Police Property and Evidence Audit

August 30, 2019

FORT WORTH

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The Police Property and Evidence Audit was conducted as part of the Department of Internal Audit's Fiscal Year 2019 Annual Audit Plan.

Audit Objective

To evaluate the City's process and internal controls over the intake, storage, safeguarding and disposition of property and evidence

Audit Scope

Our audit covered the period from October 1, 2016 through September 30, 2018. Activity beyond this period was reviewed as deemed necessary.

Opportunities for Improvement

Improved database tracking of property/evidence

Database records migrated during the transition from one system to other systems

Improved documentation of dispositions

Executive Summary

As part of the FY2019 Annual Audit Plan, the Department of Internal Audit conducted an audit of City of Fort Worth police property and evidence. Testing was performed at the Police Property and Evidence Room and the Police Auto Pound. Since records supporting fire evidence were stored in the same database that is used for police evidence, audit testing was also performed at locations managed by the Fire Department's Investigations Section.

The Police Property and Evidence Room was clean, well-lit, organized and the aisles were clear. The Police Auto Pound, as well as Fire Department storage facilities (e.g., Bomb Range and Fire Evidence Locker) were uncluttered. The Police Property and Evidence Room and the Auto Pound utilized logs to track visitors, as specified by the Fort Worth Police Department's Standard Operating Procedures.

Based on our audit results and with the exceptions noted below, paper documents were updated to properly reflect property/evidence storage locations. However, system records for sampled items moved or disposed at the Police Auto Pound and Fire Department facilities (after the October 1, 2018 conversion from Tiburon to TriTech) were not properly updated within Tiburon, and resulted in a majority of the audit exceptions. Police Auto Pound and Fire Department staff's ability to update Tiburon records was reportedly removed before data migration was completed.

- Tiburon records indicated that 13 items were stored at the Auto Pound. However, Auto Pound staff indicated that the items had been destroyed. Documentation was only available to support the authorized destruction of 10 of those 13 items. Documentation supporting the remaining three items was considered incomplete since no authorizing signature or disposal method was noted.

- One bike could not be located at the Auto Pound and was considered missing.

- Tiburon records indicated that seven Police Auto Pound items were destroyed. However, documentation required to support the authorized destruction, including court orders, could not be located.

- Tiburon records supporting nine of 11 items stored at Fire Department storage facilities were not properly updated within Tiburon.

Our audit findings are discussed in further detail within the Detailed Audit Findings section of this report.

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Background

Police Property and Evidence Room staff is responsible for the intake, storage, processing, safeguarding and disposal of most property and evidence obtained by the Fort Worth Police Department (FWPD). Police Auto Pound staff is responsible for large property and evidence obtained by FWPD, while Fire Department Investigations Section staff manages arson-related fire property/evidence at Fire Department locations. At the Police Auto Pound, some containers are under the control of Auto Pound staff, while others are under the control of Property and Evidence Room staff.

