

Metropolitan Nashville Airport Authority

MEMORANDUM

TO: Raul Regalado, President and CEO

CC: Monty Burgess, Senior Vice President and COO
Stan, Van Ostran, Vice President and CFO
Steve Heim, Chief of Public Safety
Chad Beasley, Captain
Mike Hasselbrink, Lieutenant
Lynne Steck, Director of Purchasing and Inventory Management

FROM: Julie Zwicknagel, Internal Auditor

DATE: May 27, 2009

SUBJ: DPS Issued Equipment & Inspection Procedures Audit Report

Background

The Metropolitan Nashville Airport Authority's ("MNAA") Department of Public Safety ("DPS") is a dual-certified agency that provides full police services as well as aircraft rescue and fire fighting ("ARFF") and emergency medical technician ("EMT") services to airport visitors and employees. DPS has been accredited by the Commission on Accreditation of Law Enforcement Agencies ("CALEA") since 1996.

DPS has officers trained in specialized areas to handle extraordinary situations that may arise. DPS has the following specialized teams: Airport Containment Team ("A.C.T."), Crisis Negotiation Team ("C.N.T."), Hazardous Materials Team ("HAZMAT"), and K-9 Explosive Detection Team.

DPS also uses bike patrol units as a way to provide better security and customer service at the airport. DPS has two Segway mobile transporters that are utilized by regularly assigned law enforcement officers to patrol the airport terminal building, short term parking lot, terminal curbside area, and special detail assignments. The Segway is a two wheeled, counter balance, electric powered vehicle designed to carry one person at any one time.

In 1997, DPS established the Traffic Enforcement Officer ("TEO") Program. TEO's are civilian employees trained in customer service, traffic enforcement, and first aid.

DPS Issued Equipment and Inspection Procedures Audit concentrated on DPS personnel complying with the following DPS General Orders: 2-08 – Personal Issue Equipment, 7-04 – Inspections, and 5-07 – Firearms Training.

DPS General Order No. 2-08 – Personal Issue Equipment, effective August 15, 2007, established policies and procedures regarding the issue and care of personal issue equipment including the initial issuance and replacement guidelines. Personal issue equipment items are provided to each officer and TEO upon employment for their use in the performance of official duties. A sample of the initial officer issuance list is provided below by varying segments.

LEO EQUIPMENT ITEMS:			
MNAA ID	Inner Belt	Holster - Pistol	Radio
Commission Card	Outer Belt w/ buckle	Magazines w/46 Rounds	Radio Case
Booking Card	Breast Badge	Magazines Case	OC Spray
Long Sleeved Shirts (3)	ADP Pins	Handcuff Case	OC Spray Case
Short Sleeve Shirts (5)	Keepers	Handcuffs	Med Glove Pouch
Trousers (5)	Body Armor	ASP	Winter Hat
Jacket Light Weight	Firearm	ASP Case	Cell Phone (based on operational needs)
Jacket Heavy Weight			
ARFF EQUIPMENT ITEMS:			
Boots	Firehall Pants (2)	Helmet	SCBA Mask
Bunker Jacket	Firehall Shirts (2)	Nomex Hood	Suspenders
Bunker Pants	Gloves		
BIKE PATROL EQUIPMENT ITEMS:			
Pants w/zip off (2)	Cuff Case	Jacket Bolo Vest	Shoes (2)
Short Sleeve Shirts	Gloves w/pouch	OC Spray Case	Bike Pump
Belt Keepers	ASP Holder	Multi-Tool	Radio Case
Combination Lock	Holster	Outer Belt	

Equipment for the other specialized teams (A.C.T., HAZMAT, etc.) would not be included in the initial personal issue equipment items. DPS officers have to be employed by MNAA for two years before they are qualified to be on a specialized team. DPS uses existing equipment to assign to the specialized team members.

After 12 months of employment, officers and TEO’s are given a uniform allowance that will be used at DPS’ uniform supplier, Greene Military & Police (“Greene”) for replacement items or items included on the Airport Police Allowance List. Replacement items are items that have been damaged in the line of duty or worn out from normal wear and tear. For FY 2009, officers are allowed \$200 and full-time TEO’s are allowed \$150 a year to purchase uniform allowance items.

DPS General Order No. 7-04 – Inspections, effective August 16, 2007, established policies and procedures for departmental line, vehicle, and facility inspections. The General Order

outlines the departmental line and facility inspection procedures to ensure a professional image and peak performance levels are maintained. Additionally, police and ARFF vehicle inspections and maintenance requirements are defined to keep equipment properly maintained for operational readiness.

DPS General Order No. 5-07 – Firearms Training, effective August 16, 2007, established policies and procedures for weapons training and defines specifications for MNAA approved weapons and ammunition. The General Order outlines the Firearms Instructors responsibilities some of which include issuing MNAA approved firearms to properly qualified personnel; overseeing service work and annual inspections on firearms; maintaining and monitoring the ammunition supply in the armory; maintaining records of each firearm issued and weapons training and qualification results.

DPS officers are required to keep both on and off duty weapons safely secured and stored to prevent unauthorized access to such weapons. Officers must keep their weapons clean, serviceable, and in good working order. Any weapons that are damaged or inoperable should be reported to the Firearms Instructor.

