol duties in order to meet the minimum staffing requirements.

If the precinct clerk position cannot be civilianized, the precinct should:

- a. consider negotiating the implementation of five day per week positions for police officers who perform clerical and administrative duties; and
- b. evaluate the use of crossing guards to perform clerical duties now performed by police officers.

Findings and Recommendations

Civilianization of Summons Office Supervisor

Audit Finding (3):

The Summons Office is responsible for coordinating data entry and related services following the issuance of accident reports and summonses within the precinct. Its functions include:

- entering information from approximately 4,000 accident report forms annually into the department's computer database;
- separating and distributing over 1,000 five part summonses per month to various recipients;
- compiling summons data for Nass-Stat;
- calling in moving violation information to the Communications Bureau transcribers for all summonses not called in by the issuing officer;
- tracking activity reports for all officers assigned to patrol duties; and
- transferring information to the various municipalities regarding road hazards.

The staff consists of one police officer, assisted by two part-time crossing guards, and a parking enforcement aide. A volunteer senior assists in the enforcement of handicapped parking violations.

It is unnecessary for a police officer to oversee the Summons Office functions because they are strictly clerical. The department should consider civilianizing the Summons Office supervisor position. This function could be performed by a civilian employee. The crossing guards assigned to the Summons Office could also assist in overseeing the Summons Office functions.

Audit Recommendation:

1. The Summons Office supervisor's position should be civilianized by:
 - a. replacing the police officer with an appropriate civilian title. This will result in annual savings of approximately \$65,000. Each of the seven other precincts and the highway patrol has similar positions which should be evaluated for civilianization. We estimate that the savings from this initiative could be \$585,000 if applied throughout the department. Additional overtime savings could be achieved within the precincts by redeploying these officers back to patrol duties in order to satisfy minimum staffing requirements; and
 - b. further use of the crossing guards and parking enforcement aides to assist in performing these duties in the office. An additional crossing guard could be assigned to assist the civilian employee with the sorting and mailing function for summonses.

Findings and Recommendations

Civilianization of Impound Desk

Audit Finding (4):

One police officer is assigned to the Impound Desk, with responsibility for coordinating precinct activity for abandoned and impounded vehicles, including stolen license plates.

Much of the work involved in the impound area involves writing letters to contact the last known owners of automobiles found abandoned. The precinct also has the responsibility for coordinating department auctions of impounded vehicles (the main impound lot is within the precinct at the Grumman facility). The officer also researches and validates operator licenses, car registrations and license plates that are under police review. Knowledge and certification in the use of the New York State Police Information Network (NYSPIN) is required in order to research information using license plate numbers; however, there is no requirement that a police officer must perform this clerical responsibility.

Audit Recommendation:

We recommend that either a police service aide, a parking enforcement aide or another appropriate civilian title replace the police officer performing this function. We anticipate this initiative could save approximately \$65,000 at the precinct. We understand that the seven other precincts and the highway patrol also employ police officers to perform this clerical function. If these police officers were replaced with civilian titles department-wide, savings of approximately \$585,000 could be achieved. Additional savings could be achieved in overtime costs with the redeployment of the police officers to patrol duty.

Findings and Recommendations

Civilianization of Time and Leave

Audit Finding (5):

One administrative police officer is dedicated to monitoring and maintaining time and leave records within the precinct. These duties include functions that do not require the special skills of a trained police officer and could be performed by a civilian. These functions include, among others, tracking approvals of time and leave, reviewing overtime requests, and data entry into CHIEF and maintenance of the department's manual time and leave record cards.

Audit Recommendation:

The department should consider the civilianization of this position, not only in the 8th Precinct, but in any command that has police officers handling time and leave duties. We recommend replacing the police officer with an accounting assistant II or another appropriate civilian title. This will result in annual savings of approximately \$65,000, exclusive of overtime, in the precinct. It is our understanding that there are at least two officers assigned to this duty in the other seven precincts as well as the highway patrol division. Therefore, we estimate that civilianization of these positions in all the precincts and highway patrol could result in savings of about \$1,105,000. Savings could also be achieved in overtime by redeploying these officers back to patrol duties.

Findings and Recommendations

Time and Leave

Audit Finding (6):

Processing of Employee Resignations

Two civilian employees resigned from the precinct during the period October through December 2003. One employee's termination was handled appropriately, with the final day at work being recorded as the day prior to termination in the Nassau Unified Human Resources System (NUHRS), and all paperwork was transmitted timely. In contrast, the termination paperwork for the second employee was not forwarded to the Police Department's Personnel and Accounting Bureau until we questioned why the employee's name remained on the precinct's timesheet.

We found, for this employee only, that the timesheet was improperly maintained because it did not contain any notations as to hours worked or leave status, and the employee remained in "active" status in NUHRS.

It is not prudent for the department to permit employees to remain on the payroll after their last day of work because the county may incur unnecessary costs, such as health insurance, holiday pay and additional leave entitlements. The employee received unnecessary compensation in the amount of \$4,142, consisting of health insurance coverage for an additional three months at a cost to the county of \$2,821, and four additional paid holidays and accrual of three days each in additional sick and vacation leave entitlements for the period October through January at a cost to the county of \$1,321.

Audit Recommendations:

1. The precinct should process resignations of employees as expeditiously as possible.
2. The county should develop a consistent policy regarding employee terminations. The policy should require that an employee's accrued leave be calculated as of the date of their last day of work and paid, if required, over three years as provided for in the Civil Service Employment Association (CSEA) collective bargaining agreement. The county should not permit employees to use their entitlements to remain on the payroll. This practice results in additional costs, particularly for health insurance, additional holidays and leave accruals.

Findings and Recommendations

Crossing Guards

Sixty-eight crossing guards were assigned to the 8th precinct as of December 31, 2003. Most crossing guards work a 20-hour week and use a call-in system to report their attendance when schools are in session.

Audit Finding (7):

Maintenance of Crossing Guard Time and Leave Records

A payroll ledger is manually maintained to track part-time employees' hours and is entered into the NUHRS system at the precinct level; therefore it is essential that adequate records are maintained. We found that:

- time records are inadequately maintained to track crossing guard attendance and to properly support the payroll for crossing guards assigned to various commands during school breaks;
- sign-in sheets are used during school vacations for crossing guards who report to the precinct house, but not retained by the precinct; and
- the crossing guards do not use the Comptroller's Time Sheet, as do the other civilian employees of the precinct.

We reviewed the timekeeping records for one day, February 19, 2004, during the winter school recess. According to the written directive from the Chief of Patrol, three of the 68 guards were officially assigned to other commands for the Winter Recess 2004. We noted the following discrepancies with regard to the 65 remaining crossing guards:

- We were unable to account for the whereabouts of 26 of the 65 crossing guards assigned to the precinct. We found the status of each guard as follows:

<u>Number of Crossing Guards</u>	<u>Status</u>
18	Signed in
2	Signed in and working in Summons Office
19	Paid Vacation Leave
<u>26</u>	Unknown
<u>65</u>	

The precinct was unable to provide attendance documentation for the 26 employees.

