

Office of the State Auditor
Performance Audit Division



State of Mississippi

From the Office of State Auditor

Phil Bryant

**A Review of Selected Operations of the
City of Forest's Police Department**

Report # 77
January 23, 2004

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Mayor Nancy Chambers
Board of Aldermen
Forest, MS

Dear Mayor Chambers and Board Members:

The Office of the State Auditor has completed their review titled “A Review of Selected Operations of the City of Forest’s Police Department”. The audit fieldwork began in August, 2003 and concluded in October, 2003. The results of this review are presented to you in this report.

We hope the results of this review will be helpful to you as you work to improve the operational efficiency and effectiveness of the City of Forest’s Police Department.

Sincerely,

Phil Bryant
State Auditor

**Office of the State Auditor
Phil Bryant**



A Review of Selected Operations of the City of Forest's Police Department

Executive Summary

At the request of the Mayor of the City of Forest (City) and the Board of Alderman (Board), the Performance Audit Division (Division) of the Office of the State Auditor (OSA) conducted a performance review of the City Police Department (FPD).

The objectives of this review were to:

- Review the organizational structure and use of employees within FPD to determine if staff is properly assigned and consists of an appropriate number;
- Review recordkeeping in FPD to determine if records are effective and efficient in meeting the needs of the City; and
- Review evidence management in FPD to determine if policies and procedures are effectively controlling evidence.

Our review included study of relevant statutory regulations, interviews with appropriate personnel, review and analysis of appropriate documentation

and statistics, and any other procedures considered necessary.

Findings and Recommendations

Organizational Structure

FPD's organizational structure includes a police chief, an assistant chief, one investigator, nine officers and usually seven to ten part-time officers. Vehicles assigned to FPD include seven patrol cars and one SUV. An important objective of our review was to determine if FPD's organizational structure compared favorably with other PDs comparable in size and responsibility to FPD. The Division did not intend and does not make any judgments concerning the appropriate number of officers for FPD; rather presents comparative data to determine if FPD's current organization appears reasonable compared to organizational structures of similar PDs.

During our review we contacted other PDs for the purpose of comparing various factors between FPD and similar PDs. Items of comparison included

salary information, officer staffing information, and crime statistics.

Analysis of data indicates that compared to PDs of similar size and responsibility FPD's salary structure is less than other PDs. On the low end of the table's salary range FPD's pay scale is lower by 21 % to 33 % and on the high end is lower by 8 % to 21 %.

The Division does not specifically recommend pay increases based on the table data but does recommend that the City evaluate the current salary structure at FPD to determine that FPD is competitive with other similar PDs. Ensuring that FPD has a competitive salary structure would assist FPD in recruiting and retaining its officers enabling FPD to more effectively meet the needs of its citizens.

Analysis of data indicates FPD's staffing level is comparable to PDs of similar size and responsibility. The average level of staffing of PDs of similar size and responsibility is 11.75 while FPD's staffing level is 11. These totals do not include either police chiefs (Chief) or part-time officers.

The Division does not specifically conclude that staffing levels at FPD are appropriate; however it appears that FPD is comparable to similar PDs based on our review. The Chief should evaluate FPD's current staffing levels to determine that they meet the requirements of public safety in the City then present justification of additional staffing needs, if necessary, to the Board for their consideration.

The information analyzed is limited in value in comparing crime statistics for

FPD to comparable sized PDs. We believe the data indicates differing priorities of law enforcement leading to significant differences in number of tickets written while other statistical categories are similar. Therefore, this data ultimately is included to present crime statistics for various PDs but we draw no conclusion from said statistics. This review indicates differing law enforcement priorities but does not attempt to determine the appropriate priority. This is a decision to be made by City officials. The Chief should inform the Board of current priorities in law enforcement by FPD for their consideration. FPD and the Board should be in agreement as to the appropriate law enforcement priority for FPD.

Our initial interviews with the Mayor and with representatives of FPD revealed a considerable lack of communication between the Mayor's office and FPD even reaching the point of not talking or refusing to attend meetings called to conduct City business. Obviously such conditions are not conducive to operating City business in a way that best serves the citizens of the City. However, subsequent discussions with City officials indicated a desire to improve the working relationship between the Mayor's office and the FPD. Avenues of communication appear much improved since the beginning of our review.

This improved communication indicates a desire to develop a more cohesive operation in conducting the business of the City. City officials have made great improvement in departmental communication and should strive to

continue their efforts in working together for the benefit of the Citizens.

