



State of Arizona
Office
of the
Auditor General

PERFORMANCE AUDIT

**DEPARTMENT
OF
PUBLIC SAFETY**

**Criminal Investigations
Division**

**Report to the Arizona Legislature
By Debra K. Davenport
Auditor General**

**September 2001
Report No. 01-22**

The Auditor General is appointed by the Joint Legislative Audit Committee, a bipartisan committee composed of five senators and five representatives. Her mission is to provide independent and impartial information and specific recommendations to improve the operations of state and local government entities. To this end, she provides financial audits and accounting services to the state and political subdivisions and performance audits of state agencies and the programs they administer.

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Audit Staff

Dot Reinhard—*Manager
and Contact Person (602) 553-0333*
Catherine Dahlquist—Team Leader
Michele Diamond—Team Member
Anne Hunter—Team Member
Ulyses Garcia—Team Member
Jason Wolfe—Team Member

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DEBRA K. DAVENPORT, CPA
AUDITOR GENERAL

STATE OF ARIZONA
OFFICE OF THE
AUDITOR GENERAL

WILLIAM THOMSON
DEPUTY AUDITOR GENERAL

September 17, 2001

Members of the Arizona Legislature

The Honorable Jane Dee Hull, Governor

Colonel Dennis A. Garrett, Director
Department of Public Safety

Transmitted herewith is a report of the Auditor General, A Performance Audit of the Department of Public Safety's Criminal Investigations Division. This report is in response to a June 16, 1999, resolution of the Joint Legislative Audit Committee. The performance audit was conducted as part of the Sunset review set forth in A.R.S. §41-2951 et seq. I am also transmitting with this report a copy of the Report Highlights for this audit to provide a quick summary for your convenience.

This is the seventh in a series of nine reports to be issued on the Department of Public Safety.

As outlined in its response, the Department of Public Safety plans to implement 6 of the 8 recommendations, implement 1 of the recommendations differently, and does not plan to implement 1 recommendation.

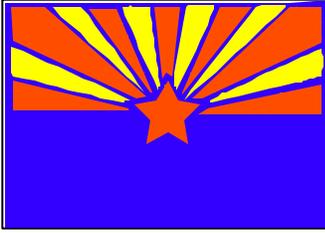
My staff and I will be pleased to discuss or clarify items in the report.

This report will be released to the public on September 18, 2001.

Sincerely,

Debra K. Davenport
Auditor General

Enclosure

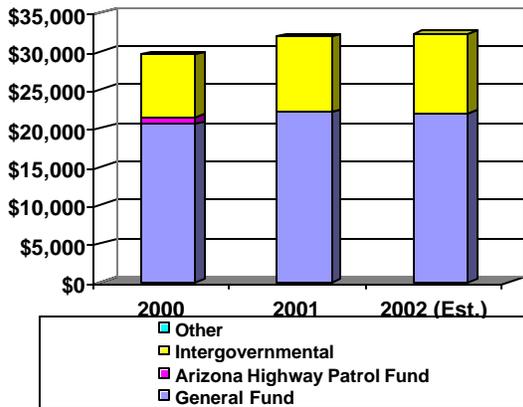


Program Fact Sheet

**Department of Public Safety
Criminal Investigation Division**

Services: The Criminal Investigation Division provides statewide investigative, specialized enforcement, and high-risk response support to federal, state, and local criminal justice agencies. The Division conducts investigations involving narcotic trafficking, organized crime, criminal intelligence, vehicle theft, gangs, computer and financial crimes, and major crime investigations when requested to do so by other criminal justice agencies. The Division also provides specialized high-risk response to acts of extraordinary violence.

Program Revenue: \$32.33 million
(estimated for fiscal year 2002)

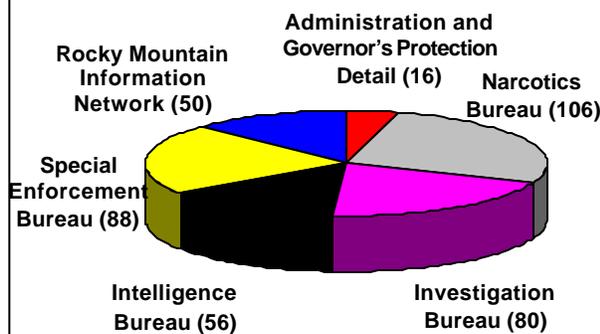


Equipment:

To perform its various functions, the Division uses 452 vehicles at an approximate value of \$8.6 million and an extensive array of specialized equipment with a total value of approximately \$7.5 million¹, including:

- Night vision equipment
- Clandestine listening equipment
- Clandestine video and still cameras
- Building entry tools
- Body transmitters
- Self-contained breathing apparatus
- Air monitors
- Surveillance vehicles
- Wire tap recording tape decks
- Tactical body armor
- Assault and sniper rifles
- Explosive robot
- X-ray equipment
- Hazardous materials vehicles

Personnel: 396 full-time staff
(285 sworn officers and 111 civilians
in fiscal year 2001)



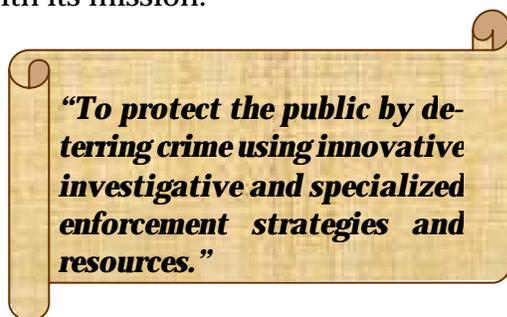
¹ Based on the Criminal Investigations Division's vehicle and capital equipment inventories maintained by the Arizona Department of Public Safety.

Program Goals (fiscal year 2001):

1. To aggressively target drug- and gang-related violent crimes.
2. To enhance specialized investigative and operational assistance to DPS and other governmental entities.
3. To ensure the professional development of Division employees through job-specific training.
4. To enhance Division operations and information sharing through automation and technology.
5. To collect, analyze, and share timely and relevant criminal intelligence.
6. To enhance community partnerships in support of the Criminal Investigations Division's mission.

Adequacy of Performance Goals and Measures:

The Division's six goals appear aligned with its mission:



In support of its goals, the Division has established 15 objectives and 24 performance measures.¹ A review of the performance measures indicates:

- The majority of the Division's performance measures (18) are output measures. Although output measures are important, they only measure the amount of services provided and not the quality or effectiveness of the Division's services.

- Additionally, the Division should expand its measures to include quality, efficiency, and outcome measures. The Division lacks quality measures, which reflect its effectiveness in meeting customers' and stakeholders' expectations, such as other law enforcement agencies' satisfaction with the Division's services. In addition, the Division should expand its efficiency and outcome measures. Efficiency measures evaluate the agency's productivity, such as the cost per case. Outcome measures help the agency determine the actual results or impact of its services. For example, establishing a performance measure, such as the percentage of its cases referred for prosecution that were successfully prosecuted, could help the Division determine the overall results of its investigations.

¹ In addition to Division-wide objectives and performance measures, each of the Division's five bureaus has also developed objectives and performance measures unique to its function. Similar to the Division, these performance measures are primarily output measures.

SUMMARY

The Office of the Auditor General has conducted a performance audit of the Department of Public Safety's Criminal Investigations Division as part of a Sunset review of the agency. This audit was conducted pursuant to a June 16, 1999, resolution of the Joint Legislative Audit Committee. This audit was conducted under the authority vested in the Auditor General by Arizona Revised Statutes (A.R.S.) §41-2951 et seq. This is the seventh in a series of nine audits of the Department of Public Safety (DPS). The other areas audited include DPS' Aviation Section (Report No. 00-7), Scientific Analysis Bureau (Report No. 00-12), Drug Abuse Resistance Education Program (Report No. 01-3), Telecommunications Bureau (Report No. 01-5), Licensing Bureau (Report No. 01-10), and Highway Patrol Division (01-20). The remaining audits will cover the Criminal Information Services and Fingerprint Identification Bureaus and the agency-wide Sunset Factors.

