

**SUMMIT COUNTY COURT OF COMMON PLEAS:  
ADULT PROBATION DEPARTMENT  
PRELIMINARY AUDIT FINAL REPORT**

**05-Probation.CommonPleas-30**

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**APPROVED BY AUDIT COMMITTEE  
MARCH 14, 2006**

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**SUMMIT COUNTY ADULT PROBATION  
PRELIMINARY AUDIT FINAL REPORT  
BACKGROUND**

**Auditors:** Lisa Skapura, Joseph George, Jennifer Cuenot, and Anthony Boston (Intern)

**Background:**

The County of Summit, Adult Probation Department, is part of the General Division of the Court of Common Pleas. The Department works under the direction of the Common Pleas Judges and the Court Executive's Office. The Probation Department is charged with providing supervision of offenders in the community, as well as producing investigative reports for the court. The goal of the Department is to help insure a safer community through the diligent supervision of offenders.

Supervision includes maintaining personal contact with the offenders and making appropriate referrals to community agencies to help rehabilitate the offenders. In the event an offender has failed to adequately follow the probation orders as outlined by the court, it is the responsibility of the Probation Officer to return the offender to court for further appropriate action.

***NORTH BRANCH***

The North Branch is located in the Macedonia City Center, at 9699 Valley View Road, in Macedonia. This location houses one full-time Probation Officer who serves the offenders located in the Northern portion of Summit County. This office also supervises the majority of the Probation cases that are transferred out-of-state.

***SOUTH BRANCH***

The South Branch is located at 480 Portage Lakes Drive. This office has three Probation Officers and one secretary. They provide supervision of the offenders who reside in the communities in the Southern part of the county, such as Green, Barberton, and Coventry. One of the officers at this location also specializes in Child Support cases.

***COURTHOUSE***

The Courthouse houses the Probation Department's Pre-Trial Staff and Probation Intake secretary. The Pre-trial Staff consists of one supervisor and four Officers. Pre-Trial performs two primary functions:

1. Make bond recommendations to the Judges in the Court of Common Pleas, as well as Akron Municipal Court, for any individual making an initial appearance on a Felony Charge. Bond recommendations are made after the offenders are interviewed and specific information, such as criminal record, home address, and employment, are investigated.
2. Help alleviate jail overcrowding. This is accomplished through the bond recommendations and the supervision of some of the offenders who are released on bond. Supervision of those released on bond includes random drug testing, reporting, and referrals to appropriate community agencies. The goal of supervising these individuals is to help them get started in some rehabilitative efforts as well as maintaining close contact to make sure they make their scheduled court appearances. Supervision results from a direct order from the Court, or as a condition of bond as recommended by Pre-Trial.

The Intake secretary is the first contact for offenders referred to Probation. The Intake secretary is responsible for gathering initial information and referring the offenders to the Main Office for Probation at 25 North Main Street.

### ***25 NORTH MAIN STREET***

The majority of the Adult Probation Department is housed at 25 North Main Street. The Chief Probation Officer, five Supervisors, 26 Probation Officers, 1 LEADS/Work Release/Community Service Coordinator, and 14 Secretaries, work at this location. Depending on the needs of the offender, Probation cases are assigned to general supervision officers as well as Specialty Units. Specialty Units consist of the following:

### ***INTENSIVE***

The Intensive Unit consists of four Probation Officers and one supervisor. Offenders are typically high-risk offenders that require very close supervision. They are placed into the Intensive Unit by court order. Caseloads in this unit are smaller to allow for more supervision that is concentrated with a major emphasis being placed on field supervision. The Intensive Unit is funded by a State grant and is intended to be used as a diversion from a state institution.

### ***SEXUAL OFFENDERS UNIT***

The Sexual Offender's Unit consists of two Probation Officers. This unit supervises all individuals who either have a history of sex offenses or are presently under supervision for a sex offense. The purpose of the Unit is to effectively supervise sex offenders who have been released to the community. This includes referrals to appropriate rehabilitation agencies and close supervision, including frequent field contacts. The Unit is also responsible for making sure that the offenders are properly registered with the Sheriff's Office.

### ***MENTAL HEALTH***

This Department has one Officer who specializes in Mental Health cases. Individuals who are placed on Probation that have been diagnosed with a severe mental illness, and/or are clients of Community Support Services (CSS), are referred to the Mental Health Unit. An emphasis is placed on insuring that client's comply with counseling and medication requirements.

### ***FELONY DUI***

All felony DUI Offenders are referred to one Officer who specializes in these cases. This officer is responsible for making sure that the offender is complying with all statutory requirements. This Unit also facilitates all referrals to the agencies that provide the programming to meet these requirements.

### ***CHILD SUPPORT***

Four Officers, including one at the South Branch, supervise cases that originated through the Child Support Enforcement Agency. The focus in these cases is to make sure that offenders are making their current monthly support payments. This unit works closely with the two Assistant Prosecutors regarding the monitoring of the cases as well as matters of non-compliance. Offenders assigned to this Unit who are unemployed, are referred to a special program that was developed and designed to assist this type of offender with job training and placement.

