

Audit and Advisory Services
401 Golden Shore
Long Beach, CA 90802-4210

February 14, 2022

Dr. Ellen N. Junn, President
California State University, Stanislaus
One University Circle
Turlock, CA 95382

Dear Dr. Junn:

Subject: Audit Report 21-06, Police Services, California State University, Stanislaus

We have completed an audit of *Police Services* as part of our 2021-2022 Audit Plan, and the final report is attached for your reference. The audit was conducted in accordance with the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

I have reviewed the management response and have concluded that it appropriately addresses our recommendations. The management response has been incorporated into the final audit report, which will be posted to Audit and Advisory Services' website. We will follow-up on the implementation of corrective actions outlined in the response and determine whether additional action is required.

Any observations not included in this report were discussed with your staff at the informal exit conference and may be subject to follow-up.

I wish to express my appreciation for the cooperation extended by the campus personnel over the course of this review.

Sincerely,



Vlad Marinescu
Vice Chancellor and Chief Audit Officer

c: Joseph I. Castro, Chancellor
Adam Day, Chair, Committee on Audit
Jane W. Carney, Vice Chair, Committee on Audit

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POLICE SERVICES

California State University, Stanislaus

Audit Report 21-06
February 14, 2022

EXECUTIVE SUMMARY

OBJECTIVE

The objectives of the audit were to ascertain the effectiveness of operational, administrative, and financial controls over the administration of police services and to ensure compliance with relevant governmental regulations, Trustee policy, Office of the Chancellor (CO) directives, collective bargaining agreements, and campus procedures.

CONCLUSION

Based upon the results of the work performed within the scope of the audit, except for the weaknesses described below, the operational, administrative, and financial controls for police services as of November 5, 2021, taken as a whole, provided reasonable assurance that risks were being managed and objectives were met.

Overall, we found that the campus had an effective framework for the University Police Department (UPD) that generally aligned with systemwide, state, federal, and campus requirements. However, our review indicated that improvement was needed in some key areas. We noted that weapons and equipment training, qualifications, and inventory procedures needed improvement to ensure compliance with UPD policies, and that some officers did not receive all training required by the recently issued *University-Wide Training Guide*. In addition, we noted that physical access controls to ammunition within the UPD building could be strengthened and UPD agreements with the city of Turlock and the city of Stockton were not publicly available as required by Education Code §67381.

Specific observations, recommendations, and management responses are detailed in the remainder of this report.

OBSERVATIONS, RECOMMENDATIONS, AND RESPONSES

1. WEAPONS AND EQUIPMENT TRAINING, QUALIFICATION, AND INVENTORY

OBSERVATION

Weapons and equipment training, qualification, and inventory practices needed improvement to meet the requirements of the California State University, Stanislaus *PD Policy Manual*.

During walkthroughs, we noted that the department-maintained equipment logs that recorded the issuance of equipment to officers, including the type of equipment, the date it was assigned, and the initials of both the officer and their supervisor acknowledging receipt and issuance of the equipment. Upon review, we found that

- While we noted that some new equipment received in September 2021 had been recorded and signed off by the receiving officer on the main equipment inventory, the information had not been transferred to the individual officer equipment list, which is the usual form on which officers acknowledge receipt of equipment.
- Other department-issued items such as gas masks and body-worn cameras were not added to the equipment listed on the officer-assigned equipment logs.

Also, we reviewed training logs, weapons qualification test records, and other documentation maintained at the range for all UPD officers (eight police officers, two sergeants, the captain, and the chief) for the audit scope period and found that:

- Quarterly training requirements for on-duty firearms, both handguns and rifles, were not met for 2020 or 2021.
- Twice-yearly qualification requirements for off-duty firearms were not met for 2020 or 2021.
- Yearly energy device (TASER) training requirements were not met for 2020 or 2021.
- Yearly foam projectile launcher training requirements were not met for 2020, but were met for 2021.