Firearms qualifications are conducted on an annual basis and officers are required to demonstrate an 80% proficiency level on all weapons authorized for use. For ACT personnel, a 90% proficiency level is required and firearms qualifications are conducted on a quarterly basis. DPS officers must demonstrate knowledge of the laws governing the use of weapons and accepted law enforcement procedures. DPS conducts in-service classroom training on deadly force, non-deadly force, and other use of force considerations on an on-going basis.

Objectives

The objectives of the audit were as follows:

1. Determine compliance with personal issued equipment and replacement procedures;
2. Determine compliance with DPS inspection procedures; and
3. Document and evaluate existing internal controls.

Testing

In order to satisfy the audit objectives, the following tests were performed:

1. Obtained a current listing of DPS law enforcement officers (“LEO”), selected a sample for detailed testing, and performed the following:
 - a. Determined there was not documentation to support all officers were issued equipment from the DPS LEO Equipment Issuance Form.
 - b. If officer did not accept body armor, verified officer signed body armor waiver form.

- c. Determined MNAA issued weapons were in compliance with General Order No. 5-07: Firearms Training Procedures.
 - i. Verified MNAA approved firearms were issued to properly qualified personnel.
 - ii. Verified Firearms Instructor did not consistently record the firearm serial number and name of the individual to whom the MNAA firearm was issued.
 - iii. Verified MNAA issued weapons were inspected on an annual basis for cleanliness and serviceability.
 - iv. Determined weapons were stored unloaded and in a locked or approved weapon cabinet.
 - v. Verified firearms qualifications were conducted on an annual basis; however, there was not documentation to support officer's demonstrated 80% proficiency on all weapons authorized for use.
 - vi. Determined officers were meeting in-service classroom training requirements for deadly force, non-deadly force, and other use of force considerations.
 - vii. Verified there was not documentation to support Intermediate weapons were issued to properly qualified personnel.
- 2. Obtained a current listing of DPS TEO's, selected a sample for detailed testing, and performed the following:
 - a. Determined officers were issued all equipment from the DPS TEO Equipment Issuance Form.
- 3. Obtained Greene Military uniform invoices from January 2007 through December 2008.
 - a. Selected a sample for detailed testing and performed the following:
 - i. Reviewed each invoice for mathematical accuracy.
 - ii. Verified the uniform items purchased were included on the Airport Police Allowance List.
 - iii. Unable to verify the amount charged per item was consistent to the contractual price.
 - iv. Determined replacement items did not exceed officer and TEO uniform allowance limits.
 - v. Verified that invoices were properly coded and approved.
- 4. Obtained a listing of formerly employed DPS officers, selected a sample for detailed testing, and performed the following:
 - a. Verified there was not documentation to support all officers returned personal issued equipment from the initial Issuance Forms.
 - b. Verified there was not documentation to support all officers returned MNAA issued weapons to the Firearms Instructor.
 - c. Determined officer's firearms training record were not consistently forwarded to Human Resources ("HR") for filing.
- 5. Obtained a listing of formerly employed DPS TEO's, selected a sample for detailed testing, and performed the following:
 - a. Verified there was not documentation to support all TEO's returned personal issued equipment from the initial Issuance Forms.

6. Reviewed inventory control procedures for issued equipment.
7. Determined walk-through inspections of the ARFF building and surrounding grounds were being conducted on an informal basis and discrepancies were not being noted on Facilities Inspection Forms.
8. Determined an annual maintenance and operational check was being performed on ARFF vehicles by MNAA's Maintenance Department.
 - a. Verified the quality of aqueous film-forming foam, pump operations, and a refractor test were being performed as part of MNAA's annual maintenance check.
9. Determined equipment designated for use in special operations and unusual occurrences were inspected quarterly for operational readiness.
10. Through inquiry and observation, reviewed the existing internal controls in place.

Conclusion

Based upon the audit, the following was determined with respect to the stated objectives:

1. DPS should have inventory control and disposition procedures in place to account for personal issue equipment items, as noted in finding #1.
2. DPS should improve the procedures for issuing personal issued equipment to officers, as noted in finding #2.
3. DPS should establish formal procedures for officers and TEO's returning personal issued equipment when employment with MNAA has ended, as noted in finding #3.
4. DPS should be monitoring uniform allowance purchases to ensure MNAA is complying with contract requirements, as noted in finding #4.
5. ARFF vehicle maintenance and operational check procedures should be updated to reflect current practices, as noted in finding #5.
6. DPS should be complying with main physical facilities inspection procedures, as noted in finding #6.
7. Inspection procedures for equipment used in special operation and unusual occurrences should be updated to reflect current inspection practices, as noted in finding #7.
8. Internal controls should be strengthened surrounding the issuance of firearms, as noted in finding #8.
9. DPS should be forwarding officers firearms training records to HR when employment with MNAA has ended, as noted in finding #9.
10. DPS should have documentation to support officers firearms were returned to MNAA when employment ended, as noted in finding #10.
11. The Firearms Instructor should maintain firearms training and qualification records for each individual officer, as noted in finding #11.
12. DPS should have supporting documentation that intermediate weapons have been issued to properly qualified personnel, as noted in finding #12.

13. DPS should conduct General Orders training on a regular basis to enhance staff's awareness and knowledge of established policies and procedures, as noted in finding #13.

Finding #1

Observation

DPS should have inventory control and disposition procedures in place to account for personal issue equipment items.

Background

DPS has a resource closet located in the Public Safety Technician's ("Technician") office, in which DPS keeps new and used personal issued equipment items for officers and TEO's including uniform shirts, pants, belts, firearm holsters, gloves, etc. The Technician is responsible for maintaining the contents of the closet and has recently put some procedures in place for monitoring these items.

