

COUNTY OF ONONDAGA



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Comptroller

Office of the
County Comptroller

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February 22, 2017

Onondaga County Legislature
Onondaga County Sheriff Gene Conway

Re: Onondaga County Sheriff's Office
– Review of Court Security & Special Patrol Officer Billing

Dear Legislators and Sheriff Conway,

In early January 2015, Sheriff Gene Conway asked this Office to review operations of the Sheriff's Office. The attached audit represents the third report detailing our findings on Onondaga County Sheriff's Office Court Security and Special Patrol Officer Billing. I am pleased to report through our collaborative efforts, new safeguards were implemented in the handling of these areas.

Multiple areas were open to improvement. The Comptroller's Office pointed out areas where new practices could be implemented to establish a system of checks and balances in accordance with Onondaga County Directives and general best practice standards. I am pleased to report every recommendation was either immediately implemented or the initial steps were taken to implement such recommendation.

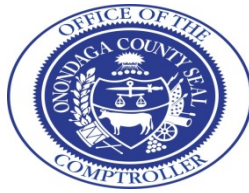
I commend Sheriff Conway and his staff for asking for a review of the Sheriff's Office and for also having the vision to implement such changes. In order to ensure ongoing compliance with the new practices, it is my recommendation these matters be again reviewed in eighteen to twenty-four months.

Should you have any questions or concerns, please do not hesitate in contacting this office directly.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert E. Antonacci II, CPA".

Robert E. Antonacci II, CPA



**Report on the
Onondaga County Sheriff's Office
Court Security and Special Patrol Officer Billing
By Onondaga County Comptroller Robert E. Antonacci II, CPA, Esq.**

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SECTION I

BACKGROUND AND EXECUTIVE SUMMARY

Background

In early January 2015, newly elected Onondaga County Sheriff, Eugene J. Conway asked Comptroller Antonacci to review the operations of the Sheriff's Office. The overall objective of the review is to highlight areas where the Sheriff's Office needs to institute improved policies and procedures. Comptroller Antonacci enthusiastically agreed to conduct the requested review.

On January 28, 2015, Comptroller Antonacci and staff met with Undersheriff Jason Cassalia and the Chiefs of the Sheriff's Office Divisions to discuss and agree on a plan for the review. We agreed the Comptroller's staff would review the internal controls and operations of the revenue producing units, starting with the Information Management Section, which was released in December 2015. We also agreed that we would report to the Undersheriff as we completed each area. Lastly, we agreed that we would decide at a later date the full scope and extent of any further, more detailed audit work that may be necessary.

This report is the third in a series we plan to issue on internal controls in the various areas of the Sheriff's Office. This report covers Court Security and Special Patrol Officer (SPO) security service revenue. Our objective was to review the detailed processes and procedures for each area to offer recommendations for improved:

- Internal controls
- Effectiveness
- Efficiency

We will be releasing additional reports on subsequent reviews of various Sheriff's Office functions over the next 6 months to a year.

Please see page 5 for our full scope and methodology for this review.

Overview

Court Security

The Onondaga County Sheriff's Office provides security services in the courts of Onondaga County. This is per an agreement with New York State Unified Court System (UCS) and authorized by Onondaga County Legislative Resolution. In the agreement UCS agrees to provide reimbursement to the County for this service.

There are eight deputies (full-time and part-time) fulfilling these security duties, however, as they leave the employment of the County, the State will replace them with their own personnel.

Special Patrol Officers (SPOs)

SPOs provide the security of all people visiting, conducting business with or working inside the Civic Center, County Office Building and Sheriff's Headquarters. Per an agreement between the Onondaga County Department of Social Services- Economic Security and the Onondaga County Sheriff's Office, the specific program areas needing coverage in the Civic Center and contiguous

County Office Building are: the Command Center, 2nd floor reception area, Child Support, Medicaid, Recertifications and HEAP.

There are also SPOs who provide security in Probation housed in the County Office Building and at the front desk at Sheriff's Headquarters.

All of the employees are retired officers. The retired officers are limited to the amount of time worked due to receiving retirement benefits which limits the amount of income per year. If a shift becomes available and there is no eligible SPO to take the shift, a Deputy will be contacted to work overtime to cover the shift.

Salary expenses for SPOs are billed interdepartmentally each month to DSS and to Probation. For the SPO working at the front desk at Sheriff's Headquarters, salary expense remains on the Sheriff's 103 Payroll.