We noted that due to the COVID-19 pandemic, training available to officers, which included California Commission on Peace Officer Standards and Training (POST)-provided and certified courses that incorporated weapons training, was limited in availability due to local, state, and federal restrictions. However, based on discussions with UPD command staff and a review of both 2020 and 2021 training records, we observed that compliance improved in 2021 as restrictions began to end and training opportunities became more widely available.

Weapons and equipment training and qualification decrease the risk of noncompliance with California State University (CSU) and campus policies and increase the technical expertise and effectiveness of UPD officers. Proper inventory procedures improve accountability and allow management to properly monitor issued equipment.

RECOMMENDATION

We recommend that the campus:

- a. Update officer assigned equipment logs to properly reflect currently assigned equipment and update them as needed.
- b. Ensure that officers receive all required weapons and equipment training and maintain records of completed training.

MANAGEMENT RESPONSE

We concur. The campus will update officer assigned equipment logs to properly reflect currently assigned equipment and update them as needed. The campus will also ensure that officers receive all required weapons and equipment training and maintain records of completed training.

Expected completion date: April 30, 2022

2. UNIVERSITY-WIDE TRAINING GUIDE REQUIREMENTS**OBSERVATION**

UPD officers did not complete all training categorized as mandatory in the *University-Wide Training Guide*.

In May 2021, the *University-Wide Training Guide* was released by the CSU, providing a detailed and extensive guide to training that would conform to state mandates and CSU policies, enhance the level of service provided to the public, increase the expertise and effectiveness of officers, and provide opportunities for professional development.

The guide detailed training topics for each rank of police officer and stated whether the training was categorized as mandatory, desirable, or professional development. Mandatory was defined in the guide as follows: "Courses in this category are required by POST, state, or federal regulation, CSU or University Police department policy. They provide basic knowledge and are considered critical to the position."

We reviewed the training records for all officers to determine compliance with the topics categorized as mandatory and noted that every officer was missing at least one of these training topics. All UPD officers were missing training for numerous topics, including National Incident Management System, the Clery Act, the Campus Law Enforcement Telecommunication System, crowd management, and bloodborne pathogens. Other topics with only partial compliance included TASER, active shooter, mental illness, first aid/CPR, Naloxone, field training officer, and racial profiling.

We noted that due to the COVID-19 pandemic, training available to officers, which includes recommended POST-provided and certified courses that cover the above topics, was limited in availability due to local, state, and federal restrictions. In addition, the current requirements in

the *University-Wide Training Guide* are significantly more detailed than those in Executive Order (EO) 1046, *The California State University Police Service and Public Safety Program*, issued on January 1, 2010, which only mandated training on the following topics: use of force, weapon qualifications, active incidents/active shooter/rapid deployment response, and access to sensitive data.

Completing required training decreases the risk of noncompliance with CSU and campus policies and provides greater assurance that UPD personnel possess the skills and knowledge necessary to provide a professional level of service that meets the needs of the campus community.

RECOMMENDATION

We recommend that the campus:

- a. Develop a plan and schedule that brings all officers and command staff up to date with training requirements, noting whether any further delays are encountered due to COVID-19 limitations.
- b. Provide officers and command staff with mandatory training and maintain records of completed training.

MANAGEMENT RESPONSE

We concur. The campus will develop a plan and schedule that brings all officers and command staff up to date with training requirements, noting whether any further delays are encountered due to COVID-19 limitations. The campus will also provide officers and command staff with mandatory training and maintain records of completed training.

Expected completion date: July 31, 2022

3. PHYSICAL ACCESS TO AMMUNITION

OBSERVATION

Physical access to ammunition within the UPD building needed improvement.

During a virtual walkthrough of the UPD building with UPD personnel and interviews held with UPD command staff, we noted that all UPD officers had access to the UPD storage room where the ammunition safe is stored and had a key to the ammunition safe itself. Per the CSU Stanislaus *PD Policy Manual*, "Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed, in accordance with established policy." Access to ammunition should be limited to only the UPD armorer/rangemaster to ensure that the UPD armorer can properly monitor, track, and control issuance and use of ammunition.