Record Keeping

Our review revealed an excessive and duplicative use of manual records, reducing the level of efficiency in FPD. Some of these records could be easily generated by computer providing time savings for FPD personnel as well as providing quick access to report information without production from manual records.

Due to time constraints, the Division did not address the capabilities of FPD's current computer system. City and FPD officials should review current capabilities and determine if the current system is adequate.

FPD should modernize their records by moving report functions to computer usage. This provides more effective and efficient use of FPD personnel and allows quick access to report information in a usable format.

Evidence Management

The Division met with FPD officials at their office to review their evidence procedures. We discussed evidence procedures with officials and observed actual procedures with a walk-through of the evidence room. The Division was assisted in their review of evidence by a staff member of OSA well versed in the

proper management of evidence in local law enforcement operations. After his review of evidence management in FPD, several recommendations were noted; however he concluded his evidence review work with the following statement in part:

“The evidence control procedures at FPD were in place and were for the most part adequate. Chief Mike Lee was extremely helpful and open to any and all suggestions.”

Areas of Suggested Improvements to Evidence Management

- Security of drop-off evidence would be improved with a better temporary receptacle.
- Overall security of evidence would be improved with a better locking system for the evidence room.
- Evidence log in procedures should be strengthened.
- Control of evidence room keys should be strengthened.
- Security for drug evidence would be improved with a more secure drug locker.
- Non-evidence items should not be stored in evidence room.

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Introduction

Purpose

The Mayor of the City of Forest (City) and the Board of Alderman (Board) requested the Performance Audit Division (Division) of the Office of the State Auditor (OSA) to conduct a review of selected operations of the City Police Department (FPD).

The objectives of this review were to:

- Review the organizational structure and use of employees within FPD to determine if staff is properly assigned and consists of an appropriate number;
- Review recordkeeping in FPD to determine if records are effective and efficient in meeting the needs of the City; and
- Review evidence management in FPD to determine if policies and procedures are effectively controlling evidence.

Scope

The scope of the review included current operations, policies and procedures of FPD.

Method

In conducting the review, OSA performed the following procedures:

- Reviewed relevant state statutes;
- reviewed current operations of FPD;
- interviewed appropriate personnel;
- reviewed policies and procedures authorized by the Board;
- reviewed and analyzed appropriate documents and records used by the FPD;
- developed questionnaires and mailed to Mayors of comparably sized cities;
- summarized statistics gathered from questionnaires to Mayors; and
- other procedures considered necessary.

Background

Legislative Authority

Section 21-8-1, Mississippi Code of 1972, Annotated, authorized the adoption of a mayor-council form of city government.

“Authorized that any municipality, regardless of the form of government under which it is operating, may adopt the mayor-council form of government, as hereinafter provided, by the procedure hereinafter set forth.”

Section 21-8-13, Mississippi Code of 1972, Annotated, authorized the general powers and duties of Council.

“(1) The council shall appoint a clerk of the council and deputy clerks, as necessary, who shall compile the minutes and records of its proceedings, its ordinances and resolutions as this chapter requires, and perform such duties as may be required by law.

(2) At the end of each fiscal year, the council shall cause a full and complete examination of all the books, accounts and vouchers of the municipality to be made by a competent, independent accountant or accountants who shall be appointed by the council, and the report of said examination shall be typed or printed in pamphlet form. The council shall make available a copy of said pamphlet to all persons who shall apply there for at the office of the municipal clerk and shall cause three (3) of the printed copies of said pamphlet for each fiscal year to be substantially bound in three (3) volumes which shall be kept and preserved as a record of the clerk's office. Said pamphlets shall be published as now provided by law.

(3) If, at the beginning of the first term of office of the first city council elected by any municipality under the provisions of this chapter, the appropriations for the expenditures for the municipal government for the current fiscal year shall have been made, the council shall have power by ordinance, to revise, repeal or change said appropriations and to make additional appropriations.

(4) The council, in addition to such other powers and duties as may be conferred upon it by this chapter or otherwise by general law, may require any municipal officer, in its discretion, to prepare and submit sworn statements regarding his official duties, and otherwise to investigate the conduct of any FPD, office or agency of the municipal government.”

Section 21-3-3, Mississippi Code of 1972, Annotated, established that elective officers; certain officers may be appointed.

