Memorandum

Date: November 19, 2009

To: Office of the Commissioner

Attention: Commissioner J. A. Farrow

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Office of the Assistant Commissioner, Inspector General

File No.: 005.9968.13159.010

Subject: FINAL 2009 COMMAND EVIDENCE INSPECTION OF THE ARROWHEAD AREA

I am issuing this final inspection report of the Arrowhead Area pursuant to Government Code (GC) §13887, the California Highway Patrol (CHP) Audit Charter and CHP Audit Plan. The inspection focused on the command's evidence system pursuant to departmental policy set-forth in Chapter Two, *Command Evidence* of Highway Patrol Manual (HPM), 22.1, *Command Inspections Program Manual*, and HPM 70.1, *Evidence Manual*.

This inspection was conducted using methodology #3, as presented in HPM 22.1. This is a five step process, which consists of selecting an item in the Area Information System (AIS); locating the item in the Evidence/Property Log; reviewing the corresponding CHP 36, Evidence/Property Receipt/Report; locating the evidence/property item; and verifying the current disposition of the item.

The inspection consisted of examining a stratified random sampling of all categories of evidence/property in the AIS. There were a total of 156 active, 1252 closed, and 23 voided evidence/property numbers in the AIS. The evidence numbers were broken down according to their respective categories within AIS. The evidence numbers associated with closed and voided items were kept separate from the active items. To achieve a statistically defendable sample with a 95 percent confidence level and a plus or minus five percent error rate, 45 items from the active, 59 from the closed, and 23 evidence numbers from the voided categories were inspected. Each category from AIS was stratified to ensure each group was proportionally represented in the sample. The internet web site "randomizer.org" was utilized to randomly select evidence numbers from each stratified category as well as the closed and voided numbers.

The inspection findings for the Arrowhead Area are as follows:

1. The Arrowhead Area's CHP 36, Evidence/Property Receipt/Report forms did not consistently include the signature of a supervisor or officer-in-charge.

2. The Arrowhead Area's CHP 36 forms involving administrative cases did not commonly notate, "Administrative-Hold for five years".

3. The Arrowhead Area Commander did not sign quarterly evidence inspections.

4. Officers did not consistently initial the red evidence tape when booking evidence.

The Arrowhead Area Commander agreed with the findings and has taken corrective action to improve command operations related to the command's evidence system. The Commander's response is attached and is incorporated into this final report.

In accordance with the *International Standards for the Professional Practice of Internal Auditing* and Government Code §13887 (a) (2), this report, the response, and any follow-up documentation is intended for the Office of the Commissioner; Office of the Assistant Commissioner, Field; Office of the Assistant Commissioner, Inspector General; Office of Legal Affairs; Office of Inspections; and Inland Division. Please note this report restriction is not meant to limit distribution of the report, which is a matter of public record pursuant to Government Code §6250 et seq. Furthermore, in accordance with the Governor's Executive Order S-20-09 to increase government transparency this report will be posted on the CHP's internet website, and on the Office of the Governor's webpage, located on the State's Government website.

Inland Division has reviewed the corrective action taken by the Arrowhead Area and has concluded that all previously identified deficiencies have been resolved. As a result no further reporting is required by the Arrowhead Area and matter is considered closed.

The Office of Inspections would like to thank the Arrowhead Area's management and staff for their cooperation during the inspection. If you need further information, please contact me or Assistant Chief Ken Hill at (916) 843-3005.

M. C. A. Santiago

M. C. A. SANTIAGO, CIG
Assistant Commissioner

Attachment

cc: Office of the Assistant Commissioner, Field
Inland Division
Arrowhead Area
Office of Legal Affairs
Office of Inspections

Memorandum

Date: October 1, 2009

To: Office of Inspections

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Arrowhead Area

File No.: 865.10853.10853

Subject: RESPONSE TO DRAFT ARROWHEAD AREA COMMAND EVIDENCE INSPECTION REPORT

This memorandum is intended to serve as the written response to the draft command evidence inspection report of the Arrowhead Area as required by the Office of Assistant Commissioner, Inspector General's memorandum dated July 7, 2009.

FINDINGS REQUIRING FOLLOW-UP:

Finding 1 – Agree. The Arrowhead Area's evidence forms (CHP 36) did not consistently include the signature of a supervisor or officer in charge. Area has briefed proper evidence handling procedures regarding the requirement for a supervisor or officer in charge to sign the CHP 36 form. Area evidence officer has been instructed not to accept property until a supervisor or OIC has signed the form.

Finding 2 – Agree. The Arrowhead Area's evidence forms (CHP 36) did not commonly notate, "Administrative – Hold for five years" on the CHP 36 Form. The Area Evidence Officer, D. Walker, #12657, has corrected this on all administrative items currently held in evidence.

Finding 3 – Agree. The Arrowhead Area Commander did not sign quarterly evidence inspections. The Commander has reviewed and signed all memorandums and will assure future inspections are signed by the Commander or his alternate before filing in the clerical audit/inspection file. The clerical supervisor has also been instructed to provide a copy of the Commanders signed memo to the evidence officer.

Finding 4 –Agree. Officers did not consistently initial the red evidence tape when booking evidence. Area Evidence Officer D. Walker, #12657, has initialed all items.

Active Items: E20070002- Disagree. *This item consisted of a purse and other personal property which was booked as found property. A property letter was not attached to the CHP 36, although there was a US Postal Service delivery confirmation receipt attached indicating a letter was sent. The owner, who later claimed her property, did not sign the required area on the CHP 36, and a copy of her identification was not attached.* The property letter has been located

and attached to the CHP 36. The owner of the property responded by telephone to the Area and requested her property be mailed to her. Therefore, the US Postal Service delivery confirmation receipt attached is the only verification in our possession, and we do not have any form of identification for her.

Arrowhead Area Evidence Room Description – Disagree. *The pass-through lockers are kept in the locks when the lockers are empty and available. After an officer places evidence in a locker, the officer secures the door, removes the key and deposits the evidence key into a hole in another evidence locker.* This is factually incorrect. Arrowhead Area pass-through lockers have holes in the doors and the key is attached to a chain connected to the inside of the locker. After securing the evidence, personnel put the key and chain through the hole in the door. After accepting the evidence and clearing the pass-through locker, the evidence officer replaces the key through the hole so the pass through locker can be used again.

Questions regarding this response may be directed to Lieutenant Sanders via e-mail at rsanders@chp.ca.gov or by telephone at (909) 867-2791.

R.L. Sanders

R. L. SANDERS, Lieutenant
Commander

cc: Office of the Assistant Commissioner, Field
Inland Division