

November 2015



Pennsylvania Department of the Auditor General
Eugene A. DePasquale, Auditor General
Bureau of State and Federal Audits

**A SPECIAL PERFORMANCE AUDIT
OF THE
PENNSYLVANIA COMMISSION ON
CRIME AND DELINQUENCY**

November 2015



Commonwealth of Pennsylvania
Department of the Auditor General
Harrisburg, PA 17120-0018
Facebook: Pennsylvania Auditor General
Twitter: @PAAuditorGen
www.PaAuditor.gov

EUGENE A. DEPASQUALE
AUDITOR GENERAL

November 23, 2015

The Honorable Tom Wolf
Governor
Commonwealth of Pennsylvania
Room 225 Main Capitol Building
Harrisburg, PA 17120

Dear Governor Wolf:

This report contains the results of the Department of the Auditor General's special performance audit of the Pennsylvania Commission on Crime and Delinquency (PCCD) as it relates to the Victim Services' Program for the period July 31, 2012 through March 31, 2015, with follow-up procedures performed and concluded as of September 23, 2015, and the Education and Training accounts for Deputy Sheriffs and Constables for the period July 1, 2013 through June 30, 2014. The audit was conducted pursuant to Sections 402 and 403 of The Fiscal Code, 72 P.S. §§ 402-403, the Chapter on Constable training, 44 Pa.C.S. § 7141 *et seq.*, and the Deputy Sheriff Education and Training Act, 71 P.S. § 2101 *et seq.* The audit was conducted in accordance with applicable 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.

We performed our audit to determine whether the Education and Training accounts for Deputy Sheriffs and Constables are in compliance with applicable laws and regulations. We also wanted to determine whether the PCCD improved its overall monitoring of the Victim Services' Program to rectify deficiencies related to on-site monitoring, fiscal monitoring, and the annual report review in response to the finding from our audit released in October 2013.

With respect to the Education and Training accounts for Deputy Sheriffs and Constables, our auditors did not identify any deficiencies. Therefore, we acknowledge PCCD's compliance with applicable laws and regulations.

Our auditors found that PCCD improved its overall monitoring process of the Victim Services' Program since our last audit. However, we found two deficiencies related to on-site monitoring. We offer two recommendations to alleviate these monitoring deficiencies and strengthen PCCD's overall monitoring process.

We thank PCCD for cooperating fully with our auditors throughout the execution of the performance audit.

We will follow up at the appropriate time to determine whether and to what extent all recommendations have been implemented.

Sincerely,

A handwritten signature in black ink, appearing to read "Eugene A. DePasquale". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Eugene A. DePasquale
Auditor General

TABLE OF CONTENTS

| | <u>Page</u> |
|---|-------------|
| <i>Results in Brief</i> | 1 |
| <u>Audit Objective #1</u> | |
| <i>Audit Procedures and Results – Deputy Sheriffs’ and Constables’ Education and Training Accounts Complied with Laws and Regulations</i> | 2 |
| <u>Audit Objective #2</u> | |
| <i>Status of Prior Finding – The Pennsylvania Commission on Crime and Delinquency Should Strengthen its Overall Monitoring Process of the Victim Services’ Program (Partially Resolved)</i> | 3 |
| Recommendations | 5 |
| Agency Response. | 5 |
| <i>Appendix A: Objectives, Scope, and Methodology</i> | 7 |
| <i>Distribution List</i> | 9 |

PCCD - Results in Brief

The purpose of this report is to communicate the results of our special performance audit of the Pennsylvania Commission on Crime and Delinquency¹ (PCCD). Specifically, we performed our audit to determine whether the Education and Training accounts for Deputy Sheriffs and Constables² are in compliance with applicable laws and regulations. The period under audit for this objective was July 1, 2013 through June 30, 2014. Moreover, we wanted to determine whether PCCD improved its overall monitoring of the Victim Services' Program³ to rectify the deficiencies related to on-site monitoring, fiscal monitoring, and the annual report review in response to the finding from our audit report released in October 2013. The period under audit for this objective was July 31, 2012 through March 31, 2015, with follow-up procedures performed and concluded as of September 23, 2015.