- The sign-in sheet for February 19, 2004 was a handwritten list of employees who signed in for the day rather than a preprinted roster listing all crossing guards

Findings and Recommendations

assigned to the precinct. This procedure does not make it readily apparent who is absent and the reason for their absence.

- We later requested sign-in sheets for additional days within the same payroll period to compare against the payroll, but were advised that the precinct does not retain this document after the pay period has closed. Destruction of these records is not in compliance with the State Education Department's Records Retention and Disposal Schedule used by counties³. Employee's time cards, sheets or books must be retained for six years.
- We verified that crossing guards who did not sign the timesheets or who did not utilize leave time were still paid. A review of the Comptroller's payroll documents reflects that all guards, including the 26 employees who were unaccounted for, were paid 4 hours for February 19, 2004. We estimate the cost of this one day of overpayment at \$2,120.
- The crossing guard who enters time also inputs payroll information directly into the county payroll system (NUHRS) for all crossing guards, including herself. There is no oversight by any supervisory member of the command regarding the entries made to ensure that the payroll information is entered correctly.

In addition to the serious weaknesses in internal control identified above, we noted instances where the payroll records did not agree to the information on the attendance sheets.

- On March 8, 2004, we were given a listing taken from the payroll book, which was the source document for the pay period dates February 16-20, 2004. Several entries appeared to be overwritten from "V" for vacation to "4", indicating four hours worked. We also found two instances of entries clearly marked with "V" which were not charged to the employee's time in NUHRS.
- For February 19, 2004, two employees were charged vacation, who did, in fact sign-in on the attendance sheet.

We also inquired as to time records available for the Christmas/New Year's break in order to expand the test; however, the precinct did not retain any time records other than the payroll ledger book.

Audit Recommendations:

1. The precinct should revise its sign-in/out procedures so that the attendance status of each crossing guard is accounted for.
2. Timesheets should be retained for a period of six years.

³ Records Retention and Disposition Schedule CO-2 Fiscal/Payroll Section #376 p. 105

Findings and Recommendations

3. Crossing guards should be paid only for the number of hours worked or for entitlements taken.
4. The department should take steps to ensure that an appropriate level of supervision is in place regarding the input of the crossing guard payroll information, as well as all civilian employee payroll information.
5. The hours worked per the attendance records should agree to the hours worked per payroll records.

The department should review and consider adopting the procedures followed by the 3rd Precinct which require the crossing guards to maintain their time on a time record sheet. This time record sheet provides the time and place of their assigned crossing as well as any make-up time required for each crossing guard. It also requires an affirmative attestation of time worked and a supervisor's signature. The sheets would eliminate the manual record keeping required by the data entry person at the precinct as the sheets would serve as the source document for the payroll.

Findings and Recommendations

Supervision of Crossing Guards

Audit Finding (8):

The Chief of Patrol Division has historically issued an order assigning crossing guards to various commands during school breaks, such as winter recess. It is apparent that many more crossing guards are assigned to the 8th Precinct than can reasonably be utilized during school breaks. We noted that use of crossing guards during school breaks was not adequately planned or supervised to ensure an effective use of resources. On February 19, 2004, we observed that many of the guards in attendance did not appear to be performing any work and were apparently waiting for work assignments.

We were advised by the precinct clerk who confirmed with a senior officer that it has been the long-standing practice of the department to assign all the crossing guards who wish to work during the school breaks. However, this assignment does not appear to be mandatory because:

- The Labor Relations Office of the department advised the auditors that there is no written opinion on any requirement to provide continuous summer and vacation employment for crossing guards.
- Rather than receiving full pay for periods when there is little work to perform, the guards could be placed on standby as provided for in the CSEA contract. The guards would then receive standby pay, defined as a maximum of two hours pay per day.

All of the crossing guards assigned to the precinct were paid for four hours per day. If there was no work for them to perform they should have been placed on standby status and paid for only two hours per day.

Given the difficulty in assimilating a large number of additional employees on a single day, the precinct exacerbated the problem by allowing the crossing guards to condense the workweek from 5 four-hour days into 4 five-hour days and having them all come in on the same four days. The crossing guards were then paid for 20 hours but with less benefit to the county. The officer in charge of the crossing guards indicated the crossing guards were not required to come in on Friday, February 20, 2004, as their 20 hour work requirement was completed by Thursday, February 19, 2004. This change in work schedule was done on an unofficial basis, without proper orders being issued.

The precinct could reduce salary expense by either ordering crossing guards off duty during school breaks or by ordering them to be on standby. For example, if crossing guards were paid standby for a week of school vacation, instead of their normal pay, there would be a savings of approximately \$14,000 in salary expense for the week.

Findings and Recommendations

Audit Recommendations:

The department should determine the feasibility of:

1. surveying each precinct to assess needs prior to assigning crossing guards to precincts during school vacations. We find that it is not feasible that a command can assimilate up to 65 unassigned crossing guards for a week, without having definite work available;
2. supervisors planning work ahead of time for crossing guards who are ordered to report to duty at the precinct during school breaks;
3. placing excess crossing guards on standby or not employing them at all during vacations if it is determined that it is not necessary to require each crossing guard to report for duty; and
4. having the crossing guards report to other areas of county government that may have specialized short-term projects which require assistance.

Any changes in the employee's tour of duty, such as changing the number of days worked per week should be adequately documented, and authorized. Changes should also be evaluated for benefit to the county.

The department should request a written opinion from the County's Office of Labor Relations regarding the necessity of employing crossing guards during school vacations.

Findings and Recommendations

Commanding Officer and Deputy Commanding Officer Timesheets

Audit Finding (9):

Departmental policy requires that attendance records be maintained for all officers, including those above the rank of lieutenant. The precinct, however, did not maintain an attendance record for either the commanding officer or the deputy commanding officer.

The precinct provided a record of the commanding officer and the deputy commanding officer's time in the form of a "managerial time record" sent to the supervisors at the Patrol Division. However, rather than being a record of time worked, it outlines their work schedules for the upcoming week.

We noted several deficiencies in the use of this form as a time record, including:

- it is a schedule of time to be worked, rather than time actually worked;
- there were no notations as to the reason for extended hours or changes to the tours indicated on the forms;
- there were no attestations by the commanding officer or deputy commanding officer, or certifications by a superior officer as to the time worked; and
- the use of military time eliminates confusion between a.m. and p.m., but it was used inconsistently.

