

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE INSPECTOR GENERAL**

**AUDIT OF THE DISTRICT OF  
COLUMBIA METROPOLITAN POLICE  
DEPARTMENT'S MANAGEMENT OF  
SEIZED AND CONFISCATED  
PROPERTY/EVIDENCE**



**CHARLES J. WILLOUGHBY  
INSPECTOR GENERAL**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Office of the Inspector General**

Inspector General



May 19, 2008

Cathy L. Lanier  
Chief of Police  
D.C. Metropolitan Police Department  
300 Indiana Avenue N.W., Room 5080  
Washington, D.C. 20001

Dear Chief Lanier:

Enclosed is our final report summarizing the results of the Office of the Inspector General's (OIG) Audit of the District of Columbia Metropolitan Police Department's Management of Seized and Confiscated Property/ Evidence (OIG No. 07-1-21FA).

As a result of our audit, we directed 11 recommendations to the Metropolitan Police Department (MPD) for necessary actions to correct described deficiencies. We received a detailed response to the draft audit report from MPD on May 5, 2008. MPD's actions taken and planned fully address all of the recommendations, with the exception of Recommendation 6. We request that MPD provide a response to Recommendation 6 and estimated completion dates for Recommendations 4, 9, 10, and 11. The full text of MPD's response is included at Exhibit B.

We appreciate the cooperation extended to our staff during the audit. If you have questions, please contact William J. DiVello, Assistant Inspector General for Audits, at (202) 727-2540.

Sincerely,

  
Charles J. Willoughby  
Inspector General

CJW/ev

Enclosure

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May 19, 2008  
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**AUDIT OF THE DISTRICT OF COLUMBIA  
METROPOLITAN POLICE DEPARTMENT'S  
MANAGEMENT OF SEIZED AND CONFISCATED  
PROPERTY/EVIDENCE**

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## EXECUTIVE SUMMARY

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### OVERVIEW

The District of Columbia Office of the Inspector General (OIG) has completed an audit of the District of Columbia Metropolitan Police Department's (MPD) Management of Seized and Confiscated Property/Evidence. This audit was included in our *Fiscal Year (FY) 2008 Audit and Inspection Plan*. This report is the second of two reports covering the Evidence Control Branch (ECB).

The overall audit objectives were to: (1) evaluate the adequacy of MPD's internal controls for the intake and custody of seized assets; (2) determine whether law enforcement personnel followed applicable laws and procedures related to the handling, disposal, accountability of evidence, as well as the sale of seized and forfeited property; and (3) evaluate the internal controls over the proceeds generated from the sale of such property.

### CONCLUSIONS

Our audit found that the MPD's ECB is not achieving its mission relative to preserving the integrity of evidence in its custody. Specifically, we found property records in disarray, unmanageable levels of property ready for disposition, and ECB personnel with unregulated access to property vaults and records. We attributed these conditions to MPD's failure to ensure sufficient staffing levels within the ECB and to establish and implement policies and procedures to provide reasonable assurance that ECB's objectives are achieved. As a result, ECB is at risk of failing to accomplish its primary responsibility to manage, secure, and dispose of property in its custody.

We also found serious risks to the integrity of ECB's property database. We found no oversight or monitoring of the property database. Specifically, MPD's Information Technology Bureau (ITB) could identify neither those with access nor the level of each user's access to the property database. In addition, ITB had no policies and procedures instructing how access would be assigned to users and the level of access those users would have in the property database. As a result, there is a high risk that individuals may have inappropriate access and the ability to alter data without detection.

Lastly, we found no one at ITB responsible for overseeing and backing-up the property database. Consequently, data was lost when ITB experienced a power outage on November 4, 2007, that resulted in two hard drives with critical data being destroyed. We attribute these conditions to ITB's failure to establish controls that would provide reasonable assurance over the accuracy, integrity, and security of the property database.

## EXECUTIVE SUMMARY

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### SUMMARY OF RECOMMENDATIONS

We directed 11 recommendations to MPD that we believe are necessary to correct the deficiencies noted in this report. The recommendations, in part, center on,

- Developing a record maintenance system to ensure orderly management and disposition of property records.
- Increasing staffing levels in order to reduce inventory levels.
- Evaluating the impact of redeployment on the management of property levels.
- Reevaluating staffing levels after a manageable inventory level has been determined and maintained.
- Purging all property and evidence no longer needed for prosecution prior to relocating to the new ECB facility.
- Maintaining property records in a secure area with access limited to authorized ECB personnel.
- Establishing policies that identify and limit those individuals with authorized access to secure areas.
- Directing ITB to determine who has access to the property database and if their level of access is appropriate.
- Establishing policies that identify authorized users of the property database and their corresponding level of access.
- Directing ITB to document instructions needed to run the property database accurately and efficiently, including back-up and retention procedures.

A summary of the potential benefits resulting from the audit is shown in Exhibit A.