### ***SEALINGS***

The Department has one Officer specializing in Sealing Investigations. This Officer conducts interviews with the applicants, and conducts all the research, before preparing a written report for the court to consider at the time of the applicant's formal hearing.

### ***WELFARE FRAUD***

One Officer is responsible for supervising all of the Welfare Fraud cases. This officer works closely with the Department of Jobs and Family Services to coordinate compliance with court ordered payments and other needs, as they arise.

### ***GENERAL SUPERVISION OFFICERS***

Officers in General Supervision perform a wide variety of tasks. Besides supervising a caseload of offenders, they are also referred offenders for the purpose of conducting a Presentence Investigation and providing the court with a comprehensive report. The report includes information relative to the criminal circumstances, criminal record, social history, victim impact statements, and the officer's impressions of the offender. These reports are taken very seriously and must be prepared under specific time constraints. (The Officers at the branch offices are considered General Supervision officers.)

With the exception of Intensive, all Officers are also assigned specific courts to cover during Criminal Call Days. All Officers, including Intensive, make field contacts when appropriate.

## **SUMMIT COUNTY ADULT PROBATION PRELIMINARY AUDIT FINAL REPORT**

### AUDIT OBJECTIVES AND METHODOLOGY

The primary focus of this review was to provide Adult Probation with reasonable assurance, based on the testing performed, on the adequacy of the system of management control in effect for the audit areas tested. Management controls include the processes for planning, organizing, directing, and controlling program operations, including systems for measuring, reporting, and monitoring performance. Management is responsible for establishing and maintaining effective controls that, in general, include the plan of organization, as well as methods, and procedures to ensure that goals are met. Specific audit objectives include evaluating the policies, procedures, and internal controls related to Adult Probation.

Our review was conducted in accordance with Government Auditing Standards issued by the Comptroller General of the United States and accordingly included such tests of records and other auditing procedures as we considered necessary under the circumstances. Our procedures include interviewing staff, reviewing procedures and other information and testing internal controls as needed to assess compliance with policies and procedures.

Based on the results of our review, we prepared specific issues and recommendations for improvement that were discussed with management. These recommendations, as well as management's written response, can be found in the following sections of this report.

#### **Specific Objectives:**

1. To obtain and review the current policies and procedures.
2. To review the internal control structure through employee interviews and observation.
3. To perform a general overview of the physical environment and security of the facilities, data, records and departmental personnel.

#### **Scope:**

An overview and evaluation of the existing policies, processes, procedures, contracts and internal control structure utilized by the department.

The following were the major audit steps performed:

#### **OBJECTIVE 1 – POLICY AND PROCEDURES REVIEW**

1. Obtain and review the current policies and procedures.
2. Meet with the appropriate personnel to obtain an understanding of the current department processes and procedures. Compare those existing processes to the policies and procedures manual for consistency, noting all exceptions.
3. Test procedures for mandatory compliance where applicable.
4. Identify audit issues and make recommendations where appropriate.

## OBJECTIVE 2 – REVIEW OF INTERNAL CONTROLS

5. Meet with the appropriate personnel to obtain an understanding of the control environment.
6. Document the existing control procedures in narratives and/or flowcharts.
7. Compare existing processes to the policies and procedures manual for consistency.
8. Test procedures for compliance where applicable, noting all exceptions.
9. Investigate discrepancies and summarize results.
10. Make recommendations where appropriate.

## OBJECTIVE 3 – REVIEW OF SECURITY

11. Perform a general overview of the physical environment and security of the department/ agency being audited.
12. Interview various personnel to determine that confidential information is secure and processed only by appropriate parties.
13. Obtain and review the document retention policy and determine if policies and procedures are currently in place and being followed.
14. Test security issues where appropriate.
15. Analyze current policies and make recommendations.

**SUMMIT COUNTY ADULT PROBATION  
PRELIMINARY AUDIT FINAL REPORT  
DETAILED COMMENTS**

**I. Policies & Procedures Review:**

The Internal Audit Department (IAD) obtained and reviewed the Summit County Offender Services Handbook/Operations Manual and the Summit County Court of Common Pleas General Division Personnel Manual to ensure that they were up to date and reasonable. An interoffice memorandum from the Chief Probation Officer in regards to revisions of the Summit County Offender Services Handbook/Operations Manual was also obtained and reviewed. These revisions to the procedures were effective as of March 3, 2005. Procedures for secretaries were also obtained and reviewed from the Secretary Supervisor. These procedures were obtained from the Secretary Supervisor because they were not located in the Offender Services Handbook/Operations Manual.

1) Issue

In reviewing the Offender Services Handbook/Operations Manual, it was noted in various locations throughout the manual that employee names were used instead of employee titles.