“The elective officers of all municipalities operating under a code charter shall be the mayor, the aldermen, municipal judge, the marshal or chief of police, the tax collector, the tax assessor, and the city or town clerk. However, the governing authorities of the municipality shall have the power, by ordinance, to combine the office of clerk or marshal with the office of tax collector and/or tax assessor. Such governing authorities shall have the further power to provide that all or any of such officers, except those of mayor and aldermen, shall be appointive, in which case the marshal or chief of police, the tax collector, the tax assessor, and the city or town clerk, or such of such officers as may be made appointive, shall be appointed by the said governing authorities. Any action taken by the governing authorities to make any of such offices appointive shall be by ordinance of such municipality, and no such ordinance shall be adopted within ninety (90) days prior to any regular general election for the election of municipal officers. No such ordinance shall become effective during the term of office of any officer whose office shall be affected thereby. If any such office is made appointive, the person appointed thereto shall hold office at the pleasure of the governing authorities and may be discharged by such governing authorities at any time, either with or without cause, and it shall be discretionary with the governing authorities whether or not to require such person appointed thereto to reside within the corporate limits of the municipality in order to hold such office.”

Section 21-3-15, Mississippi Code of 1972, Annotated, established the duties of the Mayor.

“(1) The mayor shall preside at all meetings of the board of aldermen, and in case there shall be an equal division, he shall give the deciding vote. He shall have the superintending control of all the officers and affairs of the municipality, and shall take care that the laws and ordinances are executed.

(2) Ordinances adopted by the board of aldermen shall be submitted to the mayor. The mayor shall, within ten (10) days after receiving any ordinance, either approve the ordinance by affixing his signature thereto, or return it to the board of aldermen by delivering it to the municipal clerk together with a written statement setting forth his objections thereto or to any item or part thereof. No ordinance or any item or part thereof shall take effect without the mayor's approval, unless the mayor fails to return an ordinance to the board of aldermen prior to the next meeting of the board, but no later than fifteen (15) days after it has been presented to

him, or unless the board of aldermen, upon reconsideration thereof on or after the third day following its return by the mayor, shall, by a vote of two-thirds (2/3) of the members of the board, resolve to override the mayor's veto.

(3) The term "ordinance" as used in this section shall be deemed to include ordinances, resolutions and orders."

Section 21-21-1, Mississippi Code of 1972, Annotated, established the marshal or chief of police; duties; bond.

"The marshal or chief of police shall be the chief law enforcement officer of the municipality and shall have control and supervision of all police officers employed by said municipality. The marshal or chief of police shall be an ex officio constable within the boundaries of the municipality, and he shall perform such other duties as shall be required of him by proper ordinance. Before performing any of the duties of his office, the marshal or chief of police shall give bond, with sufficient surety, to be payable, conditioned and approved as provided by law, in an amount to be determined by the municipal governing authority (which shall be not less than Fifty Thousand Dollars (\$50,000.00)). The premium upon said bond shall be paid from the municipal treasury. If any marshal or chief of police shall fail to perform any of the duties of his office, it shall be the duty of the district attorney or county attorney upon receiving notice thereof to immediately file quo warranto proceedings against such official.

The provisions of this section shall be applicable to all municipalities of this state, whether operating under a code charter, special charter, or the commission form of government, except in cases of conflict between the provisions of this section and the provisions of the special charter of a municipality, or the law governing the commission form of government, in which case of conflict the provisions of the special charter or the statutes relative to the commission form of government shall control."

Organizational Structure

FPD's organizational structure includes a police chief, an assistant chief, one investigator, nine officers and usually seven to ten part-time officers. Vehicles assigned to FPD include seven patrol cars and one SUV. An important objective of our review was to determine if FPD's organizational structure compared favorably with other PDs comparable in size and responsibility to FPD. The Division did not intend and does not make any judgments concerning the appropriate number of officers for FPD; rather presents comparative data to determine if FPD's current organization appears reasonable compared to organizational structures of similar PDs.

Comparison with other Police Departments

During our review we contacted other PDs for the purpose of comparing various factors between FPD and similar PDs. Items of comparison included salary information, officer staffing information, and crime statistics. Tables below present comparable information obtained from FPD and other similar PDs. We met with Mayors and/or their representative and police officials to determine the relevant information. Follow up meetings or calls, when necessary to ensure that information was relevant to our review, were made. We found other PDs cooperative in providing information and believe the information provided by other PDs is correct; however our table is based on the accuracy of the information provided by these PDs.