Audit Recommendation:

The precinct commanding officer and deputy commanding officer should submit time records in accordance with departmental policy. The managerial time record used to report anticipated work schedules should not be used as a replacement for a record of time actually worked.

Findings and Recommendations

Automotive Mechanics Time and Leave Certification

Audit Finding (10):

There are two police automotive mechanics assigned to the precinct. However, these employees do not report to precinct management. The mechanics call in to the Fleet Services Bureau to report their attendance. The Fleet Services Bureau processes their time and leave, schedules their shifts and administers their sign-in sheets.

Approval of time sheets includes a statement signed by a Fleet Services Bureau employee certifying that all the employees included on the timesheet have worked the “daily and total time indicated”. However, there is no certification of these employees’ time at the precinct level. The Fleet Services Bureau employee certifying the timesheet works in a different location, and most likely cannot observe whether the employees were present during the hours they recorded.

Audit Recommendation:

All personnel working at the precinct, in direct support of the precinct, should report through the commanding officer for the purpose of time and leave. Their time should be certified by a precinct employee who is in a position to monitor their attendance.

Findings and Recommendations

Incomplete Time and Leave Records

Audit Finding (11):

The precinct's Time Record Book is maintained by the signal monitor and is used to record the duty status of all officers assigned to the precinct. However, it is not a complete record of the officer's entire time on duty and off duty. The Time Record Book only shows when officers are signing on duty at the start of their tour. It does not indicate when officers on Chart Orange (patrol duty schedule) sign off duty at the end of their tour or when officers who are excused for part of their tour leave their posts. The only time off duty is indicated is when an officer is working overtime beyond their regular tour of duty. As a result, the precinct may not have an accurate record of the actual off duty times of their officers, and leave times cannot be matched to leave slips.

Audit Recommendation:

The duty status of all officers should be recorded; including the beginning the shift time and the ending shift time.

Findings and Recommendations

Technology Issues

Audit Finding (12):

Inability to Identify and Locate Hang Up Calls

The telephone technology used by the precinct does not include caller ID, a feature readily available to the general public. The front desk at the 8th Precinct does not have access to Automatic Number Indicators (ANI) or Automatic Location Indicators (ALI), as does the 911 Center at the Police Communications Bureau. These features would permit the precinct to identify the telephone number of the caller as well as the location of the telephone.

The department has a specific protocol in the event that a 911 caller, or a person who calls the precinct directly, hangs up before completing the call. It requires that two patrol cars be dispatched to check on the caller. The lack of current caller identification technology impedes the precinct's efforts in assisting 911 to respond to hang up calls as they cannot tell the location the call was made from.

Audit Recommendation:

The department should update its telephone system to include "caller ID". The caller ID system should include the ANI/ALI features in its phone system so that callers can be quickly identified and hang up calls can be investigated to determine whether an emergency exists.

Findings and Recommendations

Manual Compilation of Computerized Records

Audit Finding (13):

We found that there appears to be significant reluctance to rely on the use of computer technology to track monthly statistics; manual and computerized work processes are both still required by precinct administrators. For example:

- The crossing guards working in the summons office maintain manual lists, in large ledger books, of all accidents, and moving violations and parking violations summonses issued in the precinct. In addition, the crossing guards enter accident and moving violation data into the police mainframe computer system.
- At the end of each month, one of the crossing guards manually compiles lists of accidents for the Traffic Safety Unit and moving violations for Nass-Stat. The manual method of compiling lists is prone to counting errors. This information is already contained in the computer system.
- The summons office clerk manually prepares a list of High Accident Frequency Locations (HAFL) to track the most frequent accident locations in the precinct. This information can be extracted from the computer system.
- The Summons Office maintains manual records of patrol officers' activities that are entered into a Microsoft Access database. This process involves unnecessary manual record keeping, especially involving counting of reportable incidents. The information entered includes a breakdown of the type of arrests, number of case reports filed, as well as totals on other information tracked by the precinct commander. This information could be entered directly into the computer without preparing manual lists.

It is our understanding that similar work processes and procedures are in place at the other precincts and Highway Patrol.

Audit Recommendations:

1. The precinct, through the department's Information Technology Unit and the Traffic Safety Unit, should work to eliminate the manual work and streamline processes for recording, tracking and summarizing traffic related and employee productivity data.
2. We recommend that all summons information be entered onto the department's database, and that computerized management reports be generated so that there is no need to prepare manual lists.

Findings and Recommendations

Use of Handheld Ticket Writers

Audit Finding (14):

In 2003, the precinct issued 10,570 parking tickets. The precinct has been provided with handheld ticket writers, which are computers and printers used to issue and record ticket data. The use of the handheld devices:

- eliminates the possibility of summons being dismissed because of illegibility;
- saves manual labor by allowing ticket data to be downloaded, rather than input individually, into the police and Nassau County Traffic and Parking Violation Agency computer systems; and
- eliminates the possibility of keypunch errors in inputting ticket data.

We noted that handicapped violations are also issued with the assistance of volunteer seniors who photograph the vehicles. The summons office researches information needed regarding the registration of the vehicle and issues the summons. The summons is issued either by the police officer assigned to the office or by a parking enforcement aide assigned to the office.

The parking enforcement aides stated that there are limitations in the effective field use of the handheld ticket writers:

- The largest area for ticketing is in the Village of Farmingdale (Farmingdale has the most public parking in the 8th precinct), with tickets returnable in the village court. The Village of Farmingdale has chosen not to accept the printed format produced by the handheld ticket writers; and
- The handheld ticket writers do not work well in below freezing temperatures and is awkward to hold while printing.

In addition, we found that the parking enforcement aide who writes the tickets for violations of the handicapped parking rules submitted by the senior citizen volunteers handwrites the tickets rather than using the handheld ticket writer.

Audit Recommendations:

The department should:

- a. work with the various villages and county courts to determine if a uniform format could be adopted for tickets printed by the handheld ticket writers; if a uniform format cannot be adopted, work with the vendor to determine if the machines can be modified to print various ticket formats required by village courts as well as the Nassau County court system;

Findings and Recommendations

- b. review the issues raised regarding machine ergonomics and operability in adverse weather conditions with the end-users as well as the vendor; and
- c. use the handheld ticket writers to issue handicapped parking violations issued in the summons office.

Findings and Recommendations

Computerization of Impound Correspondence, Records, and Other Forms

Audit Finding (15):

We found that data residing in the department's CHIEF computer system is not being efficiently used to generate forms, letters, lists, and management reports. Hand writing forms is more time consuming than generating forms by computer and handwritten forms frequently must be deciphered and are susceptible to misinterpretation..