We found that the Deputy Sheriffs' and Constables Education and Training accounts complied with laws and regulations. (See page 2)

In addition, with regard to the Victim Services' Program, we found that PCCD strengthened its overall monitoring process since our last audit. However, we found two deficiencies related to on-site monitoring for which we offer two recommendations. (See page 3) Within PCCD's response, management agrees with the recommendations. (See page 5)

PCCD - Background

The Pennsylvania Commission on Crime and Delinquency (PCCD) was established in 1978 with the mission to improve the criminal justice system in Pennsylvania.

PCCD, with the Deputy Sheriffs' and Constables' Education and Training Boards (boards), administers the education and training programs for deputy sheriffs, constables, and deputy constables, respectively. All deputy sheriffs, constables, and deputy constables must complete basic training and continuing education requirements to achieve and maintain certification. Act 2 of 1984, originally entitled the "Deputy Sheriffs' Education and Training Act", was recently amended by Act 114 of 2014, effective July 8, 2014, to include training for the Commonwealth's 67 county sheriffs. The present constable training provisions were enacted by Act 49 of 2009.

Within the Commonwealth's General Fund, two separate education and training accounts for deputy sheriffs and constables are used to pay for training program expenses, program administration costs, reimbursements to counties for salaries while attending training, and other costs of the respective boards. Disbursements from the account are made by the PCCD.

Additionally, PCCD's Office of Victims' Services (OVS) administers and oversees services to local and statewide victim service agencies that work directly with victims of crime, and training victim service and allied professionals.

Source: PCCD

¹ 71 P.S. § 1190.21 *et seq.*

² Constable Account - 44 Pa.C.S. § 7149 and the Deputy Sheriff Account - 71 P.S. § 2108.

³ 18 P.S. § 11.312.

Audit Procedures and Results – Deputy Sheriffs’ and Constables’ Education and Training Accounts Complied with Laws and Regulations

To determine whether the Deputy Sheriffs’ Education and Training Account⁴ and Constables’ Education and Training Account⁵ (training accounts) complied with applicable laws and regulations, we performed audit procedures on the revenues, expenditures, and commitments, of both training accounts for the fiscal year ended June 30, 2014.

Our audit included analytical procedures to analyze the accounts, detail substantive procedures (on selected items) to test revenue, expenditure, and commitment transactions, evaluating and testing management controls, and consideration of the results of audit work performed by the Department of the Auditor General, Bureau of County Audits. The Bureau of County Audits performs examinations of the revenues and receipts of various county offices (i.e. sheriffs, district courts, etc.) which include the funds remitted to the state by law to fund the training accounts.

The balances audited for compliance with laws and regulations were as follows:

Deputy Sheriffs’ Education and Training Account

| Fiscal Year Ended | June 30, 2014 |
|--------------------------|----------------------|
| Revenues | \$4,028,431 |
| Expenditures | \$9,542,766 |
| Commitments | \$11,540,086 |

Constables’ Education and Training Account

| Fiscal Year Ended | June 30, 2014 |
|--------------------------|----------------------|
| Revenues | \$1,935,076 |
| Expenditures | \$3,078,637 |
| Commitments | \$2,863,365 |

We did not identify any weaknesses in the management controls that we tested, did not identify any misstatements of financial information, and did not identify any noncompliance with applicable laws and regulations.

⁴71 P.S. § 2108.

⁵ 44 Pa.C.S. § 7149.

Status of Prior Finding - The Pennsylvania Commission on Crime and Delinquency Should Strengthen its Overall Monitoring Process of the Victim Services' Program (Partially Resolved)

Our prior audit reported that it was vital for the Pennsylvania Commission on Crime and Delinquency's (PCCD's) Office of Victim Services (OVS) to strengthen its monitoring process over the Victim Services' program that provides assistance to crime victims. Our prior determinations and overall conclusion were as follows:

For on-site monitoring, PCCD had insufficient documentation to demonstrate what procedures were performed by the monitor to support the conclusions reached, including the adequacy of corrective action; needed revisions to monitoring tool questions; lack of guidelines/policies and formal training on how to conduct on-site monitoring; and lack of supervisory review.