### MANAGEMENT ACTIONS

On May 5, 2008, the Chief of Police, MPD provided a detailed response to the recommendations in our draft audit report. MPD's actions taken and planned fully address all of the recommendations, with the exception of Recommendation 6. We request that MPD provide a response to Recommendation 6 and estimated completion dates for Recommendations 4, 9, 10, and 11.

The full text of MPD's response is included at Exhibit B.

## INTRODUCTION

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### BACKGROUND

#### Evidence Control Branch (ECB)

The ECB has primary responsibility for the management, security, and disposition of evidence and property in its custody. ECB is the custodian of all evidence seized/confiscated by the MPD<sup>1</sup> and all tangible abandoned property recovered in the District. A critical function of ECB is to preserve the integrity of evidence in its custody to ensure that federal and District prosecutions are not compromised or weakened by challenges made by defense attorneys about the existence, completeness, or handling of evidence, or the chain of custody.<sup>2</sup>

ECB's budget is approximately \$3.7 million and has approximately 30 full-time employees made up of civilians and police officers. ECB's management estimates that there are one to two million items in their custody.<sup>3</sup> Items maintained in the custody of ECB include all forms of evidence collected at crime scenes for use in criminal trials, such as drugs, money, firearms, ammunition, and vehicles.

#### ECB Facility

The ECB has been housed in an aging, leased facility since 1974. Originally built in 1962 as a furniture warehouse, the ECB facility was not designed to secure and preserve evidence and property, such as biological materials, drugs, firearms, and other evidence taken into custody by law enforcement agencies. Currently, the Office of Property Management (OPM) and the Office of Contracting and Procurement (OCP) are working with MPD to build a new facility that is scheduled to be completed within the next 18-24 months. In addition, MPD has relocated weapons and cash/valuables to a more secure site until the new ECB facility is completed.

#### Automated Evidence Generated Inventory System (AEGIS)

The MPD uses an automated evidence generated inventory system (AEGIS) to track property in its custody. MPD acquired AEGIS in 1994 from New World Systems. This application is used by property clerks at the seven Police Districts, Major Narcotics Branch, Forensic Science Division, and the Firearms and Tool Mark Examination Section.

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<sup>1</sup> ECB also receives evidence seized and recovered by other law enforcement agencies in the District of Columbia, such as the U.S. Park Police and the Washington Metropolitan Area Transit Authority (WMATA).

<sup>2</sup> Chain of custody – A formal, written process recording the person having custody of evidence from initial point of receipt or custody to final disposition. The record also reflects the dates and reason evidence is transferred from one location or person to another. LT. JOSEPH LATTA (RET.), PROPERTY AND EVIDENCE BY THE BOOK 3 (2004).

<sup>3</sup> ECB's automated evidence generated inventory system (AEGIS) does not have the ability to produce management reports or inventory totals for property in ECB's custody.

## INTRODUCTION

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The AEGIS inventory system offers limited features and capabilities and was not configured to generate management reports or perpetual inventory totals for property in ECB's custody. ECB relies solely on AEGIS to maintain the chain of custody and location for all property received by MPD. AEGIS was initially equipped to track property utilizing barcode technology; however, according to an MPD official, this feature was discontinued because of a lack of funds.

### OBJECTIVES, SCOPE, AND METHODOLOGY

Our audit objectives were to: (1) evaluate the adequacy of MPD's internal controls for the intake and custody of seized assets; (2) determine whether law enforcement personnel followed applicable laws and procedures related to the handling, disposal, accountability of evidence as well as the sale of seized and forfeited property; and (3) evaluate the internal controls over the proceeds generated from the sale of such property.

We held interviews and discussions with MPD officials and administrative staff to gain a general understanding of policies and procedures used by ECB to accomplish its mission. We observed and interviewed ECB's employees to gather information on controls in place to preserve the integrity of evidence. We also interviewed and observed property clerks at the seven Police Districts, the Major Narcotics Branch, the Firearms and Tool Mark Examination Section, and at the Forensic Science Division.

We reviewed records and documentation during the audit period of July 1, 2002, to December 31, 2007. To ensure that assets seized or confiscated during an arrest were properly released to the District, we reviewed 200 PD Form 163s, (Arrest/Prosecution Reports (Arrest Report)), and property log books at the 6<sup>th</sup> and 7<sup>th</sup> Police Districts. We identified properties in the Arrest Reports and traced them to the proper property book, verifying that all properties were released to the District by the arresting officer.

To ensure that assets in ECB's custody were properly secured, we assessed the physical location of where the evidence was stored and the access controls in place to prevent unauthorized removal of property in custody. To verify that access controls were sufficient and in place, we reviewed a judgmentally selected sample of 120 items that had been released to ECB's custody by the 6<sup>th</sup> and 7<sup>th</sup> Police Districts. We verified that ECB maintained a record of the chain of custody and location for each item. We also physically verified that property was properly secured in ECB custody. For property no longer in ECB's custody, we verified that ECB properly disposed of each item.