Examples of areas where efficiencies could be gained include:

1. Impound Clerk

Much of the work of the impound clerk involves researching and processing abandoned or impounded automobiles, such as:

- data entering information into the department's computer system;
- writing initial letters and follow-up letters to the last-known owner of the vehicle;
- manually completing and submitting Abandoned Vehicle Forms "PDCN105" and the Motor Vehicle Enforcement Form "PDCN109" for the confiscation of driver's licenses, car registrations or license plates; and
- coordinating the sales of all impounded vehicles for the department.

Once the information is entered into the computer it should not have to be manually entered into forms or retyped on letters.

Impounded cars present unique legal situations, such as the need to ensure that owners have clean title, and it is important that the records are maintained clearly and concisely. We were advised that entries are made into the department's database regarding impounded vehicles and that a list of impounded cars is also maintained manually. This is a duplicative process that is prone to error by the personnel responsible for maintaining these lists.

2. Patrol Officers

Patrol officers who detect suspended or revoked licenses may issue summonses and take other actions. If the officer decides to confiscate or seize the license, registration or plates, the patrol officer has to handwrite the required PDCN 109 form. Additionally, a defendant charged with unlicensed operation of a motor vehicle may request the officer to provide a PDCN 93B "Supporting Deposition/Bill of Particulars – Aggravated Unlicensed Operation", which is also handwritten.

Findings and Recommendations

Audit Recommendation:

The precinct should request that the department's Information Technology Unit provide support to build or enhance applications in order to permit the data residing in the database to be used on a department-wide basis. In this way computerized management reports or lists, completed forms, and form letters could be generated.

Findings and Recommendations

Lack of Data Interface

Audit Finding (16):

All of the data needed to be input for the Nass-Stat PowerPoint presentation, a biweekly audiovisual presentation of crime statistics and trends, is compiled and entered manually, using a form entitled “major crime identifier sheet.” Crime data is also input into the county’s Geographic Information System (GIS) database. The Swift Justice System is the source of the data, but the department does not have the ability to download information from Swift Justice, or other applications on the department’s wide-area network, in order to eliminate the manual compilation of data. Manual compilation may be prone to error and data manipulation.

Audit Recommendations:

The department is currently considering a number of systems to replace the Swift Justice System. Any replacement system should include features that provide the ability to:

- download information from the system into Nass-Stat;
- interface with the county’s GIS system;
- download crime data from the department’s wide-area network; and
- produce reports that are usable by the department’s commanders and the administration.

The department should not have to rely on manual methods of compiling data for crime statistics. We recommend that this be addressed by the Technology Review Committee of the department.

Findings and Recommendations

Department Website Information should be Updated and Improved

Audit Finding (17):

We found that information on the department's Web site should be updated and improved to provide better instructions to the public for contacting the department and should contain more public information and education. It could also be improved by adding accurate public safety and other information useful to the community. For example, the Web site instructs callers to contact the precincts directly in non-emergency situations. Many of these calls, such as reports of vandalism, require a response by a patrol car, although not necessarily immediately. The front desk officer who answers the call at the precinct has no authority to dispatch one of the sector cars. All requests that require a police response have to be entered into the 911 dispatch queue by the signal monitor, or if the precinct is busy, the caller is told to call 911 directly. Therefore, the Web site's instructions to contact the precinct create an unnecessary step in the process.

The Web site lacks information that may be useful to the public. A departmental Web site can be a powerful tool for reaching out to the community and making suggestions about how to prevent domestic violence; how to declare a youth a person in need of supervision; and other suggestions that would improve the community's quality of life. For example, Albany's Web site has information on how to declare a minor a "Person in need of Supervision" and has links to other crimes against children task forces. Other Web sites include anti-domestic violence information, as well as safety tips about home, vehicle and personal security. The department's Web site does not contain similar information.

Certain 911 calls result in an unnecessary expense and might be reduced through educating the public. For example, we found that 19%, or 8,658, of the total dispatches handled by the 8th Precinct as of October 2003 represent responses to burglar alarms and 911 hang ups. These each require investigation by two officers. We had previously commented in our review of the Police Communications Bureau, issued in January 2004, that these types of calls represent an expense that can be controlled through active education of the community. The department's Web site, however, does not include information to:

- assist the public in making their homes and businesses more secure and their alarm systems more resistant to accidental activation; or
- instruct the public not to hang up on 911 calls and educate them as to the unnecessary costs incurred and the exposure of safety risks to the responding officers.

We also previously found that the department does not use a 311 telephone system (a phone system for government information and nonemergency services) to provide a multidepartmental response to safety and quality of life issues that do not necessarily require a police response. An example of this would be the use of the 311 system to transfer information on road hazards. The 311 system, when used in conjunction with a

Findings and Recommendations

Geographic Information/Geographic Positioning System (GIS/GPS), could provide for centralized analysis and processing of service requests by civilian workers. Requests for service can also be tracked and evaluated for interagency coordination and follow-up.

Audit Recommendations:

The department should:

1. offer consistent and accurate instructions to the public on its Web site. We reiterate that 911 should be used for true emergencies and urge the public to use the precinct for situations where an immediate police response is not required. We recommend that the department consider changing its protocol to permit precincts to dispatch patrol cars in non-emergency situations.
2. enhance its Web site to educate the public regarding the implications of faulty burglar alarms and 911 hang up calls and other topics pertaining to the community.
3. give consideration to using a 311 telephone information reporting system to obtain information from the public regarding needed repairs to roads and signs. Repair requests could then be coordinated and processed elsewhere in the county by civilians, rather than at the precincts by police officers.

Findings and Recommendations

Lack of Automatic Vehicle Locator Technology

Audit Finding (18):

As we noted in our audit of the Police Communications Bureau, issued in January 2004, the department does not utilize Automatic Vehicle Locator (AVL) technology as a tool to continuously identify the location of every vehicle on patrol. AVL will allow management to:

- confirm that officers are appropriately on patrol in their sectors;
- allow supervisors in their vehicles to monitor the locations of their subordinates;
- enable the department to dispatch the nearest available officer to an incident; and
- help ensure officer safety by monitoring their locations without the officer's assistance.

Audit Recommendation:

The department should consider the feasibility of installing AVL technology to enhance the safety of the officers and allow management to more easily monitor the locations of patrol officers. This AVL technology should include devices in the supervisors' cars to allow them to properly monitor their subordinates' locations in the field.

Findings and Recommendations

Communication Bureau Backlogs

Audit Finding (19):

We were advised by the precinct desk officers that due to the transcription backlogs at the Communications Bureau, many officers are frustrated in calling in their incident reports to the Case Offense Section after responding to a call. This condition was previously noted in our audit of the Police Communications Bureau issued in January 2004.

Officers reported waiting as long as 45 minutes to complete a call to the Case Offense Section of the Communications Bureau. Most officers use their personal cell phones to call in reports instead of the department's outdated, outdoor call booths which are often out of order and expose the officers to inclement weather. While patrol cars are equipped with Mobile Data Terminals, they are of limited use in transmitting information.

