

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

August 2, 2022

Dr. Tom Jackson, Jr., President
California State Polytechnic University, Humboldt
1 Harpst Street
Arcata, CA 95521

Dear Dr. Jackson:

Subject: Audit Report 21-41, Police Services, California State Polytechnic University, Humboldt

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: Jolene Koester, Interim Chancellor
Lateefah Simon, Chair, Committee on Audit
Yammilette Rodriguez, Vice Chair, Committee on Audit

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POLICE SERVICES

California State Polytechnic University, Humboldt

Audit Report 21-41
August 2, 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 May 27, 2022, 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 some officers did not complete all training requirements, including training legislatively mandated by the California Commission on Peace Officer Standards and Training (POST) and quarterly and annual weapons and equipment training. Further, we noted that physical access controls to the police station and the Key Watcher system maintained by UPD, as well as access to property and evidence storage could be strengthened. Opportunities for improvement were also identified for overtime review and approval, administration of UPD inventory, documentation for citizen complaints, and reporting procedures of the Campus Safety and Police Committee.

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

OBSERVATIONS, RECOMMENDATIONS, AND RESPONSES

1. TRAINING

OBSERVATION

Training requirements were not always met.

The Perishable Skills Program (PSP) requires peace officers to complete 12 hours of psychomotor training, four hours of use-of-force training, and two hours of communications training every 24 months as part of the POST Continuing Professional Training requirements. We reviewed POST training records for all UPD officers (six police officers, three sergeants, and the interim chief of police) for the audit scope period and found that one sergeant did not complete all PSP training requirements for the two-year cycle ended December 31, 2020, including driver training/awareness and arrest and control training.

Additionally, we reviewed the training records for all UPD personnel to determine compliance with the topics categorized as legislatively mandated per POST Standards §1005 and §1081. We noted that five of ten individuals were not in compliance with at least one of these training topics, which include National Incident Management System, mental illness, first aid/CPR, field training officer, racial profiling, and vehicle pursuit.

We also found that UPD weapons and equipment training practices did not always meet the requirements of the *Cal Poly Humboldt Policy Manual*. We reviewed training logs, weapons qualification test records, and other documentation maintained for all UPD personnel for the audit scope period, and we found that:

- Quarterly training requirements for on-duty firearms, including handguns and shotguns, were not always met for 2020 and 2021.
- Annual Taser training requirements were not met for 2021.

Due to the COVID-19 pandemic, training available to officers, including California Commission POST-provided and certified courses, was limited in availability due to local, state, and federal restrictions. However, based on discussions with UPD command staff and a review of 2020, 2021, and 2022 training records, we observed that compliance began to improve in 2022 as restrictions began to end and training opportunities became more widely available.

Completing required training decreases the risk of noncompliance with state, California State University (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. Strengthen procedures for monitoring and documenting required training to ensure compliance with POST, campus procedures, and the UPD annual training plan.

- b. Provide officers and command staff with mandatory training and maintain records of completed training.

MANAGEMENT RESPONSE

The campus concurs. UPD will strengthen procedures for monitoring and documenting required training to ensure compliance. UPD will provide officers and command staff with mandatory training and maintain records of completed training. A robust training plan has been developed to manage the training progress. This training plan will be fully implemented by October 31, 2022.

2. PHYSICAL ACCESS

OBSERVATION

Physical access to the police station and access to campus buildings needed improvement.

We reviewed a listing of campus personnel with access to the police station provided by facilities management and noted two instances in which physical keys were not recovered from separated employees. We found that these employees separated from the university on December 6, 2018, and January 29, 2019.

In 2021, the campus implemented a new key management process that requires the cashier’s office to inform facilities management of employee separations. Facilities management is then responsible for contacting separating employees to ensure that all physical metal keys and electronic key cards are returned on or before the separation date. As these employees separated before this process was implemented, facilities management was not notified of the separation and, therefore, did not contact the separating employees to obtain their keys.

Additionally, UPD uses a KeyWatcher system to manage employee access to physical keys. The KeyWatcher is a modular integrated key control and management system that allows UPD to grant access to employees for specific keys. We reviewed a listing of campus personnel with access to the KeyWatcher located within the police station and noted that at the time of our audit, access had not been revoked from the KeyWatcher for four separated employees.

Adequate administration of access to the police station and to the KeyWatcher located within the police station reduces the risk of unauthorized access to UPD and campus buildings.

RECOMMENDATION

We recommend that the campus:

- a. Document procedures to revoke physical access to the police station, including the return of metal keys and electronic key cards from separating employees, to ensure that only appropriate personnel have access to the police station.

