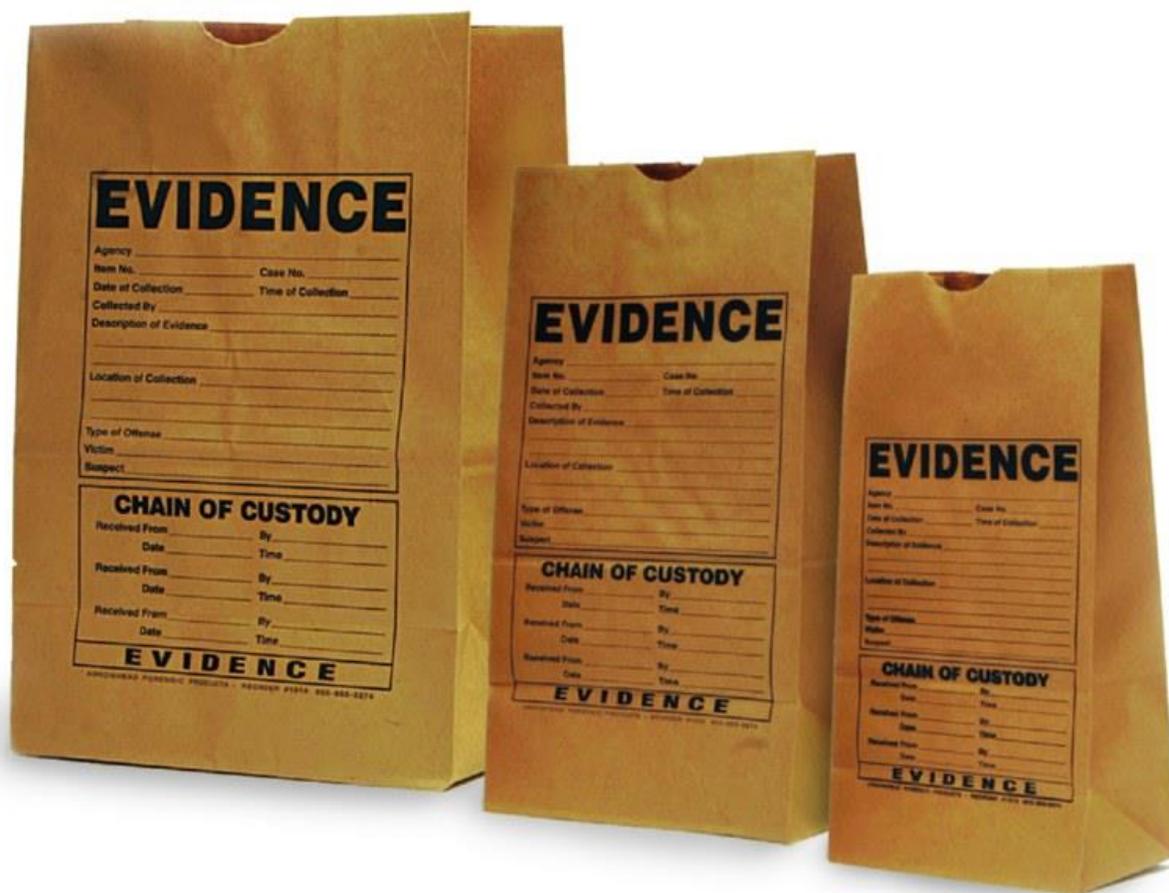


**Travis County Auditor's Office Review of  
the Travis County Sheriff's Office  
Evidence Warehouse**

**#17-04**

**August 2, 2017**



TRAVIS COUNTY  
AUDITOR'S OFFICE

NICKI RILEY, CPA  
COUNTY AUDITOR



TRAVIS COUNTY  
700 LAVACA  
P.O. BOX 1748  
AUSTIN, TX 78767  
(512) 854-9125  
FAX: (512)854-9164

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To: Sally Hernandez  
Travis County Sheriff

From: Nicki Riley, CPA  
Travis County Auditor

Date: August 2, 2017

Subject: Reviews of TCSO Evidence Warehouse

Scheduled as part of our statutory requirements, particularly those in Section 115 of the Local Government Code and Article 59 of the Texas Code of Criminal Procedure, the Risk Evaluation and Consulting (REC) Division of the Travis County Auditor's Office has completed a review of the Travis County Sheriff's Office (TCSO) evidence warehouse. We conducted our examination in accordance with the applicable statutes governing the County Auditor's Office and those relating to County financial and accounting protocols. As a result of our examination, we are providing this report on our findings and recommendations.