Audit Recommendations:

The department should upgrade its technology so that officers can spend less time transmitting their incident reports to the Case Offense Section. It should consider replacing the Mobile Data Terminals, which are over 20 years old, with a computerized system that would enable the officer to key in reports automatically to the desk officer for review and electronic approval by the desk supervisor. This would also eliminate the need for a data entry component in the communications area, thereby allowing the Communications Bureau to focus on incoming 911 calls. The technology is available for use by police departments that would allow instant messaging applications to be deployed on devices such as Personal Data Assistants, and data enabled mobile phones.

In the interim, the department should review staffing levels at the Case Offense Section with a view toward reducing or eliminating the waiting time for officers to complete their calls.

Findings and Recommendations

Administration/Operations

Lack of Written Administrative Procedures

Audit Finding (20):

There are six officers assigned on a full time basis to various administrative responsibilities inside the precinct: two precinct clerks, one time and leave officer, a precinct crime analyst, a summons clerk and an impound clerk. In addition to these officers, there is one sergeant overseeing the administrative operations of the precinct.

There are no written procedures available for the six officers who perform administrative duties within the precinct. For example, the time and leave officer, as well as the precinct clerks, stated they learned their responsibilities on the job. In early 2004, the crime analyst and the impound clerk were new to their positions. Both new officers only had handwritten notes that they made based on informal training by their immediate predecessors. A system where training is done only by the incumbent can result in inconsistent levels of knowledge of the various positions. Relying on one individual for training a replacement could leave the department at risk if the incumbent is not available to train the replacement.

Audit Recommendations:

The precinct or department should promulgate written procedures for duties performed in administrative areas, such as time and leave.

Findings and Recommendations

Delay in Removal of Abandoned Vehicles

Audit Finding (21):

Abandoned cars create a safety hazard, diminish the aesthetics of the neighborhood and should be removed as quickly as possible. New York State Vehicle and Traffic Law Section 1224 defines the circumstances and timeframes under which a vehicle may be deemed abandoned (depending on the circumstances, this can occur from more than 6 to more than 96 hours after the vehicle was left unattended).⁴ The removal of abandoned vehicles is the responsibility of the local municipality.

We were advised by an impound officer that the time between the requesting of removal of an abandoned car and the removal of the vehicle could exceed four weeks. The process is generally started by a patrol officer filling out an Abandoned Vehicle Form (PDCN105), or by a citizen calling the 911 system. After research is done to attempt to determine the last known owner of the vehicle, a letter is sent to get the owner to remove the vehicle. If after approximately three weeks, the owner has not complied, the precinct will send a second letter. If there is still no compliance, a request is then made to the local municipality to remove the vehicle.

Audit Recommendations:

1. The department should reconsider its policy of waiting three weeks before sending a second warning letter to the last known owner.
2. Because reports to the 911 system of abandoned vehicles are generally not emergencies we also recommend that the process for identifying abandoned vehicles, whether on the street or on private property, be incorporated into a 311 notification system, which will promptly advise both law enforcement and the local municipality of the vehicular hazard. This use of 311 will permit 911 operators to concentrate on emergency calls and should also reduce the paperwork necessary at the precinct to notify municipalities of these vehicles.

⁴ New York State Vehicle and Traffic Law Section 1224

Findings and Recommendations

Unlicensed/False Burglar Alarms

Audit Finding (22):

The impound officer is responsible for coordinating with the Communications Bureau and precinct personnel for enforcement actions against the precinct's unlicensed burglar alarms and against locations that have a high frequency of false alarms. The Communications Bureau informs the property owner that the property has been placed in no response mode and that a fine has been imposed. "No response" means that the Communications Bureau will no longer dispatch a car to the location when an alarm call is received. Either the precinct's Problem Oriented Policing or regular patrol officers are then supposed to contact the owners of those locations to obtain their cooperation in rectifying the problem.

We reviewed a list received from the Communications Bureau, dated November 21, 2003, placing 171 alarm locations within the precinct into a "no response" mode. There was no indication of any action taken to ensure that these premises apply for a permit, or repair the condition that led to the false alarms. We noted that the outstanding fines on these locations ranged from \$25 to \$650. Using an average amount due of \$50, we estimate that these outstanding fines represent a minimum of \$8,550 in uncollected revenue for the county.

Audit Recommendations:

1. The precinct should consider developing an action plan to obtain owner's cooperation in properly licensing alarms, fixing faulty alarms, and paying fines that were imposed. This could include sending form letters to those owners whose premises have been placed in "no response" mode, informing them that the police will no longer respond to alarms and encouraging them to correct the condition that resulted in the "no response" status.
2. The department should consider holding the alarm company responsible for ensuring that all their clients' alarms are properly licensed. The alarm company could be made responsible for billing, collection and remittance of alarm fees to the county, and be required to suspend service to the property owner who is not in compliance.

Findings and Recommendations

Crime Analysis Nass-Stat

Audit Finding (23):

One of the County Executive's key initiatives for crime reporting is Nass-Stat, which is a manual system that isolates and analyzes all incidents of crime for a proactive approach to crime prevention. All incidents occurring within the precinct generate case reports from the Swift Justice System which are compiled on a daily basis and distributed to the precinct commanders for review. The most serious incidents are selected for inclusion in a biweekly Nass-Stat audiovisual presentation of crime statistics and trends within each precinct. Information regarding major crimes is also entered into a database using the county's GIS system to analyze crime trends and patterns.

For a statistically based system such as Nass-Stat to have maximum utility, the selection of the data included should be based on the same criteria on a countywide basis. Therefore, it is essential that the personnel involved in this analysis receive adequate training so that the assumptions and methods used to identify and report on crime trends are the same across all commands.

We found that the officer designated to serve as the crime analyst for the precinct has responsibility to review the daily case reports and identify which incidents should be included in Nass-Stat. However:

- there are no written procedures or guidelines in place, either at the precinct or departmental level, for how this analysis is to be performed;
- there is no formalized training available for the crime analysts; and
- the officer's judgment is used in selecting cases for inclusion.

In the 8th Precinct, a new police officer recently assumed the crime analyst position. The training consisted solely of that given by the previous officer who held the position. As a result, officers may be applying different sets of selection criteria to the development of each precinct's Nass-Stat report and presentation.

Audit Recommendations:

1. The department should develop written policies, procedures and criteria to be used in selecting incidents to be included in crime statistics for Nass-Stat.
2. All personnel involved in the compilation and reporting of Nass-Stat data should receive sufficient training in the identification of crime statistics to be included, compilation of reports, and presentation techniques, so that all precincts are reporting their statistics in a consistent manner.