The Criminal Investigations Division provides statewide investigative, specialized enforcement, and high-risk response support to federal, state, and local criminal justice agencies. Some of the specific activities undertaken by the Division's 396 authorized personnel include conducting investigations involving narcotics trafficking, organized crime, vehicle theft, gangs, and computer and financial crimes; enforcing state drug and liquor laws; collecting, analyzing, and disseminating criminal intelligence information to law enforcement personnel; protecting the Governor and her family; apprehending fugitives; and responding to high-risk situations involving explosives and violence. To achieve statewide coverage, Division personnel are assigned to more than 50 squads and multi-agency task forces located throughout Arizona.¹

¹ A squad typically consists of a DPS sergeant and six to seven officers, while a task force comprises DPS officers and personnel from other criminal justice agencies.

The Division Lacks Formal Evaluation Processes for Task Force Participation (See pages 9 through 18)

The Division needs to formalize its processes for determining participation on multi-agency task forces. The number of task forces the Division participates on has nearly doubled in the past ten years, and a significant percentage of the Division's resources are dedicated to such endeavors. Specifically, in fiscal year 2001, the Division committed 52 percent of its sworn officers and \$10.9 million to 28 multi-agency task forces. The level of Division resources committed to task forces heightens the need to formally evaluate whether commitments to new task forces are in the Division's and the State's best interest. In addition, law enforcement accreditation standards recommend a formalized process that would include a documented evaluation of such things as level of criminal activity, the task force's mission and goals, and the projected costs and benefits of participation.

The Division also lacks written orders or policies that specifically address how DPS officers assigned to task forces should be supervised. While the Division does have general supervision procedures that apply to all staff, these procedures are inadequate for addressing the task force investigators who work on projects that generally are administered and controlled by other agencies.

Finally, the Division lacks adequate management information on the task forces to evaluate the benefits of continued participation. The National Advisory Commission on Criminal Justice Standards and Goals determined that special units tend to be self-perpetuating if no formal periodic review is conducted. Some of the task forces on which the Division is participating have been operating for nearly 20 years; however, the Division has no formal process for evaluating the appropriateness of continued participation.

**The Division Needs to Improve
Its Case Management Practices
(See pages 19 through 27)**

The Division still needs to improve its case management practices even though it has taken steps to address a similar finding in an Auditor General report issued almost ten years ago. First, the Division continues to accept cases without considering if they are the best use of investigative resources. A 1992 audit report (Report No. 92-6) indicated that the Division did not have sufficient guidelines to help its officers determine whether a case was worth pursuing. As a result, the Division implemented a policy that requires all cases to be opened by a supervisor to ensure the case is worthy of initiation. However, most supervisors of Division squads still do not use specific criteria to decide whether to open a case. Further, some supervisors believe they cannot decline a case requested by another law enforcement agency because the Division and local law enforcement agencies have interpreted DPS' enabling statutes as a mandate to assist other law enforcement agencies in all crime areas. Because DPS does not have unlimited resources, it needs to develop case-screening procedures that will allow it to balance the requests of local agencies with statewide enforcement needs and priorities.

In addition to insufficient case screening, the Division has not ensured that its case oversight procedures are being adequately followed. In the previous audit, it was found that once a case was opened, the Division had no mechanism to determine if it warranted continuation and could not ensure that its investigators' time was spent effectively. Although the Division now requires supervisors to review active cases every 30 days, many cases are still not being reviewed in a timely manner. In addition, although the Division developed policies and procedures addressing the proper documentation and storage of investigative case reports and files, problems in these areas continue.

Finally, the Division continues to lack critical case management information necessary to report on and assess its activities and ensure that it is effectively using its resources. The Division's case management system lacks complete and accurate information.

Summary

Some investigators have historically not entered case information into the system. In addition, the system's programming precludes the tracking of complete information for cases initiated by other agencies on which Division personnel participate. The Division has indicated that it is in the process of identifying a new system and the necessary funding to implement it, in hopes of addressing these case management problems. However, without regular training and proper procedures, these problems will continue even under a new system.

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INTRODUCTION AND BACKGROUND

The Office of the Auditor General has conducted a performance audit of the Department of Public Safety's Criminal Investigations Division as part of a Sunset review of the agency. This audit was conducted pursuant to a June 16, 1999, resolution of the Joint Legislative Audit Committee. This audit was conducted under the authority vested in the Auditor General by Arizona Revised Statutes (A.R.S.) §41-2951 et seq. This is the seventh in a series of nine audits of the Department of Public Safety (DPS). The other areas audited include DPS' Aviation Section (Report No. 00-7), Scientific Analysis Bureau (Report No. 00-12), Drug Abuse Resistance Education Program (Report No. 01-3), Telecommunications Bureau (Report No. 01-5), Licensing Bureau (Report No. 01-10), and Highway Patrol Division (01-20). The remaining audits will cover the Criminal Information Services and Fingerprint Identification Bureaus and the agency-wide Sunset Factors.

Criminal Investigations Division Provides Investigative and Specialized Enforcement Services to Arizona's Law Enforcement Community

The Criminal Investigations Division provides statewide investigative, specialized enforcement, and high-risk response support to federal, state, and local criminal justice agencies. The Division conducts investigations involving narcotic trafficking, organized crime, criminal intelligence, vehicle theft, gangs, computer and financial crimes, and major crime investigations when requested to do so by other criminal justice agencies. The Division also provides specialized high-risk response to acts of extraordinary violence.

Organization and Staffing

The Division operates statewide and is currently organized into five bureaus. Each bureau has a separate focus and, except for

the Rocky Mountain Information Network, is led by a commander. In addition to the 380 full-time equivalent (FTE) employees distributed among the 5 bureaus, there are another 9 FTEs assigned to the Governor's Protection Detail and 7 FTEs responsible for administering the Division.

- **The Narcotics Bureau (106 FTEs)**—consists of 15 squads and multi-agency task forces organized into three regional districts—northern, central, and southern.¹ Their focus is on enforcing state drug laws by conducting investigations of groups and individuals who manufacture, distribute, and sell illegal drugs.
- **The Investigation Bureau (80 FTEs)**—consists of 13 squads and multi-agency task forces organized into three functional areas: 1) vehicle theft interdiction, which focuses on stolen vehicle recovery; 2) general investigation, which assists law enforcement agencies with follow-up investigation of financial, liquor, and other crimes; and 3) major crimes investigation, which conducts internal investigations, assists other agencies with administrative investigations, investigates computer crimes, and provides other law enforcement agencies with investigative support into serious crimes.
- **The Intelligence Bureau (56 FTEs)**—consists of several entities, including three squads of intelligence collectors, a criminal intelligence analysis unit, a criminal information-research unit, a files management unit, and two multi-agency narcotics intelligence initiatives. These entities focus on gathering and analyzing criminal intelligence information and disseminating it to law enforcement personnel.
- **The Special Enforcement Bureau (88 FTEs)**—consists of 19 squads organized into three functional areas: 1) gang enforcement, which addresses street, motorcycle, and prison gang activity and crime; 2) tactical operations, which conducts clandestine drug lab, explosives, hazardous materials,

¹ A squad typically consists of a sergeant and six to seven officers, while a task force comprises DPS officers and personnel from other criminal justice agencies.

and fugitive arrest operations; and 3) canine operations, which uses trained dogs to help detect narcotics and explosives.

- **The Rocky Mountain Information Network (50 FTEs)**— supports law enforcement agencies in the Rocky Mountain region in the detection, enforcement, and prosecution of multi-jurisdictional criminal activities by providing an on-line network of intelligence databases, analytical services, investigative assistance, and specialized surveillance equipment to all member law enforcement agencies.