For fiscal monitoring, three of the 10 invoices selected for testing did not have sufficient monitoring documentation. Also, PCCD had no written policies/guidelines with respect to how to review invoices.

For annual report reviews, PCCD failed to validate the accuracy of service performance information submitted annually by the providers.

PCCD's overall monitoring process did not provide adequate evidence to ensure that providers are in compliance with program requirements and adequately serve the needs of crime victims.

We recommended that PCCD develop written policies/guidelines for conducting on-site monitoring of providers; review the monitoring tool questionnaire and consider revising questions to ensure that the monitors document their assessments of certain documents obtained from the providers; develop/conduct formal training on how to perform on-site monitoring of providers; require supervisory review and approval of on-site monitoring results to ensure policies/guidelines have been properly applied and conclusions reached are appropriate; develop written policies/guidelines for conducting fiscal monitoring; and pursue development of procedures to validate service performance information submitted annually by providers.

Status as of this audit:

On-Site Monitoring

Regarding on-site monitoring, PCCD has substantially improved the on-site monitoring tool and process to include tracking and documenting deficiencies and conclusions reached. PCCD's monitoring tool is maintained in Egrants, which is PCCD's web-based system that maintains grant activity. Based on the results of our testing of all 10 on-site monitoring reports and one of

four telephone monitoring reports completed for calendar year 2014, the deficiencies noted were properly addressed and corrective actions were validated. However, PCCD's written guidelines continue to lack the minimum requirements for the number of items to review. The deficiency of specific written guidelines on minimum review requirements can result in poor monitoring and inadequate evidence to support conclusions on provider compliance.

Additionally, PCCD has revised the on-site monitoring tool to include additional questions that require the monitor to document a description and explanation for how grant obligations and program standards are being met and whether the provider's corrective actions are considered adequate. The monitor documents the description of what they reviewed on-site in Egrants. For our testing of the 10 on-site monitoring reports and one telephone monitoring report, there was adequate documentation of the monitor's review and conclusions in Egrants.

PCCD also has developed formal training procedures on how to monitor providers. New OVS staff receive formal training on how to conduct an on-site monitoring visit that incorporates the OVS Monitoring Guidelines (policy and procedures) and how to document findings and results in Egrants. New OVS staff are required to shadow veteran staff on three on-site monitoring visits prior to conducting an on-site visit alone.

The OVS Monitoring Guidelines Training form is used to document the areas of the monitoring process that are reviewed in-person with new OVS staff by the direct supervisor prior to allowing new OVS staff to shadow veteran staff. The form contains signature lines for the OVS staff and supervisor to validate that training was completed. Of the 10 on-site monitoring visits tested, two new OVS monitoring staff shadowed three of the monitoring visits. We obtained the two completed OVS Monitoring Guidelines Training forms and found that one did not contain the staff signature which provides evidence that training was completed. The lack of staff signature on the training forms does not ensure appropriate evidence is obtained to validate that training was completed in accordance with PCCD's training procedures.

Finally, PCCD now requires that all monitoring reports be reviewed and approved by supervisory staff prior to monitoring process completion. Egrants includes the Program Monitoring Report Detail which tracks key dates/information related to the on-site monitoring visits. This detail includes evidence of supervisor approval. All 10 of the on-site monitoring reports and the one telephone monitoring report tested contained evidence of review.

Fiscal Monitoring

Regarding fiscal monitoring, PCCD has made enhancements to its fiscal monitoring policy and procedures by including guidelines on documenting reasons for differences and conclusions. PCCD pursues all identified differences until resolved. PCCD centralized the review of the risk-based monitoring activities with one accountant. This accountant reviews the supporting documentation, resolves any deficiencies, and ensures that the supporting documentation reconciles to what is reported by the grantee on the fiscal report. The accountant documents in Egrants: 1) whether the documentation reconciled exactly with the initial submission; 2) any issues or discrepancies recognized with the documentation; 3) additional supporting

documentation that was requested; 4) whether the revised submission was sufficient; and 5) whether adjustments to the expenditure reimbursement were required.