Our audit did not rely on computer-based data as a basis for our audit findings and recommendations. We conducted the audit in accordance with generally accepted government auditing standards and included such tests as we considered necessary under the circumstances.

## INTRODUCTION

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### PRIOR AUDITS

#### OIG Audit

On October 31, 2007, we issued Management Alert Report (MAR) No. 08-A-01 to inform MPD's Chief of Police of deteriorating and hazardous conditions we observed at the ECB facility. In the MAR, we recommended that MPD and OPM immediately conduct an inspection of the ECB facility to assess which conditions can be resolved immediately and to develop a plan to address current and future facility needs of the ECB. This MAR was finalized as an audit report on January 4, 2008, and includes MPD's and OPM's responses to the MAR.

**Corrective Action.** MPD and OPM have taken action to correct those conditions at the ECB facility that can be resolved in the short-term, such as repairing light fixtures and increasing security. To address ECB's long-term needs, MPD is working with OPM and OCP to build a new state-of-the-art evidence warehouse to house ECB. In addition, OPM has entered into an 18-month lease on behalf of MPD, thus ending the month-to-month lease agreement previously in place for the ECB warehouse.

#### Independent Review

In June of 2007, Evidence Control Systems, Inc. (ECS) released a report on the results of its review and assessment of operations at ECB. The ECS review disclosed:

- a lack of policies and procedures governing ECB operations;
- unaccounted for drugs;
- an antiquated automated evidence tracking system;
- insufficient personnel at ECB; and
- inadequate security at the ECB facility.

Based on the review, ECS recommended that MPD:

- create an ECB operating manual;
- initiate an audit of ECB's property and evidence intake, documentation, and accountability system;
- acquire an automated tracking system with capabilities to manage and track ECB inventory;
- evaluate reassigning District property officers to ECB; and
- perform a physical security survey and implement necessary security measures to safeguard property stored at ECB.

During our audit, we found that MPD had not implemented any of ECS's recommendations.

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## FINDINGS AND RECOMMENDATIONS

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<b>FINDING 1: ORGANIZATIONAL CONTROLS</b>
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### SYNOPSIS

Our audit found that the MPD's ECB is not achieving its mission relative to preserving the integrity of evidence in its custody. The ECB lacks basic organizational controls to ensure ECB's operations are efficiently and effectively performed, property records are properly managed and maintained, and that adequate security exists to safeguard property against loss, theft, and unauthorized use. Our audit of ECB's operations found: (1) property records in disarray; (2) unmanageable levels of property ready for disposition; and (3) ECB personnel with unregulated access to property vaults and property records.

We attribute these conditions to MPD's failure to ensure sufficient staffing levels, and to establish and implement policies and procedures that provide reasonable assurance that ECB's objectives are being achieved. As a result, ECB is at risk of failing to accomplish its primary responsibility to manage, protect, and dispose of property in its custody.

### DISCUSSION

ECB is responsible for managing, securing, and disposing of property released into its custody. These responsibilities entail establishing and implementing controls that ensure: (1) recordation and maintenance of the chain of custody of all evidence in ECB custody; (2) timely and appropriate disposition of evidence; and (3) prevention of unauthorized access to or removal of property in ECB's custody.

Our audit found that ECB lacked these controls, which was further compounded by the collapse of the ECB property database. We discuss in more detail the cause and impact of the data loss in the ECB property database in Finding 2.

### RECORDATION AND MAINTENANCE

ECB has ultimate responsibility to maintain the chain of custody and location for all property released into its custody, whether that information is maintained manually or on an automated system. However, we found that ECB failed to implement controls to secure data maintained in the ECB property database and to properly manage and maintain property records. The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) Standards for Law Enforcement Agencies, Standard 84.1.5 states: "Records reflect the status of all property held by the agency." The supporting commentary for Standard 84.1.5 states:

Fundamental to the operation of the property room is a records system that reflects the location of the property; date and time when the property was

## FINDINGS AND RECOMMENDATIONS

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received or released; character, type, and amount of property on hand; and chain of custody from the time the property was stored until its destruction or other final disposition.

**Test of ECB Inventory Records and Item Location.** Our audit found that ECB could not account for property released into its custody. Out of 120 items released into ECB's custody, we could only verify the location of 71 items. We randomly selected a sample of currency, firearms, and drugs received by the 6<sup>th</sup> and 7<sup>th</sup> Police Districts and released to ECB. We selected 40 items from each of the 3 categories for a total of 120 items.

In order to verify that property items were properly secured and disposed of, we had to determine first where the items were located. As a result of the data loss in the property database, ECB had no record of the chain of custody or location of any of the property. Therefore, we had to manually research volumes of paper records in order to determine the location of the items in ECB's custody.