Limiting physical access to ammunition reduces the risk of improper use and provides greater assurance that department resources will be adequately monitored and used properly.

RECOMMENDATION

We recommend that the campus restrict access to ammunition to the UPD armorer/rangemaster.

MANAGEMENT RESPONSE

We concur. The campus will restrict access to ammunition to the UPD armorer/rangemaster.

Expected completion date: March 31, 2022

4. AGREEMENTS WITH LOCAL LAW ENFORCEMENT AGENCIES

OBSERVATION

Written agreements between the UPD and local law enforcement agencies did not comply with all state and regulatory requirements.

The UPD has an administrative agreement with the city of Turlock and a memorandum of understanding with the city of Stockton that define the jurisdiction and geographic boundaries of the UPD and the local law enforcement agencies of the cities in which CSU Stanislaus has a campus presence. Both agreements establish operational responsibilities and communication and emergency protocols between the UPD and the cities. These types of agreements must adhere to Education Code §67381, *Student Safety*, which establishes requirements for agreements between campus law enforcement agencies and any local law enforcement agencies in which their jurisdiction is located.

We reviewed the UPD agreements with the city of Turlock and the city of Stockton for compliance with Education Code §67381, *Student Safety*, and found that:

- The administrative agreement with the city of Turlock was not available for public viewing, and there was no evidence that the agreement had been reviewed in the 5-year period since it was signed. During the fieldwork, the campus corrected this issue and the agreements are available on the University Police Department Forms & Documents webpage.
- The memorandum of understanding with the city of Stockton was not signed by all parties by the July 1, 2016, deadline and was not available for public viewing.

Reviewing, updating, and publishing agreements with local law enforcement agencies on a regular basis ensures compliance with state requirements and improves the accuracy and relevancy of the agreements.

RECOMMENDATION

We recommend that the campus review and update as necessary the administrative agreement with the city of Turlock, and document the review.

MANAGEMENT RESPONSE

We concur. The campus will review and update as necessary the administrative agreement with the city of Turlock, and document the review.

Expected completion date: July 31, 2022

GENERAL INFORMATION

BACKGROUND

The statutory authority for CSU police departments and police officers is contained in the California Education and Penal codes. Campus law enforcement officers have the primary law enforcement authority on campus and share the one-mile radius around the campus as concurrent jurisdiction with local law enforcement. Jurisdiction for each campus is further defined by written agreements, required by the Kristen Smart Campus Safety Act of 1998, with local law enforcement agencies.

Each campus has a university police department that provides a full range of law enforcement and policing services. It is responsible for providing a safe and secure environment where students, faculty, and staff can achieve their responsibilities and objectives. In August 2021, the CSU system adopted *Campus Law Enforcement Policies*, which provided clarification on required systemwide policies issued by the CO and distinguished these from the campus policies under the authority of the president. To ensure standard practices, the policy also mandated campus adoption of the services of Lexipol, a company that provides policy manuals, training bulletins, and consulting services to law enforcement agencies.

The CSU system mandated increased transparency when, in June 2021, it adopted the *Campus Police and Safety Advisory Committee* policy. The policy requires the formation of a committee to review campus police and safety matters that affect students, faculty, staff, and visitors, and to advise the president on suggested changes or enhancements to public safety policy.

In addition to federal and state regulations, the CSU adheres to POST for the employment and training of police officers. Some CSU campuses have also earned accreditation from the Commission on Accreditation for Law Enforcement Agencies or the International Association of Campus Law Enforcement Agencies.