## **BACKGROUND**

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TCSO enforces laws, protects the life and property of Travis County residents, and provides safe, secure, and humane confinement of inmates. TCSO is comprised of Corrections, Administration, and Law Enforcement Divisions. The Law Enforcement Division provides patrol functions, criminal investigations, and community-oriented services. Included in the criminal investigations function is the security, tracking, and maintenance of evidentiary materials in the evidence warehouse.

## **EXAMINATION METHODOLOGY**

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Our work was based on applying sampling procedures to office records and on verbal and written representations from this office. Sampling relates to examining, on a test basis, evidence supporting the amounts and disclosures in the financial records and statements. The use of sampling techniques would not necessarily disclose all matters in the evidence warehouse. In regards to the written and verbal representations made by this office, unless otherwise noted in this report, office management maintains that the assertions we relied upon in the examination were correct to the best of their knowledge.

## **SCOPE OF EXAMINATION**

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This report details an assessment of the adequacy and effectiveness of the overall system of controls in place for the TCSO evidence warehouse as of January 31, 2017.

## **SUMMARY OF FINDINGS & RECOMMENDATIONS**

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During our inventory of the items in the warehouse, we noted two minor reconciling items on the inventory list that were subsequently corrected by TCSO.

During our review of the physical control environment of the warehouse, we noted five issues related to building security and inventory custody.

## **EXAMINATION TEAM**

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David Jungerman, Senior Auditor  
Amanda Muehlberg, Staff Auditor

## **CLOSING**

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This report is intended solely for the information and use of your office and the Commissioners Court. We greatly appreciate the cooperation and assistance received from the management and staff of the Travis County Sheriff's Office during these reviews. Please contact us if you have any questions or concerns regarding this report.



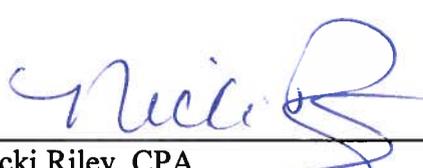
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David Jungerman, CIA  
Chief Assistant County Auditor I - REC  
Division



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Patti Smith, CPA  
First Assistant County Auditor



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Nicki Riley, CPA  
Travis County Auditor

## REPORT DISTRIBUTION

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Jessica Rio, County Executive, Planning and Budget Office  
Managers, Travis County Auditor's Office  
County Executives  
Examination File

## Attachment A – Findings Noted

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### **Background**

The law enforcement evidence/property function exists in order for TCSO to receive, catalog, safely store, and maintain the integrity of evidence, found property, and forfeited/seized property for safekeeping. TCSO has a fiduciary and legal obligation to store and protect items of evidence and property in its custody. TCSO is also obligated to legally restore property to the rightful owner as soon as practical or to facilitate the legal disposition of evidence/property in TCSO's possession.

TCSO relies on the Lead Evidence Technician and the Evidence Technicians to accomplish the above objectives. The team is tasked with maintaining security and control in the evidence/property warehouse as well as receipting, storing, safekeeping, releasing, and disposing of all evidence/property items under its control. Currently, the TCSO evidence team has five employees; one lead evidence technician and four evidence technicians. In the absence of an evidence tracking system, TCSO utilizes a records management system to log and track all evidence/property. They secure and track approximately 50,000 items across varying evidence/property types, including, but not limited to the following:

- drugs and drug paraphernalia
- firearms and ammunition
- jewelry
- automotive parts and accessories
- bicycles
- security items (e.g. cash and coins, IDs, credit cards, prepaid cards, gift cards, checks)
- personal articles (e.g. cell phones, televisions, clothing)

The law enforcement evidence/property function is vital to the criminal justice process. Its effective and efficient operation is integral to TCSO's quality of service to the community and the criminal justice system. The management of this function has become increasingly complex due, in part, to factors related to hazardous material storage, the protection and preservation of biological/DNA-related material, security and chain of custody, and the training of evidence/property personnel. The failure to manage the evidence and property function can improperly affect the outcome of criminal cases.

### **Issues Noted**

#### *Inventory*

During our January 9, 2017 review of the TCSO Evidence Warehouse inventory, we reviewed 360 items relating to 142 criminal cases. Due to chain of custody requirements, the sealed packages containing these items were not opened; rather, we verified the items by the description written on the outside of the packages. Due to this, we cannot state conclusively that the items tested were physically in the packages.

