CITY AUDITOR'S OFFICE

AUDIT OF
DEPARTMENT OF PUBLIC SAFETY
DEPUTY CITY MARSHALS

ADMINISTRATIVE SERVICES – EVIDENCE UNIT

REPORT PS009-2425-01

September 19, 2024

EXECUTIVE SUMMARY

Why this Audit is Important

The city of Las Vegas (City) Department of Public Safety (DPS) Evidence Unit is a critical component of DPS and is responsible for managing the department's evidence. This includes the intake, storage, and disposal of high-risk items such as drugs, weapons, and currency, along with other evidence obtained during law enforcement operations. Effective management of these items ensures they are accurately documented, securely stored, and disposed of or returned to their owner when no longer needed and where legally permissible.

This audit evaluated and provided independent assurance of the effectiveness of DPS's internal controls of evidence management. By supporting the criminal justice system and protecting public trust, the DPS Evidence Unit plays a vital role in upholding the integrity of the city's law enforcement operations to the public.

Key Audit Results

Internal Controls over Intake, Storage, and Disposal of Evidence:

Our on-site inspections confirmed that the DPS Evidence Unit has established effective internal control measures for managing evidence intake, storage, and disposal.
Inspected evidence items were in good condition, with no signs of damage. Each item had a completed evidence label, was secured with appropriate security tape, and initialed by the collecting marshal, indicating adherence to evidence collection protocols.

Physical Security Measures in Safeguarding Evidence:

Evidence storage areas were well-maintained and equipped with multiple layers of physical security, including electronic and physical locks, alarm systems, and 24/7 CCTV surveillance.

Controls and Integrity of Data within Electronic Record Management System:

An administrative system access review found individuals who no longer required access to the evidence management system. We recommended to DPS management that these individuals be removed and that a process be established to periodically review the appropriateness of individuals with administrative access to the evidence record management system.

Compliance with CPSM Recommendations:

We evaluated DPS's compliance with the recommendations of the Center for Public Safety Management consultant study from their 2018 evaluation of DPS operations. We determined that DPS successfully addressed all 19 evidence recommendations by implementing the suggested measures or by identifying and applying alternative solutions that achieve the same objectives.

TABLE OF CONTENTS

AUDIT OF DEPARTMENT OF PUBLIC SAFETY
DEPUTY CITY MARSHALS
ADMINISTRATIVE SERVICES – EVIDENCE UNIT
PS009-2425-01

BACKGROUND

The city of Las Vegas (City) Department of Public Safety (DPS) Evidence Unit is responsible for collecting, storing, and disposing of evidence obtained during DPS law enforcement operations, including high-risk items such as drugs, weapons, and currency. The Evidence Unit has three employees, including one Supervisor/Sergeant and two Civilian Evidence Technicians. On 5/1/2024, the Evidence Unit possessed 3,986 pieces of evidence. An overview of the Evidence Unit's operations is listed below:

- **Intake:** DPS Deputy City Marshals collect property and evidence during calls for service and investigations as part of their law enforcement responsibilities. These items are documented, packaged, and labeled before being placed in evidence lockers at the DPS Evidence Unit at 2824 E. Charleston Blvd. The Evidence Unit staff retrieve these items, marking the official custody transfer into the Evidence Unit. During this process, the Evidence Unit employee ensures that all evidence is properly labeled, packaged, and entered into the DPS electronic record management system, Motorola Premier One (P1), before assigning it a location for storage within the evidence rooms. The P1 system tracks all stages of evidence handling, from intake to disposition, and records any modifications with timestamped user identifications. This ensures that the evidence chain of custody is maintained and all actions are properly documented.

- **Storage:** The Evidence Unit ensures the security and proper care of items under its control. This involves maintaining internal controls over the inventory to prevent loss or mishandling. The Evidence Unit operates from a single-level building with secure access restricted to authorized personnel only. The building houses the evidence intake lockers, three evidence rooms, and an office. Additional security measures include electronic and physical locks, alarms, and 24/7 CCTV monitoring by the DPS control center. Proper environmental controls, such as temperature and humidity regulation, are maintained to preserve the integrity of the evidence, especially for sensitive items stored separately as required. Emergency backup evidence facility storage and operational plans are within the DPS continuity of operations planning (COOP).