Recommendation

IAD recommends that Adult Probation utilize employee titles as a reference to those performing stated duties and job functions. This will help avoid confusion as employees change jobs or change positions and eliminate the need for constant name change updates to the policies and procedures manual.

Management Action Plan

By May 10, 2006 the probation office will revise the office handbook to eliminate the use of names reference to situations where specific job functions are described. The names will be replaced with employee titles to help avoid confusion as employees change jobs or change positions.

2) Issue

A discussion of the Intensive Supervision Program (ISP) with the ISP Supervisor revealed that a new policy and procedure exists in regards to "Reduction in frequency of offender contact" (*dated 2/05*) which can occur after an offender has completed their initial 90 days of ISP supervision. This policy and procedure was not noted in the review of the Summit County Offender Services Handbook/Operations Manual.

Recommendation

IAD recommends that the Adult Probation add the new ISP policy and procedure to the Offender Services Handbook/Operations Manual to ensure the most updated policies and procedures are made available to employees.



### Management Action Plan

The Intensive Supervision Program (ISP) revised procedures in February of 2005 relative to “reduction in frequency of offender contacts which can occur after an offender has completed their initial 90 days of ISP supervision.” The ISP unit was advised of these changes at that time in writing through a copy of the policy. The matter was discussed at the monthly unit meeting and the unit was reminded of the change through the meeting minutes. The changes were effective immediately. The fact that these changes were not included in the Office Handbook was an oversight.

The handbook will be revised to include the above, along with numerous other policy and or procedure changes by May 10, 2006. The revised handbook will be located on the “K” Drive in the Court shared drive directory. This revision will be discussed with staff at our annual office meeting on May 18, 2006 and they will be asked to sign an acknowledgement of understanding. Staff not in attendance will be presented the information by their supervisor, no later than June 1, 2006.

### 3) Issue

Upon review of the Offender Services Handbook/Operations Manual, discussions with Adult Probation management, and sample testing during the audit, it was noted that case file work is reviewed on a regular basis for probation officers. However, case file work is not reviewed for Senior Probation Officers. Per discussion with the Court Executive Officer, Senior Probation Officer status is reached upon completing five years service as a probation officer and is not based on merit. Upon follow up with the Probation Supervisor, a policy and procedure meeting was conducted on 10/11/05 and it was decided that “each month supervisors will conduct a random review of at least 12 case files from within their respective units (at least one file must come from each officer)”. However, upon review of the Offender Services Handbook/Operations Manual, it was noted that these procedures were not documented or formalized.

### Recommendation

IAD recommends that the procedures for supervisor reviews be formalized and included in the Offender Services Handbook/Operations Manual.

### Management Action Plan

In an effort to ensure that all probation officers, including senior officers are in compliance with office policy and procedure the management staff, through the policy and procedures committee will develop a formal policy for supervisors’ review of case files on a random basis using the “miscellaneous file activities” or “case closing” reports. The policy will call for each manager to review 12 files from their unit every month, at least one file from each officer. The initial items tested will focus on problem areas identified through the recent county audit. The miscellaneous file activities report will address; seen within 48 hours, offender classification maximum/medium/minimum, signed rules in file, second report date, signed releases, journal entry served, drug screens and journal entry conditions. The case closing report will include; LEADS check, closing summary, summary within 60 days of expiration and compliance with conditions. Supervisors will send copies of these reports to the chief by the 15th of the month following the month of review. We plan to make the

policy flexible enough to allow supervisors to change items reviewed in the future to meet the needs of the organization.

The procedure was discussed at the managers meeting on February 2, 2006. It became effectively immediately and was explained to all staff in the meeting minutes. The policy along with numerous other policies and or procedure changes will be presented to the policy and procedure committee for approval by May 10, 2006. The revised handbook will be located on the "K" Drive in the Court drive directory. It will be presented to all staff at our annual office meeting on May 18, 2006 and they will be asked to sign an acknowledgement of understanding. Staff not in attendance will be presented the information by their supervisor, no later than June 1, 2006.

4) Issue

Upon review of the Offender Services Handbook/Operations Manual, IAD noted that there were no policies and procedures for the secretarial staff. The secretarial staff handles an instrumental piece of the intake process, call day, and case closing functions. Upon further discussion with the Secretary Supervisor, there were secretarial procedures created, however, they were not included in the Offender Services Handbook/Operations Manual.

Recommendation

IAD recommends that the procedures for the secretarial staff be included in the Offender Services Handbook/Operations Manual. This will ensure that the Offender Services Manual includes procedures for all Adult Probation staff.

Management Action Plan

The secretarial staff has in place written procedures for duties handled by support staff. However, these procedures are not in a format consistent with our current handbook. They are not formalized and have not been presented to the policy and procedure committee for inclusion in the office handbook. These procedures need to be reviewed in the areas of assignment, intake, call day and case closings. We are looking to involve support staff in collection of fines and restitution. Also, we have recently been given permission by the Court to explore the revision of current call day procedures. This could have a significant impact on all support staff procedures.