We questioned ECB officials about the likely location of the items in our sample. They explained that the items could still be in ECB's custody, auctioned off, destroyed, released to the owner, released to Office of the Chief Financial Officer (OCFO), stolen, lost, or misplaced. We also discussed the difficulty of determining the location of items not in ECB's custody. Notwithstanding the difficulty involved, we attempted to verify that ECB properly safeguarded and disposed of property released into its custody.

We first verified whether the items were still in ECB's custody. We were able to verify that 70 items were physically in ECB's custody. To verify that the other 50 items were properly disposed of, we researched volumes of purged property records. We were able to find documentation to support that ECB properly disposed of one item.

Our review found that there were 33 instances where the location of currency (valued at \$16,453) was unknown by ECB. Additionally, the location of 10 firearms (7 revolvers, 1 shotgun, 1BB gun, and 1 derringer) was unknown by ECB. Lastly, the location of drugs such as marijuana, amphetamines, and cocaine was unknown by ECB. Table I on the following page shows the results of our review.

## FINDINGS AND RECOMMENDATIONS

**Table I. Summary of Audit Results by Property Category**

Category	No. of Items Sampled	Property Physically in ECB's Custody	Properly Disposed of Property	Location Unknown by ECB
<b>Currency</b>	40	6	1	33
<b>Firearms</b>	40	30	0	10
<b>Drugs</b>	40	34	0	6
<b>Totals</b>	<b>120</b>	<b>70</b>	<b>71</b>	<b>49</b>

Our efforts to track the records for the 49 properties we were unable to locate were thwarted by the condition of the records. Several records could not be located and ECB officials could not provide a definitive answer as to where the records were. As a result, we could not verify that property in ECB custody was properly documented, secured, and disposed of.

### UNMANAGEABLE WORK LEVELS

The ECB lacks appropriate staffing to efficiently and effectively conduct operations at ECB. We found ECB inundated with property ready for disposition. CALEA Standard 84.1.7 states: “Final disposition of found, recovered and evidentiary property is accomplished within six months after legal requirements have been satisfied.” The supporting commentary for Standard 84.1.7 states: “[p]rompt, authorized property removal (final disposition/ destruction) prevents an overload on the property management system and reduces the requirement for additional storage space. Also, the lack of prompt disposition procedures further deprives owners of the use of their property.”

**Manual Disposition Process.** ECB’s property database lacks the capabilities to track or identify items eligible for disposition. Consequently, ECB’s disposition process operates on manual mode as ECB personnel must manually identify those items ready for disposition. This process is time consuming and requires more manpower in order to maintain inventory at a manageable level.

**Insufficient Staffing.** The ECB has 12 sworn<sup>4</sup> and 5 civilian personnel managing the ECB inventory, which consists of approximately 1.5 million items maintained in a 98,093 square foot warehouse. These 17 ECB personnel are responsible for the intake, storage, preparation, and transport of evidence to court and the Drug Enforcement Administration (DEA) Lab Unit, and the release and final disposal of evidence and property. In addition, sworn officers are required to participate in redeployment, which requires them to perform patrol work for 1 week every 6 weeks. This requirement further reduces the staffing levels at ECB.

<sup>4</sup> There are 10 permanent and 2 detailed full-time, sworn personnel.

## FINDINGS AND RECOMMENDATIONS

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A recent review and assessment on ECB's operations performed by Evidence Control Systems, Inc. determined that ECB was significantly understaffed when compared to other police department's evidence management division staffing levels.<sup>5</sup> They compared ECB's inventory and staffing levels to 15 other evidence management divisions in other police departments throughout the United States. Based on the results of their review, the Evidence Control Systems, Inc. recommended that ECB increase staffing levels in order to reduce inventory levels. We agree with their recommendation and have included it in our recommendations.

### PHYSICAL ACCESS CONTROLS

The ECB lacks internal controls as well as documented procedures to safeguard assets in ECB's custody. During our observations at the ECB facility, we noted that it was common practice for ECB management to share their vault access cards with ECB personnel in order for them to gain access to the vaults unescorted.

The International Association for Property and Evidence, Inc. (IAPE) Chapter 8 Security and Alarms Standard states:

A written directive should require that only authorized personnel have access to the areas used by the agency for storage of property and evidence. Entry to property areas should be controlled to prevent the alteration, unauthorized removal, theft, or other compromise of property stored by the agency to maintain a chain of custody.

**Access to Secure Areas.** We found that access to secure areas was not restricted to specific persons or to a limited number of individuals. We observed ECB management share their access cards with other ECB personnel in order for them to access the money and drug vault. We also found that ECB did not have policies and procedures that define the duties and responsibilities of ECB personnel or dictate who should have access to secure areas.

The lack of controls limiting the number of persons and specific individuals who are authorized to enter secure areas increases the risk of unauthorized removal of property from the vaults. In addition, the likelihood of detecting who removed the property becomes more difficult when access is granted to many individuals.