At CSU Stanislaus, the UPD includes university police, investigations/crime prevention, parking services, Live Scan fingerprinting services, emergency preparedness, and security of records. All sections of the department work toward the same goals to ensure that the campus is a safe place to study, teach, work, reside, and visit. The department uses a proactive approach that includes crime prevention and safety programs available on a continuing basis. The chief of university police reports to the chief financial officer, vice president of business and finance. The police department employs 22 full-time personnel, including sworn and non-sworn staff, three part-time staff, and approximately 20 student assistants during non-pandemic semesters.

SCOPE

Due to temporary operating procedures and limitations resulting from the COVID-19 public health emergency, we performed testwork remotely from September 27, 2021, through November 5, 2021. Our audit and evaluation included the audit tests we considered necessary in determining whether operational, administrative, and financial controls are in place and operative. The audit focused on procedures in effect from January 1, 2020 to November 5, 2021.

Specifically, we reviewed and tested:

- Police services administration and organization, including clear lines of organizational authority and responsibility, defined mission and goals, and current and comprehensive policies and procedures.
- Access to the police services office and automated systems to determine that they are adequately controlled and limited to authorized persons, that data backup procedures are in place, and that physical security over system hardware is adequate.
- Security and retention of departmental records.
- Administration of services to the public to determine whether they ensure participant safety and minimize campus liability.
- Compliance with CSU policy and state regulations with regard to relationships with outside agencies.
- Compliance with POST standards, state regulations, and CSU policy in the training of police services employees.
- Processes to ensure that costs are appropriately and timely recovered for services provided to campus self-support funds, auxiliary organizations, and external third parties.
- UPD disbursements, including proper approval and adequate support for transactions.
- Proper handling of, accounting for, and safeguarding of weapons, equipment, and ammunition.
- Adequate safeguarding and accounting for property and evidence.

As a result of changing conditions and the degree of compliance with procedures, the effectiveness of controls changes over time. Specific limitations that may hinder the effectiveness of an otherwise adequate system of controls include, but are not limited to, resource constraints, faulty judgments, unintentional errors, circumvention by collusion, and management overrides. Establishing controls that would prevent all these limitations would not be cost-effective; moreover, an audit may not always detect these limitations.

Our testing and methodology, which was designed to provide a review of key operational and administrative controls, included interviews, walkthroughs, and detailed testing on certain aspects of procurement. Our review was limited to gaining reasonable assurance that essential elements of the police services function were in place and did not examine all aspects of the program. Specifically, we reviewed weapon and equipment safeguards via a remote walkthrough.

CRITERIA

Our audit was based upon standards as set forth in federal and state regulations and guidance; Trustee policy; Office of the Chancellor directives; and campus procedures; as well as sound administrative practices and consideration of the potential impact of significant risks. This audit was conducted in conformance with the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

This review emphasized, but was not limited to, compliance with:

- Executive Order (EO) 1031, *Records Retention*
- EO 1046, *California State University-Police & Public Safety Policy Guidelines*
- EO 1069, *Risk Management and Public Safety*
- *Campus Law Enforcement Policies*
- *Campus Police and Safety Advisory Committee*
- *University-Wide Training Guide*
- Integrated California State University Administrative Manual (ICSUAM) §3552.01, *Cost Allocation/Reimbursement Plans for the CSU Operating Fund*
- ICSUAM §8000, *Information Security*
- SUPA Collective Bargaining Agreement
- POST Administrative Manual
- Education Code §67381, *Kristen Smart Campus Safety Act of 1998*
- Penal Code §13500 to §13553, *Commission on Peace Officer Standards and Training*
- California Department of Justice, *California Law Enforcement Telecommunications System Policies, Practices, and Procedures*
- Government Code §15150 to §15167, *California Law Enforcement Telecommunications*
- Government Code §13402 and §13403
- *CSU Stanislaus PD Policy Manual*
- *CSU Stanislaus Standard Operating Procedure #33, Police Services Communications*
- *CSU Stanislaus Standard Operating Procedure #38, Cash Handling Procedure*
- *CSU Stanislaus Cost Allocation Policy*

AUDIT TEAM

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