Budget

The Division received \$31.9 million in fiscal year 2001 (see Table 1, page 4). While General Fund monies comprised most of the funding, the Division received additional funds from other sources, including the Governor's Office of Highway Safety, the Arizona Automobile Theft Authority, the Arizona Criminal Justice Commission, the U.S. Department of Justice, and the Office of National Drug Control Policy. In addition, the Division received \$1.5 million in Racketeering Influenced Corrupt Organization monies for items such as officer overtime and equipment.

Noteworthy Recognitions

Over the years, the Division has received frequent recognition for its criminal investigation efforts.

- The U.S. Attorney General's Law Enforcement Coordinating Committee recognized the Division's Phoenix Narcotics Squad, Phoenix Interdiction Squad, and Financial Task Force for "Excellence in Law Enforcement" for 1999-2000.
- The Executive Office of the President and the Office of National Drug Control Policy recognized the Arizona High Intensity Drug Trafficking Areas (HIDTA) Intelligence Support Center as an "Outstanding HIDTA Investigative Support Center" for 2000.

Table 1

**Department of Public Safety
Criminal Investigations Division
Statement of Revenues, Expenditures, and Changes in Fund Balance
Years Ended or Ending June 30, 2000, 2001, and 2002
(In Thousands)
(Unaudited)**

	2000 (Actual)	2001 (Actual)	2002 (Estimated)
Revenues:			
Appropriations:			
State General Fund	\$20,560.0	\$21,972.5	\$21,899.5
Arizona Highway Patrol Fund	792.9		
Intergovernmental	8,138.8	9,944.5	10,430.6
Other	<u> </u>	<u> .2</u>	<u> </u>
Total revenues	<u>29,491.7</u>	<u>31,917.2</u>	<u>32,330.1</u>
Expenditures:			
Personal services	17,650.5	18,187.0	20,242.2
Employee related	3,982.8	4,171.9	4,180.3
Professional and outside services	79.2	54.5	114.4
Travel, in-state	269.5	270.7	378.8
Travel, out-of-state	261.4	246.8	258.0
Aid to organizations	3,194.5	3,422.4	2,957.8
Other operating	1,883.2	2,761.5	2,420.5
Equipment	<u>1,603.2</u>	<u>2,138.4</u>	<u>2,159.1</u>
Total expenditures	<u>28,924.3</u>	<u>31,253.2</u>	<u>32,711.1</u>
Excess of revenues over (under) expenditures	567.4	664.0	(381.0)
Reversions to the State General Fund	257.4	379.9	
Excess of revenues over (under) expenditures and reversions to the State General Fund	310.0	284.1	(381.0)
Fund balance, beginning of year	<u>807.1</u>	<u>1,117.1</u>	<u>1,401.2</u>
Fund balance, end of year	<u>\$ 1,117.1</u>	<u>\$ 1,401.2</u>	<u>\$ 1,020.2</u>

Source: Auditor General staff analysis of financial information provided by the Department of Public Safety.

- The International Association of Chiefs of Police and the National Insurance Crime Bureau recognized the Arizona Vehicle Theft Task Force with an “Award of Merit” for 1999.

Prior Audit Findings

This audit reviewed the Division’s progress in implementing recommendations identified in a 1992 performance audit (No. 92-6). Several of the problems identified in the 1992 report still exist and are addressed in Findings I and II (see pages 9 through 27). Below are the findings and recommendations from the 1992 report not specifically discussed in the current report.¹

- **Poor case prosecution rate**—The 1992 report found that due to the poor quality of investigations, Maricopa County prosecutors refused to prosecute Bureau cases more often than similar cases prepared by other law enforcement agencies. Therefore, the report recommended that the Bureau develop a process for obtaining prosecutor feedback.

Current status—During recent interviews with prosecutors handling Division cases, no concerns were cited regarding the quality of the cases. In addition, it was noted in interviews with prosecutors and Division investigators that the two parties often begin working together during the early stages of the investigation to better ensure the case will be prosecutable.

- **Inexperienced supervisory personnel**—The 1992 report found that the Bureau placed personnel in management positions who, at the time of placement, had no experience in conducting narcotics or intelligence investigations. Because the types of cases the Bureau worked on often required extensive planning and supervision to ensure success and officer safety, the report recommended that the Bureau consider developing a placement system for management personnel that requires prior experience in investigations and narcotics cases.

¹ In 1992, the Criminal Investigations Division was referred to as the Criminal Investigations Bureau.

Current status—Although the Division has still chosen not to limit Division management positions to only those with prior experience in investigations and narcotics cases, in fiscal year 2001, it drafted selection requirements for entry-level supervisory positions in the Division. These requirements stipulate that a supervisor new to the Division be placed in charge of a squad with a less intensive investigative focus, such as fugitive arrest, liquor/general investigations, or vehicle theft. In addition, the person's immediate supervisor will be responsible for ensuring that the new supervisor receives any additional investigative training needed.

- **Inadequate control over undercover funds and flash monies**—The 1992 report found that investigators were spending undercover monies inappropriately. These monies are intended for paying informants, purchasing evidence (such as drugs), and paying for emergency investigative expenses. In addition, flash roll monies, which are large sums of monies shown to potential suppliers of illegal drugs to prove an undercover officer's ability to purchase contraband, were being issued without proper approvals and were not always returned in a timely manner. To protect these monies from abuse, loss, and theft, the report recommended that DPS develop and enforce strong internal controls regarding the issuance and tracking of these monies.

Current status—The current review found that the Division has developed and implemented policies and procedures regarding the authorization, use, and tracking of both undercover funds and flash monies. In addition, the Division's finance manager routinely audits the flash roll monies.

Audit Scope and Methodology

The audit focused on the adequacy of the Division's decision-making process used to determine if it should commit resources to multi-agency task forces and current case management practices. One area of the Division was not reviewed during this audit—the Rocky Mountain Information Network (RMIN). RMIN was excluded from this review because it is a federal grant project, with DPS' role being that of grant administrator.

This audit presents findings and recommendations in two areas:

- The need for the Division to formalize its process for deciding whether to participate on multi-agency task forces and to develop supervisory guidelines to ensure effective use of its task force personnel.
- The need for the Division to improve its case management practices to ensure effective use of resources.

Several methods were used to study the issues addressed in this audit, including:

- Observing seven investigative and tactical operations to become familiar with the procedures, resources, and time involved in initiating and conducting investigations, and responding to requests for assistance;
- Reviewing 49 case files to determine the reliability of selected data fields in the Division's automated case management system and to assess compliance with Division procedures regarding case documentation and supervision;
- Reviewing law enforcement standards developed by the Commission on Accreditation for Law Enforcement Agencies, Inc. and by the National Advisory Commission on Criminal Justice Standards and Goals that address case selection criteria, task force participation, and officer and case oversight;
- Interviewing personnel from 11 other federal, state, and local agencies that interact with the Division on a regular basis to identify concerns and determine satisfaction with Division services.

This audit was conducted in accordance with government auditing standards.

The Auditor General and staff express appreciation to the director of the Department of Public Safety, and the assistant director, chief of staff, and staff of the Criminal Investigations Division for their cooperation and assistance throughout the audit.

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FINDING I

THE DIVISION LACKS FORMAL EVALUATION PROCESSES FOR TASK FORCE PARTICIPATION

The Division needs to formalize its processes for determining participation on multi-agency task forces. The number of task forces the Division participates on has nearly doubled in the past ten years, and more than half its sworn officers are now assigned to them. However, the Division does not have formal processes for 1) deciding whether to participate on a task force; 2) supervising Division staff assigned to task forces controlled by other agencies; and 3) annually evaluating whether it should continue its participation on a task force.

