

Audit Highlights



Division of Parole and Probation

Highlights of Legislative Auditor report on the Department of Public Safety, Division of Parole and Probation, issued on February 29, 2008.
Report # LA08-12.

Background

The mission of the Division of Parole and Probation (Division) is to ensure public safety, offender accountability and victims' rights through effective community corrections. Offenders are assigned supervision levels of minimum, medium, maximum, intensive, and house arrest. The Division assigns the highest level of supervision and monitoring to high-risk offenders, including those convicted of sex crimes.

The Division has established specialized units to supervise high-risk offenders. These units maintain offender to officer caseload ratios of 30 to 1 for high-risk offenders on intensive supervision or house arrest. The Division also supervises a portion of Nevada's registered sex offenders. There is a caseload ratio of 45 to 1 for sex offenders.

The Division has 13 offices located throughout the State. In fiscal year 2007, the Division had a total of 475 authorized full-time equivalent positions and a total caseload of about 19,000 offenders. The Division's operating account is primarily funded by a general fund appropriation and supervision fees which totaled \$39 million and \$3.3 million respectively, in fiscal year 2007. Total expenditures were about \$42 million. In addition, the Division collected \$4.8 million in restitution payments during the year.

Purpose of Audit

The purpose of this audit was to evaluate the adequacy of the Division's case management practices and activities related to collections, personnel administration, and performance measurement information, including whether activities were carried out in accordance with applicable state laws, regulations, and policies. This audit focused on the Division's case management practices, and financial and administrative activities for the 21 months ended March 31, 2007.

Audit Recommendations

This audit report contains 21 recommendations to improve the Division of Parole and Probation's case management and financial and administrative activities. These recommendations include policies, procedures, and other controls to help ensure adequate monitoring of offender supervision requirements. We also made recommendations to improve controls over the offender tracking information system, restitution, accounts receivable, and other administrative functions.

The Division accepted the 21 audit recommendations.

Status of Recommendations

The Division's 60-day plan for corrective action is due on May 23, 2008. In addition, the six-month report on the status of audit recommendations is due on November 24, 2008.

Department of Public Safety

Results in Brief

The Division needs to improve its case management practices for high-risk offenders. The Division did not always comply with or adequately monitor key supervision requirements. When supervision requirements are not met, public safety is at risk and an offender's ability to successfully reintegrate into the community is diminished. Further, the Division needs additional financial controls over restitution and accounts receivable. For example, we found restitution collected by the Division was not paid timely to victims and accounts receivable were not reported to the State Controller as required. In addition, administrative controls are also needed to help ensure employee evaluations are conducted, performance measures are reliable, and system access is properly restricted.

Principal Findings

The Division did not perform timely assessments for high-risk offenders. Almost one out of every three offenders we examined did not have a timely initial assessment and three out of four did not have timely reassessments. Assessments are critical steps in an offender's supervision. When assessments are not timely, there is an increased risk the offender is not properly supervised.

The Division did not perform monthly personal contacts for high-risk offenders. We examined contacts with 100 high-risk offenders over a period of about 6 months. Of 1,228 required contacts, 379 were not performed. When contacts are not performed, there is an increased risk that violations could occur and go undetected.

The Division did not comply with its employer notification requirement for certain sex offenders. The Division's policy requires an employer notification within 2 working days of the officer's knowledge of employment for all sex offenders assessed at tier level two or three. Of the 27 sex offenders who met the employer notification requirement, the employer was not warned for 21 offenders.

The Southern Command's process for case assignment did not ensure supervision always began in a timely manner. About 20% of the high-risk cases we examined took more than 30 days from when the offender was sentenced or released until supervision began. Best practices dictate great emphasis should be placed on the first 30 days after an offender is sentenced or released. When supervision does not begin timely, there is an increased risk offenders may abscond or violate conditions of their parole or probation that would not be detected.

The Division's offender tracking information system (system) did not have accurate and complete information regarding tier levels for sex offenders. We obtained a report that showed a total of 165 sex offenders convicted of felonies did not have a tier level in the system. Adequate offender supervision is jeopardized when tier level information is inaccurate or incomplete.

The Division did not regularly utilize its past due DNA report. In addition, our analysis of a report listing about 640 offenders found it was not reliable. Our review of 30 offenders in the report found 13 should not have been included. As a result, the Division did not know which offenders needed a DNA sample, and which offenders should be excluded from the report. If an offender commits another crime and DNA was previously ordered but not taken, the Division could be held accountable.

The Division did not always perform timely research to obtain victim addresses or monitor restitution funds held in trust for more than 3 years. As a result, the Division held about \$233,000 in restitution payments from offenders that had been discharged more than 3 years. These funds were payable to either victims or, if victims could not be located, the Victims of Crime Program. Our review of 20 accounts found 16 had no evidence of an attempt to locate the victims and 4 were held because of system input errors, not address problems.

The Division did not report its accounts receivable to the State Controller as required or write off uncollectible accounts. Preparing and submitting accounts receivable reports will allow management and oversight bodies the ability to track the effectiveness of the Division's collection efforts. As of March 31, 2007, the Division's records indicate it had \$19.5 million in accounts receivable, of which \$7.5 million was uncollectible and should have been written off.

The Division did not comply with personnel requirements for employee evaluations. We reviewed a combined total of 30 officers' and sergeants' personnel files. For 20 of the 30 tested, evaluations were either not performed or were not performed timely. This included one officer who did not have any probationary evaluations and went in excess of 2 years without an evaluation.