Comparative Salaries

The table below compares salaries in FPD to those in PDs of similar size and responsibility.

City	Low End of Salary Range	Percent Of Low End Compared to FPD	High End of Salary Range	Percent Of High End Compared to FPD
FPD	\$ 7.00		\$11.25	
2	\$ 9.00	+ 29 %	\$12.55	+ 11%
3	\$ 9.30	+ 33 %	\$13.63	+ 21 %
4	\$ 9.20	+ 31 %	\$12.32	+ 09 %
5	\$ 8.50	+ 21 %	\$12.15	+ 08 %

Analysis of the above table indicates that compared to PDs of similar size and responsibility FPD's salary structure is less than other PDs. On the low end of the table's salary range FPD's pay scale is lower by 21 % to 33 % and on the high end is lower by 8 % to 21 %.

The Division does not specifically recommend pay increases based on the table data but does recommend that the City evaluate the current salary structure at FPD to determine that FPD is competitive with other similar PDs. Ensuring that FPD has a competitive salary structure would assist FPD in recruiting and retaining its officers enabling FPD to more effectively meet the needs of its citizens.

Comparative Staffing Levels

The table below compares staffing levels in FPD to those in PDs of similar size and responsibility.

City	Assistant Chief	Investigator	Patrol Officers	Total
FPD	1	1	9	11
2			10	10
3	1	1	8	10
4			13	13
5			14	14

Analysis of the above table indicates FPD’s staffing level is comparable to PDs of similar size and responsibility. The average level of staffing of PDs of similar size and responsibility is 11.75 while FPD’s staffing level is 11. These totals do not include either police chiefs (Chief) or part-time officers.

The Division does not specifically conclude that staffing levels at FPD are appropriate; however it appears that FPD is comparable to similar PDs based on our review. The Chief should evaluate FPD’s current staffing levels to determine that they meet the requirements of public safety in the City then present justification of additional staffing needs, if necessary, to the Board for their consideration.

Comparable Crime Statistics

The following table compares crime statistics in FPD to those in PDs of similar size and responsibility.

City	Arrests 2002/2001	Tickets 2002/2001	Accidents 2002/2001	Burglaries 2002/2001
FPD	403/459	2361/2140	366/426	33/27
2	363/272	723/389	119/130	23/17
3	NA	NA	NA	NA
4	558/258	3686/2667	165/187	39/34
5	NA	NA	NA	NA

The information presented in this table is limited in value in comparing crime statistics for FPD to comparable sized PDs. We believe the information is properly stated but differing priorities of law enforcement lead to significant differences in number of tickets written while other statistical categories are similar. Therefore, this table ultimately is included to present crime statistics for various PDs but draws no conclusion from said statistics.

This review indicates differing law enforcement priorities but does not attempt to determine the appropriate priority. This is a decision to be made by City officials. The Chief should inform the Board of current priorities in law enforcement by FPD for their consideration. FPD and the Board should be in agreement as to the appropriate law enforcement priority for FPD.

Communication Between Mayor and Police Chief

Our initial interviews with the Mayor and with representatives of FPD revealed a considerable lack of communication between the Mayor's office and FPD even reaching the point of not talking or refusing to attend meetings called to conduct City business. Obviously such conditions are not conducive to operating City business in a way that best serves the citizens of the City. However, subsequent discussions with City officials indicated a desire to improve the working relationship between the Mayor's office and the FPD. Avenues of communication appear much improved since the beginning of our review.

This improved communication indicates a desire to develop a more cohesive operation in conducting the business of the City. City officials have made great improvement in departmental communication and should strive to continue their efforts in working together for the benefit of the Citizens.

Record Keeping System

City Officials asked for an independent review of records in FPD to determine if they were effective and efficient in meeting the needs of FPD and the City. The Division reviewed and analyzed written records and forms, discussing their use with FPD staff to determine if they were an effective and efficient use of City resources.

Computer Usage

Our review revealed an excessive and duplicative use of manual records, reducing the level of efficiency in FPD. Some of these records could be easily generated by computer providing time savings for FPD personnel as well as providing quick access to report information without production from manual records.

All PDs inherently accumulate large quantities of various types of documentation. Documentation is necessary for legal matters, i.e. arrest records, financial records such as fines receivable and to limit FPD's liability. Maintaining documentation is required; however, certain records could easily be maintained on computer resulting in more efficient record keeping and time savings for FPD employees.