Majority of Division's Officers Work Full-Time on Task Forces

More than 50 percent of Division officers are assigned full-time to task forces.

More than half of the Criminal Investigations Division's officers work full-time on multi-agency task forces. Task forces are formed to enhance the coordination of federal, state, and local law enforcement efforts, and to pool key resources such as manpower, investigative experience, and specialized crime-solving equipment. According to the U.S. Department of Justice, approximately half of the state police agencies in the United States participate to some degree on such task forces.¹ Task force officers typically concentrate on investigating a specific area of criminal activity, such as narcotics, vehicle theft, or gangs. The number of officers assigned to a task force varies, depending on things such as the scope of the crime problem and the size of the community being served. Currently, 52 percent of the Division's investigators, or 147 FTEs, are assigned to 28 multi-agency task forces located throughout Arizona.

¹ U.S. Department of Justice, Bureau of Justice Statistics, *Law Enforcement Management and Administrative Statistics 1997: Data for Individual State and Local Agencies with 100 or More Investigators*, April 1999.

The key features of the task forces on which the Division participates are outlined in Table 2 (see pages 11 through 12). Basic operational components of the task forces are as follows:

- **Administration and Supervision**—Task forces are generally formed and administered by a single agency, which also assigns a sergeant or lieutenant as the task force commander. Other law enforcement agencies will then assign staff who are supervised by the task force sergeant or lieutenant. For example, the Division has assigned an investigator to the Santa Cruz HIDTA Task Force administered by the Santa Cruz County Sheriff’s Department. The investigator works out of an office in Nogales and is supervised on a daily basis by a sergeant from the Nogales Police Department. All but 2 of the 28 task forces are administered and supervised by other agencies.¹

- **Assignments and Duties**—The Division’s task force investigators are assigned full-time to the task force to work on investigative activities. The length of assignment to a task force can vary, depending on individual task force policies. During their tenure on a task force, Division investigators work with other agencies’ law enforcement personnel to conduct regular investigative activities, such as locating and interviewing witnesses and conducting surveillance. For example, the Division investigator assigned to the DEA narcotics task force in Tucson works with Pima County Sheriff’s deputies, Tucson Police Department detectives, and Oro Valley Police Department detectives investigating drug trafficking crimes.

- **Governance**—Typically, a board of directors comprising local prosecutors and participating agencies’ top management personnel governs each task force. The boards meet monthly or every other month to receive status reports from the task forces and to provide guidance and oversight. In addition, some governing boards are formed to administer grants and approve task force budgets.

¹ The two task forces administered by the Division are the Vehicle Theft Task Force and the Gang Intelligence Team Enforcement Mission.

Finding I

Table 2

**Department of Public Safety—Criminal Investigations Division
Participation in Multi-Agency Task Forces
Year Ended June 30, 2001**

Task Force		Other participating agencies	Number of sworn positions assigned ¹	Division estimated task force expenditures
Name/Date DPS joined	Focus			
Apache County Cooperative Enforcement Narcotics Team/1988	Narcotics interdiction and violent crimes	1 County Sheriff's Office	1	\$ 60,000
Arizona High Intensity Drug Trafficking Areas (HIDTA) Center/1997	Drug trafficking organizations	Bureau of Alcohol, Tobacco, and Firearms, Bureau of Land Management, Drug Enforcement Administration, Federal Bureau of Investigation Joint Counter Narcotics Task Force, Joint Task Force 6, U.S. Border Patrol, U.S. Customs, 1 County Sheriff's Office, 1 Police Department	1	626,000
Border Alliance Group/1987	Narcotics, violent crime, and other criminal activity	Federal Bureau of Investigation, U.S. Customs, Arizona Attorney General's Office, Arizona Game and Fish Department, 1 County Attorney's Office, 1 County Sheriff's Office, 4 Police Departments	7	539,000
Drug Enforcement Administration Phoenix Task Force/1982	Narcotics interdiction	Drug Enforcement Administration, 1 County Sheriff's Office, 3 Police Departments	1	80,000
Federal Bureau of Investigation Mountain Eagle Safe Streets Task Force/2000	Identify violent criminal enterprises	Federal Bureau of Investigation, U.S. Forest Service, U.S. Marshal's Office, 1 County Sheriff's Office, 1 Police Department	1	65,000
Federal Bureau of Investigation Violent Street Gangs Task Force/2000	Gangs	Federal Bureau of Investigation, Arizona Department of Corrections, 2 Police Departments	1	69,000
Fugitive Investigation Strike Team/1986	Fugitive apprehension	Federal Bureau of Investigation, U.S. Marshal's Office, Arizona Attorney General's Office, 1 County Sheriff's Office, 1 Police Department.	1	60,000
Gang Intelligence Team Enforcement Mission/1994	Gangs	10 County Sheriff's Offices, 38 Police Departments	54	4,071,000
Gila County Narcotics Task Force/1990	Narcotics interdiction	1 County Sheriff's Office, 3 Police Departments	3	142,000
HIDTA Enforcement Agencies Task Force/1999	Narcotics interdiction	Drug Enforcement Administration, U.S. Marshal's Office, 1 County Attorney's Office, 1 County Sheriff's Office, 1 Police Department	1	72,000
Joint Drug Intelligence Group/1995	Drug trafficking organizations	Federal Bureau of Investigation, Joint Counter Narcotics Task Force, Joint Task Force 6, Immigrations and Naturalization Service, Rocky Mountain Information Network, 1 County Sheriff's Office, 1 Police Department	2	351,000
Maricopa County Methamphetamine Task Force/1994	Methamphetamine operations	Drug Enforcement Administration, Arizona National Guard, 1 County Sheriff's Office, 6 Police Departments	4	469,000
Metro Area Narcotic Trafficking Interdiction Squads/1998	Narcotics interdiction	Federal Bureau of Investigation, Drug Enforcement Administration, U.S. Customs, 1 County Sheriff's Office, 5 Police Departments	2	155,000
Mohave Area General Narcotics Enforcement Team/1988	Narcotics interdiction	1 County Sheriff's Office, 2 Police Departments	6	425,000
Multi Agency Surveillance Team/1998	Narcotics and surveillance	Drug Enforcement Administration, 1 County Sheriff's Office, 1 Police Department	1	70,000

Finding I

Table 2 (Concl'd)

Task Force		Other participating agencies	Number of sworn positions assigned	Division estimated task force expenditures
Name/Date DPS joined	Focus			
Navajo County Major Crime Apprehension Team/1988	Gang and other criminal activity	1 County Sheriff's Office, 3 Police Departments	1	63,000
Northern Arizona Street Crimes Task Force/1986	Narcotics and other criminal activity	Arizona Department of Liquor Licenses and Control, 1 County Sheriff's Office, 2 Police Departments	1	60,000
Phoenix Financial Task Force/1995	Money laundering	Immigration and Naturalization Service, U.S. Customs, Arizona Attorney General's Office, Arizona National Guard	6	440,000
Phoenix Interdiction Task Force/2000	Narcotics interdiction	Drug Enforcement Administration	8	326,000
Pima County HIDTA Task Force/1994	Narcotics interdiction	1 County Sheriff's Office, 2 Police Departments, Tucson Airport Authority	1	71,000
Pinal County HIDTA Task Force/1988	Narcotics and other criminal activity	1 County Sheriff's Office, 1 Police Department	5	375,000
Prescott Area Narcotics Task Force/1989	Narcotics and other criminal activity	1 County Sheriff's Office, 6 Police Departments	5	292,000
Santa Cruz County HIDTA Task Force/1988	Narcotics interdiction and money laundering	Drug Enforcement Administration, Federal Bureau of Investigation, U.S. Border Patrol, U.S. Customs, U.S. Marshal's Office, Arizona Attorney General's Office, 1 County Sheriff's Office, 1 Police Department	1	78,000
Southeastern Arizona Narcotics and Violent Crime Task Force ² /1987	Narcotics and violent crime	Drug Enforcement Administration, 2 County Sheriff's Offices	4	228,000
Southwest Border Alliance/1985	Narcotics, violent crime, and other criminal activity	U.S. Border Patrol, 4 Police Departments	4	223,000
Tucson Drug Enforcement Administration Task Force/1985	Narcotics interdiction	1 County Sheriff's Office, 2 Police Departments	1	75,000
Vehicle Theft Task Force/1997	Vehicle theft	National Insurance Crime Bureau, Arizona Department of Insurance, Arizona Motor Vehicle Division, 3 County Sheriff's Offices, 7 Police Departments	24	1,381,000

¹ The Division also has 20 civilian positions assigned to task forces. These civilian positions are primarily research analysts and are assigned to the Arizona HIDTA Center, Joint Drug Intelligence Group, and Vehicle Theft Task Force.