If DPS has personal issue equipment items available, the Technician issues items for new officers and TEO's from the resource closet utilizing an Equipment Issue Form. For any items that cannot be filled from the resource closet, the officers and TEO's are sent to Greene's. For replacement items, such as an officer has worn out their firearm holster and needs another one, the officer will ask the Technician if there is a spare one in the resource closet that can be utilized. The Technician documents the item the officer has returned and the replacement item issued on the same Equipment Issue Form. Additionally, officers and TEO's return their personal issued equipment items to the Technician when employment with MNAA has ended. These returned items are put in the resource closet and documented using the same Form.

An objective of the audit was to review inventory control procedures for personal issued equipment. Through audit testing, it was determined that the Technician has recently started tracking individual officers and TEO's personal issue equipment items that have been issued, replaced, and returned utilizing the Equipment Issue Form. However, the Technician does not maintain a comprehensive inventory log of the personal issued equipment items being maintained in the resource closet. There are not any records tracking the total number of inventory items being stored, issued out, and returned to the resource closet. Additionally, there are disposal items being maintained in the resource closet that have not been accounted for and DPS currently does not have any disposal measures in place.

Through audit inquiries with the Technician, it was determined that DPS was not sure of the proper disposal procedures to use for worn out equipment and uniform items. With the

assistance of MNAA's Purchasing Department, Internal Audit was able to obtain disposal information from MNAA's uniform supplier, other airports, and local police departments.

Greene Military indicated that they would take MNAA's worn out and outdated uniforms for disposal. They would remove the patches from the clothing prior to shredding and cut up leather goods before disposal. Greene does not charge a fee for their disposal services. Memphis and Knoxville airports remove identifying marks such as patches from the unserviceable uniform items and throw them away.

Franklin and Brentwood police departments both keep spread sheets of uniforms items turned in from their officers. They remove identifying marks and send the listing around to small county police and sheriff's departments to see if any agencies are interested in the items, which are donated to the agencies. This is a good measure for building community relationships. Both police departments cut up and destroy their leather goods.

Accordingly, there are resources available to DPS in determining how to dispose of personal issue equipment items. DPS should have inventory control and disposition procedures in place to account for personal issue equipment items.

Recommendation

DPS should establish inventory control procedures for personal issue equipment. DPS should create an inventory control log to track the total number of personal issue equipment items being stored, returned, and issued out of the resource closet. The DPS Technician should conduct an annual inventory of the items stored in the resource closet to properly account for personal issue items.

Additionally, DPS should establish disposition procedures for disposing of personal issue equipment items.

Management Response

DPS is currently reviewing a new module for the records management software that would enable DPS to document and retain equipment issue/return information. Once the software has been implemented, DPS will be able to record each item, who it was issued to, what was returned and when it was returned. DPS is in the process of updating the issue and return policy to more accurately capture inventory control and disposition procedures. DPS will also develop a return policy that will identify the life expectancy of equipment issued so the officer knows what to return. DPS' Public Safety Technician will conduct an annual inventory of the items stored in the resource closet. Estimated completion date of August 1, 2009.

Finding #2

Observation

DPS should improve the procedures for issuing personal issued equipment to officers.

Background

DPS personal issue equipment items are provided to each officer and TEO upon employment for their use in the performance of official duties. A sample of the initial officer issuance list is detailed below.

LEO EQUIPMENT ITEMS:			
MNAA ID	Inner Belt	Holster - Pistol	Radio
Commission Card	Outer Belt w/ buckle	Magazines w/46 Rounds	Radio Case
Booking Card	Breast Badge	Magazines Case	OC Spray
Long Sleeved Shirts (3)	ADP Pins	Handcuff Case	OC Spray Case
Short Sleeve Shirts (5)	Keepers	Handcuffs	Med Glove Pouch
Trousers (5)	Body Armor	ASP	Winter Hat
Jacket Light Weight	Firearm	ASP Case	Cell Phone
Jacket Heavy Weight			

DPS has created a DPS LEO Equipment Issue Form to track the initial equipment items issued, date of issuance, officer's initials and signature acknowledging all initial issuance items have been received. DPS utilizes the same Form for officer's returning issued equipment after employment with MNAA has ended. A sample of the Form is provided below.

Equipment Type	Issue Date	S/C	UI	Return Date	Officer's Initials	Receivers Initials
MNAA ID						
Commission Card						
Booking Card						
LS Shirts (3)						
SS Shirts (5)						
Trousers (5)						
Jacket Light Weight						

The current process for issuing personal equipment to new officers consist of the Technician and Training Officer coordinating to see what items can be issued from the DPS resource closet. For any items that cannot be filled from the resource closet, the officer is sent to Greene's to complete the initial issuance.

An objective of the audit was to determine officers and TEO's were issued all equipment from the DPS Equipment Issuance Forms. Through audit testing, Internal Audit noted that DPS was using several different versions of the Equipment Issuance Form and the Technician and Training Officer were both tracking a piece of the issued equipment information.

Furthermore, DPS was not able to locate the LEO Equipment Issue Form for four (4) out of the twelve (12) officers selected for testing.

DPS should have better controls and procedures in place for issuing personal issued equipment to officers.

It should be noted that there were not any exceptions identified during the TEO personal issued equipment items testing.

