



# AUDIT AND ADVISORY SERVICES

Campus Police Department

Audit

Project No. 14-624

June 16, 2014

Prepared by:

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Chad Edwards  
Auditor-in-Charge

Reviewed by:

Approved by:

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Jaime Jue  
Associate Director

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Wanda Lynn Riley  
Chief Audit Executive

UNIVERSITY OF CALIFORNIA, BERKELEY

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

AUDIT AND ADVISORY SERVICES  
Tel: (510) 642-8292

611 UNIVERSITY HALL #1170  
BERKELEY, CALIFORNIA 94720-1170

June 16, 2014

John Wilton  
Vice Chancellor  
Administration and Finance

Vice Chancellor Wilton:

We have completed our audit of the campus police department as per our annual service plan in accordance with the Institute of Internal Auditors' *Standards for the Professional Practice of Internal Auditing* and the University of California Internal Audit Charter.

Our observations with management action plans are expounded upon in the accompanying report. Please destroy all copies of draft reports and related documents. Thank you to the staff of the campus police department for their cooperative efforts throughout the audit process. Please do not hesitate to call on Audit and Advisory Services if we can be of further assistance in this or other matters.

Respectfully reported,

Wanda Lynn Riley  
Chief Audit Executive

cc: Associate Vice Chancellor Ron Coley  
Chief of Police Margo Bennett  
Senior Vice President and Chief Compliance and Audit Officer Sheryl Vacca  
Associate Chancellor Linda Morris Williams  
Assistant Vice Chancellor and Controller Delphine Regalia

**University of California, Berkeley  
Audit and Advisory Services  
Campus Police Department**

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## OVERVIEW

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### Executive Summary

The overall purpose of the audit was to assess the departmental system of controls to assure sound business practices are in place to support operational effectiveness and efficiency including compliance with University policies as well as federal and state regulations. We organized and conducted our risk assessment and audit planning against the International Association of Campus Law Enforcement Administrators (IACLEA) accreditation standards. Based upon our consideration of management's control objectives, inherent risks, and current control activities in each of these areas, we selected the following four areas for detailed testing: (1) citizen complaint process, (2) the Field Training Program, (3) property and evidence control, and (4) emergency communications and dispatch service.

Based upon our audit procedures performed, we noted the following opportunities to improve internal controls representing potentially minor to moderate exposures to the campus police department depending on the circumstances:

- The text telephone (TTY) telecommunications infrastructure was not functioning properly and dispatchers appear to be unpracticed with the texting software used to receive and communicate with 911 calls placed from text telephone devices.<sup>1</sup>
- Controls exist but are not fully implemented to provide Field Training Officers (FTOs) and trainees feedback on their performance or to ensure the Field Training Manual is reviewed timely.

Controls, in the following areas, appear to be adequately designed, in place, and working to:

- Manage potential conflicts of interest in the citizen complaint process, coordinate with other involved parties, and to secure complaint investigation records.
- Ensure the Field Training Program Coordinator (FTPC) and FTOs meet the minimum qualifications for the positions required by policy.
- Assure the FTPC and FTOs meet twice a year to consider issues specific to the Field Training Program as required by policy.
- Assure that evidence records are accurate, complete, and up-to-date.

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<sup>1</sup> Management took corrective action after the end of audit fieldwork but prior to the issuance of this report.

### **Source and Purpose of the Audit**

Audit and Advisory Services (A&AS) has completed our audit of the campus police department as part of our annual service plan for fiscal year 2014. The overall purpose of the audit was to assess the departmental system of controls to assure sound business practices are in place to support operational effectiveness and efficiency including compliance with University policies as well as federal and state regulations.

### **Scope of the Audit**

To determine the scope of our audit, we conducted interviews with management as well as reviewed relevant background documentation. In particular, we reviewed the following types of information:

- External standards such as the International Association of Campus Law Enforcement Administrators (IACLEA) Accreditation Standards Manual;
- Systemwide policies and administrative procedures;
- Department regulations, divisional orders, and general orders;
- Recent University of California Police Department Annual Reports and Crime Statistics;
- External review reports;
- Operational and financial data from campus systems;
- Bargaining agreements for represented employees;
- Information posted on the department's external website; and
- Prior audit reports across the UC system.