Thus, we plan to have support staff revise their policy and procedures and present those revisions in a format consistence with our current handbook. The revisions will be due to the policy and procedure committee by June 1, 2006. It is our intention to include this information in a separate chapter of the handbook. It will be presented to all staff by July 14, 2006, through a formal memorandum from the Chief.

5) Issue

Upon review of the secretarial procedures obtained from the Secretary Supervisor, IAD noted the following:

- a. There was no indication that the procedures were reviewed and approved by the Policy and Procedure Committee, the Director of Offender Services, or applicable supervisors. IAD noted that the Offender Services Handbook/Operations Manual, which included policies and procedures for the remainder of the Adult Probation staff, was developed by the Policy and Procedure Committee and reviewed and approved by supervisors and the Director of Offender Services.
- b. The following secretarial procedures did not include an effective/revision date: Call Day Schedules, Journal Entries, Capias Pick-Ups, Clerical Procedures-SCORS, and Micro Filming Preparation.
- c. The secretarial procedures did not include formal policies approved by the Probation Office.
- d. There was no table of contents included with the procedures. In addition, many of the procedures did not include page numbers and there was no organized format of the procedures. Therefore, IAD was unable to determine if the procedures were complete and orderly.
- e. Job functions specific to particular individuals were documented utilizing first names as opposed to the employee's job title.

### Recommendation

IAD recommends that Adult Probation establish/create formal policies for secretarial staff and review and approve the secretarial procedures, which are instrumental in the intake process, call day, and case closing function, so that they can be included in the Offender Services Handbook/Operations Manual. IAD also recommends that all procedures created and implemented include effective dates of creation/revision. This will ensure that employees are aware of the most recent procedures that must be followed and that they are being performed consistently. Additionally, IAD recommends that the secretarial policies and procedures be organized to include proper page numbering and a table of contents. This will ensure that the policies and procedures are all-inclusive and can be referenced and located in a timely fashion.

### Management Action Plan

As noted above, the secretarial/support staff will be revising their current operations manual to conform to the probation office handbook. The deadline for completion of this document is June 1, 2006. Specific areas to address will include; proper use of page numbers, use of job titles, rather than names to describe certain job functions, notations relative to revision dates for changes in policy or procedure and development of a table of contents. These changes will be presented to the policy and procedures committee by June 1, 2006 and management staff by July 6, 2006 for presentation to all staff by July 14, 2006.

## **II. Internal Control Testing:**

Internal control testing and/or observations were performed in the following areas:

- Interviews
- Personnel Files
- Expenditures
- Probation Services Fund
- Capias Requests
- Probation Files
- Expiration of Supervision
- Intensive Supervision Grant

## INTERVIEWS

To gain an understanding of Adult Probation, IAD interviewed the following positions throughout the department:

- a. Court Executive Officer
- b. Chief Probation Officer/Director of Offender Services
- c. Three Probation Supervisors
- d. Special Activities Manager
- e. Pretrial Release Coordinator
- f. Probation Secretary Supervisor
- g. Three Senior Probation Officers
- h. Pretrial Release Officer

The following issues were noted:

6) Issue

It does not appear that all employees are aware of the Code of Ethics Policy & Procedure, with regard to conflict of interest, in the Summit County Offender Services Handbook/Operations Manual.

Recommendation

IAD recommends that the Code of Ethics policy, as noted in the Summit County Offender Services Handbook/Operations Manual, be re-emphasized to the staff. This will ensure that Adult Probation employees are aware of what constitutes a conflict of interest and what the procedure is to address the conflict.

Management Action Plan

Our office handbook has a Code of Ethics at section 105. Paragraph 2 addresses conflicts of interest. At our annual office meeting on May 18, 2006 these issues will be explained in detail and discussed.

7) Issue

During the interview process, IAD inquired as to the existence of a Disaster Recovery Plan for Adult Probation. The Probation Secretary Supervisor informed IAD that the disaster recovery plan was currently being updated. She obtained and provided IAD a copy of the newly revised Disaster Recovery Plan for the Summit County Common Pleas Court General Division; however, no effective date was noted. Per the Court Executive Officer, the effective date of the revision was February 2005.

Recommendation

IAD recommends that a revision date be added to the revised Disaster Recovery Plan.

### Management Action Plan

On March 7, 2005 a memorandum was received at the probation office from the Court Executive relative to the Disaster Recovery Plan. The memo was addressed to all agency heads in the general division of the common pleas court. It included an acknowledgement of receipt; however, no effective date was noted. Per the Court Executive the effective date was February 2005. This matter was discussed at the managers meeting on February 2, 2006 and managers were advised to write the revision date in their Disaster Recovery Plan by February 7, 2006. They were reminded in the meeting minutes.