² The Southeastern Arizona Narcotics and Violent Crime Task Force comprises of two task forces, one operating out of Graham County and the other operating out of Greenlee County.

Source: Auditor General staff analysis of Division documents and expenditure data provided by the Arizona Department of Public Safety.

- **Funding and Equipment**—Operations of the task forces are funded from a variety of sources. Home agencies typically pay their investigators' salaries, with any overtime generally paid by the administering agency. Some federally funded task forces will provide cars for investigators; however, investigators generally use the cars and equipment provided to them by their home agency. There are no formal rules concerning specialized equipment. If special equipment is needed for a case, it will be provided by whichever officer can obtain the equipment.

The Division Needs a Formal Process for Deciding When To Participate on a Task Force

The level of Division resources committed to task forces heightens the need to formally evaluate whether commitments to new task forces are in the Division's and the State's best interest. Currently, the Division does not have a formal evaluation process in place that could assist management in deciding whether to join a task force. Having such a process in place would aid the Division in determining the costs and benefits of participating on a task force, as well as assist it in meeting current law enforcement standards relevant to task forces. The Division also lacks formal intergovernmental agreements identifying goals and objectives for some of the task forces on which it currently participates.

Level of resource allocation warrants formal assessment process—Because the Division's participation on task forces has grown, it needs to formally assess whether it should join new task forces. In 1992, when the Auditor General's Office last conducted a performance audit of the Division, the Division participated on 17 task forces. As mentioned previously, the Division now participates on 28 task forces and commits 52 percent of its sworn officers to these efforts. Despite the increasing resources committed to task forces, the Division has not developed a formal assessment process for deciding whether to participate on a task force. According to Division management, the decision-making process is not documented and consists only of informal discussions and occasional limited research on such things as the

targeted crime and proposed methods of combating it, as well as consideration of which agency is making the request.

Law enforcement standards recommend that a task force's potential impact be assessed when considering whether to participate on it.

Because the Division lacks a formal assessment process, it cannot demonstrate that it thoroughly and consistently reviews the appropriateness of task force participation. Further, the Division is unable to demonstrate that its task force participation is an effective use of resources and is in line with law enforcement standards. According to the National Advisory Commission on Criminal Justice Standards and Goals, when law enforcement management believe that criminal activities require specialized employment of agency resources, management should clearly identify the problem to be addressed, assess the potential impact of specialized employment, and consider all alternatives for resolving the problem.

While task forces can enhance the coordination of federal, local, and state law enforcement efforts, to ensure that the resources the Division allocates to task force participation are beneficial, the Division should develop formal, documented criteria to assist in determining whether it should participate in these special assignments. A formalized process for deciding whether to participate on a specific task force should include documented evaluations of such things as level of criminal activity, the task force's mission and goals, and the projected costs and benefits of participation.

The Division needs completed agreements for each task force—
The Division also needs to ensure it has completed intergovernmental agreements for each task force it participates on. Law enforcement accreditation standards recommend that participating agencies establish written agreements identifying the task force's goals and objectives.¹ The Division has such agreements for 21 of the 28 task forces but lacks them for the remaining 7. According to Division personnel, agreements sent to participating agencies for signatures are not always returned. In addition, agreements were not in the central file in DPS' Legal Section as required by DPS policy.

¹ The Commission on Accreditation for Law Enforcement Agencies, Inc., *Standards for Law Enforcement Agencies*, Third Edition, April 1994.

The Division Needs Task Force Supervision Policies

The Division also does not have written orders or policies specifically concerning the supervision of its personnel assigned to task forces. While the Division does have general supervision and evaluation procedures for its staff, these procedures are inadequate for addressing the unique situation of task force investigators, who work on projects that generally are administered and controlled by other agencies. The Division needs to develop written supervisory orders that are appropriate for its investigators assigned to task forces controlled by others.

Law enforcement standards indicate that written policy is necessary to hold personnel strictly accountable.

Task force assignments can create accountability problems and concerns—Task force assignments involve unique challenges to accountability, in that an investigator may be employed by the Division but work on a project that is controlled by another agency. The National Advisory Commission on Criminal Justice Standards and Goals (Commission) recommends that whenever a police agency determines it should deploy its resources, corresponding supervisory controls should be incorporated into the program. According to the Commission, if a policy is not in writing, it cannot be considered a firm commitment and personnel cannot be held strictly accountable to it.

Although the Division has guidelines regarding investigator supervision that apply to all personnel, these guidelines do not appear adequate and appropriate for personnel assigned to task forces. For example, the Division's performance appraisal manual does not address how Division supervisors shall observe employee performance when investigators are assigned to task forces and may be located at another office. The lack of clear accountability steps has caused concern among some Division supervisors, who said they could not be certain that investigators assigned to task forces were following Division policies and procedures.

Written guidelines needed—The Division needs to develop supervisory policies that are specific to personnel assigned to task forces, and to consider requiring the documentation of certain supervisory tasks. Policies should outline such things as the frequency and type of supervision necessary for investigators on

task forces. In addition, the Division should consider requiring documentation of routine, ongoing communication between Division supervisors and task force commanders. For example, a Division commander suggested that the Division establish a policy stipulating a Division sergeant should meet periodically with the sergeant or commander from the agency administering the task force to confer about the activities and performance of Division personnel assigned to the task force. This type of requirement could be part of the inter-agency agreement, and would serve to keep all involved parties aware of current operational activities and potential supervisory problems.

The Division Needs to Evaluate Its Continued Involvement on Task Forces

Task forces tend to be self-perpetuating if no formal periodic review is conducted.

Because task forces can be self-perpetuating, the Division needs a process for regularly assessing the appropriateness of continued participation. Some of the task forces on which the Division is participating have been operating for nearly 20 years. However, the Division currently lacks a process for making ongoing assessments of whether continued participation is in the State's best interests.

Law enforcement standards recommend task forces be reviewed annually.

National guidelines call for formal periodic review of task forces—The National Advisory Commission on Criminal Justice Standards and Goals determined that special units tend to be self-perpetuating if no formal periodic review is conducted. This tendency heightens the importance of regular evaluations of the effect that task forces are having on the targeted problem, the community, and the agencies involved. In this regard, the Commission on Accreditation for Law Enforcement Agencies recommends that there be a written directive requiring an annual review of each specialized unit for the purpose of determining whether it should be continued. The review should include an evaluation of the task force's results and an assessment of its continued necessity.

The Division's current approach is neither regular nor specific. Division management review of task force activity is primarily limited to information that is combined into monthly narrative

reports provided by Bureau commanders. Although the Bureau commander may receive statistical reports from individual task forces, these statistics are combined with statistics from other Division investigations. Therefore, the reports do not distinguish between the activities of task force personnel and other Division investigators. While these monthly narratives are an effective means for quickly updating management on overall activities, they do not serve as an adequate means for evaluating whether continued task force participation is beneficial. In addition, DPS' director or the Division's assistant director participate in the annual review that the HIDTA-funded task forces must provide to obtain federal funding for the next year. However, these reviews have not been used to formally evaluate the Division's participation on these task forces.