We organized and conducted our risk assessment and audit planning against the IACLEA accreditation standards, which included the following areas:

- Conditions of Employment
- Professional Conduct
- Internal Affairs Investigations
- Training and Professional Development
- Communications and Dispatch Services
- Crime Prevention and Community Involvement
- Property and Evidence Control
- Records and Information Management
- Reports and Records Distribution
- Critical Incident Management, and
- Collaboration with Other Law Enforcement and Safety Agencies

Based upon our consideration of management's control objectives, inherent risks, and current control activities in each of these areas, we selected the following four areas for detailed testing:

Process	Potential Risks:
1. Citizen Complaint Process	a. Potential conflicts of interest in the receipt of citizen complaints and an incorrect decision is reached on how to resolve a complaint (i.e., formal vs. informal complaint resolution); b. Interfaces between involved parties (e.g., senior management and legal counsel) are not effectively managed to ensure clear assignment of responsibility, communication, information sharing, and coordination; and c. Complaint investigation records are not adequately secured (e.g., disclosed to unauthorized users or improperly modified).
2. Field Training Program	a. The Field Training Program is out of compliance with policy: <ol style="list-style-type: none"> <li>i. FTPC and FTOs do not meet minimum qualifications;</li> <li>ii. FTPC and FTOs do not meet twice a year to consider issues specific to the Field Training Program; and</li> <li>iii. FTOs performance is not evaluated annually.</li> </ol> b. The Field Training Manual is not comprehensive and current.
3. Property and Evidence Control	Evidence records are inaccurate, incomplete, and are not up-to-date.
4. Emergency Communications and Dispatch Service	The emergency communications service is not accessible and the response to emergency phone calls is untimely.

Our audit techniques included, but were not necessarily limited to:

- Inquiry of personnel accountable and responsible for the above mentioned processes;
- Inspection of policies, procedures, the Field Training Manual, and process documentation such as forms, complaint records, dispatch reports and call logs, and chain of custody reports; and
- Observation of the performance of processes and capabilities, including tests of the response to emergency calls from a teletypewriter (TTY).

#### **Background Information**

As previously mentioned, based upon the results of our risk assessment and planning procedures, our audit focused on four areas for detailed testing: (1) citizen complaint process, (2) the Field Training Program, (3) property and evidence control, and (4) emergency communications and dispatch service.

## *Citizen Complaint Process*

The purpose of the citizen complaint process is to:

- Respond to citizen complaints completely, fairly, and impartially;
- Foster community confidence and trust in the campus police department;
- Subject officers to corrective actions when their conduct is inappropriate; and
- Protect officers when they discharge their duties properly in a reasonable, lawful, and impartial manner without fear of reprisal.

The process owner is the Administrative Lieutenant. This is a new responsibility for the Administrative Lieutenant; in the past, the Administrative Captain was the process owner. General Order O-6 (“Processing Complaints against Department Employees, Policies and Operations”) defines and describes the fundamental elements that must be a part of the process, for instance for:

- Receiving, recording, and communicating complaints;
- Preparing investigative reports;
- Monitoring the sufficiency of the investigations;
- Appealing complaints; and
- Settling complaints.

Complaints follow one of two paths: informal or formal resolution. The informal resolution pathway is for minor complaints and the formal resolution pathway for more serious complaints (e.g., excessive force or corruption). An investigation occurs for formal complaints and the supervisor of the accused (e.g., a Sergeant) resolves informal complaints. Also for informal complaints, the Captain of the division and the Administrative Lieutenant are notified about the complaint and the resolution taken by the supervisor of the accused.

## *Field Training Program*

The purpose of the Field Training Program is to:

- Assist newly appointed police officers in making the transitions from the academy or another law enforcement agency to the campus police department;
- Produce competent police officers capable of performing assignments in a safe, skillful, productive, ethical, and professional manner; and
- Minimize unnecessary risk for the trainee, the trainer, and the department.

The process owner is the Day Patrol Lieutenant and the FTPC, a Patrol Sergeant, is responsible for the supervision and day-to-day operations of the Field Training Program. General Order T-2 (“Field Training Program and the Field Training Manual”) defines and describes the fundamental elements that must be a part of the Field Training Program, for instance:

- Roles and expectations of trainees, the FTPC and FTOs;
- FTPC and FTO selection and training procedures;

- Minimum required program elements (e.g., officer safety, use of force, and patrol vehicle operation); and
- Procedures for evaluating and documenting trainee's performance.