Recommendation

DPS should establish formal procedures for issuing personal issued equipment to officers and TEO's. Additionally, DPS should be utilizing a standardized Equipment Issuance Form and centralize the issuance of equipment by making one person in DPS responsible for tracking and maintaining officer and TEO personal issued equipment information.

Management Response

DPS' Public Safety Technician controls the storage and issuance of department supplies. The Technician also documents each item coming in and going, ensuring that the process conforms to current policy and informing the Command Staff when violations or exceptions occur. New standardized forms have been developed to aid in this process. A monthly review will be conducted to ensure proper documentation is being completed. Estimated completion date of July 1, 2009.

Finding #3

Observation

DPS should establish formal procedures for officers and TEO's returning personal issued equipment when employment with MNAA has ended.

Background

According to IV. Procedures, Section F. of General Order No. 2-08 – Personal Issue Equipment, “Upon employment termination (resignation, retirement, or other reason), the officer or TEO shall return all personal issue equipment. Items not returned, or items, which are unserviceable due to neglect, will be charged to the terminating employee who will reimburse MNAA for the replacement cost of the item(s).”

As previously stated, DPS utilizes the same Equipment Issuance Form for returning personal issued equipment for officers when employment with MNAA has ended. Likewise, DPS has created a similar Form for TEO issued and returned equipment. An objective of the audit was

to determine if formerly employed officers and TEO's returned all personal issued equipment after employment with MNAA had ended.

Internal Audit had to request if the officer and TEO returned personal issued equipment information from several DPS personnel and DPS was not able to locate the returned issuance information for two (2) out of the four (4) officers and TEO's selected for testing.

Additionally, DPS personnel were not aware of which personal issued equipment items were required to be returned when employment ended. There seemed to be some uncertainty in knowing whether the officers and TEO's were supposed to return only the items from the initial issuance or if they were also required to return items purchased with uniform allowance monies.

Recommendation

DPS should establish formal procedures for officers and TEO's returning personal issued equipment when employment with MNAA has ended. DPS should clearly define and establish criteria for which personal issued equipment items are required to be returned after employment. Additionally, the exiting or processing-out procedure should be centralized as much as possible to ensure all personal issued equipment has been returned to MNAA.

Management Response

Command Staff will update its policy on equipment return to more closely reflect the recommendation of this audit. The policy will contain tighter and more efficient controls that will help reduce abuse and wasting of resources. Out processing of equipment will be conducted by the Public Safety Technician and inspected by the Operations Administration Sergeant. Estimated completion date of July 1, 2009.

Finding #4

Observation

DPS should be monitoring uniform allowance purchases to ensure MNAA is complying with contract requirements.

Background

According to IV Procedures, Section A. of General Order No. 2-08 – Personal Issue Equipment, “Officers will be given a uniform allowance that will be used at the department’s contracted uniform supplier.

1. Officers are only permitted to purchase what is on the department’s allowance list.

2. When receiving or ordering uniform items from the department uniform contract supplier, the officer will provide his/her name upon receiving or ordering uniform items.
3. The Public Safety Technician shall keep the uniform supplier's invoices on file."

DPS purchases uniform items from Greene's. MNAA's contract with Green is based off of the contract with Metropolitan Government of Nashville and Davidson County ("Metro"). Over the years, the Purchasing Department has competitively bid the uniform supplier contract and MNAA has had several companies provide such services.

When Metro competitively bid their uniform services contract in 2006, the MNAA determined it was cost effective to piggyback off of the contract negotiated by Metro. There are currently no SMWBE opportunities available in this contract. However, MNAA Purchasing will coordinate with the Metro Purchasing Department approximately six (6) months prior to the Metro contract expiration date of June 30, 2011, to ensure there are SMWBE opportunities included in the contract documents. At that time, MNAA Purchasing Department will also determine if it would be cost effective to continue to piggyback off of the Metro contract or whether the MNAA should competitively bid out the uniform supplier contract.

On an annual basis, MNAA's Purchasing Department establishes a purchase order ("P.O.") with Greene, which outlines the Agreement terms and pricing for the current fiscal year. The P.O. states that officers are allowed \$200 a year and full-time TEO's are allowed \$150 a year to purchase uniform allowance items. Additionally, the P.O. states that all invoicing is to be done on a monthly basis. These invoices must be itemized showing the officer's name, item purchased, cost of item, and the remaining balance on that officer's account.

The current process for officers purchasing uniform items utilizing their uniform allowance monies consists of the officer going to the Greene's store and getting the item(s) needed if in stock and notifying Greene that the purchase is for MNAA as well as the officer's name. The officer signs the sales receipt, takes the merchandise from the store, and MNAA is invoiced for the purchase. Greene has a software program that keeps up with each officer's purchases to track when the officer has reached their individual uniform allowance limits.

An objective of the audit was to determine MNAA was following contract requirements. Internal audit verified invoices were accurate, properly coded and approved. All replacement items purchased were included on the DPS Allowance List and did not exceed uniform allowance limits.

Through audit testing, it was determined that Greene's was not invoicing MNAA on a monthly basis. Most of the Greene's invoices were submitted at the end of the fiscal year as noted below.