Findings and Recommendations

Record Retention

Audit Finding (24):

There are no written directives regarding the storage and disposal of records within the command. There are files stored within the precinct, for accidents, summonses and officer activity, which may have been saved for a longer period than required.

Specific records must be kept for predetermined periods of time. For example:

- traffic and parking violations records are to be retained for two years after any litigation has been completed; and
- accident records are to be retained for six years or three years after the youngest individual attains the age of 18.⁵

Storage of unnecessary records inefficiently uses scarce space resources of the precinct. Necessary records can also be unintentionally destroyed because of improper storage. We also found that records are stored in the garage where they are exposed to the elements.

Audit Recommendations:

- a. The precinct should request the assistance of the Police Records Bureau on the proper disposal of outdated records and proper storage of records that must be retained.
- b. The department should issue directives to provide the precincts with guidance on record retention that conforms to the retention time frames established by the New York State Division of Archives and Records Management.

⁵ Records Retention and Disposition Schedule CO-2 – Law Enforcement Vehicles #1



LIMITED OPERATIONAL REVIEW

Of the

NASSAU COUNTY POLICE DEPARTMENT

8th PRECINCT

POLICE DEPARTMENT RESPONSES

James H. Lawrence
Commissioner
December 9, 2005

LIMITED OPERATIONAL REVIEW

Of the

NASSAU COUNTY POLICE DEPARTMENT

8th PRECINCT

POLICE DEPARTMENT RESPONSES:

AUDIT FINDING (1):

Recommendation:

- a. The cited cost-benefit analysis is not within the purview of the Police department. It is conducted by the civilian administration with police input.
- b. Renegotiation of minimum manning and other contractual work rules is an ongoing process; however it is a function not wholly within the province of the police department and is subject to the vagaries of the collective bargaining process and arbitration mandates.
- c. The monies have been appropriated for the outside consultant

Auditor's Follow-up Response:

- a. *The department, the administration and consultant(s) should perform the cost-benefit analysis jointly. We recommended that the department monitor the data and assumptions used for accuracy and reasonableness.*
- b. *We agree that changes in minimum staffing requirements and other work rules must be negotiated. We reiterate our recommendation that the department continue to negotiate these changes.*
- c. *We are pleased that the funds have been appropriated and recommend that the department and the administration engage the consultant as soon as possible.*

AUDIT FINDING (2):

Recommendation:

Three administrative positions in each of the eight precincts were civilianized in accordance with a Memorandum of Agreement (MOA) with the PBA dated November 3, 2004. One of the two precinct clerk positions was part of this effort. As per this MOA, 5 administrative positions remain in each of the precincts including one precinct clerk, one administrative clerk, one time office clerk, one impound clerk and one crime analyst. A copy of both civilianization MOA can be provided to the Comptroller's office.

- a. Administrative officers already work a negotiated four day, nine hour work chart; and
- b. Crossing guards can only perform duties as they relate to their specific duties. Assigning them work outside their job specifications would open the County to a complaint of out of title work.

Appendix 1

Auditor's Follow-up Response:

We are pleased that the MOA between the department and the PBA allows for the civilianization of one of the two precinct clerk positions in each precinct and recommend that the department continue to negotiate the civilianization of the other clerical positions.

Our audit recommendation called for the administrative officers to work a five-day week. We reiterate that the department should negotiate the implementation of a five-day workweek schedule for police officers who perform clerical and administrative duties.

The department maintains that crossing guards can only perform duties as they relate to their specific duties. However, we found that the precinct is already using three crossing guards to perform clerical duties involving payroll and summons processing. In addition, the department's response to Audit Finding (8) appears contradictory. It states "Presently all police department units are surveyed to determine their crossing guard clerical needs during the school breaks. The precincts are tasked with meeting the real work needs in the precinct and assigning crossing guards as such. Should the command have more crossing guards choosing to work then there are precinct jobs, the surplus crossing guards are then assigned to the outside units." We reiterate our recommendation that the department address the use of crossing guards during make up time. The department should use a process similar to the process used during school breaks, described above.

We recommend that the department make effective use of the crossing guards down time by training them to perform various clerical functions.

AUDIT FINDING (3):

Recommendation:

The summons officer position was civilianized.

Auditor's Follow-up Response:

We concur with the actions taken by the department to civilianize the summons officer position and reiterate our recommendation that the department make further use of crossing guards to assist the civilian employee.

Appendix 1

AUDIT FINDING (4):

Recommendation:

After meeting and conferring with the PBA as required by the Interest Arbitration Award, agreement was not reached on civilianization of this position. Additionally, this position also has an investigative component to determine if criminality is involved. This function is not suitable for a civilian.

Auditor's Follow-up Response:

We recommend that the department consider separating the investigative functions from the clerical functions. It should then negotiate the civilianization of the clerical functions.

AUDIT FINDING (5):

Recommendation:

One of the two police officer positions in the time office was civilianized in each of the eight precincts and highway patrol as well as a variety of other commands throughout the department.

Auditor's Follow-up Response:

We concur with the actions taken to civilianize one of the positions and recommend that the department continue to negotiate the civilianization of the second position.

AUDIT FINDING (6):

Recommendation:

The employee in question resigned effective 1/20/04. She used up her entitlements from October 20th through January. There is nothing that prohibits employees from using their accrued time, and the three other unions (PBA, DAI, and SOA) explicitly allow members to use all accrued time prior to retirement, while they continue to accrue additional leave time. The resignation was processed in an expeditious manner.

Auditor's Follow-up Response:

CSEA employees cannot use up all their accumulated time without management's authorization. We reiterate our recommendation that the county establish a consistent, county wide, policy regarding employee terminations to eliminate situations where employees are not afforded equal treatment. The ability to use up all leave entitlements prior to resignation results in an unnecessary expense to the county.

Appendix 1

AUDIT FINDING(7):

Recommendation:

1. The 8th Precinct has revised its sign in procedure for Crossing Guards.
2. Recess timesheets (same as regular timesheets) are now being retained for six years.
3. Crossing Guards have consistently been paid accurately. There have been no overpayments.
4. The Administrative Supervisor now reviews the NUHRS payroll for Crossing Guards.
5. We agree.

Auditor's Follow-up Response:

We concur with the corrective actions taken by the department and reiterate our recommendation that the time sheets include an employee certification. Our audit could not substantiate the department's assertion that crossing guards have consistently been paid accurately and that there have been no overpayments. We could not do so because:

- *the precinct destroyed sign-in sheets after the end of each pay period;*
- *there was no supervisory oversight over the entry of payroll information into NUHRS; and*
- *on the day we conducted our test, we could not account for the whereabouts of 26 crossing guards who should have been present at the precinct although they were credited with a days work in NUHRS.*

We stand by our finding that there was no documentation for salary payments totaling \$2,120 to the 26 crossing guards. .