The grant manager's review and approval of the final monitoring report is documented in Egrants. We reviewed 10 fiscal monitoring reports in Egrants, which included 5 of 36 reports for monitoring conducted during the quarter ending March 31, 2015 and 5 of 54 reports for monitoring conducted during the quarter ending December 31, 2014, and found that the reports contained documentation of differences identified and conclusions reached by the accountant and documentation of the grant manager's approvals.

Annual Report Review

Regarding annual report review, PCCD has implemented procedures that validate the service performance information submitted annually by the providers. PCCD developed a risk-based approach to monitoring performance information. Since implementation, these procedures have progressed and, as of the beginning of 2015, OVS is performing monitoring procedures on all high-risk programs that have been randomly selected on a quarterly basis.

PCCD requests data support from the providers and reconciles it to the program report. This information is documented in Egrants. We reviewed 10 program monitoring reports, which included five of 13 reports for monitoring conducted during the quarter ending March 31, 2015 and five of 20 reports for monitoring conducted during the quarter ending December 31, 2014, and found that documentation existed in Egrants to show that PCCD validated service performance information submitted by providers, including any differences investigated and conclusions reached, as well as evidence of supervisory review.

Recommendations:

We recommend that PCCD:

1. Amend its written policies/guidelines for conducting on-site monitoring of providers to include the minimum requirements for the number of items (i.e., employee files, case files) to be reviewed.
2. Ensure that OVS Monitoring Guidelines Training forms are signed by both the new OVS monitoring staff and the supervisor to validate that training was completed in accordance with PCCD's training procedures.

PCCD Response:

Recommendations:

1. *Amend its written policies/guidelines for conducting on-site monitoring of providers to include the minimum requirements for the number of items (i.e., employee files, case files) to be reviewed.*

PCCD Response: Agree. PCCD will revise their monitoring tool and guidelines to include how the monitors will determine the number of timesheets and the number of employee, volunteer and client files to be reviewed during an on-site monitoring. The monitors will document the number of items reviewed and issues found in Egrants that aided in determining compliance.

2. *Ensure that OVS Monitoring Guidelines Training forms are signed by both the new OVS monitoring staff and the supervisor to validate that training was completed in accordance with PCCD's training procedures.*

PCCD Response: Agree. PCCD has created a process that requires both the new OVS monitoring staff and their supervisor to confirm the completion of each training section of the OVS Monitoring Guidelines. This process also documents that the new OVS monitoring staff shadowed veteran staff on three on-site monitoring visits prior to conducting an on-site visit independently.

Appendix A: Audit Objectives, Scope, and Methodology

Objectives

The objectives of this performance audit were to:

1. Determine whether the Education and Training accounts for Deputy Sheriffs and Constables were in compliance with applicable laws and regulations [**Results: No deficiencies identified. See Audit Procedures and Results**]; and
2. Determine whether the Pennsylvania Commission on Crime and Delinquency (PCCD) improved its overall monitoring of the Victim Services' Program to rectify the deficiencies related to on-site monitoring, fiscal monitoring, and annual report review in response to the finding from our audit released in October 2013. [**Results: See Status of Prior Finding**]

Scope

Our audit covered PCCD's duties and responsibilities with regard to Objective 1 for the period July 1, 2013 through June 30, 2014 and Objective 2 for the period July 31, 2012 through March 31, 2015, with follow-up procedures performed and concluded as of September 23, 2015.