InvoiceNo.	Invoicing Period	Invoice Date	Check No.	Amount
63008-1	July 07 - June 08	06/30/08	OPER056613	\$1,962
63008-2	July 07 - June 08	06/30/08	OPER056614	6,800
63008-3	July 07 - June 08	06/30/08	OPER056615	6,400
63008-4	July 07 - May 08	06/30/08	OPER056616	6,328
63008-5	July 07 - April 08	06/30/08	OPER056617	2,400
63008-6	July 07 - June 08	06/30/08	OPER056618	3,928
Total Invoicing for June 30, 2008				<u><u>\$27,818</u></u>

When MNAA receives Greene's invoices, they are reviewed and approved by the appropriate DPS personnel. However, as noted above, DPS could be approving uniform purchases that the officer received 8-12 months prior to invoicing.

At the time of the audit, DPS did not have a current uniform contracting price list from Metro to verify MNAA was being charged according to the current contract terms and Greene's invoices did not have any item numbers listed. However, it should be noted that DPS officers stayed within their uniform allowance limits so there were no overcharges made to MNAA and DPS remained within their uniform allowance budget.

On an annual basis, the Purchasing Department obtains the current uniform pricing list from Greene's, which meets Metro contract terms and is attached to the P.O. Internal audit determined that the uniform pricing list the Purchasing Department is updating annually only includes the standard initial officer and TEO issuance items. DPS has not provided the Purchasing Department with a comprehensive uniform allowance list to obtain the current year uniform pricing list.

Recommendation

On an annual basis, DPS should provide the Purchasing Department with a comprehensive uniform allowance list to obtain the current fiscal year uniform pricing list from Greene's. DPS should ensure all items on the DPS allowance list are included on the Metro contract. The allowance list should be attached to MNAA's P.O. to substantiate uniform purchases are being made according to contract terms.

Prior to officers and TEO's purchasing uniform replacement items, DPS should formally approve all requested purchases to ensure the items are necessary and included on the DPS allowance list.

DPS should require Greene's to submit invoices to MNAA on a monthly basis, which is a condition of MNAA's P.O. DPS should also require Greene's to include item numbers on all invoices, which will assist DPS in monitoring uniform allowance purchases.

Management Response

DPS will provide the Purchasing Department with a detailed list of uniform allowance items to obtain current fiscal year uniform pricing from Greene's. DPS has created a form which requires management approval for Public Safety personnel to purchase personal issue and replacement items. DPS will request Greene's to submit monthly invoices with item numbers. Estimated completion date of July 1, 2009.

Upon receipt of DPS' current uniform allowance needs, the Purchasing Department will coordinate with Greene's to obtain a current uniform allowance price list. The Purchasing Department will ensure the items required are included on the Metro contract. Estimated completion date of August 1, 2009.

The Purchasing Department will coordinate with Metro and the State six months prior to contract expiration (June 30, 2011) as to when a new Invitation to Bid will be let for uniforms. The Purchasing Department will inquire as to any minority opportunities included in the new solicitation. At that time, the Purchasing Department will determine whether it is advantageous for the Authority to continue to piggyback off of the Metro awarded contract or prepare an Invitation to Bid.

Finding #5

Observation

ARFF vehicle maintenance and operational check procedures should be updated to reflect current practices.

Background

An objective of the audit was to determine that an annual maintenance and operational check was being performed on ARFF vehicles by an outside agency contracted through MNAA's Maintenance Department. The quality of the aqueous film-forming foam, pump operation, and a refractor test were required to be performed as part of the annual check.

Through audit testing, Internal Audit determined that the annual maintenance and operational check was not being performed by an outside agency but in-house by MNAA's Maintenance Equipment Mechanic. Due to cost constraints, the required maintenance and operational checks have been performed internally since around 1999-2000. The service is performed each year prior to the FAA Part 139 Inspection.

MNAA's Equipment Mechanic indicated that FAA recommends performing a conductivity test instead of a refractor test. Both refractor and conductivity meter tests are conducted to test the foam concentrate and foam proportioning systems of the ARRF apparatus; however, the

conductivity tests are more accurate. Accordingly, the Authority performs the conductivity test.

Recommendation

DPS should update General Order No. 7-04 to reflect annual maintenance and operational checks on ARFF vehicles are being performed internally by MNAA's Maintenance Department and that a conductivity test is conducted as part of the annual check.

Management Response

DPS has updated General Order No. 7-04 to reflect annual maintenance and operational checks are completed internally by maintenance.

Finding #6

Observation

DPS should be complying with main physical facilities inspection procedures.

Background

According to IV. Procedures, Section C. Main Physical Facilities Inspection, No. 1-2 of General Order No. 7-04 – Inspections:

1. "The ARFF Training Officer shall conduct a walk-through inspection of the entire ARFF building and surrounding grounds twice each week. The condition and cleanliness of the facility and surrounding property, including furniture and equipment, shall be the focus of these inspections.
2. Noted discrepancies shall be recorded on the Facilities Inspection Form. Depending upon the nature of the discrepancy, a written memorandum shall be submitted to the Chief or MNAA Tennessee Occupational Safety and Health Act (T-OSHA) safety representatives detailing the discrepancy and corrective actions required or taken. The ARFF Training Officer shall coordinate with appropriate personnel or MNAA Departments/Divisions (i.e. MNAA Maintenance) to ensure corrective actions are taken."

Through audit testing, it was determined that the walk-through inspections of the entire ARFF building and surrounding grounds are conducted by the ARFF Training Officer on an informal basis. Noted discrepancies are not documented on the Facilities Inspection Form but verbally communicated to appropriate personnel or a work order requested through the MP2 system.