Formal review process needed—The Division should develop a process to formally review on an annual basis the need for its continued participation on task forces. This review should encompass an assessment of the productivity of task force personnel, as well as review of the overall performance of the entire task force, since Division personnel may represent only a small part of overall activities. To assist in reviewing productivity of task force personnel, the Division should review the investigative activity, such as arrests made and evidence seized, that task force officers enter on the Division's case management system. In so doing, the Division will also need to ensure that the information being compiled is complete. As discussed in Finding II (see pages 19 through 27), information in the case management system currently suffers from a lack of completeness. Specifically, the case management system's programming design precludes the tracking of critical information, such as case outcomes, number of days a case is opened, and supervisory review information, on many of the task force cases.

As part of the continuing re-evaluation effort, Division officials should also examine any activity reports produced by the agency administering the task force. For example, the Vehicle Theft Task Force generates a monthly activity report and a year-end report that are disseminated to its board of directors and Division management.

Recommendations

1. The Division should develop and implement a formal process to help it determine whether it should join a task force. The process should be documented and include such things as the level of criminal activity, the task force's mission and goals, and the projected costs and benefits of participation.
2. The Division should seek to acquire complete formal agreements for each task force that it participates on by again requesting that those participating agencies that have not completed formal agreements do so. These agreements should be located in a central file in DPS' Legal Section.
3. The Division should develop and implement a supervision policy specific to task forces. This policy should include, at a minimum, the frequency and type of supervision required for investigators assigned to task forces.
4. The Division should develop and implement formal assessment and review procedures for the purpose of determining whether to continue task force participation. The reviews should be conducted yearly and be appropriately documented. To aid in these reviews, the Division should obtain adequate management information, such as management reports from the task force governing boards, and activity information from its case management system.

FINDING II

THE DIVISION NEEDS TO IMPROVE ITS CASE MANAGEMENT PRACTICES

The Division still needs to improve its case management practices as was recommended in an Auditor General report almost ten years ago. Although the Division has taken several steps to address the issues raised in the last report, it needs to do more to ensure compliance with proper case management practices. First, the Division needs to develop a better screening mechanism to ensure the cases it accepts are in line with its priorities and are a good use of investigative resources. Second, it needs to ensure compliance with its supervisory review and case file documentation requirements. Finally, the Division needs to improve its case management information so that it can report critical information about its activities and assess whether it is achieving its objectives.

Division Squads Offer Numerous Law Enforcement Services

In addition to its participation on multi-agency task forces, the Division has numerous investigative squads comprising only DPS personnel. These squads provide a wide range of investigative services and are available to all law enforcement entities that request assistance. For example, as illustrated in Table 3 (see page 20), the Division has one squad dedicated to the dismantling of and disposing of explosives and explosive chemicals, such as bombs and chemicals used in methamphetamine laboratories. In addition, it has another squad that investigates computer crimes, such as child pornography and fraud, and assists other agencies in the seizure and analysis of computer records.

Table 3

**Department of Public Safety
Criminal Investigations Division Squads¹
Year Ended June 30, 2001**

Squad ²	Primary activities	Number of sworn positions	Division estimated expenditures
Computer Crimes	Investigates computer crimes including child pornography, cyber stalking, and fraud, and assists other agencies in the seizure and analysis of computer records.	4	\$ 257,000
Explosives Ordinance (Bomb squad)	Assists in the dismantling and disposing of explosives and explosive chemicals, and in investigating explosive-related incidents.	4	354,000
Fugitive	Apprehends individuals with outstanding felony warrants.	7	320,000
General Investigations	Supports highway patrol officers with follow-up investigations on narcotics and hit-and-run cases, conducts routine liquor inspections, enforces underage drinking laws, and provides investigative support to other law enforcement agencies.	24	1,578,000
Governor's Protection	Provides security and transportation to the Governor and Governor's family.	9	497,000
Hazardous Materials	Responds statewide to hazardous materials incidents, provides technical expertise to agencies requesting assistance, and assists with investigation and cleanup of clandestine drug labs.	2	195,000
Narcotics	Investigates groups and individuals who manufacture and sell illegal drugs and assists highway patrol officers in processing drug seizures.	30	1,548,000
Special Investigations	Investigates internal and criminal conduct cases involving DPS personnel, assists other agencies with their internal and criminal conduct cases, and investigates misconduct cases involving public officials and employees.	9	512,000
Special Operations (SWAT)	Conducts high-risk search warrant entries involving high-violence situations and clandestine drug labs for DPS and other law enforcement agencies statewide.	8	663,000

¹ In addition to the listed squads, the Division supports other DPS Divisions and other law enforcement agencies through its canine-assists and criminal intelligence collection efforts. Currently, there are 20 sworn positions assigned to assist the Highway Patrol with canine-related drug searches and 20 sworn positions assigned to collect criminal intelligence information.

² Generally, there is only one of each squad. However, there are four general investigation and five narcotics squads.

Source: Auditor General staff analysis of Division documentation and expenditure data provided by the Arizona Department of Public Safety.

The Division Does Not Screen Cases Sufficiently

The Division does not screen cases sufficiently to ensure it is spending its resources on cases that are the best uses of investigative resources. Although the Division implemented a case initiation policy since the last audit, it does not result in case screening. As such, the Division needs to develop specific criteria for accepting cases to ensure that its resources are spent appropriately.

Most Division supervisors do not use specific criteria to help them accept cases.

Case initiation policy does not screen cases—The Division continues to accept cases without considering if they are the best use of investigative resources. A 1992 Auditor General report (No. 92-6) indicated that the Division did not have sufficient guidelines to help its officers determine whether a case was worth pursuing. Since then, the Division implemented a policy that requires all cases to be opened by a supervisor to ensure the case is worthy of initiation. However, most supervisors of Division squads still do not use specific criteria to decide whether to open a case because they rarely decline cases, particularly when another law enforcement agency requests assistance. This is due to the Division’s interpretation of A.R.S. §41-1711(a), which states, “there shall be a Department of Public Safety which is responsible for creating and coordinating services for use by local law enforcement agencies in protecting the public safety.” The Division and local law enforcement agencies have interpreted this statute as a mandate for DPS to assist other law enforcement agencies in all crime areas. However, local enforcement priorities may vary widely among jurisdictions, creating pressures from local jurisdictions for DPS to assist on crimes in some jurisdictions that may be low priorities throughout the rest of the State. Because DPS does not have unlimited resources, it needs to be judicious in how it uses its manpower. Further, as a state police agency, it needs to balance the requests of local jurisdictions with statewide enforcement needs and priorities. This can be best done by developing specific criteria for screening cases so that all parties, including local jurisdictions, understand where DPS’ resources can best be used.

Better case screening is necessary—The Division should develop case screening procedures to help balance the requests of local jurisdictions with statewide enforcement needs and priorities. According to *The Standards for Law Enforcement Agencies*, the objective of case screening is to assign available personnel to those investigations that have the best chance of being successful.¹ The standards also state that the agency should have a written directive that specifies how case screening is to be conducted and what criteria should be used. Below are some examples that demonstrate effective case screening for successful outcomes based on the priorities of the agencies.

- **The Organized Crime Drug Enforcement Task Force**—a federal task force that targets large-scale drug operations, and has a case-screening form that must be completed prior to accepting cases. The form requires information about the targeted organization, types and quantities of drugs involved, names of possible suspects, and the potential for drug and/or asset seizures. This information assists the task force in determining if the case is relevant to its mission based on the type and level of crime committed.