#### 8) Issue

It was noted that original paper documentation noted in the probation case files (*not specifically recorded or produced in the Summit Court Online Records System [SCORS] which became operational in early 2003*) could not be easily reproduced in the instance of an unforeseen destruction or loss. Per discussion with the Secretary Supervisor, closed case files have been microfilmed up through 1999 and open case file documentation has not been microfilmed or scanned. It was also noted during the interview process that the files in the Pretrial Release department are not yet on SCORS. Therefore, in the event of destruction or fire, the files would be destroyed.

#### Recommendation

IAD recommends that increased efforts be made to microfilm or scan original case file documentation not represented in SCORS to reduce the possibility of documentation loss in the instance of an unforeseen destruction.

### Management Action Plan

Support staff at the probation office has been preparing case files for microfilming on all cases that predate SCORS, which was introduced in early 2003. Files have been microfilmed through the letter m, for the years 1998, 1999 and 2000. Pretrial Services has been in operation since June of 2002. Since June of 2005 their filing system has been more detailed and organized. Pretrial is currently in the process of being included in SCORS. It is expected that they will be in SCORS by June of 2006. To date, no Pretrial files have been microfilmed.

The probation office has been preparing case files for microfilming at a rate of about 8,000 files per year. Ten support staff workers go through a checklist of 17 items to prepare the files, they box about 35 case files and forward them to office services for the actual microfilming (recently the files have been put on CDs instead of microfilmed). It is the goal of each support staff employee to do two boxes or seventy files per month. The support staff supervisor keeps a monthly list of the number of boxes prepared by each worker. We seem to be making reasonable progress, as microfilming is only done when Court work is up to date and office services reportedly has a two-month backlog. However, we will attempt to improve by setting a goal of completing all microfilming on probation cases not in SCORS by the end of September 2007.

Pretrial plans to send their files to office services for microfilming by April 15, 2006. They will learn from office services the most efficient means to proceed further. Their goal is to have all files microfilmed by the end of calendar year 2006.

The above will reduce the possibility of document loss in the instance of an unforeseen destruction.

## PERSONNEL FILES

IAD obtained and reviewed ten employee personnel files maintained at the Summit County Court of Common Pleas Executive Office to ensure that personnel file documentation is maintained in accordance with procedures and appeared reasonable for all court personnel. The Court of Common Pleas - General Division Personnel Manual and the Summit County Offender Services Handbook/Operations Manual, which contained a section on Human Resources, were obtained and reviewed to gain an understanding of the required documentation that is to be maintained in the personnel files. IAD met with the Court of Common Pleas Human Resource (HR) Administrative Specialist and utilized a personnel file questionnaire, to gain a further understanding of the court's HR function and to verify the current personnel file documentation requirements.

The following issue was noted:

### 9) Issue

It was noted upon review of the Court of Common Pleas - General Division Personnel Manual and the Summit County Offender Services Handbook/Operations Manual, that there was no standard listing of required forms/documentation to be maintained in the Adult Probation personnel files. Therefore, IAD obtained and reviewed a memo from the HR Administrative Specialist, which listed the required documentation maintained in the personnel files. However, IAD noted that this listing was not located in the Summit County Offender Services Handbook/Operations Manual. Upon follow up, with the HR Administrative Specialist, a personnel standard checklist was created and is being utilized for newly hired employees and the completed copy of this form is included in their personnel file. A completed copy of this form shall also be placed in every current employee's file after the Court Executive's office completes an audit of all personnel files to verify all pertinent information is included. This is expected to be completed by the HR Administrative Specialist on or before 12/31/05.

### Recommendation

IAD recommends that Adult Probation include the listing of required documentation, created by the HR Administrative Specialist, in the Summit County Offender Services Handbook/Operations Manual.

### Management Action Plan

As of February 6, 2006, the Human Resources Administrative Specialist at the Common Pleas Court is in the process of developing a personnel standard checklist for all employees at the probation office. This form will be kept in the employees permanent personnel file. So employees at the probation office are aware of this documentation, our office handbook will be revised to address this checklist in Chapter 8, Human Resources.

The revision will be go through policy and procedures and will be completed by May 10, 2006. The revised handbook will be located on the "K" Drive in the Court shared drive directory. The revisions will be discussed with staff at our annual meeting on May 18, 2006 and they will be asked to sign an acknowledgement of understanding. Staff not in attendance will be presented the information through their supervisor no later than June 1, 2006.

## EXPENDITURES

Twenty-five expenditures were judgmentally selected from a 2004 Web Focus Expense Report for testing. IAD met with the Secretary Supervisor and utilized an expenditure process questionnaire to gain an understanding of the process followed by Adult Probation. A narrative was developed by IAD and approved by the Secretary Supervisor. The narrative was created because there were no written policies and procedures in regards to the expenditure process noted in the Summit County Offender Services Handbook/Operations Manual.

The following issue was noted:

### 10) Issue

IAD noted that there were no written policies and procedures in the Summit County Offender Services Handbook/Operations Manual in regards to the expenditure process followed by Adult Probation.