Recommendation

DPS should comply with main physical facilities inspection procedures by conducting walk-through inspections of the ARFF building and surrounding grounds twice per week and documenting any discrepancies noted on the Facilities Inspection Form.

Management Response

DPS currently conducts daily inspections of the ARFF building; however, this is not documented. Each shift commander is responsible to conduct a walk-through of the ARFF facility before accepting command of shift. DPS will begin documenting at a minimum, twice per week a detailed inspection of the entire ARFF facility and any discrepancies will be noted. Estimated completion date of July 1, 2009.

Finding #7

Observation

Inspection procedures for equipment used in special operations and unusual occurrences should be updated to reflect current inspection practices.

Background

According to IV. Procedures, Section E. of General Order No. 7-04 – Inspections, “Equipment designated for use in special operations and unusual occurrences shall be inspected at least once each month for operational readiness by the individual assigned that responsibility by the team leader. Such inspections shall be in accordance with associated departmental directives.”

Through audit testing, it was determined that equipment for use in special operations and unusual occurrences are formally inspected for operational readiness on a quarterly basis instead of a monthly basis.

Internal Audit made further audit inquiries with DPS personnel to determine whether monthly inspections were required as part of the CALEA Standards and verified that the frequency of the inspections are determined by the agency.

Accordingly, DPS has determined that equipment for use in special operations and unusual occurrences should be inspected for operational readiness on a quarterly basis.

Recommendation

DPS should update General Order No. 7-04 to revise equipment for use in special operations and unusual occurrences should be inspected for operational readiness on a quarterly basis.

Management Response

DPS has updated General Order No. 7-04 to state that equipment used for special operations and unusual occurrences will be inspected on a quarterly basis.

Finding #8

Observation

Internal controls should be strengthened surrounding the issuance of firearms.

Background

According to General Order No. 5-07 – Firearms Training, the Firearms Instructor is responsible for maintaining records of each firearm issued by MNAA by recording the firearm serial number and the name of the individual that the firearm was issued.

MNAA's Firearms Instructor utilizes the Weapon Issue Sheet to record the weapon make, model, serial number, name of officer, date issued, and signature of officer that the firearm was issued. A copy of each officer's Weapon Issue Sheet is maintained in the officer's file located in the armory's filing cabinet.

An objective of the audit was to verify firearm issuance information was properly recorded. Through audit testing, the Firearms Instructor was not able to locate the Weapons Issue Sheet for four (4) out of the twelve (12) officers selected for testing. Some of the officers selected for testing were hired prior to the Firearms Instructor being in his current position. However, there should be proper internal controls in place surrounding the issuance of firearms.

Recommendation

DPS should strengthen the internal controls surrounding the issuance of firearms by making certain firearm issuance information is properly recorded and maintained in the officers file.

Management Response

DPS recently strengthened the internal control of the firearms themselves by adding another layer of protection by securing any weapons not in the locked locker on the wall. The issuance of firearms will only be performed by the Lead Firearms Instructor and detailed documentation will be maintained. A quarterly audit on all firearms was completed in past.

A monthly detailed audit will be completed by the Lead Firearms Instructor on a monthly basis. The Operations Commander and/or the Chief will sign off on this monthly audit. Estimated completion date of July 1, 2009.

Finding #9

Observation

DPS should be forwarding officers firearms training records to HR when employment with MNAA has ended.

Background

According to V Procedures, Section G. of General Order No. 5-07 – Firearms Training, “Documentation of all weapons training will be maintained by the Weapons Training Officer for each person authorized to carry an MNAA-issued weapon. This documentation will be maintained for the entire length of that person’s employment by MNAA. After termination of employment, an individual’s firearms training record will be forwarded to MNAA Human Resources for filing.”

An objective of the audit was to determine officer’s firearms training records were forwarded to HR for filing after employment with MNAA had ended. Out of four (4) officers selected for testing, there was one (1) officer’s file which included the required firearm’s training records. Another officer’s training records were on file with HR; however, only one (1) out of three (3) years of firearms training was included in the file information. The remaining two (2) officer’s firearms training records were not forwarded to HR when employment ended.

DPS is not consistently forwarding officer’s firearms training records to HR when employment with MNAA has ended.

Recommendation

DPS should be complying with firearms training records procedures established in General Order No. 5-07 and forward officer’s firearms training records to HR for filing after employment with MNAA has ended.

Management Response

DPS will begin complying with General Order No. 5-07 by forwarding officer’s firearms training records to Human Resources for filing. Records are currently turned into POST on a yearly basis to maintain POST certification.

Finding #10

Observation

DPS should have documentation to support officers firearms were returned to MNAA when employment ended.

Background

An objective of the audit was to verify MNAA issued weapons were returned after employment with MNAA ended or awarded to officers through the retirement process. According to General Order No. 2-10 – Retirement/Separation of Employment, employees retiring with 20 or more years of service with the department are awarded their badge, service weapon, and a service plaque. The Chief may, under extraordinary circumstances, approve the awarding of a badge, and/or service weapon to any sworn officer.

The current process for DPS officers returning their MNAA issued weapons consists of the officer turning in their firearm to MNAA's Firearm Instructor. The Firearm Instructor utilizes the same Weapon Issue Sheet for documenting the issuance and return of firearms when employment ends. The Form has all the required weapon information (i.e. make, model, serial number) and documents that the officer returned their firearm to the armory with the required ammunition. If the officer is awarded their firearm through the retirement process or under extraordinary circumstances, documentation is included in the officer's file to note that the firearm was given to the officer.