### *Property and Evidence Control*

The purpose of property and evidence control is to maintain accurate, complete, and current records of the chain-of-custody. The process owner is the Manager of Services & Homeland Security, while Property & Evidence Technicians and officers are responsible for performing the process. General Order P-1 ("Handling of Evidence") defines and describes the fundamental elements that must be a part of the process, for instance for:

- Marking, packaging, sealing, and preparing property for entry into the system;
- Recording the date and location of evidence; and
- Requesting and transferring possession of evidence for investigatory purposes, lab analysis, or final disposition.

### *Emergency Communications and Dispatch Service*

The purpose of emergency communications and dispatch service is to

- Quickly determine whether an emergency versus a non-emergency response is necessary;
- Provide 24-hour service for emergencies, including the capability to communicate with persons who have a hearing or speech impairment; and
- Timely dispatch officers to the scene.

The process owner is the Manager of Services & Homeland Security and the Records and Communications Supervisor is responsible for managing the day-to-day operations. The police department measures the timeliness of their response to emergency calls (i.e., priority one calls), which is to dispatch such calls within 90 seconds.

Other parties important to the process is Information Services and Technology (IST) – Voice Products and Services, Altura, and Amcom. They provide the telecommunications infrastructure used by members of the campus community and the campus police department dispatchers to communicate with one another. Altura is a vendor the campus hired to provide personnel to aid us in the delivery, service, and support of the telecommunication infrastructure for digital telephone lines. Amcom is the provider of the campus 911 software and provides services for the maintenance and support of the 911 software.

### **Summary Conclusion**

We noted the following opportunities to improve internal controls representing potentially minor to moderate exposures to the campus police department depending on the circumstances:

- The TTY telecommunications infrastructure was not functioning properly and dispatchers appear to be unpracticed with the texting software used to receive and communicate with 911 calls placed from text telephone devices.



- Controls exist but are not fully implemented to provide FTOs and trainees feedback on their performance or to ensure the Field Training Manual is reviewed timely.

Controls, in the following areas, appear to be adequately designed, in place, and working to:

- Adequately manage potential conflicts of interest in the citizen complaint process, coordinate with other involved parties, and to secure complaint investigation records.
- Ensure the FTPC and FTOs meet the minimum qualifications for the positions required by policy.
- Assure the FTPC and FTOs meet twice a year to consider issues specific to the Field Training Program as required by policy.
- Assure that evidence records are accurate, complete, and up-to-date.

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## SUMMARY OF OBSERVATIONS & MANAGEMENT RESPONSE AND ACTION PLAN

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### Emergency Communications and Dispatch Service: Text Telephone Devices (TTY) Calls

#### Observation

We noted the telecommunications infrastructure was not functioning properly to receive and communicate with 911 calls placed from a text telephone device (TTY). In addition, dispatchers appear to be unpracticed with the texting software used to communicate with individuals with a hearing or speech disability. Additionally, we noted in the past campus police tested their capabilities for responding to 911 calls from a TTY-enabled pay phone located in Sproul Hall. However, this phone is no longer working correctly to place TTY calls. Under the American with Disabilities Act (ADA), all Public Safety Answering Points (PSAPs) must provide direct and equal access to their services for people with disabilities who use TTYs. As of the close of audit fieldwork, campus police and IST were continuing to investigate and diagnose the cause of the problem.

While TTY 911 calls are relatively uncommon,<sup>2</sup> the benefit of addressing these concerns would be to minimize the following risks:

- The capability of campus police to respond to emergency calls from a TTY is negatively impacted or delayed;,
- TTY conventions are not followed resulting in collision (i.e., only one transmission at a time and conversations are handed over to the other person by typing “GA”<sup>3</sup>);
- A complaint is filed with the Federal Communications Commission which could result in further investigation or proceedings to determine what, if any, remedial actions and/or sanctions are warranted;
- A potential life/safety issue; and
- Reputational/public image damage.

#### Management Response and Action Plan

IST determined the software that alerts the Public Safety Dispatchers (PSDs) to a TTY call was not functioning properly as the result of two separate items: Upgrade of our systems software and the entire TTY system was not functioning properly since campus IST switched from analog phones to the digital PBX system. Since identifying these concerns, (1) the software has been upgraded and the PSDs do now get the audible and pop-up boxes on their screens; (2) all PSDs have been retrained in answering TTY calls; and (3) campus IST and their contractor (AMCOM) are still working to fix the PBX system problem in recognizing TTY calls.