### Recommendation

IAD recommends that Adult Probation formalize and implement the current expenditure process noted during discussion with the Secretary Supervisor into the Summit County Offender Services Handbook/Operations Manual.

### Management Action Plan

By June 01, 2006 the purchasing functions and personnel for the General Division will be centralized at the Summit County Courthouse. Section 410 through 418 of the General Division Policies and Procedures will apply to Administration, Adult Probation and Psycho-Diagnostic. Revisions will be made to the General Division Policies and Procedures as well as the Adult Probation Handbook by June 01, 2006 to reflect this reorganization. The Adult Probation Handbook will reference the above sections of the General Division Policies and Procedures by this date as well.

## PROBATION SERVICES FUND

Twenty-five expenditures were judgmentally selected for testing from a 2004 Web Focus Expense Report for the Probation Services Fund. The expenditures were tested to ensure that proper authorization and approvals were in place and that Adult Probation was in compliance with Ohio Revised Code (O.R.C.) §321.44 and §2951.021. O.R.C. §321.44 "County or Multi-county Probation Services Fund" and O.R.C. §2951.021 "Offender may be required to pay monthly supervision fee" was obtained and reviewed to gain an understanding of the laws. IAD met with the Secretary Supervisor and utilized an expenditure process questionnaire to gain an understanding of the process

followed by Adult Probation. A narrative was developed by IAD and approved by the Secretary Supervisor. The narrative was created because there were no written policies and procedures in regards to the expenditure process noted in the Offender Services Handbook/Operations Manual. IAD verified that the amount of the invoice did not exceed the total amount of the Purchase Order.

The following issues were noted:

11) Issue

Upon review of a sample of 25 expenditures from the Probation Services Fund, IAD noted that one expenditure was for tuition reimbursement for \$2,460.72. According to O.R.C. §321.44, which states the permissible uses of the Probation Services Fund, tuition reimbursement is not listed as an acceptable expenditure.

Recommendation

IAD recommends that expenditures from the Probation Services Fund comply with O.R.C. §321.44. This will ensure that Adult Probation is using the funds in accordance with the code.

Management Action Plan

The reimbursement of tuition funds through the Probation Services Funds is not permissible pursuant to O.R.C. section 321.44. The one incident where funds were reimbursed during the last fiscal year was a misinterpretation of the law and will not reoccur.

12) Issue

IAD noted that there were no written policies and procedures in the Summit County Offender Services Handbook/Operations Manual in regards to the expenditure process followed by Adult Probation staff for the Probation Services Fund.

Recommendation

IAD recommends that Adult Probation formalize the current expenditure process for the Probation Services Fund procedures noted during discussion with the Secretary Supervisor into the Summit County Offender Services Handbook/Operations Manual.

Management Action Plan

By June 01, 2006 the purchasing functions and personnel for the General Division will be centralized at the Summit County Courthouse. Section 410 through 418 of the General Division Policies and Procedures will apply to Administration, Adult Probation and Psycho-Diagnostic. Revisions will be made to the General Division Policies and Procedures as well as the by June 01, 2006 to reflect this reorganization as well as appoint the Court Executive Officer or designee as the reviewing entity for approval of expenditures from Probation Service funds. This review will verify compliance with O.R.C. 2951.02.1. The Adult Probation Handbook will reference the above sections of the General Division Policies and Procedures by this date as well and dedicate a section of the Adult Probation Handbook to address this issue.



## CAPIAS REQUESTS

Twenty-Five capias requests were judgmentally chosen from a “Probation Experience Created by Type” report to ensure that the capias request process was followed, as listed, in the Summit County Offender Services Handbook/Operations Manual, and the revised policies, effective March 30, 2005. The requests for capias chosen for testing were from 6/1/05 through 10/19/2005 to ensure that probation office employees had ample time to become aware of the revised policies. The Summit County Offender Services Handbook/Operations Manual was obtained and reviewed to gain an understanding of the capias request process. IAD also interviewed the Probation Officer Supervisor to determine the ways a capias could be requested that would not follow the steps outlined in the policies and procedures. The following errors were noted:

### 13) Issue

Upon review of SCORS, IAD noted the following issues in the sample of 25 selected for detailed testing:

- a. Eight instances where a telephone call was not noted in SCORS to the offender’s reported address to order his/her presence within the office.
- b. Twelve instances where the offender’s family, emergency contact, employer, and/or checking the Summit County Jail, Ohio Department of Corrections Website, or an internet search was not noted in SCORS.
- c. Fourteen instances where a “Notice of Delinquency” was not sent out after contact was not made.
- d. Fourteen instances where a field visit was not conducted after the probationer failed to report as requested by the “Notice of Delinquency”.
- e. Thirteen instances where a Law Enforcement Automated Data System (LEADS) check was not documented in SCORS.

### Recommendation

IAD recommends that Adult Probation enforce the procedures that should be taken before a capias request is issued, as indicated in their policies and procedures manual. This will ensure that there is appropriate documentation in SCORS to indicate that appropriate steps and procedures were followed before a capias was requested.