Property includes items collected as evidence, seized for forfeiture, determined to be abandoned or otherwise kept in custody for safekeeping. The property/evidence may include weapons, jewelry, computers, drugs, money, audio/video recordings or any other type of property. Property/evidence is primarily stored in four distinct locations that are equipped with a variety of security features, including surveillance cameras that help restrict and monitor access.
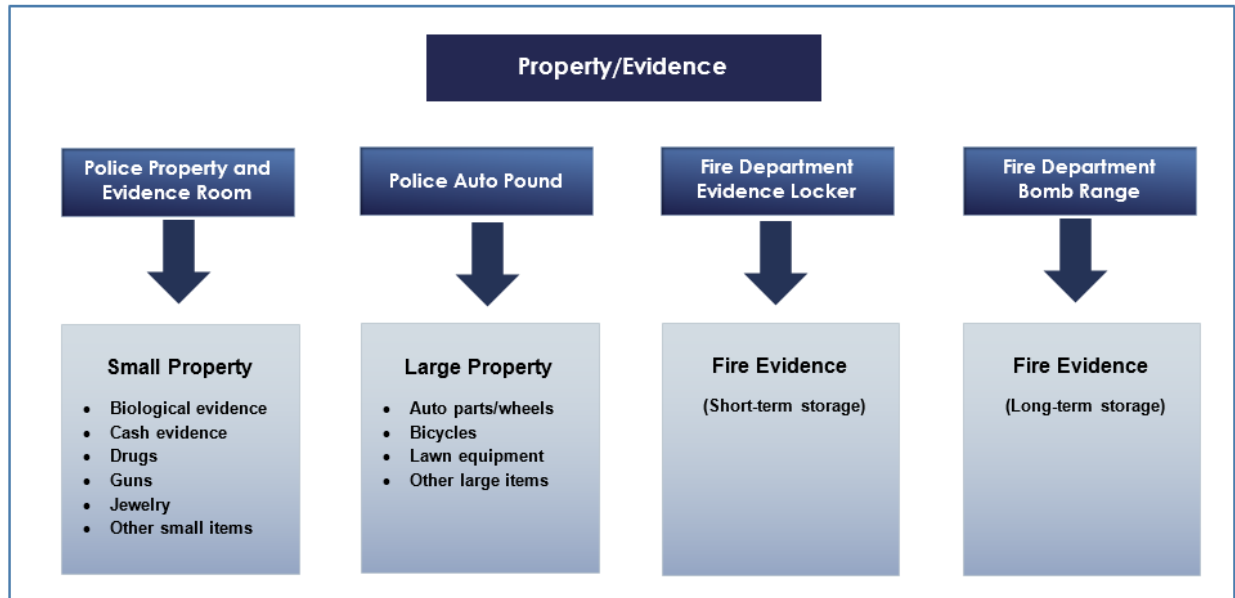
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FWPD General Orders outline requirements for handling property and evidence. The requirements are further detailed within the Property and Evidence Unit and Auto Pound Standard Operating Procedures (SOPs). The Fire Department Investigations Section has unit procedures and other applicable guidelines.

A database system is used to track the location and disposition of property and evidence. Tiburon was the primary evidence database in use during the two-year audit period. However, in October 2018, TriTech replaced Tiburon.

The property and evidence management cycle has three primary functions: receiving, storage and disposition. Items may also be temporarily released or "checked out" for specific purposes.

- For the FWPD, the receiving of evidence by Property Control Specialists (PCS) begins after the officer packages items. The officer enters data into Tiburon and places the property/evidence in a package. The package is then tagged/labeled with the date, the submitting officer's name and ID

number, service number, a brief description of the items in the packages/boxes, etc. The PCS then reviews the documentation and accepts the property/evidence.

➢ Property/evidence is placed in a temporary holding area until moved to the assigned location. Large items (such as bicycles, gas powered equipment, etc.) that cannot fit in standardized packages/boxes or are hazardous, are stored at the Auto Pound.

➢ Property releases/disposals are based on court orders or the expiration of the required retention period. Property/evidence may be auctioned, released to other agencies, released to FWPD detectives, destroyed or returned to the property owner.