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<sup>5</sup> In June 2007, MPD awarded Evidence Control Systems, Inc. a contract to review and assess ECB's management of evidence and property. Evidence Control Systems, Inc.'s president is also the Executive Director of the International Association for Property and Evidence (IAPE). The IAPE developed the first set of property and evidence management standards in 2002.

## FINDINGS AND RECOMMENDATIONS

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We also found that active property records are not restricted to specific individuals or maintained in a secure area. These active property records represent properties that are still in ECB custody. Active property records should be maintained in a secure area with access restricted to a limited number of individuals. No individual at ECB should have unrestricted access to property and active property records. With unrestricted access to properties and the active property records, there is a high risk that property could be removed without detection.

No individuals at ECB should have unregulated access to modify or remove property records, neither soft nor hard property records,<sup>6</sup> and unrestricted access to property. The current lack of controls at ECB increases the risk of theft and unauthorized use of property. It is paramount that ECB establish policies and procedures that emphasize separation of duties and ensure that they are followed.

### RECOMMENDATIONS, MANAGEMENT RESPONSES, AND OIG COMMENT

We recommend that the Chief of Police, MPD:

1. Develop a record maintenance system that will ensure that the locations of specific assets are readily available.
2. Conduct inventories of evidence maintained at ECB annually or more frequently if deemed necessary.
3. Reevaluate staffing levels after a manageable inventory level has been determined and maintained.
4. Purge all seized and confiscated property and evidence no longer needed for prosecution prior to relocating to the new ECB facility.
5. Maintain active property records in a secured area with access limited to authorized ECB personnel.
6. Establish policies that identify and limit those individuals who should have access to secure areas.

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<sup>6</sup> Soft property records are records maintained in a computer. Hard property records are manually maintained paper documents.

## **FINDINGS AND RECOMMENDATIONS**

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### **MPD RESPONSES**

MPD agrees with all of the recommendations and has provided detailed actions taken and planned to address all of the recommendations and correct noted deficiencies. MPD's full response is included at Exhibit B.

### **OIG COMMENT**

We consider MPD's actions to be responsive to the recommendations. MPD inadvertently responded to Recommendation 3 twice, excluding a response to draft report Recommendation 6. We request that the MPD provide a response to Recommendation 6 and the estimated completion dates for Recommendations 4, 9, 10, and 11.

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## FINDINGS AND RECOMMENDATIONS

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<b>FINDING 2: DATABASE MANAGEMENT AND SECURITY</b>
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### SYNOPSIS

There are serious risks to the integrity of the ECB property database. We found that ITB could not identify those who had access or the level of each user's access. In addition, ITB had no controls on how access is assigned and the level of access users have in the property database. As a result, there is a high risk that individuals may have inappropriate access, as well as the ability to alter data without detection. We also found there is no one at ITB responsible for overseeing and backing-up the property database. Consequently, data was lost when ITB experienced a power outage on November 4, 2007, that resulted in two hard drives with critical data being destroyed. We attribute these conditions to ITB's failure to establish controls that provide reasonable assurance of the accuracy, integrity, and security of the property database.

### DISCUSSION

MPD relies on the property database to maintain each property's chain of custody and location. This information is critical for the successful prosecution of criminal cases. However, we found that ITB had no controls in place to ensure access to the data was monitored and that the database was secure from data loss.

### USER ACCOUNT MANAGEMENT

**Access Controls.** We found that ITB could not identify who had access to the property database or the level of access users had to the property database. We requested that ITB provide a listing of all persons who had access to the property database and their corresponding level of access. For example, we asked ITB to identify those users who had "read only access," could input or modify data in the property database as well as those who could set-up users profiles. However, ITB could not provide a record of this information. We also found that ITB had no written policies or procedures specifying who should have access and the level of access for those users.

The lack of access controls makes the property database vulnerable to unauthorized and inappropriate modification of property data. Access controls are necessary to provide assurance that only authorized individuals use the system and that usage is for authorized purposes. The IAPE Chapter 23 Automation Standard states: "System integrity is essential. Each user should have predetermined access levels based on need."

## FINDINGS AND RECOMMENDATIONS

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In order to prevent unauthorized access and manipulation of records in the property database, ITB must establish policies and procedures to identify who may have access and their corresponding level of access. These policies and procedures should address requesting, establishing, suspending, modifying, and closing user accounts. In addition, ITB must determine who currently has access to the property database and determine if their level of access is in line with the user's duties and responsibilities.

### SYSTEMS SECURITY

**Security and Control Issues.** ITB had no controls in place to ensure the property database was secure. On November 1, 2007, we announced our intention to begin field work for the audit and our need to access the property database for testing. On November 4, 2007, the property database lost critical data due to a power outage. The loss of data impacted our ability to successfully complete our audit. However, more importantly, the data loss may have a profound impact on the ability of the U.S. Attorney's Office to successfully prosecute criminal cases.