Executive Summary of Findings and Recommendations

During our review of the Sheriff's Office, Court Security and Special Patrol Officer (SPO) billing procedures we found the following:

1. The Fiscal Management Section Commander has responsibility and authority over the daily operation of the Fiscal Section and oversight responsibility for all billing of Sheriff's Office services according to the Onondaga County Sheriff Directive SHR-046-Fiscal Management. Financial Operations is responsible to ensure the Sheriff's Office receives compensation for security services provided to the courts in Onondaga County, as well as, the Civic Center and County Office Building.
2. These operations include the following:
 - a. Obtaining updated agreements with the UCS and Department of Social Services-Economic Security
 - b. Updating timecards in Kronos for the officers providing security
 - c. Preparing monthly claims for UCS reimbursement
 - d. Preparing Accounts Receivable Reports
 - e. Comparing Cash Reports to Accounts Receivable Reports
 - f. Preparing monthly Interdepartmental Expense and Revenue Report IBs to DSS and Probation
3. We noted the following internal control issues relating to this section:
 - a. Incorrect contract numbers were referenced on renewal agreements.
 - b. Missing or lost agreement.
 - c. Untimely execution of contracts caused a delay in reimbursement.
 - d. Procedures to address discrepancies between accounts receivable and actual cash received is lacking.
 - e. Untimely execution of interdepartmental agreements.
 - f. Internal control weakness due to a lack of segregation of duties.
 - g. Untimely interdepartmental billing.
 - h. The Sheriff's written directives need to be updated to address their responsibilities and Financial Operations responsibilities regarding Court Security and SPO

billing, as well as, all other aspects of this new method of receiving accounting services from Financial Operations.

Our high level recommendations to the Sheriff's Office Management for these areas include:

4. Sheriff's Management should assign an individual with the responsibility of overseeing contracts and their timely execution.
5. Implement written Financial Operation procedures regarding review and comparison of cash reports to accounts receivables and following up on discrepancies.
6. Segregation of duties of staff preparing, reviewing and approving billing to DSS and Probation for SPOs' services.
7. Process claims and Interdepartmental Expense and Revenue IBs on a timely basis.
8. Implement a written Sheriff directive addressing the policies, procedures and respective job responsibilities of designated staff and management (Sheriffs' and Financial Operations).

SECTION II

SCOPE AND METHODOLOGY

SCOPE AND OBJECTIVES

The purpose of this report is to provide information and recommendations to the Sheriff's Office Management on internal controls, processes and procedures for Court Security and Special Patrol Officer (SPO) Billing.

Our objectives were to review:

- Policies and procedures related to the above areas in the Sheriff's Office.
- Specific Court Security Reimbursement and SPO Billing practices.
- Provide the Sheriff's Office Management with information and recommendations related to Court Security and SPO Billing processes and procedures to improve internal controls, effectiveness and efficiency.

METHODOLOGY

In order to complete our objectives we:

- Reviewed relevant County and Sheriff's Office required policies and procedures to determine the expectations for Court Security and SPO billing practices.
- Interviewed Sheriff's Office personnel staff and Financial Operations staff to determine specific practices.
- Analyzed and compared expected, required and best practices to current Court Security and SPO billing practices and developed draft recommendations.
- Finalized recommendations and included them in this report.
- Discussed draft recommendations with Sheriff's Office Management for their input and practicality evaluation.

We did not audit transactions or processes in the Sheriff's Office Court Security and SPO Billing.

SECTION III

FINDINGS AND RECOMMENDATIONS

Findings and recommendations as a means to assist management and staff.

Court Security

- A. We noted the State approved agreement for the subsequent (fifth) period of April 1, 2013 through March 31, 2014 referenced State Contract # C200417. The agreement actually should have referenced State Contract #C200418 which pertains to County Contract #63209. We understand from the Law Department this was an error by the State. The Law Department did not catch the error, thought it was a different contract and set it up as a new County Contract number (52710) in Lotus Notes. These errors made it difficult to track the subsequent renewals.

We also noted the Law Department had the State approved agreements for the third and fourth periods of State Contract #C200418, County Contract #63209. However, these agreements were not on Lotus Notes. We additionally noted the Law Department did not receive the renewal reimbursement for April 1, 2010 through March 31, 2011 pertaining to State Contract # C200418, County Contract #63209.

According to the agreement (State # C200418, County #63209) between the New York State Unified Court System (UCS) and the Onondaga County Sheriff's Office it shall commence on April 1, 2009 when signed by the parties and approved by all necessary government agencies and continue for a maximum of five (5) years through March 31, 2014. The initial period of the agreement shall commence on April 1, 2009 and terminate March 31, 2010 and the subsequent one-year periods shall commence on the first day of April and terminate on the last day of March in each succeeding year in the term of the agreement. The parties agree any change in the dates of each subsequent period, as well as the maximum compensation and the new staffing for that period shall be established by the mutual written agreement of the parties.

Recommendation

1. *We recommend due care in setting up contracts and contract renewals. Sheriff's Management should assign an individual with the responsibility of overseeing contracts and their timely execution.*

OCSO ACTION:

The Sheriff's Office has assigned an individual as the Administrative Executive Officer with responsibilities for overseeing contracts and their timely execution.