- **Disposal/Return:** Disposal/Return refers to the final handling of property or evidence, including destruction (purging) or return to the owner. Evidence Unit staff record dispositions of items within the P1 system, ensuring that all actions are authorized and documented. This includes maintaining records of notifications and approvals required to destroy certain types of evidence, such as controlled substances and biological materials. The evidence item is then removed from evidence storage and disposed of/returned.

AUDIT TEAM

Bryan Smith, Acting City Auditor
Joseph Throneberry, Senior Forensic Auditor
Louis Hlad, Senior IT Auditor

OBJECTIVES

The four objectives of this audit were to:

1. Evaluate internal controls over the intake, storage, and disposal/return of evidence within the custody of the DPS Evidence Unit.
2. Evaluate the adequacy of physical security measures in safeguarding evidence at the DPS Evidence Unit.
3. Evaluate the controls and integrity of the data within DPS's electronic record management system (P1).
4. Determine the implementation status of the 2018 Center for Public Safety Management (CPSM) consultant study's recommendations for the DPS Evidence Unit.

SCOPE AND METHODOLOGY

Our audit methodology included:

- Review of applicable laws, policies, and procedures: We reviewed relevant laws, including the Nevada Revised Statutes (NRS), City of Las Vegas Municipal Code, city policies, departmental policies, and industry standards to ensure that the DPS Evidence Unit's practices comply with the legal and regulatory framework governing evidence management.
- Interviews with relevant personnel: We interviewed DPS employees and individuals with pertinent information to gather insights into the practical application of policies and procedures. These interviews provided context and helped identify areas where current practices may have deviated from established guidelines.
- Review of data, documents, and reports: We performed a review of various data, documents, and reports, including records from the P1 electronic case management system, evidence labels, forms, security seal tape, and evidence files. This review aimed to assess the accuracy, completeness, and reliability of the information related to evidence management.
- Inspection of evidence intake and storage areas: We visited the Evidence Unit intake and storage areas, observed the physical security measures in place, and tested the controls over the intake, storage, and disposition of evidence.

Our work on internal controls was limited to those within the context of the audit objectives and the defined audit scope. The audit scope included examining current practices regarding the management and operations of evidence inventory, focusing on evidence intake, disposal, storage, preservation, and security. This approach was designed to determine whether internal controls are sufficient to maintain the integrity and security of evidence throughout its lifecycle. The periods tested are identified in our discussion of the testing performed.

We conducted this performance audit in accordance with generally accepted government auditing standards except for the requirement for an external peer review every three years. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The last fieldwork date of this audit was July 29, 2024.

RESULTS

The results of our audit fieldwork for each of the four audit objectives are contained below:

Objective #1: Evaluate internal controls over the intake, storage, and disposal/return of evidence within the custody of the DPS Evidence Unit.

On 5/01/2024, our office conducted an on-site inspection at the DPS Evidence Unit located at 2824 E. Charleston Blvd. Before the on-site inspection, a judgmental sample of 250 individual evidence items was selected from the P1 electronic case management system data with an emphasis on high- risk items that included drugs, weapons, and currency. These items were chosen without advance knowledge to DPS employees and based upon a total sample population of 3,431 evidence items contained within P1 as of 4/25/2024. This sample excluded items identified as being in the possession of another agency and items in outside storage that were being held as property (non-evidence).

In addition to the 250 items, we inspected three evidence items placed into intake lockers the night before our inspection and subsequently transferred into the custody of the evidence unit. We also verified that 30 items identified as disposed of/returned were not present in the evidence storage rooms.

We reviewed DPS leadership self-audits and found that they were being conducted in a timely manner and in accordance with policy. These self-audits were consistent with our audit findings.

During our inspection, we found the following:

- Intake: The intake process is documented, with evidence securely transferred and recorded in the P1 system. Evidence Unit staff retrieve items daily (business days) from the intake lockers. No backlog was identified during our on-site visit, and the three evidence items were placed into storage and documented in P1 within 24 hours of receiving them.