Police Property & Evidence Management Cycle
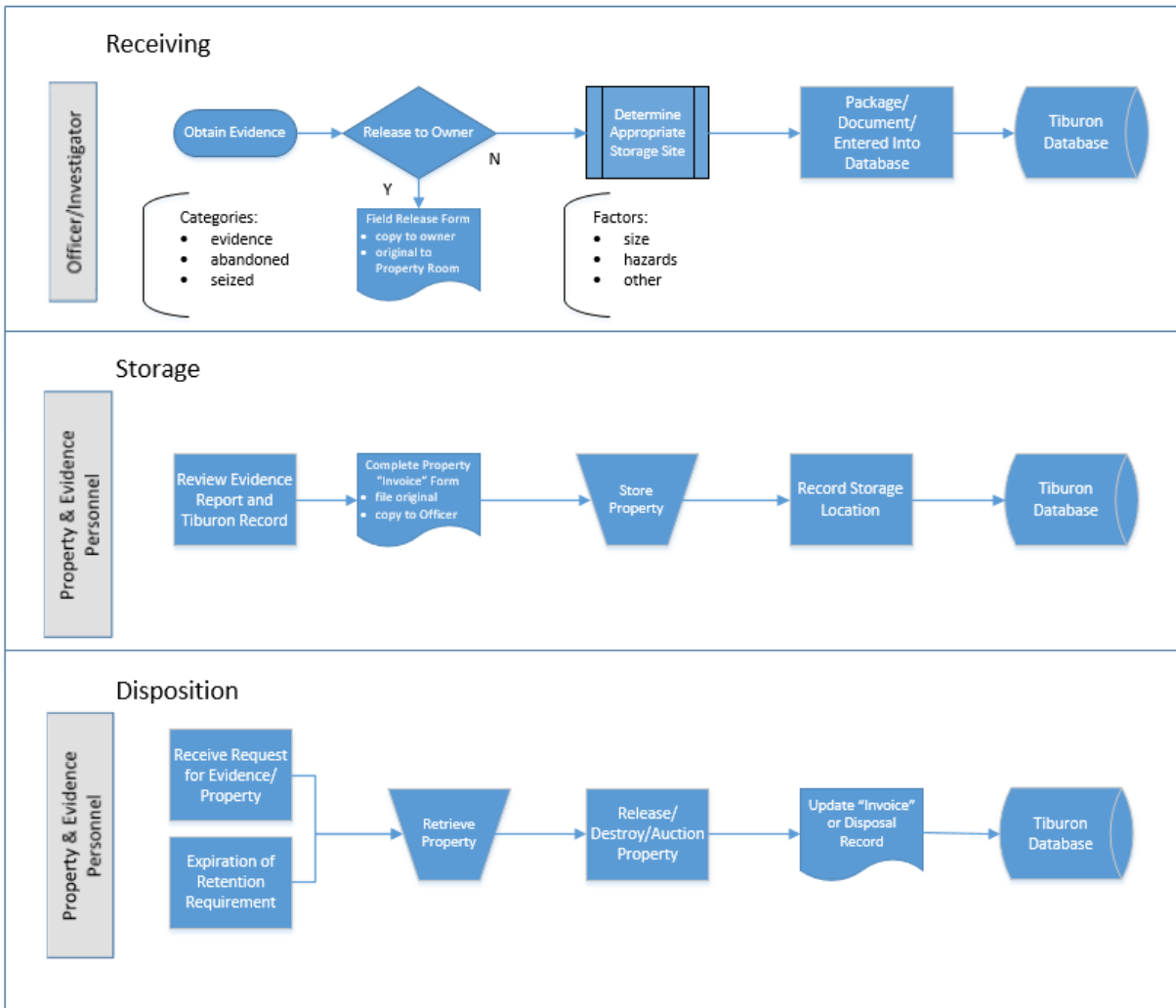
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- For the Fire Department, investigators follow procedures that include instructions to enter required data into Tiburon, prepare documentation, and package/secure the property/evidence. The Fire Department sends evidence to the Texas State Crime Lab for fire debris analysis, and receives the returned evidence when testing is complete. The Fire Department has no PCS or other personnel with a primary job function of managing property and evidence.

Objective

The objective of this audit was to evaluate the City's process and internal controls over the intake, storage, safeguarding and disposition of property and evidence.

Scope

Our audit covered the period from October 1, 2016 to September 30, 2018, and was limited to verifying the existence and disposition documentation of personal property/evidence. Due to chain of custody restrictions, Internal Audit was not allowed to open the sealed envelopes and/or boxes to verify the contents.

This audit excluded narcotics, firearms, negotiable currency and biological items.

Methodology

To achieve the audit objective, the Department of Internal Audit performed the following:

- interviewed personnel within the Police and Fire Departments;
- conducted walk-throughs of property/evidence facilities;
- reviewed FWPD General Orders and Standard Operating Procedures; the Texas Code of Criminal Procedures; and Standard Operating Procedures for the Police Auto Pound;
- reviewed the Fire Department Investigations Section's procedures;
- observed the booking, processing and storage of property/evidence;
- obtained Tiburon database inventory records of property and evidence disposition from the Police and Fire Departments;
- obtained the Auto Pound's departmental property/evidence tracking spreadsheet;
- obtained a property and evidence location listing;
- reviewed Evidence Transmittal Reports supporting storage and disposition of property and evidence; and,
- evaluated internal controls related to property and evidence accountability.