Through audit testing, the Firearms Instructor was not able to locate the Weapons Issue Sheet documenting the officers returned their MNAA issued weapons for two (2) out of four (4) formerly employed officers selected for testing. Furthermore, there was not any documentation included in the officers file in DPS or HR to note the firearm was given to the officer.

Recommendation

For proper safety and security measures, DPS should make certain they have documentation to support officers firearms have been returned to MNAA when employment has ended. DPS should record the firearm return information on the Weapons Issue Sheet and documentation should be included in the officers file noting the firearm was given to the officer.

Management Response

DPS will immediately document all transactions that take place from the armory through the use of a sign in/sign out weapons document. This will be compared with the monthly internal audit that is completed on all weapons located in the armory. DPS has ensured all weapons are returned when an employee's employment has ended. This is the first item always collected from any employee leaving. Unfortunately, the documentation would only show the

weapons are in the armory. This will no longer take place as we will utilize the weapons Issue Sheet when issuing out and when returning a weapon to the armory.

Finding #11

Observation

The Firearms Instructor should maintain firearms training and qualification records for each individual officer.

Background

According to III Policy & V Procedures, Sections B. of General Order No. 5-07 – Firearms Training, “All sworn officers must demonstrate 80% proficiency on all weapons prior to receiving authorization to carry the weapons.

1. Firearms qualifications are mandatory for all sworn officers.
2. These qualifications will be held as directed by the Chief, but on an annual basis as a minimum.
3. Qualifications for Airport Containment Team (“ACT”) personnel will be on a quarterly basis due to the nature of the position requiring a high state of readiness.

To demonstrate 80% proficiency on MNAA approved weapons, an officer must achieve a minimum qualifying score on a prescribed course of fire (firearms only), attain and demonstrate a knowledge of the laws governing the use of weapons, department policy on the use of force, escalating force and deadly force, and be familiar with the safe procedures for the use of these weapons.

1. All sworn officers will qualify on either of the MNAA-approved handguns, the M4, and shotgun following the prescribed MNAA course of fire.
2. ACT operations demand a high degree of readiness, operational simulations, tactical training and readiness exercises, and specialized equipment.
 - a. ACT Members must demonstrate 90% proficiency and will qualify on the Glock 22, .40 caliber, 870, MP-5 assault weapon and M4 semi automatic rifle. Specific members of the team, as determined by the Chief, will qualify on the 700-sniper rifle.
 - b. ACT Members will qualify on a quarterly basis as a minimum.”

The General Order further states that the Firearms Instructor is responsible for maintaining the records of firearm qualification and training results for individual officers and that minimum qualification results are scored on a pass/fail basis.

An objective of the audit was to verify firearms qualifications were conducted on an annual basis and officer’s demonstrated 80% proficiency on all weapons authorized for use. Additionally, firearms qualifications for ACT personnel were conducted on a quarterly basis and officer’s demonstrated 90% proficiency level.

Through audit testing, Internal Audit determined that the Firearms Instructor was not keeping firearms qualifications and training records to document officers have demonstrated 80% proficiency levels on an annual basis. Additionally, the Firearms Instructor was not keeping firearms qualifications and training records for ACT personnel to document officers demonstrated 90% proficiency level on a quarterly basis. However, ACT personnel were able to provide the required documentation to fulfill the audit objectives.

The current process for firearms qualifications consists of the Firearms Instructor conducting the annual firearms qualifications at the MNAA Firearms Training Range. DPS requires the officers to sign a training attendance form to document the date the officer performed their annual firearms qualifications. The Firearms Instructor determines whether officers have achieved their 80% or 90% required proficiency levels through grading the officer's target range shooting results. If an officer does not attain the qualifying score, they are given an opportunity to re-qualify. DPS personnel indicated that all officers met this year's required proficiency levels; however, there was not supporting documentation to verify firearms qualification results.

After all officers have completed their annual firearms qualification, the Firearms Instructor provides the Training Officer with a copy of the training attendance forms and verbally communicates whether all the officers have passed the minimum firearm qualification scores. The Training Officer uses the firearms attendance sheets for Tennessee Peace Officers Standards and Training ("P.O.S.T.") certification requirements.

DPS officers are required to meet the P.O.S.T. Commission requirements. The Commission is responsible for developing and enforcing standards and training for all local police officers. The Commission also promotes continuing law enforcement training for the full time peace officers. Training program requirements for P.O.S.T. certification include the basic police training required of all new recruits and continuing education training programs officers complete to fulfill the P.O.S.T. required 40 hours of in-service training each year. DPS is required to have 8 hours of firearms training included as part of the 40 hour P.O.S.T. training requirements.

The Training Officer has created an Excel spreadsheet to document the P.O.S.T. firearms in-service training firearms information. The spreadsheet includes the officers name, rank, weapon make and serial number, score (pass/fail), and date of qualification. The Training Officer saves the attendance sign-in sheets to document the date the officer met the annual firearms qualifications; however, there is no supporting documentation to verify the officers passed the annual firearms qualifications.

In addition, each officer is responsible for inputting their own firearms and other required training records into the DPS Law Enforcement Agency ("LEA") Training Database, which is database DPS utilizes to input training results. Throughout the course of the audit, several DPS personnel indicated that there have been some issues of training records being deleted from the Database. Therefore, some of the officers do not readily rely on the information in the database.