AUDIT FINDING (8):

Recommendation:

- a., b., c. Presently all police department units are surveyed to determine their crossing guard clerical needs during the school breaks. The precincts are tasked with meeting the real work needs in the precinct and assigning crossing guards as such. Should the command have more crossing guards choosing to work then there are precinct jobs, the surplus crossing guards are then assigned to the outside units.
- d. Inherent difficulties in the assignment of these crossing guards to outside units or other county agencies involve issues of out-of-title work and the feasibility of fiscal reimbursements from units/agencies not within the Police District budget.

As per the CSEA Contract dated January 1st, 2003 Section 46-1 Sub C reads:

Appendix 1

"A Crossing Guard who actually works more than two (2) hours shall receive a minimum of four (4) hours of compensation."

All of our school crossings exceed two (2) hours daily; therefore, the Crossing Guard is paid four (4) hours each day or twenty (20) hours a week. This amount may be adjusted upward if a specific crossing exceeds twenty hours a week. If a crossing exceeds two hours daily but is less than twenty hours a week the guard is required to make up the hours performing related duties. By contract Section 46-1, Crossing Guards are full time employees and are employed year round. Therefore, they are offered twenty (20) hours of work which include summer school crossings and related duties.

Auditor's Follow-up Response:

We do not agree with the department's response a,b,c. As stated in the finding, on February 19, 2004, we observed that many of the guards in attendance did not appear to be performing any work and were apparently waiting for work assignments. Therefore it did not appear that surplus crossing guards were assigned to the outside units.

We reiterate our recommendation that the department consult with the Office of Labor Relations. The Office of Labor Relations informed us that there is no requirement to provide continuous summer and vacation employment to crossing guards.

AUDIT FINDING (9):

Recommendation:

Management Analysis and Planning (MAP) has written a more formalized department procedure requiring all members of the police department to sign on and off duty. Specifically ADM 4205 Signing On/Off Duty, this procedure was written to comply with the Nassau County Department of Human Resources policy to maintain accurate, timely, and verifiable attendance records for all employees. MAP will be getting final police department approval in January 2006 during our "Chief Review" process. Once this is completed the Commissioner of Police will sign the procedure and it will be distributed to all members of our department.

At the time of this audit the Commanding Officer and Deputy Commanding Officer were signing on duty using the precinct time record.

Auditor's Follow-up Response:

We concur with the corrective actions taken by the department.

Appendix 1

AUDIT FINDING (10):

Recommendation:

The department agrees that precinct mechanics should sign in and out of precinct civilian time sheets that should be certified by the precinct Administrative Supervisor or his designee. The transferring of the administration of all precinct mechanics time and leave records from Fleet Service Bureau to the precincts will be reviewed for implementation consequences. If none are uncovered, the department will perform the transfer.

Auditor's Follow-up Response:

We concur with the department's initiative to review the consequences of transferring the administration of precinct mechanic time and leave records from the Fleet Service Bureau to the precincts. Precinct oversight will result in strengthened internal control.

AUDIT FINDING (11):

Recommendation:

Management Analysis and Planning (MAP) has written a more formalized department procedure requiring all members of the police department to sign on and off duty. Specifically ADM 4205 Signing On/Off Duty, this procedure was written to comply with the Nassau County Department of Human Resources policy to maintain accurate, timely, and verifiable attendance records for all employees. MAP will be getting final police department approval in January 2006 during our "Chief Review" process. Once this is completed the Commissioner of Police will sign the procedure and it will be distributed to all members of our department.

Auditor's Follow-up Response:

We concur with the corrective actions taken by the department.

AUDIT FINDING (12):

Recommendation:

The department can include Caller ID in its precinct telephone system for a fairly modest increase in monthly costs. The "caller ID" capabilities that are available for the precincts are significantly less than those currently in place at our Communications Bureau's 911 Call Center. Despite those reduced capabilities, the Department will initiate the process to provide the modified Caller ID function in our precincts and the Highway Patrol Bureau. There will be a one time start-up cost of approximately \$81,000 for new telecommunications hardware and recurring increased annual expenses of approximately \$5,500.

Appendix 1

Auditor's Follow-up Response:

We concur with the corrective actions taken by the department.

AUDIT FINDING (13):

Recommendation:

Manual Compilation of Computerized Records

This is a known issue. To resolve this issue, the Department has embarked on multiple projects to implement (a) a new Records Management System and (b) laptop computers in Patrol Vehicles.

For the Records Management System (RMS), the Department has received proposals from multiple vendors and has formed Technical and Cost Committees to evaluate the proposals. It is estimated that the new RMS will be fully operational in 2007.

The installation of laptops is already in progress, with forty (40) laptops installed. Both the Highway Patrol Bureau and the 8th Precinct have been fully outfitted with these laptops. Future expansion of the laptops to other precincts and commands is dependent on the continued funding of this project by New York State. The Department anticipates that all Patrol Vehicles should be equipped with laptops by 2008.

The combination of the laptops and RMS will allow accidents and moving violations to be entered in the field directly by Police Officers, and will allow reports to be easily generated. This will eliminate all hand-entered ledgers and re-entry of data into other computer systems.

Parking violations are currently processed by the Handheld Ticket Writers and also by hand-written summonses. The Ticket Writers already generate tickets in the field using a handheld computing device and printer, and all violations are transferred each day by computer to both the Department Network and TPVA. Although there is no current formal plan to do so, once laptops are fully deployed in all vehicles, the Department might use the laptops to generate parking violations, thereby eliminating all hand-written violations.

Employee productivity data, such as number and type of arrests, number of case reports filed, and numerous other reports, will all be directly available from the new RMS.

Auditor's Follow-up Response:

We concur with the corrective actions taken by the department.

Appendix 1

AUDIT FINDING (14):

Recommendation:

- a. It is not the purview of the Police Department to determine summons format. This should be forwarded to the Traffic and Parking Violations Agency and the County Attorney's office.
- b. At the time of the audit, the hand held ticket writers were experiencing problems. All of the hand held ticket writers have been replaced with PDA's and are functioning correctly.
- c. The Volunteer Program for Handicap Enforcement was established through Nassau County Local Law 8 of 1990 and is authorized by the NYS Vehicle and Traffic Law Section 1203-f. The Program requires that a PDCN Form 8 (parking ticket) be prepared and sent via certified mail to the registered owner of the vehicle in violation. It would have to be researched whether a hand held ticket would suffice or if the Local Ordinance would need to be amended.