Methodology

The methodology in support of the audit objectives included:

- Reviewing appropriate laws, regulations, guidelines, prior audit reports conducted by the Department of the Auditor General, and program and related information on PCCD's website (www.pccd@pa.gov).
- Performing analytical procedures of revenues, expenditures, and commitments from the Deputy Sheriffs' and Constables' Education and Training accounts.
- Verifying revenue collected by applicable county offices agreed to revenue deposited in the Deputy Sheriffs' and Constables' Education and Training accounts and testing the propriety of the transactions to ensure compliance with law and regulations. For the Deputy Sheriff's Education and Training account, we selected five counties⁶ audited by the Department of Audit General, Bureau of County Audits during the audit period and tested all ten of those counties' revenue postings (both of the semi-annual revenue postings for each county). For the Constables' Education and Training account, there was a total of twelve months within our audit period and two funding streams for each month, for a population of 24 revenue postings. We selected five counties audited by the Department of Audit General, Bureau of County Audits during the audit period and tested all 10 of these counties' revenue postings from both funding streams for five months.

⁶ There are 67 counties in the Commonwealth of Pennsylvania.

- Selecting 50 expenditures, 25 from each Education and Training account, ensuring coverage of expenditures from each training contractor. Expenditures tested for the Deputy Sheriffs' Education and Training account amounted to \$1.1 million, or 12 percent, of total expenditures of \$9.5 million. Expenditures tested for the Constables' Education and Training account amounted to \$1.2 million, or 39 percent, of total expenditures of \$3.1 million. We obtained the related invoice and performed detail testing to verify the expenditures were properly accounted for, adequately supported, and used for their intended purposes per law and regulations. We also verified PCCD reviewed and documented approval of the invoice to ensure adequate management oversight controls.
- Evaluating and assessing the impact on this audit of the audit work performed by the Department of the Auditor General, Bureau of County Audits, relating to revenues collected by applicable county offices that fund the Education and Training accounts.
- Performing follow up to the prior finding contained in the Department of the Auditor General's Special Performance Audit of PCCD for the period of July 1, 2009 through December 31, 2011, including follow-up procedures performed and concluded as of July 30, 2012, to determine whether the findings were resolved for the current audit period.
- Interviewing appropriate PCCD personnel to gain an understanding of these areas in order to evaluate the design of management controls and reviewing documentation to evaluate whether management controls considered to be significant within the context of the audit objectives were implemented and operating effectively.
- Obtaining populations of on-site, fiscal, and annual report monitoring that PCCD performed during the audit period and testing monitoring documentation to evaluate the adequacy of the procedures performed and documentation maintained by the monitor. For the on-site monitoring, we selected and tested all ten monitoring reports and one of four telephone monitoring reports completed for the calendar year 2014. For the fiscal monitoring, we selected and tested ten monitoring reports, which included 5 of 36 reports for monitoring conducted during the quarter ending March 31, 2015 and 5 of 54 reports for monitoring conducted during the quarter ending December 31, 2014. For the annual report reviews, we selected and tested 10 monitoring reports, which included 5 of 13 reports for monitoring conducted during the quarter ending March 31, 2015 and 5 of the 20 reports for monitoring conducted during the quarter ending December 31, 2014.

Distribution List

The Honorable Tom Wolf
Governor

Ms. Linda Rosenberg
Executive Director
Pennsylvania Commission on
Crime and Delinquency

Chairman Josh Shapiro
Pennsylvania Commission on
Crime and Delinquency

Ms. Lynn Shiner, Director
Pennsylvania Commission on
Crime and Delinquency

Mr. Derin Myers, Director
Pennsylvania Commission on
Crime and Delinquency

Constable Fred J. Contino, Jr.
Chair
Constables Education and Training Board

Commander Carmen C. Deluca
Chair
Deputy Sheriffs Education and
Training Board

The Honorable Kathleen G. Kane
Attorney General

The Honorable Grayling Williams
Inspector General

Mr. Phillip R. Durgin, Executive Director
Legislative Budget and Finance
Committee

Mr. Brian Lyman, Director
Bureau of Audits

Ms. Mary Spila
Collections/Cataloging
State Library of Pennsylvania

This report is a matter of public record and is available online at www.PaAuditor.gov. Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 229 Finance Building, Harrisburg, PA 17120; via email to: news@PaAuditor.gov.