- Storage and Preservation: The evidence storage areas were well-maintained, with environmental controls and security measures in place to preserve the integrity of evidence. High-risk items are stored in designated secure areas. No items were observed to have been damaged, all had proper security sealing, and those items, such as blood, that required special storage were all properly stored. All 250 evidence items identified as part of the sample were in the proper location, and the package label documentation matched that listed in P1.
- Disposal/Return: Procedures for evidence disposal/return are defined and adhered to, ensuring that evidence is disposed of lawfully and appropriately, with all actions documented. All 30 items selected for review and documented as returned/disposed of were removed from the evidence room and not present during the inspection.

Conclusion: The audit confirmed the existence and effectiveness of internal controls over DPS's property and evidence room inventory. These internal controls ensure proper evidence intake, disposal/return, storage, preservation, and security. Specifically, DPS has implemented policies and procedures that align with industry best practices defined by CALEA Standards.

Objective 2: Evaluate the adequacy of physical security measures in safeguarding evidence at the DPS Evidence Unit.

On 2/15/2024 and 5/01/2024, we visited the DPS Evidence Unit. During our visits, internal controls related to physical security were tested. The testing included a review of CCTV camera placement/coverage, inspection of physical and electronic locks and access control devices, review of access control logs, review of badging access logs, review of fire/life safety equipment, and discussion with DPS leadership of their continuity of operations planning (COOP) procedures.

Conclusion: Based upon our physical observations from two on-site visits and a review of documentation obtained during this audit, DPS has internal controls that secure staff and evidence at the DPS Evidence Unit. Additional physical security findings are listed below:

- Evidence Unit operations are centralized in a secure facility, and access is restricted to authorized personnel.
- Security Measures: The facility is equipped with electronic and physical locks, alarms, and 24/7 CCTV monitoring by the DPS control center. These measures are designed to prevent unauthorized access and ensure the safety of stored evidence.
- Enhanced Security Measures: Additional security cameras, alarms, and motion sensors have been installed to ensure continuous monitoring and protection of evidence.
- Access Logs: Individuals entering evidence storage areas must sign an access log.

Objective 3: Evaluate the controls and integrity of the data within DPS's electronic record management system (P1).

On 2/07/2024, DPS provided a report of P1 access permissions, system users, and administrative users. Upon review of the administrative users, we found that 13 administrative accounts existed in the system. Two of these 13 administrative accounts were assigned to non-person general accounts, such as "Motorola Support." Additionally, the product vendor and CLV IT employees still retained administrative access, which, per IT management, this access was only meant to be supported at implementation. DPS employees who were promoted and/or transferred to other assignments were also included.

Conclusion: DPS management is not completing adequate reviews of who has access to the P1 record management system and the appropriateness of their access. The system access issues risk the P1 system's data integrity and confidentiality and should be corrected. **See Finding #1**.

Objective 4: Determine the implementation status of the 2018 Center for Public Safety Management (CPSM) consultant study's recommendations for the DPS Evidence Unit.

In 2018, the City hired consultants from the Center for Public Safety Management (CPSM) to complete a review of Public Safety's operations. As part of this audit, we reviewed the 19 recommendations made to the Evidence Unit within their report. We determined whether each recommendation had been addressed through discussions with DPS leadership and independent observation or testing.

Conclusion: DPS has completed all of the recommendations provided by the CPSM consultants or implemented reasonable alternative procedures. **See Appendix 1.**

FINDINGS & RECOMMENDATIONS

1. P1 Administrative User Access Not Updated

While reviewing the appropriateness of the current system access permissions assigned within P1, we noted that employees from the electronic case management system vendor (Motorola), CLV IT employees, and DPS staff had administrator access roles. In speaking with the CLV IT manager, we found that administrator access had been granted for IT and the vendor several years ago for P1 system implementation. This access was no longer needed and should have been removed after implementation.

The City's Information Security Roles & Responsibilities Policy (IT 134b) states the following:

Department Managers and Supervisors will:

- *Ensure that all staff under their guidance know the need to protect our information and resources appropriately.*
- *Determine the sensitivity and criticality of the customer information and records for which they are responsible.*
- *Determine who will be permitted to access their information and the uses to which this information will be put. Any sharing of non-public information with external entities must be carefully scrutinized and documented.*
- *Approve end-user access to their data and perform periodic reviews of access rights.*

DPS has not developed procedures for periodically reviewing and evaluating the administrator user access permissions assigned within P1. Without such procedures, there is an increased potential for unauthorized access to the evidence record management system which could risk the integrity and confidentiality of the P1 system's data.