Auditor's Follow-up Response:

- a. *We did not recommend that the department determine the format of the summons. We recommended that the department work with the various village and county courts to determine if a uniform format could be adopted. We agree that TPVA and the County Attorney's Office should be part of this effort. Alternatively, we recommended that the department work with the vendor to determine if multiple formats could be programmed into the handheld ticket writers.*
- b. *We concur with the actions taken by the department to replace the defective ticket writers.*
- c. *We encourage the Department to perform the necessary research to determine if the handheld ticket writers can be used for the Volunteer Program for Handicap Enforcement.*

AUDIT FINDING (15):

Recommendation:

Management Analysis and Planning will work with the Eighth Precinct and create a form in a software application called Jet Form. This will computerize the function and will allow all police personnel access to this information.

Auditor's Follow-up Response:

We concur with the corrective actions taken by the department.

Appendix 1

AUDIT FINDING (16):

Recommendation:

Lack of Data Interface

Again, this is a known issue. The Department recognized the limitations of the current Swift Justice Records Management System and, as noted in response number 15, will be installing a new RMS in 2007. The new RMS will include all the functionality required by the Department to automate the necessary interfaces and reports.

Auditor's Follow-up Response:

We concur with the corrective actions taken by the department.

AUDIT FINDING (17):

Recommendation:

Department Website Information Should be Updated and Improved

According to the reports received by ITU, this audit finding is based on the old version of the Police Department website. The new version contains significant community-related information. It should be noted that the suggestions made by the auditor are only a few among the thousands of possible information postings that can be placed on a website. ITU can add or modify any website information as needed.

The department has considered and does not recommend the implementation of a "311" system at this time. The department's 911 system does not receive a large percentage of calls that do not require a police response. The expense of staffing a 311 system for the relatively small number of calls that don't require a police response would not be cost-effective. The department believes implementation of such a system will raise county expenses while lowering the level of citizen (customer) satisfaction.

Auditor's Follow-up Response:

We are pleased that the department has greatly enhanced its Web site. We note however, that the Web site still instructs citizens to call the precinct if they have nonemergency complaints. Unless the department has changed its dispatch protocol, 911 will still have to be called if an officer needs to respond to the scene.

We believe a 311 system should be implemented by the county. A 311 system could serve to make Nassau County government more accessible by enabling residents to request and receive information about county government and nonemergency services by calling one number. It would also divert nonemergency calls from the 911 system. It would not have to be confined to police department activities.

Appendix 1

AUDIT FINDING (18):

Recommendation:

Lack of Automatic Vehicle Locator Technology (AVL)

Such technology requires the use of a laptop in the Patrol Vehicle and the systems within the Department to track the vehicles. The laptops currently on order for the next phase of the laptop installations will contain the technology necessary to track the vehicles. AVL will also be included as a function in the new Computer Aided Dispatch (CAD) System. This project is operating concurrently with the project to replace the RMS and is expected to be installed in 2007.

Auditor's Follow-up Response:

We concur with the corrective actions taken by the department.

AUDIT FINDING (19):

Recommendation:

The department is in the midst of upgrading its field reporting technology. We are in the final stages of procurement of a new Computer Aided Dispatch / Records Management System. One of the goals of system implementation is a “paperless” field reporting system that would eliminate the need for police officers to “call in” case reports and the “data entry” (Case Intake) component of the Communications Bureau. The systematic replacement of the department’s mobile data terminals with laptop computers is underway and has taken place in our Highway Patrol Bureau and Eighth Precinct. In the interim, the department has requested an increase in Police Service Aides to appropriately staff the Case Intake Section of Communications Bureau and been turned down by the Office of Management and Budgets several times.

Auditor's Follow-up Response:

We concur with the corrective actions taken by the department.

AUDIT FINDING (20):

Recommendation:

Written procedures for certain duties do exist in the Department Manual and Rules and Regulations and in the civil service class specifications.

Auditor's Follow-up Response:

The officers we interviewed were apparently unaware that written procedures existed. We recommend that written procedures for all duties be disseminated to the administrative officers.

Appendix 1

AUDIT FINDING (21):

Recommendation:

The current procedure is to wait not three but two weeks before sending a follow-up letter. This procedure has been implemented in consultation with the municipalities responsible for removing holding and disposing of the vehicles. Any vehicle that is deemed a hazard is removed immediately either by the municipality or by impound. We will ensure all precinct impound personnel are aware of this procedure.

Auditor's Follow-up Response:

1. *We concur with the corrective actions taken by the department.*
2. *We reiterate our recommendation that Nassau County establish a 311 telephone system for nonemergency requests for information and assistance.*

AUDIT FINDING (22):

Recommendation:

1. The department has implemented a very successful procedure for identifying and eliminating locations that are responsible for repetitive “faulty alarms”. Warning letters regarding alarm violations are sent out and followed up with the placement of violators in a “non-response” mode. Violators remain in that status unless and until they pay fines and obtain a permit, as appropriate. The Communications Bureau's Alarm Office raises a significant amount of revenue in accordance with this procedure.
2. No authority exists for the department to hold alarm companies responsible for their clients under the current county ordinance governing the issue. The County Legislature would need to enact enabling legislation for that to occur.

Auditor's Follow-up Response:

1. *The department's response does not address our finding. The department's response does not address our finding that there was no evidence of any actions taken to ensure that the property owners whose properties are in no response mode repair the conditions that led to the false alarms and pay the outstanding fine.*
2. *We recommend that the administration draft legislation that, if enacted by the county legislature, would require alarm companies to bill, collect and remit alarm fees to the county, and require them to discontinue service to non-compliant property owners.*

Appendix 1

AUDIT FINDING (23):

Recommendation:

- a. Written guidelines were provided to Precinct Commanding Officers. They give the CO's the discretion to select incidents of command relevance within those guidelines.
- b. The above guidelines, pre-meetings, pre-session review of agendas as well as periodic crime analyst training sessions are all held to ensure both conformity and uniformity in the Nass-Stat process.
- c. Crime identification and classification is defined by the Penal Law of the State of New York and is reported on a daily basis to the Department's Swift Justice Case Report System. The Nass-Stat guidelines have selected the categories of crimes to be reported and analyzed. The reports are computer generated on predetermined formats to ensure consistency. The analytical procedure is determined by the type of crime, the criminal method of operation and the specific case evidence. The Department Manual will be amended to include policy, purpose and procedures for the Nass- Stat Process.

Auditor's Follow-up Response:

We concur with the corrective actions taken by the department.

AUDIT FINDING (24):

Recommendation:

The department will review all records stored at various locales (including the precincts) to determine their specific classification within the New York State Division of Archives and Records Management's Records Retention and Disposition Schedule.

- a. Department personnel (including those in precincts) will be encouraged to consult Records Bureau staff for guidance and assistance in the proper storage and disposal of records.
- b. The department will prepare a directive outlining the guidelines established by the state under Schedule CO-2 and direct its various commands to dispose of records in accordance therewith.

Auditor's Follow-up Response:

We concur with the corrective actions taken by the department.