- B. Onondaga County Legislative Resolution #070 dated April 1, 2014 authorized the County Executive to enter into a contract between the New York State Unified Court System and

the Onondaga County Sheriff's Office for security services in the courts of the County of Onondaga for a five year term commencing April 1, 2014 and terminating on March 31, 2019. We understand from the Law Department, State Contract #C200472, Onondaga County Contract #27714 was signed by the County Executive in November 2014 and sent back to Sheriff's to send out to the State for signature. However, neither the Sheriff's Office nor the Law Department could provide us with a properly executed contract. We do note claims for the months of April 2014 through March 2015 have been paid by the State.

Recommendation

2. *We recommend Sheriff's Management request a signed copy of the contract. A contract agreement signed by Onondaga County and the New York State Unified Court System should be on file and available from County sources.*

OCSO ACTION:

The Administrative Executive Officer has obtained a signed copy of the contract from Unified Courts. A copy was sent to the Law Department, Financial Operations, and the Comptroller's Office.

- C. An unsigned contract caused a delay in reimbursement of \$222,791.

The letter dated November 30, 2015 from the State of New York Unified Court System to the Onondaga County Sheriff's Office requested a new reimbursement agreement for the second period of April 1, 2015 through March 31, 2016 (for State Contract #C200472, County Contract #27714) be signed by an authorized representative. We noted the agreement was not signed on a timely basis. The County Executive signed it on March 4, 2016 and the NYS Unified Court System on March 21, 2016. (It appears the delay in signing delayed reimbursement by the State until April 2016 for the April 2015 through December 2015 claims.)

Recommendation

3. *We recommend in the future, reimbursement agreements be signed in a timely manner in order to obtain a quicker turnaround time of payment from the State. Sheriff's Management should assign an individual with the responsibility of overseeing contracts and their timely execution.*

OCSO ACTION:

The Sheriff's Office has assigned an individual as the Administrative Executive Officer with responsibilities for overseeing contracts and their timely execution. The current contract expires on March 31, 2017. The Administrative Executive Officer will work with Unified Courts and the Law Department to ensure the contract is signed in a timely manner.

- D.** Claims for payment of services performed in 2015 were not submitted to the UCS (Fifth Judicial District Office) on a timely basis. Submissions were anywhere from 8 to 56 days past the due date (based on business days). According to the agreement with the New York State UCS, “within ten (10) days after the end of each month, Contractor (Onondaga County Sheriff’s Office) shall submit to UCS a voucher, in a format to be provided to Contractor by UCS, for reimbursement of monies expended by Contractor to provide court security services during the preceding month. Contractor shall sign and forward the voucher, together with copies of all monthly log sheets and daily attendance records for its employees to the Fifth Judicial District Office.”

Recommendation

- 4. We recommend Financial Operations and the Sheriff’s Office work together to ensure claim submissions are done in a timely manner to comply with the terms of the agreement. The Sheriff’s Office should assign an individual to monitor the status of their receivables.*

OCSO ACTION:

The Sheriff’s Office has assigned an individual as the Administrative Executive Officer with responsibilities for monitoring the status of their receivables. The Administrative Executive Officer has addressed this issue with Sheriff’s Human Resources and Financial Operations staff to ensure claim submissions are done in a timely manner to comply with the terms of the agreement.

- E.** For the years of 2013-2015, we noted inconsistent posting of State Aid reimbursement revenue for Court Security overtime. Overtime expense and State Aid revenue were posted to grant #782190001-Reimbursed OT Details for 2013 and to grant #782203001-Reimbursed OT Details 2014 for 2014. In 2015, however, State Aid revenue was posted to General Ledger Subsidiary Account #134790007-State Aid Court Security-Sheriff. (Note: There is a grant for 2015, #78220315-Reimbursed OT Details 2015, however, Account #503540-State Aid Court Budget Security is not included. This account was included in the 2013-2014 grants).

Recommendation

- 5. We recommend the Sheriff’s Office assign an individual to monitor their revenue accounts.*

OCSO ACTION:

The Sheriff’s Office has assigned an individual as the Administrative Executive Officer with responsibilities for monitoring their revenue accounts.

We also recommend Financial Operations practice consistency in posting State Aid revenue to either a grant or operational account.

OCSO ACTION:

The Administrative Executive Officer has discussed this recommendation with Financial Operations. When DSS is billed for overtime, it is typically moved to the Reimbursed OT grant. However, in 2015, there was only \$270 of reimbursed OT and it was decided that it would not be moved to the Reimbursed OT grant because it was immaterial. It was left in the Sheriff's operating budget.

- F. We understood the State reimburses the county in full for the bills received from the County, however, we noted the General Ledger Subsidiary Account #134790007-State Aid Court Security-Sheriff has a balance of \$4,815 at 5/13/16. It appears cash receipts were shorted between the years 2014 and 2015. Most of the \$4,815 difference was \$4,709 and the remaining differences were made up of small amounts.