We conducted this audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.
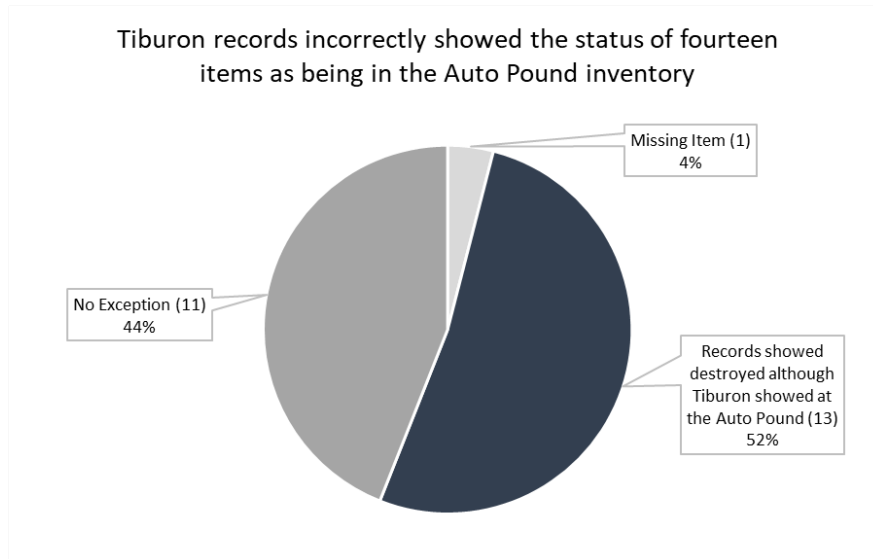
Audit Results

Based on our audit results, we determined that the CFW's management of property/evidence was generally compliant with policies/orders and that adequate controls were in place. Also, site security at storage facilities was adequate.

The exceptions noted during our audit, that related to the FWPD, were for items stored at the Auto Pound and under the control of Auto Pound staff. There were also some exceptions within the Fire Department. The Tiburon database that was in use during the audit period, reportedly could not be updated by Auto Pound or Fire Department personnel after converting from Tiburon to TriTech. Not updating Tiburon records resulted in system records with inaccurate property/evidence locations.

Police Department - Auto Pound
Judgmental samples were selected for the Auto Pound to focus on items that Internal Audit considered could be easily lost or stolen.

- A sample of 25 items was traced from Tiburon to storage locations. Eleven (11) items were traced without exception. Of the remaining 14 items that could not be traced to the storage location noted in Tiburon: 10 had documentation to support disposal; three (3) were reportedly disposed without adequate supporting documentation; and one (1) item, a bicycle, could not be located. Tiburon showed that the bicycle was stored at the Auto Pound, and documentation supporting the authorization to dispose of the bicycle was not located by Auto Pound staff or auditors.

Tiburon records incorrectly showed the status of fourteen items as being in the Auto Pound inventory

Missing Item (1) 4%

No Exception (11) 44%

Records showed destroyed although Tiburon showed at the Auto Pound (13) 52%

- Another sample (of 25 disposed Auto Pound items) was tested to verify that items were properly disposed. Eighteen (18) items had documentation to support the authorized disposal, but seven (7) did not.

- Another sample of 12 items observed at the Auto Pound was tested to determine whether the items were properly recorded in Tiburon. All of the items were recorded in Tiburon.

It should be noted that none of the audit exceptions identified at the Police Auto Pound were for property and evidence under the control of Police Property Room personnel.

Fire Department - Investigations Section
Internal Audit's initial random sample of Tiburon records included one item recorded as being in the Fire Department's evidence locker. Testing was, therefore, expanded to include a judgmental sample of Fire Department property/evidence captured within Tiburon.

Of the 11 Fire Department items selected, two (2) storage locations were properly updated in Tiburon to show that the items were sent to the State Fire Marshal's lab. Seven (7) items were observed at the Fire Bomb Range, although Tiburon indicated they were stored in the Fire Evidence Locker. In addition, Tiburon records incorrectly indicated that two (2) Fire Department items were located in the Fire Evidence Locker. Instead, those two items had been released to owners. Fire Department personnel reportedly did not have access to update Tiburon records after the system conversion, which resulted in a majority of the exceptions identified.

Police Department - Property Room
No exceptions were identified for property and evidence stored in the Police Property Room. Internal Audit traced 77 randomly-selected items from Tiburon to recorded storage locations; verified that documentation adequately supported the disposal of 78 randomly-selected items; and traced 25 judgmentally-selected items from storage locations to Tiburon.

Overall Evaluation

Police Department – Property and Evidence Room

High	Medium	Low
No Reportable Findings		

Police Department - Auto Pound

High	Medium	Low
Electronic records not updated to properly reflect property location / disposition at the Auto Pound		
Database not available to update property records		

Fire Department - Investigations Section

High	Medium	Low
Electronic records not updated to properly reflect property location / disposition at the Fire Investigations Unit		

Detailed Audit Findings

1. Auto Pound property and evidence records were not properly updated within the Tiburon database.

Storage Verification - Police Auto Pound (Auto Pound-Controlled)

Twenty-five items were traced from Tiburon to specified locations at the Police Auto Pound. Tests were conducted to determine whether storage locations noted in Tiburon were accurate.