### Management Action Plan

The audit showed a non-compliance issue for the probation office policy at section 421.4, capias requests. The policy calls for probation officers to take five steps before requesting a capias from the Court. Previously, senior officers were not required to have supervisor approval before sending a capias request to the Court. Efforts to improve compliance began at the managers meeting on February 2, 2006, where it was determined that effective immediately; all capias requests must go through the supervisor. Supervisors will review each file at the time of the capias request and make note of officer compliance. If officers do not follow the policy, the request will be returned to the officer for compliance. Continued non-compliance with the policy or failure to submit cases to the supervisor could meet with disciplinary action by the supervisor and or chief probation officer. This procedure is to remain in place until management is satisfied that the issue is resolved.

The capias review process will not be included in policies and procedures as it is a temporary measure to address a specific problem. The supervisors' notes regarding non-compliance will not be kept in SCORS. These notes are confidential and will be kept in the officers' unofficial personnel file maintained the supervisor. If these notes are not needed for disciplinary action and there are no pending issues at the time of the employees' annual evaluation, they will be destroyed.

Some of the issues on non-compliance are believed related to contacts made, but not entered in SCORS. Supervisors and the Chief have access to SCORS generated reports that count officer contacts. There will be ongoing monitoring of these reports by management staff to make sure officers are entering contacts.

### PROBATION FILES

Twenty-Five probation supervision cases were judgmentally chosen from a "Probation Experience Created by Type" report to ensure that the proper filing, reporting, and documentation requirements are being conducted, as listed, in the Summit County Offender Services Handbook/Operations Manual, and the revised policies, effective March 30, 2005. The probation supervision cases chosen for testing were from 6/1/05 through 10/19/2005 to ensure that probation office employees had ample time to become aware of the revised policies. The Summit County Offender Services Handbook/Operations Manual and revised policies, effective March 30, 2005 were obtained and reviewed to gain an understanding of the filing and reporting requirements for supervision cases. Additionally, IAD obtained the chosen case files from the respective probation officers and utilized SCORS to conduct testing. The following errors were noted:

#### 14) Issue

Upon review of 25 probation supervision cases, IAD noted the following:

- a. The date the Rules of Probation were discussed with the offender was not documented in the SCORS-Notes tab for five of 25 supervision cases. IAD noted that there were signed Rules of Probation in the case files for the five cases; however, there was no indication in SCORS of the occurrence. Per Chapter 4 of the Summit County Offender Services Handbook/Operations Manual, "In all cases, the assigned officer should document the date a probation officer discussed the probation rules with the offender in SCORS." Additionally, per an interoffice memorandum from the Chief Probation Officer to all Adult Probation Staff, "It is imperative the officer documents in SCORS the date of the discussion and signing of probation rules."
- b. The requirements for maximum supervision were not met in two of 25 supervision cases. Upon follow up in the SCORS-Notes tab, there was no documentation providing an explanation why the reporting requirements were not met. In addition, the reporting requirements for medium supervision were not met in one of 25 supervision cases because the probation officer was not setting the "next report dates" in the SCORS-Notes tab for once per month. Per the Probation Officer, if the offenders are placed on medium supervision, they are to report once per month.
- c. Five of 25 supervision case files did not contain a signed release of information form. Per Chapter 4 of the Summit County Offender Services Handbook/Operations Manual, "If the file does not contain signed release of information forms, the offender should be presented with the forms and asked to sign them."

- d. There was no indication in the SCORS-Notes tab that the probation officer provided a copy of the journal entry to the offender in seven of 25 supervision cases. Per Chapter 4 of the Summit County Offender Services Handbook/Operations Manual, “The journal entry should be reviewed with the offender, especially the conditions, and the offender should be provided a copy if they do not already have one. As a safeguard, the officer is also to make sure the offender has a copy of the journal entry. All of these activities are to be recorded in the SCORS-Notes tab.” Additionally, per an interoffice memorandum from the Chief Probation Officer to all Adult Probation Staff, they are to “Make sure you document your case activities in SCORS.”

#### Recommendation

IAD recommends that Adult Probation enforce all probation file requirement policies and procedures in accordance with the Summit County Offender Services Handbook/ Operations Manual. This will ensure that appropriate documentation is noted and procedures are being followed consistently.

#### Management Action Plan

The audit included a review of case files for compliance on several handbook issues as follows; date probation rules were discussed, signed rules in the file, meeting contact requirements based on case classification, signed release of information forms in the file and making sure the offender has a copy of the journal entry. Some non-compliance issues by officers were identified in these areas. We have addressed these issues by having supervisors monitor case files as noted in issue 3 through the “miscellaneous file activities” report. When the supervisors review files and discover non-compliance, they will discuss the issue directly with the officer and if necessary take appropriate disciplinary action. Copies of these reports are shared with the chief as noted in issue 3.