Recommendation

6. *We recommend the Sheriff's Office assign an individual to monitor receivables and cash receipts.*

OCSO ACTION:

The Sheriff's Office Administrative Executive Officer will monitor receivables and cash receipts.

We recommend Financial Operations contact the State as to the collectability of these differences. Uncollectible amounts should be written off following standard operating procedures.

OCSO ACTION:

The Administrative Executive Officer has contacted Financial Operations requesting that they attempt to collect on this and if they are unsuccessful, that they follow procedures to write off the uncollected amount.

We further recommend Financial Operations implement procedures to review/compare cash reports to accounts receivables and follow-up on any discrepancies in a timely manner.

OCSO ACTION:

The Administrative Executive Officer has contacted Financial Operations requesting that they review/compare cash reports to the accounts receivables to detect any discrepancies.

Special Patrol Officer (SPO) Billing

- G.** The interdepartmental agreement between the Department of Social Services-Economic Security and the Sheriff's Office was not executed in a timely manner. The agreement was signed on March 9, 2016 which was after the agreement termination date. (The agreement commenced on Thursday, January 1, 2015 and terminated on Thursday December 31, 2015.)

Recommendation

7. *We recommend future contracts between the Sheriff's Office and the Department of Social Services-Economic Security for law enforcement services be signed on or before the commencement date of the applicable contract year.*

OCSO ACTION:

The 2016 contract was signed in November of 2016. The Sheriff's Office Administrative Executive Officer contacted the Department of Social Services Director of Administrative Services on 11-18-16 and again on 12-07-16 requesting that the 2017 contract be initiated.

- H.** The Department of Social Services (DSS) is covering the full cost of security for those deputies assigned to cover the Command Center at the Civic Center. It would seem logical deputies assigned to the Command Center are providing security to the entire Civic Center Complex, not just DSS.

Recommendation

8. *The Sheriff's Office should account for SPO time spent in the Command Center and not bill these hours to DSS. The more appropriate billing methodology would be to bill Facilities Management as they have the means via the MLR (Maintenance in Lieu of Rent) to bill all departments in the Civic Center.*

OCSO ACTION:

The Department of Social Services determined the post assignments that will be covered by SPOs. Those posts are identified in the Intra County Contract. The Command Center post will continue to be billed to DSS.

- I.** During the time of our review, the Fiscal Officer in Financial Operations assigned to perform accounting services to the Sheriff's Office prepares and reviews the billing for DSS and Probation. This represents a lack of segregation of duties, as it places an employee in a

position to conceal errors or irregularities while performing their normal course of duties. We also question the cost of having a Fiscal Officer preparing this billing detail, instead of performing the review and authorization.

Recommendation

9. *We recommend the Sheriff's Office assign an individual to monitor Interdepartmental Expense and Revenue Billings as a means of managerial oversight.*

OCSO ACTION:

The Sheriff's Office has assigned an individual as the Administrative Executive Officer with responsibilities for monitoring their interdepartmental expense and revenue billings.

We recommend Financial Operations determine the feasibility of assigning the billing and preparation to a title commensurate with the task at hand to allow the Fiscal Officer to review and approve the monthly billing.

OCSO ACTION:

This task is now performed by a Clerk II assigned to Financial Operations allowing the Fiscal Officer to review and approve the monthly billing.

- J. We noted untimely Interdepartmental Expense and Revenue Billings for the months of January through December 2015. The months of January through March 2015 were authorized by the Fiscal Officer-Financial Operations in May 2015 and the months of April through December 2015 in January and February 2016. It is our understanding based on the procedures described to us, this billing should be done monthly.

Recommendation

10. *We recommend the Sheriff's Office assign an individual to monitor Interdepartmental Expense and Revenue Billings as a means of managerial oversight.*

OCSO ACTION:

The Sheriff's Office has assigned an individual as the Administrative Executive Officer with responsibilities for monitoring their interdepartmental expense and revenue billings.

We recommend to Financial Operations, Interdepartmental Expenses and Revenue Billing is completed, reviewed and authorized on a timely basis to comply with procedure.

OCSO ACTION:

The Administrative Executive Officer has addressed this issue with Financial Operations staff to ensure Interdepartmental Expenses and Revenue Billing is done in a timely manner.

- K.** Based on conversations with the Administrative Executive Officer-Sheriff's Office, we were informed the Sheriff's Office and Probation Department do not have a signed agreement for providing security services for the Probationers' report night warrants.

Recommendation

11. *We recommend the Sheriff's Office and Probation Department enter into a formally executed agreement detailing the scope of services and compensation.*

OCSO ACTION:

The Sheriff's Office has contacted the Law Department for guidance in creating an agreement between the Sheriff's Office and Probation.