Auto Pound Item Records Selected from Tiburon Record to Storage Location	Item Count
Property traced to physical location without exception	11
Item not located; Destruction documents supported disposal [1]; Disposal not recorded in Tiburon	10
Item not located; Forms authorizing disposal were incomplete [1]; Disposal not recorded in Tiburon	3
Item not located [2]	1
Total	**25**

[1] Thirteen (13) items, recorded in Tiburon as being stored at the Police Auto Pound, had been disposed. Although manual records indicated that the 13 items had been disposed, Tiburon was not updated to reflect the proper disposition.

[2] A bicycle, listed in Tiburon as being at the Auto Pound, could not be located at the Auto Pound or Property Room. Furthermore, no disposition documentation was available. Internal Audit was, therefore, not able to determine whether the bike was auctioned, destroyed, released, transferred to another location, stolen, etc.

Disposal Verification – Police Auto Pound (Auto Pound-Controlled)

Seven of 25 Auto Pound items recorded as disposed within the Tiburon database had no court order or other documentation to support disposal authorization.

Auto Pound Dispositions	Item Count
Disposition adequately documented	18
Insufficient disposition documentation (e.g., form not stamped, signed, etc.)	7
Total	**25**

Police Auto Pound staff stated Tiburon was not updated because they did not have access to the Tiburon system. Additionally, the intake of property and evidence at the Police Auto Pound is reportedly sporadic and overshadowed by the processing of vehicles, which uses a different computer system.

Sections 400-403 of the Police Property and Evidence Unit SOPs and the Police Auto Pound's procedures specify that property/evidence database records must be updated to reflect the receipt and disposition of evidence. The SOPs also state that disposal of evidence must be in accordance with Article 18.17 of the Code of Criminal Procedure.

Failure to enter disposition information in the database results in inaccurate reporting and could result in delays when preparing for or during legal proceedings. Reports to management on the status of property/evidence would be incorrect.

Recommendation 1: *The Chief of Police should require and ensure that the storage, custodial transfers and disposition of property for the Auto Pound are accurately documented in physical and electronic records, and that such documentation is retained as required by applicable law and/or policy.*

Auditee's Response: Concur. All Property Control Specialists assigned to the Auto Pound have received additional training on all the above job tasks and have signed documentation stating they received the training. All new hires will receive this documented training during their initial training and there will be follow up training conducted annually for all Property Control Specialist assigned to the Auto Pound.

> **Target Implementation Date:** Completed

> **Responsibility:** Auto Pound Unit Supervisor - Property and Evidence Management Division

> **Applicable Assistant City Manager:** Jay Chapa

2. **Police Auto Pound and Fire Department update access to Tiburon records was removed before data migration was completed.**

The transition from Tiburon to TriTech occurred on October 1, 2018, according to Police Department personnel. While Police Property Room personnel had the ability to update records, Police Auto Pound and Fire Department employees stated that they were not able to access Tiburon to update records after the cutover to the new system.

System record mapping and file size issues reportedly resulted in the inability to promptly import Tiburon records into TriTech. As a result, Tiburon records were not updated when property/evidence was moved or disposed after the cutover. Instead, employees updated paper documents or used spreadsheets to document changes.

The Control Objectives for Information and Related Technology standards state that IT software implementations should include detailed planning for data conversion, and that such plans contain processes to verify the accuracy and completeness of the data conversion process. The successful conversion of data from one IT software system to another eliminates the need to rely on multiple systems for historical and current data, and mitigates any need to track information outside of the new IT software.

Recommendation 2: *The Chief of Police should ensure that Tiburon records are accurately imported into TriTech, and that Tiburon is available for use by staff until the record import process is successfully completed.*

Auditee's Response: Concur. The department is currently working with Central Square/TriTech on the data conversion from Tiburon to TriTech RMS. All property and evidence records are set as a priority and will be the first data that is converted. The Auto Pound Property Control Specialists have received additional training on handling, processing, and the documentation of property in Tiburon. The Auto Pound Manager has verified that Tiburon is accessible for staff on the computers located in the Auto Pound office area.