Recommendations

1.1 DPS management should terminate access to P1 and/or the current evidence management system for those individuals who no longer justify a business need.

1.2 DPS management should implement procedures for periodically reviewing the appropriateness of individuals accessing their evidence record management system.

APPENDIX 1

Summary of Consultant Recommendations Provided to Evidence Unit

	CONSULTANT RECOMMENDATION	ACTION TAKEN BY PUBLIC SAFETY
1.	**Update the CLVDPS Website to note that Wednesday is the only day to access the claimed property.**	The website was updated to reflect Monday - Thursday as the operational day for property retrieval.
2.	**Assign the Property and Evidence Unit to the Administration Division**	The unit now falls under Support Services (an Administrative Division).
3.	**Upgrade to Motorola Premier One**	The upgrade to Motorola P1 was completed, although continuous improvements are ongoing.
4.	**Upgrade Property and Evidence Software**	The software was upgraded to P1, but further evidence/property management enhancements are needed. DPS is moving to a new evidence software/inventory management system, with implementation projected for summer 2024.
5.	**Document Means and Reason for Dispositions**	Documentation of the means and reasons for the disposition of evidence is now required and maintained.
6.	**Purge Unnecessary Evidence**	Multiple destructions are conducted yearly to purge evidence with no evidentiary value.
7.	**Update Policy to Require a Complete Inventory Upon a Change in Custodian**	The current policy requires a complete inventory following personnel changes.
8.	**Ensure Four Annual Inspections are Completed**	Four inspections are conducted annually as policy requires.

9.	**Initiate Property and Evidence Inspections**	Regular inspections and reviews are conducted.
10.	**Reestablish IAPE Membership**	IAPE membership is current.
11.	**Hire a Full-Time Civilian Evidence Technician**	A full-time evidence technician and relief support technician are in place.
12.	**Expand Public Access for Property Retrieval**	Appointments can be made with the Evidence Technician Monday through Thursday, 7 am to 5:30 pm.
13.	**Install Camera at Bike/Bulk Storage Cage**	Cameras are installed in storage sheds that store large items such as bikes.
14.	**Secure Temporary Storage Lockers**	Intake lockers are now secured to the wall.
15.	**Install Camera in Temporary Storage Locker Area**	A camera is installed in the temporary storage locker/evidence intake area.
16.	**Monitor Existing Cameras Continuously**	The DPS Control Center monitors the cameras continuously on a 24/7 basis.
17.	**Install Alarms with Motion Sensors**	Alarms and motion detectors are installed in each evidence room. Alarms and sensors are monitored 24/7 by the DPS Control Center.
18.	**Install External Cameras**	External cameras are installed around the evidence facility.
19.	**Provide an Enclosure for Seized Vehicles**	DPS partners with the Las Vegas Metropolitan Police Department as needed.

MANAGEMENT RESPONSE

1. P1 Administrative User Access Not Updated

1.1 DPS management should terminate access to P1 and/or the current evidence management system for those individuals who no longer justify a business need.

Management Action Plan: DPS concurs with this audit recommendation and has terminated access for all non-DPS system administrators. It has also evaluated those DPS employees who have system administrator access to ensure there is a current business justification.

Estimated Date of Completion: 8/30/2024

1.2 DPS management should implement procedures for periodically reviewing the appropriateness of individuals accessing their evidence record management system.

Management Action Plan: DPS concurs with this audit recommendation and is transitioning to a new evidence software system, "SAFE by Tracker." This change aims to enhance the efficiency of our evidence vault operations and reduce redundancies experienced by officers and evidence technicians with the P1 system. The system administrators will review users quarterly to ensure individuals with no valid business justification are removed. DPS command staff will review those with system administrator access quarterly as part of the Property & Evidence Vault Inspection to ensure system administrator access is proper and will note that this has been completed within the quarterly inspection report.

Estimated Date of Completion: 1/31/2025