Examples of records suited to computer usage:

- Various record and information documentation functions appear to be well suited to computer use. Payment on accounts are now maintained on written receipts and later transferred to computer files. If the payments are initially entered into the computer files this eliminates the necessity of maintaining written records and time savings for FPD personnel.
- Various other logs are maintained by the FPD that could easily be incorporated into computer files.
- Offense reports are completed by officers as documentation of a call, an arrest, or other patrol action. The forms are completed on written forms by the officers and are later transferred to computer files by the Court Clerk. If the officers enter the offense reports directly to computer file, the report process of transferring written forms to computer files could be eliminated resulting in time savings for the FPD.

The following lists some reports that could be produced by computer.

- Frequency of Citizen generated calls for service;
- frequency of incidents with Units responding;
- elapsed time between call received and dispatch;
- frequency of incidents by type of call;
- consumed time by type of call;
- frequency of incidents by address;
- frequency of response units;

- frequency and consumed time of unit activity;
- frequency and description of exceptions;
- other reports deemed necessary by the Chief ; and
- information specifically requested by the Mayor or Board.

Closer review of the different records required by the FPD will likely indicate other records readily adaptable to computer usage. Due to time constraints, the Division did not address the capabilities of FPD's current computer system. City and FPD officials should review current capabilities and determine if the current system is adequate.

FPD should modernize their records by moving report functions to computer usage. This provides more effective and efficient use of FPD personnel and allows quick access to report information in a usable format.

Evidence Management

The Division met with FPD officials at their office to review their evidence procedures. We discussed evidence procedures with officials and observed actual procedures with a walk-through of the evidence room. The Division was assisted in their review of evidence by a staff member of OSA well versed in the proper management of evidence in local law enforcement operations. After his review of evidence management in FPD, several recommendations were noted; however he concluded his evidence review work with the following statement in part:

“The evidence control procedures at FPD were in place and were for the most part adequate. Chief Mike Lee was extremely helpful and open to any and all suggestions.”

FPD uses a pad-locked two-drawer file cabinet with a small opening cut in the top to temporarily secure evidence. Subsequently, evidence is transferred to and logged in the secure evidence vault by the investigator in charge of all cases. Keys to this vault are maintained by the investigator and the Chief.

Areas of Suggested Improvements to Evidence Management

- Security of drop-off evidence would be improved with a better temporary receptacle.
- Overall security of evidence would be improved with a better locking system for the evidence room.
- Evidence log in procedures should be strengthened.
- Control of evidence room keys should be strengthened.
- Security for drug evidence would be improved with a more secure drug locker.
- Non-evidence items should not be stored in evidence room.

The level of evidence management procedures at a small local government PD is dependent on resources. The Chief and the Board should strive to provide the highest level of security in evidence management, in relation to the amount of available resources. Law enforcement is among the most important factors in quality of life issues for citizens of a small municipality and evidence management is very important to effective operations of a PD. While we believe, as mentioned in this report, FPD evidence management policies are for the most part adequate, improvements in the areas mentioned would improve them without significant resource requirements.

Findings and Recommendations

Organizational Structure

Introductory Information:

FPD's organizational structure includes a police chief, an assistant chief, one investigator, nine officers and usually seven to ten part-time officers. Vehicles assigned to FPD include seven patrol cars and one SUV. An important objective of our review was to determine if FPD's organizational structure compared favorably with other PDs comparable in size and responsibility to FPD. The Division did not intend and does not make any judgments concerning the appropriate number of officers for FPD; rather presents comparative data to determine if FPD's current organization appears reasonable compared to organizational structures of similar PDs.

During our review we contacted other PDs for the purpose of comparing various factors between FPD and similar PDs. Items of comparison included salary information, officer staffing information, and crime statistics.

Pay Structure:

Finding

Analysis of data indicates that compared to PDs of similar size and responsibility FPD's salary structure is less than other PDs. On the low end of the table's salary range FPD's pay scale is lower by 21 % to 33 % and on the high end is lower by 8 % to 21 %.

Recommendation

The Division does not specifically recommend pay increases based on the table data but does recommend that the City evaluate the current salary structure at FPD to determine that FPD is competitive with other similar PDs. Ensuring that FPD has a competitive salary structure would assist FPD in recruiting and retaining its officers enabling FPD to more effectively meet the needs of its citizens.

Staffing Levels:

Finding

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Recommendation

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Statistical Information:

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Communication Issue:

Finding

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Recommendation

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Recommendation

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Evidence Management

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Recommendation

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