> **Target Implementation Date:** December 1, 2019

> **Responsibility:** Tiburon/TriTech RMS Support - Division Manager, Records Division

3. Fire Department property and evidence records were not properly updated within the Tiburon database.

Storage Verification – Fire Department
Eleven items were traced from Tiburon records to storage locations under control of the Fire Department. No exceptions were noted for two (2) of the 11 items. However, exceptions were noted for the remaining nine. Seven of the exceptions resulted because Fire Department personnel reportedly did not have the ability to update Tiburon records after the conversion to the TriTech system on October 1, 2018.

Fire Department Records	Item Count
Items relocated to long-term storage without updating in Tiburon [3]	7
Items released to owners without updating in Tiburon [4]	2
Database record correctly indicated sent to State Fire Marshal lab	2
Total	11

[3] Seven (7) items were recorded in Tiburon as being in the Fire Evidence Locker. However, we verified that the items had been relocated to the long-term storage at the Bomb Range.

[4] Two (2) property items had been released to their owners. However, Tiburon records indicated that the items were in the Fire Evidence Locker.

Procedures within the Fire Department Investigations Section Unit state that the property locations must be updated as the items are moved between locations. Failure to enter disposition information in the database results in inaccurate reporting and could result in delays when preparing for or during legal proceedings. Consequently, persons who may have inquired of the item checked out would have potentially been misdirected. Also, reports to management on the status of property/evidence would be incorrect.

Recommendation 3: *The Fire Chief should require that the transfers and disposition of property is accurately documented in electronic records, and that such documentation is retained as required by applicable law and/or policy.*

Auditee's Response: Concur. Recently the fire department has applied several measures to improve the collection and retention of evidence. The fire investigation unit was part of the Fort Worth Police records management system upgrade to TriTech, which includes barcode scanners on each piece of evidence for improved tracking. Furthermore, the fire investigation unit received CCPD funding to construct an evidence storage facility at Bob Bolen Public Safety Center. This facility is expected to be completed October 2020, and will become the central repository for all arson evidence storage and processing.

Background
The Fire Investigation Unit endeavors to track evidence recovered from fire scenes in a manner consistent with best practices and that can withstand the scrutiny of the courts. Whereas the police department employs specially trained civilian personnel to manage evidence, fire investigators manage evidence as a collateral duty. Further complicating matters, much of the evidence could be considered a hazardous material and must be stored in an approved location. Recently the fire department has applied several measures to improve the collection and retention of evidence. The fire investigation unit was part of the Fort Worth Police records management system upgrade to TriTech, which includes barcode scanners on each piece of evidence for improved tracking. This upgrade and the transfer of old evidence records into

the new RMS is still a work in progress and is solely managed by FWPD. Furthermore, the fire investigation unit received CCPD funding to construct an evidence storage facility at Bob Bolen Public Safety Center (BBPSC). This facility is expected to be completed October 2020, and will become the central repository for all arson evidence. Currently, a temporary evidence locker is available at the investigation office and long-term storage occurs at the bomb range. The temporary locker is necessary because ignitable liquids testing cannot be conducted locally and evidence must be sent to the state lab in Austin for processing. Approximately 85% of the 300 items collected annually must be initially entered into evidence, then removed from evidence and transferred to Austin for testing. Upon return, results are sent to case investigators, items must be entered back into evidence, and then moved to long-term storage. Storage of all items collected is for a minimum of ten years consistent with the arson statute of limitations. Once the new evidence storage facility is constructed, the temporary locker and bomb range locker will cease to exist (except for explosives storage) and all arson evidence storage and processing will occur at one location. Because evidence processing is a collateral duty for investigators, and because BBPSC is remote from the fire investigation office, it continues to be necessary to employ a civilian that is properly trained in the handling and processing of arson evidence. As call volume increases and the expectations of juries and prosecutors continue to rise, it is necessary to manage arson evidence on a daily basis in order to maintain a firm chain of custody that is consistent with best practices and can withstand the scrutiny of the courts.

Target Implementation Date: January 2021. With construction of new facility expected to be complete October 2020, personnel will need approximately 90 days to move old evidence and conduct an inventory.

Responsibility: Battalion Chief Richard Harrison

Applicable Assistant City Manager: Valerie Washington

Acknowledgements

The Department of Internal Audit would like to thank the Police and Fire Departments for their cooperation and assistance during this audit.