Some of the issues on non-compliance are believed related to contacts made, but not entered in SCORS. Supervisors and the Chief have access to SCORS generated reports that count contacts. There will be ongoing monitoring of these reports by management staff to make sure officers are entering contacts.

The above was discussed at the February 2, 2006 managers meeting and written notice was provided to staff through the meeting minutes.

#### 15) Issue

Upon review of revised Section 409-Maximum Supervision, in the Summit County Offender Services Handbook/Operations Manual, it states, “The offender should have at least *one in-person contact* with the probation officer at this level. *Additional contacts will be based on case needs.*” The previous maximum supervision requirements indicate that the offender was to have at least two monthly contacts with the probation officer and one of those contacts had to be in person. Upon discussion with the Probation Supervisor and further discussion with the Chief Probation Officer, the maximum supervision requirements are one contact *per month*, however, IAD noted that the time frame stating how often the contacts must occur was removed from the revised procedure. Under medium supervision, the requirements are also currently at least one contact per month.

### Recommendation

IAD recommends that Adult Probation clarify and document a specific time frame in the Maximum Supervision procedures for offender reporting requirements. This will ensure that the reporting requirements are consistent with medium and minimum requirements.

### Management Action Plan

By May 10, 2006 the probation office will revise the office handbook to clarify the reporting requirements for maximum, medium and minimum supervision. The revision will be presented to all staff at our annual meeting on May 18, 2006 and they will be asked to sign an acknowledgement of understanding. Staff not in attendance will be presented the information through their supervisor no later than June 1, 2006.

## EXPIRATION OF SUPERVISION

Twenty-Five successfully terminated cases were judgmentally chosen from screen captures, organized by probation officer, to ensure that the expiration process is being followed, as listed, in the Summit County Offender Services Handbook/Operations Manual, and the revised policies, effective March 30, 2005. The expired cases chosen for testing were from 6/1/05 through 10/19/2005 to ensure that probation office employees had ample time to become aware of the revised policies. The Summit County Offender Services Handbook/Operations Manual and the revised policies, effective March 30, 2005, were obtained and reviewed to gain an understanding of the expiration of supervision process. The following errors were noted:

### 16) Issue

Upon review of SCORS, IAD noted the following issues in the 25 cases selected for detailed testing:

- a. There were six instances where it was noted that a LEADS check was not performed.
- b. Five instances where it was noted that there was no Closing Summary located in the case notes files in SCORS.
- c. One instance, out of ten, where there was no indication of Supervisor review on the Probation Officer's case approving it for closing. The sample size was reduced because fifteen senior Probation Officers were in the sample and they are not required to have a supervisor review their case files before closing.
- d. Three instances where the file was submitted for closing more than sixty days after the supervision expiration date.
- e. Five instances where IAD was unable to determine the length of time between the Expiration of Supervision and the date of the Closing Summary. This was due to no Closing Summary being documented in the case file notes in SCORS.

### Recommendation

IAD recommends that Adult Probation enforce their procedures in relation to the expiration of supervision. This will ensure that the Probation Officers are documenting the work performed and that procedures are being applied consistently.

### Management Action Plan

The audit showed some non-compliance issues with the probation office handbook at section 425, expiration of supervision. The policy calls for probation officers to take five steps before closing a case. In an effort to improve compliance, supervisors have developed a "case closings" report, explained at issue #3. This report provides the information necessary to monitor compliance. The report will be done in conjunction with the miscellaneous file activities report. Each month supervisors will do either a case closings or miscellaneous activity report. The report will include the review of at least 12 files with at least one file from each officer in the unit. When supervisors review these reports and discover non-compliance they will discuss the issue directly with the officer and if necessary take the appropriate disciplinary action. Copies of these reports are shared with the chief as previously noted in issue # 3.

Some problems noted in the audit report are believed related to contacts made, but not entered in SCORS. Supervisors and the Chief have access to SCORS generated reports that count contacts. There will be ongoing monitoring of these reports by management staff to make sure officers are entering contacts.

The above was discussed at the February 2, 2006 managers meeting and written notice was provided to staff through the meeting minutes. This will be added to the office handbook through policies and procedures as previously noted in issue #3.

### INTENSIVE SUPERVISION UNIT (ISP)

IAD reviewed the monitoring of the grant funded Intensive Supervision Program (ISP) to determine that it was reasonable. A listing of Adult Probation's grants (*Community Corrections Act 407*) from 2002 to 2004 was obtained and reviewed. The Ohio Department of Rehabilitation and Correction, Community Corrections Act 407 ISP Prison Diversion standards Audits for fiscal years 04, 03, and 02 were also obtained and reviewed. Additionally, IAD met with ISP Supervisor to gain a further understanding of the grant monitoring process for ISP.

No issues noted.

### **III. Security:**

Security issues noted during fieldwork are addressed under separate cover in the accompanying report in compliance with Ohio Revised Code §149.433<sup>248</sup>.