During our initial meetings with ITB employees about the property database, we found that no one was responsible for maintaining and securing the database. The only ITB employee with knowledge about the property database stated it was no longer her responsibility but that the employee provided services to ECB employees as a courtesy.

We questioned whether the database was backed-up and were told by ITB personnel that it was not their responsibility. We also found no documentation on the functions and activities of the AEGIS application and no back-up and retention procedures or instructions on assigning access to the database.

To ensure minimal impact on ECB operations in the event of an IT service disruption or change, ITB needs to document all instructions required to run the property database accurately and efficiently. ITB also needs to evaluate all critical systems under its purview and ensure user, operational, program, and administration manuals exist on those systems.

### RECOMMENDATIONS, MANAGEMENT RESPONSES, AND OIG COMMENT

We recommend that the Chief of Police, MPD:

7. Establish policies that identify who will have access and the level of access they will have to the property database.
8. Direct ITB to determine who has access to the property database and if their level of access is appropriate.

## **FINDINGS AND RECOMMENDATIONS**

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9. Direct ITB to document instructions needed to run the property database accurately and efficiently, including back-up and retention procedures.
10. Direct ITB to conduct a thorough review of all critical systems under its purview and ensure user, operational, administration manuals exist for these systems.
11. Create and implement a backup system to provide assurance that in the event of disruption of power to MPD's property database, data will be backed up at a minimum of once a week, resulting in MPD having the capability of restoring its database.

### **MPD RESPONSES**

MPD agrees with all of the recommendations and has provided detailed actions taken and planned to address all of the recommendations and correct noted deficiencies. MPD's full response is included at Exhibit B.

### **OIG COMMENT**

We consider MPD's actions to be responsive to the recommendations. However, we request the MPD provide estimated completion dates for Recommendations 9, 10, and 11.

**EXHIBIT A: SUMMARY OF POTENTIAL BENEFITS  
RESULTING FROM AUDIT**

<b>Recommendations</b>	<b>Description of Benefit</b>	<b>Amount and Type of Benefit</b>	<b>Estimated Completion Date</b>	<b>Status<sup>7</sup></b>
1	<b>Internal Control, Efficiency, and Economy.</b> Ensures property records are properly maintained, accounted for, and purged in a timely manner to control inventory levels.	Non-Monetary	5/5/2008	Closed
2	<b>Economy and Efficiency.</b> Ensures that inventory is documented and accounted for at least annually.	Non-Monetary	5/5/2008	Closed
3	<b>Economy and Efficiency.</b> Ensures adequate staffing levels are maintained to manage evidence inventory.	Non-Monetary	5/5/2008	Closed
4	<b>Economy and Efficiency.</b> Reduces costs associated with high inventory levels.	Non-Monetary	To Be Determined	Open
5	<b>Economy and Efficiency.</b> Provides safeguards for maintaining active property records in a secured area.	Non-Monetary	5/5/2008	Closed
6	<b>Internal Control.</b> Provides for limited access to secured areas within the ECB.	Non-Monetary	To Be Determined	Open

<sup>7</sup> This column provides the status of a recommendation as of the report date. For final reports, “Open” means management and the OIG are in agreement on the action to be taken, but action is not complete. “Closed” means management has advised that the action necessary to correct the condition is complete. If a completion date was not provided, the date of management’s response is used. “Unresolved” means that management has neither agreed to take the recommended action nor proposed satisfactory alternative actions to correct the condition.

**EXHIBIT A: SUMMARY OF POTENTIAL BENEFITS  
 RESULTING FROM AUDIT**

<b>Recommendations</b>	<b>Description of Benefit</b>	<b>Amount and Type of Benefit</b>	<b>Estimated Completion Date</b>	<b>Status</b>
7	<b>Internal Control.</b> Creates policies regarding access to the property database.	Non-Monetary	8/8/2008	Open
8	<b>Internal Control.</b> Limits access to the ECB database to only authorized personnel.	Non-Monetary	8/8/2008	Open
9	<b>Internal Control.</b> Provides procedures for effectively operating the ECB database, including procedures for backup and retention of data.	Non-Monetary	To Be Determined	Open
10	<b>Internal Control.</b> Creates the tools to make sure the property database is continuously operating accurately and efficiently, and to ensure minimal impact on ECB's operations in the event of a loss of IT service.	Non-Monetary	To Be Determined	Open
11	<b>Internal Control.</b> Creates a mechanism that continuously backs-up stored information and prevents loss of stored evidence data and records.	Non-Monetary	To Be Determined	Open

## EXHIBIT B: MPD'S RESPONSE TO THE DRAFT REPORT



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
METROPOLITAN POLICE DEPARTMENT

MAY 5 2008

Charles J. Willoughby  
Inspector General  
Office of the Inspector General  
717 14<sup>th</sup> Street, NW  
Washington, DC 20005

Re: Draft Audit of the District of Columbia Metropolitan Police Department's  
Management of Seized and Confiscated Property/Evidence

Dear Mr. Willoughby:

This correspondence is in response to the Draft Audit of the *District of Columbia Metropolitan Police Department's Management of Seized and Confiscated Property/Evidence* (OIG No. 07-1-21FA), dated April 17, 2008. First, let me thank you for the insight provided within this report and the opportunity to provide responses to the recommendations prior to its publication.