During this inventory, we noted that two items listed as active on the custody report were no longer in the custody of the TCSO evidence warehouse staff. It appears that both of these items were

properly disposed of, but they were not reclassified as such on the inventory list. These items are as follows:

1. One maroon and white road bike
2. One 50-count box of Monarch .40 S&W ammunition with 36 shells remaining

### *Tracking*

Evidence warehouse staff are currently attempting to track inventory using a records management system. This system appears to be insufficient to accurately track items in the possession of the County. One alternative would be to purchase an evidence management system with a complete audit trail and real-time tracking. An application of this nature could also be utilized by the Fire Marshal, Constables' Offices, and the District Attorney.

### *Security*

The International Association for Property and Evidence (IAPE) has set professional standards relating to property and evidence handling procedures. A high-level comparison between the standards and the current evidence warehouse facility revealed the following issues related to building security and inventory custody:

1. In some areas, drop ceilings are in place. All interior walls should extend from the floor to the roof to prevent access into controlled areas by climbing over a wall through a suspended ceiling.
2. Windows approximately 14 feet above the ground are present around a majority of the building. They are not fitted with mesh or bars. It is preferable for an evidence room to be designed without windows. When this is not possible, windows should be fitted with bars or mesh to enhance security and discourage entry.
3. An exterior door is present in the facility. The door hinges are located outside the structure. In addition, the hinges are not security hinges. Exterior doors should be avoided; however, when necessary, they should be equipped with security hinges to prevent the removal of the door by outside parties.
4. The property room is not ventilated in a manner that controls heat, cold, humidity, or odors. Maintaining room temperature in a controlled environment is recommended so that biological evidence is not degraded. Areas that store drugs should be independently ventilated. During the inventory, we also noted that the ventilation shafts in the drug storage room did not always function properly.
5. The temperature on cold storage units is monitored through manual temperature logs on a weekly basis; no automatic monitoring devices are in place. Also, no backup power source is available in the event of a power outage. While a secondary refrigeration unit is available should the primary unit fail, this would not address a complete power outage at the complex.

Given the nature of the items in custody, failure to provide sufficient security and a proper environment may result in criminal evidence being compromised or misappropriated. We recommend that TCSO address the above concerns when feasible.

## **Management Response**

The Travis County Sheriff's Office received the audit report prepared by your office after auditing our evidence warehouse on January 31, 2017. This correspondence details our efforts to correct and/or address listed areas of concern.

### **INVENTORY**

Your report indicates that 360 items related to 142 criminal cases were examined. Two items were listed as active; however it was found that both items were in fact, not in our custody. We have updated our records after confirming that both items had been correctly disposed of. One case was from 2010 and the other from 2013.

Your report indicates that our current method of tracking evidence is insufficient. TCSO was granted funds in FY16 by commissioner's court to purchase an Evidence Management System. This funding was enough to purchase the new software but was not enough to take care of annual maintenance. TCSO has submitted a FY18 budget request for on-going annual maintenance funds for this system. Once approved we will move forward with the purchase.

### **SECURITY**

Your report lists five items that should be corrected as they relate to the safety and security of stored evidence.

1. Drop ceilings in some portions of the warehouse. Walls should extend from floor to ceiling.
2. Windows around the upper portion of the walls with no mesh or bars for security.

We agree with the concerns listed in #1 and #2 as they specifically relate to security of evidence. We have met with Purchasing and the county Planning and Budget Office, as well as Facilities Management. We are working together to submit budget requests for funding in FY18 that will build out the rest of the warehouse to meet safety and security protocols. At this time funding is not available to correct these issues in this portion of the evidence warehouse.

3. Exterior door is present with hinges on the outside.

This safety and security issue has been resolved. The door was corrected so that the hinges are no longer exposed from the outside. This work was performed by Facilities Management on February 22, 2017.

4. Not ventilated in a manner that controls heat/cold/humidity/odors.
5. Cold storage units with no automated monitoring. No back-up power supply.

Once again we agree with the concerns listed in #4 and #5 related to the climate control systems, ventilation systems, refrigeration systems and back-up power supply. We have met with Purchasing and the county Planning and Budget Office, as well as Facilities Management. We are working together to submit budget requests for funding in FY18 to purchase the proper climate control and ventilation systems. This funding will also be used to equip the building with a back-up generator that would supply emergency power in the event of power failure. At this time funding is not available to correct these concerns.

In May 2017, TCSO identified funding within our budget to purchase a new walk-in freezer. Currently this purchase is working its way through the Travis County Purchasing department's procurement process so as to secure a suitable freezer that both meets the needs of the Sheriff's Office at the best price for Travis County taxpayers. This freezer will be equipped with redundant refrigeration systems and an automated temperature monitoring system that includes automated alarms. This system will have the ability to monitor multiple refrigeration devices; therefore our current walk-in cooler will also be monitored.