It should be noted that in FY 2002, DPS maintained officer's firearms training and qualification records in the armory files. DPS utilized a Police Firearms Training and Qualification Form that included the officer's name, rank, section, start time, end time, total range hours, classroom hours, weather condition, range location, course, ammunition rounds, score (pass/fail), weapon model, weapon serial number, date, and the fire range officer's signature. At the time of the audit, these forms were still included in the officer's files and documented that the officers achieved the firearms training and annual qualification requirements.

As previously noted, DPS is required to maintain weapons training for each person authorized to carry an MNAA-issued weapon for the entire length of that person's employment by the MNAA. When employment ends, an individual's firearms training record are required to be forwarded to HR for filing.

Internal controls and procedures should be strengthened for maintaining training and qualification records for each officer.

Recommendation

To ensure DPS is complying with General Order No. 5-07 procedures, DPS' Firearms Instructor should be maintaining firearms training and annual qualification records for each individual officer.

Additionally, DPS should consider making the Firearm's Instructor responsible for inputting officer's firearms training records into the LEA Database, which would enhance the integrity and reliability of the Database.

Management Response

The Firearms Instructor will maintain detailed firearms training and annual qualifications records for each individual officer. The records were not up to standards and beginning immediately, random documented inspections will be conducted of all qualification records. The POST required records were being sent yearly; however, those records were not being kept as needed within DPS or as detailed as they should be. The Firearms Instructor will be responsible to enter the training records into the appropriate database and will be reviewed quarterly.

Finding #12

Observation

DPS should have supporting documentation that intermediate weapons have been issued to properly qualified personnel.

Background

According to V Procedures, Section D. of General Order No. 5-07 – Firearms Training, “Less-than-lethal (intermediate) weapons are authorized for use only by officers who have been instructed in their proper use. An officer may use an MNAA-approved intermediate weapon in situations where approaching a violent, combative or belligerent suspect would present a likelihood of assault against or injury to the officer or another person. It should be stressed that verbal threats by a person do not by themselves justify use of intermediate weapons.

1. Department approved training and certification is mandatory before an officer will be authorized to carry and use an intermediate weapon.
 - a. Intermediate weapons are not authorized for off duty carry or use.
2. Training will consist of approximately four/eight hours of basic instruction by a certified instructor. Instruction will cover:
 - a. Weapon capability.
 - b. Proper use of weapon and associated tactics.
 - c. Legal and ethical aspects of weapon employment.”

An objective of the audit was to verify intermediate weapons were issued to properly qualified personnel. However, there was no supporting documentation in the files to verify intermediate weapons were issued to properly qualified personnel.

The General Order is very specific in the training and certification requirements for intermediate weapons; however, DPS is not properly documenting officers are meeting these requirements.

Recommendation

DPS should comply with intermediate weapons training requirements by appropriately documenting new officers have completed all intermediate weapons certification requirements.

Management Response

DPS currently allows officers to carry intermediate weapons; however, the training associated with these intermediate weapons could not be located with all officers. A complete internal audit will be conducted and all proper documentation of training will be placed into the officers files. Each officer's training file will be audited internally by the Training Department annually. Any officer that does not have the proper training documentation will not be allowed to carry that intermediate weapon. Estimated completion date of July 1, 2009.

Finding #13

Observation

DPS should conduct General Orders training on a regular basis to enhance staff's awareness and knowledge of established policies and procedures.

Background

According to II Policy & III Definitions, Sections A. 1 - D. of General Order No. 1-02 – Written Directives, “A departmental written directive system is established to provide employees with a clear understanding of the constraints and expectations relating to the performance or their duties. Written directives will consist of General Orders, Policy Letters and Memorandums. Each of these directives will have distinctive appearance as outlined in the attachments.

- A. Written Directive: Any written document to guide or affect employee performance or conduct.
 - 1. General Order: A permanent directive concerned with policy, rules, and procedures affecting more than one departmental function.
- B. Policy: A broad statement of department principles. The framework connecting abstract ideas or principles contained in purpose statements to specific and concrete statements of procedures, goals and objectives, and rules and regulations. Policy is enforceable, and compliance with policy is measurable. Policy establishes bounds within which the department will operate.
- C. Procedure: A guideline or specific instructions on how to comply with policy.
- D. Attachment: An attachment is information in the back of a directive that further explains or supplements a subject covered in the directive.”

DPS General Orders are outlined with the same sections as MNAA's Procedures including purpose, references, policy, procedure, and attachment (if applicable). DPS currently has over 70 General Orders established that staff is required to follow to be in compliance with policy and procedures.

There is a lot of information and requirements contained in the General Orders that DPS personnel have to be knowledgeable of to meet operational guidelines. Internal Audit noted during the course of the audit that DPS personnel were not aware of some the General Order procedures that staff were required to follow.

Recommendation

With the amount of information and requirements established in the General Orders, DPS should conduct regular General Orders training to enhance staff's awareness and knowledge which will assist staff in following proper policies and procedures.

Management Response

DPS currently conducts a review of all general orders every few years. Training on general orders does currently take place but mainly at short intervals at roll call. DPS recognizes more training is needed on general orders. DPS will provide more training on all general orders which will be conducted throughout the year, while assigned to fire hall duties. This will assist DPS personnel in following operational policies and procedures. Estimated operational date of July 1, 2009.