- **A narcotics task force**—in which the Division participates has developed specific, written criteria to determine when it will respond to highway patrol narcotics cases. These guidelines are meant to exclude cases that do not involve drug sales (i.e., personal use) and include those that have a good chance of leading to a mid-level drug dealer. For example, the squad requires that the highway patrol officer encounter at least two items that are indicative of sales, such as scales and drug ledgers (i.e., written records of drug sales). In addition, there must be potential for apprehending additional drug dealers by having a cooperative suspect willing to divulge the source or destination of drugs, or physical evidence that tends to incriminate other persons not yet apprehended.

¹ The Commission on Accreditation for Law Enforcement Agencies, Inc., *Standards for Law Enforcement Agencies*, Third Edition, April 1994.

Case Oversight Policies Not Followed

Although the Division implemented some case oversight procedures, the procedures are not being adequately followed. Specifically, some supervisors are not conducting timely reviews of active cases and the Division continues to have documentation problems with its case files. Therefore, the Division needs to take steps to ensure adequate supervisory oversight and appropriate case file documentation.

Although Division procedure requires supervisory review of active cases every 30 days, 6 percent had not received a review for 90 days or more.

Supervisory requirements and case documentation policies not followed—The Division also continues to have problems with case oversight and case documentation. In the last report, auditors found that once a case was opened, the Division had no mechanism to determine if a case warranted continuation. For example, the report cited a case in which an investigator spent 800 hours (the equivalent of four-and-a-half months) on a surveillance in which he never saw the suspect. Although the Division now requires supervisors to review active cases every 30 days, auditors found that the Division had 254 active cases out of 4,012 (or 6 percent) that had not received a supervisory review for 90 days or more; 23 percent of these cases were over 200 days past due.

The Division also continues to have documentation problems with its case files. The purpose of a case file is to document the events surrounding an investigation and to serve as a basis for supervisory review of officers' actions. The 1992 audit report cited problems with incomplete records and files that were difficult to locate. Since then, the Division has developed policies and procedures that recognize the importance of proper documentation as noted in its procedure manual, which states "reports are a mechanism for recording and organizing information gained through criminal investigations. . ." and that they are "essential to the proper processing, storage and retrieval of accurate criminal justice information." In addition, DPS policy requires closed investigative cases to be sent to its centralized Records Unit (DRU). This policy ensures the files' preservation and availability for other investigators who may subsequently need a case file for other related cases.

In spite of the importance of a centralized file system, some investigators do not send their files to DRU. Specifically, when auditors pulled a sample of 49 closed cases from the DRU, 22 of the cases were incomplete. For example, one file, which involved approximately 10,000 hours, contained a cover sheet and crime lab request form. In contrast, the file should have contained, based on the Division's own procedures manual, at least an investigator narrative, suspect and witness information, and case outcome information, since the case was listed as successfully prosecuted on the case management system.

The Division Lacks Critical Case Management Information

The Division cannot ensure effective use of its resources because it lacks complete and accurate management information.

The Division also continues to lack critical case management information necessary to report on and assess its activities, both as related to its own investigations and its participation on multi-agency task forces. Although the Division implemented a case management system to address the concerns raised in the last audit, the system lacks complete and accurate information. Without complete and accurate management information, the Division cannot ensure it is using its resources effectively.

Division unable to ensure effective use of resources—Although the Division implemented a case management system to address similar concerns identified in the 1992 Auditor General report, the system lacks complete and accurate information on the Division's activities and outcomes. While the system has the capability of tracking all critical case data, such as case type, hours expended, and case outcomes, it is not a useful management tool because of the following problems:

- **Some officers do not enter case information into the system**—Three squads from the Special Enforcement Bureau have historically not entered case information into the Division's automated case management system. This practice has occurred in spite of the Division's own policy that all officers enter case activity information into the system on a daily basis. Although these squads changed their policy and began entering some case information into the system as of July 1,

2001, two out of the three still do not plan on entering case outcome information.

- **Programming design limits tracking of some information**—The system is not capturing complete information on non-DPS cases opened by Division officers. Non-DPS cases are cases that are initiated by other law enforcement agencies, but in which DPS participates. Non-DPS cases are most likely to be opened by Division officers assigned to task forces. However, some officers on Division squads also open and work on non-DPS cases. When the Division's case management system was first developed, it was designed to capture only limited information on non-DPS cases such as date the case is open, case location, and case type. Such information as case outcome, number of days a case is open, and supervisory review information is not available for non-DPS cases, even though Division officers are working directly on these cases. Auditors' review of Division management reports found that Division officers on 18 squads and task forces opened more than 1,200 non-DPS cases between July 1998 and April 2001.

- **Case outcome codes do not reflect all activities**—The Division has not developed sufficient case outcome codes to adequately capture all of its activities. For example, the Fugitive squad, responsible for apprehending felons who have absconded, closes all of its cases administratively, even if they have been successful in arresting a fugitive.¹ According to the squad supervisor, this is done because there is no code that accurately captures a successful apprehension, only a "successful prosecution." Because the Division conducts numerous activities that do not involve the prosecution of a suspect, additional codes are important for accurately tracking the outcome of its cases.

- **Officers do not receive regular training**—The Division should re-establish a formalized training program with a qualified trainer. The Division stopped providing formal training on its automated system four years ago. Instead, it

¹ Per the case management procedures manual, a case may be closed administratively when there is a lack of further leads, an unavailability of investigative resources, or the case lacks sufficient seriousness.

assigned the responsibility to supervisors who also may not have received any formal training or may have received it many years ago when the system was first implemented. Formalized training by a qualified trainer ensures that newcomers to the Division receive consistent and proper instruction on how to use the system and its codes.

The Division has expressed dissatisfaction with its current automated system, stating that it is outdated and difficult to use. As such, the Division is in the process of identifying a new system and the necessary funding to implement it, in hopes of addressing these case management problems. However, without regular training and procedures to ensure all squads enter comprehensive and accurate information into the system, inadequate management information will continue even under a new system.

The Division should assess its activities and outcomes to ensure priorities are met—Once critical case information for the entire Division is available, the Division should assess its activities and outcomes to ensure its goals and priorities are being met. According to the National Advisory Commission on Criminal Justice Standards and Goals, law enforcement executives must be able to assess the degree to which the agency is fulfilling its role and achieving its goals and objectives. This information could be used to shift resources and/or demonstrate the need for additional resources.

Recommendations

1. The Division should develop specific criteria for accepting cases to help it balance the requests of local jurisdictions with statewide enforcement needs and priorities.
2. The Division should ensure adequate case oversight and appropriate documentation by:
 - a. Enforcing policies requiring supervisory review every 30 days.
 - b. Enforcing policies on supervisory review of the paper case file to ensure it contains appropriate documentation.
 - c. Enforcing its policy that closed case files be sent to the Records Unit.
3. The Division should improve its case management information regardless of whether it purchases a new system or continues with the current one by:
 - a. Enforcing the policy requiring all Division investigators to enter case information into the Division's automated system.
 - b. Making the necessary programming changes to allow non-DPS cases the same internal tracking capability as DPS cases.
 - c. Expanding the case outcome codes to more accurately reflect current activities the Division conducts.
 - d. Re-establishing a formalized training program to ensure a better understanding of the system and proper use of codes.
4. Once critical case information for the entire Division is available, the Division should assess its activities and outcomes to ensure its priorities are being met.

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Agency Response

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ARIZONA DEPARTMENT OF PUBLIC SAFETY

1902 WEST ENCANTO BLVD. P.O. BOX 6638 PHOENIX, ARIZONA 85005-6638 (602) 223 - 2000



JANE DEE HULL
GOVERNOR

DENNIS A. GARRETT
DIRECTOR

September 12, 2001

Ms. Debra K. Davenport, Auditor General
Office of the Auditor General
2910 North 44th Street
Phoenix, Arizona 85018

Dear Ms. Davenport:

Enclosed is the response to the Performance Audit of the Department of Public Safety's Criminal Investigations Division.