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<sup>2</sup> 99 of 3,149 (3.4%) persons with disabilities surveyed use a TTY to call 911. Federal Communications Commission: The Emergency Access Advisory Committee. (2011). *Report on Emergency Calling For Persons With Disabilities - Survey Review and Analysis*.

<sup>3</sup> GA is short for “Go Ahead” and is used to denote the end of a turn and that the other person can begin typing.

Once the system is operational, we will develop a written protocol and institute routine (monthly) checks that can document the operability of the system and maintain PSD familiarity.

Manager Stephen Stoll will be responsible for creating and updating the written protocol, which will be completed by July 1, 2014. The execution of the protocol in regard to routine checks will begin in August 2014.

*On May 1, 2014, A&AS observed a retest of the 911 systems for a TTY call and validated that the system is working as designed.*

## **Field Training Program: Performance Evaluations**

### **Observation**

Controls exist but are not fully implemented to provide Field Training Officers (FTO) and trainees feedback on their performance.

#### *Field Training Officers*

For fiscal year 2013, FTOs did not receive a performance evaluation.

The campus police department's practice is to evaluate FTOs' performance annually. FTFC and the officer's supervisor coordinate to document the officer's performance on a single form. However, the performance evaluation form does not have a section specifically outlining core competencies, skills, and objectives specific to FTOs. For instance:

- Teaching and training skills;
- Professionalism, behavior, and conduct as a role model;
- Evaluator and documentation skills;
- Performance of daily training evaluation reports; and
- Adequate coverage of training materials in the time allotted.

#### *Trainees*

At the time of our fieldwork, three trainees completed the Field Training Program and weekly reports were not prepared by the FTFC summarizing each trainee's performance. However, the FTFC did meet with the new officers weekly to review their performance.

These conditions occurred, in part, because the prior FTFC retired unexpectedly and there was not sufficient time for mentoring or job transitioning, knowledge capture, and sharing.

The benefit of addressing these concerns is minimizing the following risks:

- A change in leadership adversely affecting the continuation of an efficient and effective Field Training Program.
- The status of the Field Training Program as a Commission on Peace Officer Standards and Training (POST) approved program is negatively impacted.

- Trainees are unprepared to perform their duties, potentially resulting in a life/safety issue, because opportunities to help FTOs to become better trainers are not pointed out.
- The campus police department is unprepared to defend themselves in the event questions arise concerning officer competency to perform their duties in a safe, skillful, and professional manner.

### **Management Response and Action Plan**

A separate FTO annual evaluation document has been created that addresses: teaching and training skills; professionalism, behavior, and conduct as a role model; evaluator and documentation skills; performance of daily training evaluation reports; and adequate coverage of training materials in the time allotted. This evaluation will be implemented by September 1, 2014. In addition, this requirement is referenced in UCPD General Order T-2

### **Field Training Program: Field Training Manual**

#### **Observation**

Upon our examination, we found the prior version of the Field Training Manual was 10 years old. There was no regular schedule for reviewing the manual to assure that it is up-to-date. The campus police department completed updating their Field Training Manual during our audit fieldwork.

We reviewed the Field Training Manual comparing it to The Commission on Peace Officer Standards and Training (POST) Field Training Program Guide, a body established by the California Legislature to set minimum selection and training standards and the Field Training Manual appears to be comprehensive and current.

The benefit of addressing this concern is minimizing the following risks:

- Trainees may not be familiar with changes in the campus geography;
- Additions or changes to the penal and vehicle code; and
- Changes in tactics because of case law.

The consistency and completeness of training can also suffer, as coverage of these changes is dependent upon the FTOs' memory of such changes and recognition that it is their responsibility for covering such changes in the absence of an up-to-date manual.

### **Management Response and Action Plan**

The Sergeant in charge of the Field Training Program will review the Training Manual annually. This duty will be incorporated into the performance evaluation as documentation that the review has occurred.

The Administrative Lieutenant and Captain have updated the General Order (GO T-2) to reflect these changes, specifically in section III Procedures, item number 16. GO T-2 will be published in June 2014.

The FTO Coordinator/Manager is responsible for updating the performance evaluation form, which will be completed in September 2014. It will be incorporated into the FTO Sergeant's performance evaluation during the next evaluation cycle, and will be listed in Section 11 of the Supervisor's evaluation form.

*On June 4, 2014, A&AS observed the General Order (GO T-2) was updated to reflect that the Training Manual will be reviewed annually.*