Since my appointment as Chief of Police, I have been concerned about the Evidence Control facility and this report only strengthens my resolve to remedy the issues regarding this integral part of the Metropolitan Police Department. Specific to the recommendations proffered within the report, the following are our responses:

***Finding 1: Organizational Controls***

- 1. Develop a record maintenance system that will ensure that the locations of specific assets are readily available.**

Concur. The Office of Contracting and Procurement (OCP) is in the final stages of awarding a contract for a new evidence facility. This contract will include a record maintenance system (Evidence Management System) which will be shared with MPD upon award of contract. Estimated Award Date: May, 21, 2008

- 2. Conduct inventories of evidence maintained at ECB annually or more frequently if deemed necessary.**

Concur. Part of the restructuring of the processes within ECB will include regular spot inventories by ECB staff and management. Additionally, MPD's Office of

## EXHIBIT B: MPD'S RESPONSE TO THE DRAFT REPORT

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Risk Management, our internal audit group, will conduct annual audits of the processes, internal controls and integrity of the evidence housed within ECB.

**3. Reevaluate staffing levels after a manageable inventory level has been determine (sic) and maintained.**

Concur. This response falls into two categories; Increasing staffing levels in order to reduce inventory levels and evaluating the impact of redeployment on the management of property levels.

Seven (7) members have been detailed to ECB to assist with the purging and reduce inventory levels. These members are not a permanent augmentation to the ECB staff. They will remain at ECB until inventory levels are at an appropriate level for handling by regular ECB staff. Additionally, newly hired officers waiting to enter the academy, generally 20-25 members, are being detailed to this initiative every month.

The Metropolitan Police Department will consider the recommendations in the contractors review cited in the draft audit and provide an adequate staffing level for ECB, while maintaining a balance with the need for personnel for other public safety programs.

The Metropolitan Police Department is in the process of reevaluating all of the exemptions to the redeployment initiative. All current exemptions, including those of ECB members, have been rescinded effective May 11, 2008. It is anticipated that the exemptions for redeployment of the ECB members will be granted on an as needed basis.

**4. Re-evaluating staffing levels after a manageable inventory level has been determined and maintained.**

Concur. MPD will reevaluate its staffing levels after inventory is stabilized and a management system is in place.

**5. Purge all seized and confiscated property and evidence no longer needed for prosecution prior to relocating to new ECB facility.**

Concur. The Metropolitan Police Department and the United States Attorney's Office have been working together to enhance the ability of ECB to purge property related to criminal cases. It is hoped that continued progress will provide a more efficient process.

In the meantime, the additional staff detailed to ECB has increased the rate by which property can be purged. ECB is committed to purging all evidence available for disposal prior to the relocation. Please see Attachment 1: Weekly Purge Report, which illustrates purging efforts since January 1, 2008.

## EXHIBIT B: MPD'S RESPONSE TO THE DRAFT REPORT

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**6. Maintain active property records in a secured area with access limited to authorized ECB staff.**

Concur. At the new ECB warehouse facility, space has been identified for securing all active hard documents that will have controlled and restricted access. Policies that clearly delineate the personnel authorized to enter secured areas have been written. The policy clearly prohibits any community sharing of access cards and/or passwords. Further, additional guidelines have been developed and implemented requiring supervisory officials to exercise greater enforcement and compliance of policies and procedure.

**Finding 2: Database Management and Security**

**7. Establish policies that identify who will have access and the level of access they will have to the property database.**

Concur. ITB has been directed to conduct an inventory of user access to the current database and restrict access to all non-authorized users. This project should be completed by August 2008.

**8. Direct ITB to determine who has access to the property database and if their level of access is appropriate.**

Concur. As related above, part of the project to determine proper access, will be to designate the access levels necessary for each authorized user.

**9. Direct ITB to document and instructions needed to run the property database and accurately and efficiently, including backup and retention procedures.**

Concur. ITB will work with MPD IT to ensure that all required personnel have all required operational, administration and support/maintenance documentation of the Property and Evidence system. This will include but not limited to, User reference manual, administrative manual, Backup Maintenance, and How to tips.

**10. Direct ITB to conduct a thorough review of all critical systems under its purview and ensure user, operational, administration manuals exists for these systems.**

Concur. ITB will work to ensure that all required personnel have all required supporting documentation for the Property and Evidence system. This will include but not limited to, User reference manual, administrative manual, How to tips.