- b. Develop and document procedures to revoke separated employees’ access to the KeyWatcher system to ensure that only appropriate personnel have access to the keys maintained by UPD.
- c. Recover the two physical keys from separated employees or rekey the interior door of the police station as necessary.
- d. Remove access to the KeyWatcher system for the four separated employees noted above.

MANAGEMENT RESPONSE

The campus concurs. UPD will document procedures to revoke physical access to the police station. An off-boarding checklist to return keys issued by facilities management, and to remove personnel from the KeyWatcher System, has been established. The four individuals have been removed from the KeyWatcher system. This was completed in June 2022. UPD will rekey the entrance doors to the police department. Actions will be completed by September 30, 2022.

3. PROPERTY AND EVIDENCE

OBSERVATION

Administration of property and evidence, including physical access, inventory documentation, and related policies and procedures, needed improvement.

During an on-site walkthrough of property and evidence areas with UPD personnel, we noted that all UPD officers had access to the secondary property and evidence storage area. According to the *Cal Poly Humboldt Property and Evidence Manual*, “department personnel shall not enter evidence storage areas unless escorted by authorized personnel.” Access to all property and evidence storage areas should be restricted to the property and evidence manager and/or command staff.

Additionally, per the *Cal Poly Humboldt Property and Evidence Manual*, command staff is responsible for conducting an audit of firearms, monies, and controlled substances included in property and evidence at least biannually. Due to turnover in the chief of police position, UPD could not provide documentation of the most recent command staff audit performed for these items. Therefore, we could not confirm that a biannual inventory was performed during the audit period.

Further, the department maintains two separate policies for the administration of property and evidence: the *Cal Poly Humboldt Lexipol Policy Manual, Section 802* and the *Property and Evidence Manual*. We noted various discrepancies between these two policies related to auditing and inventory processes for property and evidence.

Appropriate administration of property and evidence, including physical access, documentation of inventory, and policies and procedures ensures that property and evidence are accounted for and adequately safeguarded.

RECOMMENDATION

We recommend that the campus:

- a. Restrict access to the bicycle storage area in the campus greenhouse to align with campus policies.
- b. Document biannual command audits of firearms, monies, and controlled substances maintained in property and evidence as required by the *Cal Poly Humboldt Property and Evidence Manual*.
- c. Update policies and procedures to align with current practices and communicate updated policies and procedures to UPD employees.

MANAGEMENT RESPONSE

The campus concurs. Access to the bicycle storage has been restricted. Action was completed in June 2022. An inventory of firearms, monies, and controlled substances was completed, and all property was accounted for. This action was completed and a report was submitted in June 2022. A second inventory has been calendared for December 2022 with biannual inventories scheduled thereafter. Practices will be updated to align with the Lexipol policy and communicated via the Knowledge Management System. These actions will be implemented by December 31, 2022.

4. UPD INVENTORY

OBSERVATION

Administration of UPD inventory needed improvement.

We found that the annual Taser inventory was not performed as required by the *Cal Poly Humboldt Lexipol Policy Manual* due to the turnover of UPD personnel.

Further, as stated in *Cal Poly Humboldt Asset Management Procedures*, sensitive equipment, including university police firearms, must be tagged and inventoried by the financial services office, and the university is responsible for conducting a physical inventory of all property not less than every three years. We found that the most recent inventory of UPD equipment was performed in 2018, four years ago. However, we performed an inventory spot check and located selected items from the inventory record without issues.

Proper performance of inventory procedures helps to strengthen the control environment, improves accountability, and allows management to properly monitor sensitive items such as weapons and equipment.

RECOMMENDATION

We recommend that the campus:

- a. Ensure that annual inventory of Tasers is performed and documented as required by the *Cal Poly Humboldt Lexipol Policy Manual*.
- b. Ensure that inventory of UPD equipment, including sensitive items such as firearms, is performed by financial services not less than every three years, as required by campus procedures.

MANAGEMENT RESPONSE

The campus concurs. The Taser inventory has been completed and scheduled for annual reoccurrence. An inventory of UPD equipment, including sensitive items, is in progress and will be implemented by October 31, 2022. The campus will ensure that an inventory of UPD equipment is performed at least every three years.

5. OVERTIME

OBSERVATION

Administration of UPD overtime needed improvement.

UPD requires a direct supervisor’s approval for overtime hours claimed for each shift. This responsibility is fulfilled by the sergeant on duty. Additionally, timesheets are approved by the chief of police at the end of each pay period.