Should questions arise following the review of our response, please feel free to contact Commander David P. Gonzales at (602)223-2365.

Sincerely,

A handwritten signature in cursive script, reading "Dennis A. Garrett".

Dennis A. Garrett, Colonel
Director

Encls.

**Arizona Department of Public Safety
Criminal Investigation Division
Response to the Auditor General Performance Audit**

The following is the Criminal Investigation Division response to the Performance Audit conducted by the Auditor General's Office.

The Criminal Investigation Division wishes to compliment the Auditor General's audit staff for their professionalism and close working relationships with Criminal Investigation Division personnel during the audit.

I. Response to Findings

Finding # 1: The Division lacks a formal evaluation process for task force participation.

Recommendation # 1: The Division should develop and implement a formal process to help determine whether or not to join a task force. The process should be documented and include the level of criminal activity, the task force mission and goals and projected costs and benefits of participation.

Division Response: The finding of the Auditor is partially agreed to and the recommendation will be implemented.

Multi jurisdictional task forces have been a vital element in state and national efforts to reduce the availability and use of illegal drugs, and to reduce the level of violent crimes. It has been the policy of the Department of Public Safety to participate in multi agency task forces in order to combine talents of a variety of law enforcement agencies to best utilize resources.

DPS participation in multi agency task forces dates back to the creation of this agency. Decentralized multi agency task forces were created to combat local community crime issues in support to the mission of the Department of Public Safety. Additional multi agency task forces address specific criminal targeting and support roles. The majority of the task forces with the exception of those federally directed, are overseen by a management board. This board consists of command representatives from the participating agencies to include the Department of Public Safety. Day to day supervision of personnel in 16 of 28 task forces is accomplished by a Criminal Investigation Division supervisor.

While there is no Criminal Investigation Division formal evaluation procedure, task force participation is evaluated by the CI Division command. Upon the reorganization of the Department and the Criminal Investigation Division, two detective squads assigned to

federal task forces were reassigned back to the Division because the federal assignment did not meet the Division's Strategic Plan criteria.

While the CI Division itself does not formally have an evaluation process, many of the task forces themselves must provide productivity reports on a yearly basis to obtain continued funding. All eleven HIDTA funded task forces must provide year-end presentations on their activities to obtain next year funding. The DPS Director or the Assistant Director for Criminal Investigations is involved in this review process. The GITEM and Vehicle Theft task force that is managed and supervised by DPS provides quarterly and yearly reports on the task forces' progress.

The Division will formalize the evaluation process using existing reports submitted by each task force and DPS criteria. However, participation in task forces is critical to the mission of the Department of Public Safety. Participation allows the Department's Mission to be accomplished which is to carry one of its primary mandates which is to support other criminal justice agencies. The Division is also implementing an audit program to involve all Division elements to include task forces.

Recommendation #2: The Division needs a formal process for deciding when to participate in a task force.

Division Response: The finding of the Auditor is agreed to and the recommendation will be implemented.

The Audit report indicates inter-agency agreements for seven out of 21 task forces were not on file. The Division drafted inter-agency agreements and submitted them to all participating DPS task forces. However, those seven were never returned.

The CI Division will continue to work with the remaining seven task forces and their respective controlling political subdivisions to obtain those agreements.

Recommendation # 3: The Division needs task force supervision policies.

Division Response: The finding of the Auditor is partially agreed to and the recommendation will be implemented.

The Department's Performance Appraisal System Manual outlines requirements for the evaluation of Department personnel. The policy includes supervisors who have personnel working for them directly and those who have personnel detailed to a task force. In addition, the Criminal Investigation Division has performance appraisal criteria specific to the investigative function. However, the Division will supplement this with Task Force Supervision criteria for both the supervisor and the detectives assigned. The Division is in the process of implementing a revised policy manual and these issues will be included in the manual.

Recommendation # 4: The Division needs to evaluate its continued involvement on task forces.

Division Response: The findings of the Auditor General are partially agreed to and a different method will be implemented.

While there is no CI Division formal evaluation procedure, task force participation is evaluated by the CI Division command. Upon the reorganization of the Department and the Criminal Investigations Division, two detective squads assigned to federal task forces were reassigned back to the Division because their federal assignment did not meet the Division's Strategic Plan criteria.

While the Division itself does not formally have an evaluation process, many of the task forces themselves must provide productivity reports on a yearly basis to obtain continued funding. All eleven HIDTA funded task forces must make year-end presentations on their activities in order to obtain next year funding. The Department of Public Safety Director or the Assistant Director for Criminal Investigations serves on this review process. The GITEM and Vehicle Theft task forces managed and supervised by DPS provide quarterly and yearly reports on the task forces progress.

The Division will formalize the evaluation process using existing reports submitted by the task forces and DPS criteria. However, participation in task forces is critical to the mission of the Department of Public Safety. Participation allows the Department to carry out one of its primary mandates and that is to support other criminal justice agencies. The Division is also implementing an Audit program that will involve all Division elements to include task forces.

Finding # 2: The Division needs to improve its case management practices.

Recommendation #1: The Division does not screen cases sufficiently.

Division Response: The findings of the Auditor are not agreed to and the recommendation will not be implemented.

The Department of Public Safety was created to support and assist other criminal justice agencies. Prior to the reorganization of the Department in April 2000, one of the main complaints was the lack of investigative response. Currently, commanders in the CI Division have the authority to decline cases or requests for assistance based on available resources. However, it is the position of the Division that all requests must be followed up on. Many of the other jurisdictions have no other to turn to for assistance. What is a small case in one jurisdiction may be monumental in another. The excellent reputation this Division enjoys is based largely on our support to requesting agencies. To limit this support would create serious problems for the Department and for the citizens of Arizona.

Recommendation #2: Case oversight policies are not followed.

Division Response: The findings of the Auditor are agreed to and have been implemented.

Recommendation #3: The Division lacks critical case management information.

Division Response: The findings of the Auditor are agreed to and will be implemented.

The Division is in the process of selecting a case management system that will provide complete and accurate information on the Division's activities and outcomes.

Recommendation #4: Once critical case information for the entire Division is available, the Division should access its activities and outcomes to ensure priorities are being met.

Division Response: The findings of the Auditor are agreed to and will be implemented

Other Performance Audit Reports Issued Within the Last 12 Months

01-1	Department of Economic Security— Child Support Enforcement	01-11	Arizona Commission on the Arts
01-2	Department of Economic Security— Healthy Families Program	01-12	Board of Chiropractic Examiners
01-3	Arizona Department of Public Safety—Drug Abuse Resistance Education (D.A.R.E.) Program	01-13	Arizona Department of Corrections—Private Prisons
01-4	Arizona Department of Corrections—Human Resources Management	01-14	Arizona Automobile Theft Authority
01-5	Arizona Department of Public Safety—Telecommunications Bureau	01-15	Department of Real Estate
01-6	Board of Osteopathic Examiners in Medicine and Surgery	01-16	Department of Veterans' Services Arizona State Veteran Home, Veterans' Conservatorship/ Guardianship Program, and Veterans' Services Program
01-7	Arizona Department of Corrections—Support Services	01-17	Arizona Board of Dispensing Opticians
01-8	Arizona Game and Fish Commission and Department—Wildlife Management Program	01-18	Arizona Department of Correct- ions—Administrative Services and Information Technology
01-9	Arizona Game and Fish Commission—Heritage Fund	01-19	Arizona Department of Education— Early Childhood Block Grant
01-10	Department of Public Safety— Licensing Bureau	01-20	Department of Public Safety— Highway Patrol
		01-21	Board of Nursing

Future Performance Audit Reports

Arizona Department of Corrections—Arizona Correctional Industries

Department of Building and Fire Safety