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## EXHIBIT B: MPD'S RESPONSE TO THE DRAFT REPORT

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**11. Create and implement a backup system to provide assurance that in the event of disruption of power to MPD(s) property database, data will be backed up at a minimum of once a week, resulting in MPD having the capability of restoring its database.**

Concur: ITB has met with MPD IT and will continue to work with them to ensure that an industry standard best practice solution is implemented and supports the current environment. The solution will encompass backup and restoring of data.

We also offer the following as a comment for clarification regarding one assertion found within the audit report. The draft audit report states as a result of the data loss in the property database, ECB had no record of the chain of custody or location of any of the property.

The server "crash" did create a problem with retrieving information from the *computerized* Automated Evidence Gather Inventory System (AEGIS) and the computerized chain of custody records for active and inactive files was damaged, however the "hard" trail of this information, for the most part, remained intact. The paper trail is currently being used to input lost custody data into a newly designed system being developed by ITB.

If you have further questions, please feel free to contact me.

Sincerely,



Cathy L. Lanier  
Chief of Police

cc: The Honorable Adrian Fenty, Mayor  
Dan Tangherlini, City Administrator

**EXHIBIT B: MPD'S RESPONSE TO THE DRAFT REPORT**

printed: 5/5/2008 1:23 PM

Evidence Control Purge Tracking

Activity	Date	2nd Calendar Quarter - By Week Ending												YTD Grand Total										
		4/5/2008	4/12/2008	4/19/2008	4/26/2008	5/3/2008	5/10/2008	5/17/2008	5/24/2008	5/31/2008	6/7/2008	6/14/2008	6/21/2008		6/28/2008									
Currency (Asset Forfeiture)*	Cases	120	575	200	225	33									330	2925	Cases	330	2925	Value*	\$43,217,576	\$552,178,853		
Currency (Active Evidence)**	Cases																							
Weapons Purge (Awaiting Destruction)**	Cases	120	575	200	225	33																		
MPD Service Weapons	Cases	120	575	200	225	33																		
Narcotics Purge (Awaiting Destruction)	Cases	150	217	60	235	765																		
General Evidence Purge (Destroyed)	Cases	149	23	52	235	765																		
General Evidence Purge (DPW Auction)	Cases	19	23	52	235	765																		
Escrow Vehicle (Destroyed/DPW Auction)	Cases	19	23	52	235	765																		
Salvage/Traffic Vehicle (DPW Auction)	Cases	24	18	17	27	19																		
Temp Workers (7 years of data entry PD 81's)**	Cases	2997	2885	2022	3855	3098																		
Detailed members researched PD81	Cases	289	742	471	1504																			
Inventory verification by Cadets/Recruits/detailed	Cases	1777	2313	2079	1163	776																		
Detailed/Regular staff members data entry	Cases																							

\*Deposited in to DC Fund 2531T  
 \*\*5000 deposits were into DC Fund 1650 Evidence Account  
 \*\*\*2007 year's data had been entered  
 Items Destroyed  
 \*\*\*500 Weapons burned on April 25, 2008  
 \*\*\*500 Weapons burned on May 2, 2008  
 Interim Move Status  
 Weapons Vault at OUC. Furniture and Email Finished 5/7/08. Training on 5/8/08  
 Good Hope Road Status  
 1537 Good Hope Rd. CID submitted warning plan to AC Robinson case continued for 240 days

## EXHIBIT B: MPD'S RESPONSE TO THE DRAFT REPORT



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2250 Railroad Avenue, SE, Washington, DC, 20020 (202) 645-0123 FAX (202) 645-0138

**INTER-OFFICE MEMORANDUM:**

TO: Evidence Control and Clothing and Equipment Supply Sections  
Property Branch

FROM: Captain Paul M. Shelton  
General Support Services Division  
Property Branch Manager

DATE: 28 April 2008

SUBJECT: Access to Secured Areas and the Use of Electronic Card Access

As the sole repository, storage facility and keeper of evidence records for all property that comes into the custody of the Metropolitan Police Department it is incumbent upon all staff to maintain strict control over access to all areas of the branch from any outside visitors. Extreme control also includes unauthorized access by Evidence Control Unit and Equipment and Supply Unit personnel.

Over recent months our functional mission has increased with mandates for purging of evidence. To assist in this endeavor our current staff has been augmented with outside personnel in the form of cadets, police recruits and detailed members of MPD. Therefore, this memorandum shall serve as a reminder for assigned members and official notification for temporary personnel that **ANY UNAUTHORIZED and UNESCORTED entry into the secured areas within this branch is strictly prohibited.** These areas are locations where narcotics, weapons, and U.S. Currency and other valuable items are normally stored.

Moreover, this memo is to remind and formally obligate all managers, supervisors and staff with card access to the aforementioned areas to maintain strict accountability of their cards and access is not and can never be shared with other staff (i.e. lend his/her card to someone else or open the area for another non-cardholder to conduct business etc.). A cardholder must accompany any person without access into one of these areas and further, he or she must remain present with the non-cardholder for the duration of entry.

#08-02

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ATTACHMENT # 2