We reviewed 20 overtime transactions, including related timesheets, and we found that:

- A direct supervisor’s approval was not documented on any of the timesheets.
- One timesheet was not approved by the chief of police.
- One timesheet was not approved timely by the chief of police prior to paycheck issuance.

Further, we noted one instance in which overtime hours were inaccurately calculated by UPD personnel on a manual timesheet, resulting in an overpayment of \$221.

Adequate review and approval of overtime hours reduces the risk of errors and improper payments.

RECOMMENDATION

We recommend that the campus ensure that overtime is appropriately reviewed and approved by supervisors and the chief of police, and properly processed.

MANAGEMENT RESPONSE

The campus concurs, and correct procedure has been restored. Sergeants are once again signing off on officer overtime at the time of the request. The lieutenant and the chief will review and approve the final time sheet on a monthly basis. Action was fully implemented in June 2022.

6. CITIZEN COMPLAINTS

OBSERVATION

Documentation of citizen complaints needed improvement.

Due to turnover in the chief of police position, the department was not able to locate all citizen complaint documentation for complaints filed in 2020 or 2021, including the citizen complaint log and complaint forms.

We reviewed the annual submission of Civilian Complaints Against Peace Officers to the Department of Justice for 2020 and 2021 and noted that two complaints were reported in 2020 and five were reported in 2021. The department was not able to provide documentation for three of the seven complaints reported. Therefore, we were unable to determine whether the complaints were timely investigated and properly reviewed, or whether the disposition of the complaint was communicated to the complainant.

Adequate documentation of citizen complaints helps to create a relationship of trust and confidence between members of the department and the community, which is essential to effective law enforcement.

RECOMMENDATION

We recommend that the campus strengthen documentation procedures and maintain citizen complaint documentation, including annual logs and complaint forms.

MANAGEMENT RESPONSE

The campus concurs. UPD will strengthen documentation procedures and maintain citizen complaint documentation, including annual logs and complaint forms. A complaint log has been created on the Google Drive and is accessible only to the chief and lieutenant. Action was fully implemented on June 24, 2022.

7. CAMPUS SAFETY AND POLICE COMMITTEE

OBSERVATION

The Campus Safety and Police Committee did not report recommendations and/or requests to the university president as required.

The campus established the Campus Safety and Police Committee in response to the adoption of the *CSU Campus Police and Safety Advisory Committee Policy*, effective June 11, 2021. The committee acts as a liaison between the campus and UPD and is responsible for review of campus police and safety matters that affect students, faculty, staff, and visitors.

Recommendations or requests from the advisory committee are transmitted by the committee chair to the president for consideration.

We found that the Campus Safety and Police Committee held four meetings between October 2021 and May 2022; however, the committee did not report, and there was not a procedure in place to report, recommendations or requests from these meetings to the campus president.

Appropriate reporting procedures ensure that campus management remains informed about police and safety matters affecting the campus community. Proper reporting ensures that committee requests and recommendations are fulfilled in a timely manner.

RECOMMENDATION

We recommend that the campus develop and implement a procedure to report recommendations and requests to the campus president.

MANAGEMENT RESPONSE

The campus concurs. The chief and vice president, in collaboration with the co-chairs of the committee, will develop and implement a procedure to report committee recommendations to the campus president. This action will be implemented by October 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 UPD that provides a full range of law enforcement and policing services. UPD 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* that 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 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 California State Polytechnic University, Humboldt (Cal Poly Humboldt), the UPD includes university police, investigations/crime prevention, parking services, Live Scan fingerprinting services, lost and found services, and safety escort services. 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 administration and finance. The police department employs 14 full-time personnel, including sworn and non-sworn staff, and two part-time officers.

SCOPE

Due to temporary operating procedures and limitations resulting from the COVID-19 public health emergency, we performed seven weeks of remote testwork and one week of on-campus testwork from April 4 through May 27, 2022. 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 July 1, 2020, to May 27, 2022.

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 it is 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 (and auxiliary, if applicable) 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 1069, *Risk Management and Public Safety*
- *Campus Law Enforcement Policies*
- *Campus Police and Safety Advisory Committee*
- 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 §832.5 and §832.7, Additional Provisions Regarding Criminal Procedure
- 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
- *Cal Poly Humboldt Lexipol Policy Manual*
- *Cal Poly Humboldt Property and Evidence Manual*
- *Cal Poly Humboldt Asset Management Procedures*

AUDIT TEAM

Audit Manager: Christina Chen
Senior Auditor: Stephanie Martinelli