

# **AUDITOR'S REPORT**

## **CONSTABLE PRECINCT 3 EVIDENCE AND PROPERTY ROOM AUDIT**



**July 15, 2016**

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**BARBARA J. SCHOTT, C.P.A.**  
**HARRIS COUNTY AUDITOR**

July 15, 2016

Constable Ken Jones  
Harris County Constable Precinct 3  
701 West Baker Road  
Baytown, Texas 77521

RE: Constable Precinct 3 Evidence and Property Room Audit

The Audit Services Department performed procedures relative to the Constable Precinct 3 Evidence and Property Room Audit. The objective of the engagement was to examine the Harris County Constable Precinct 3 evidence and property room pursuant to Local Government Code §115.001, *Examination of Records*. We performed the following procedures:

- On a test basis, verified that the evidence and property items recorded in the FileOnQ Property Application System (FileOnQ) agreed to the physical items in the evidence and property room.
- On a test basis, physically inspected items in the evidence and property room to verify that they agreed to item records in FileOnQ.

The engagement process included providing you with a combined engagement and scope letter and conducting an entrance and exit conference with your personnel. The purpose of the letter and conferences was to explain the process, identify areas of concern, describe the procedures to be performed, discuss issues identified during the engagement, and solicit suggestions for resolving the issues. A draft report was provided to you and your personnel for review.

The work performed required our staff to exercise professional judgment in completing the scope procedures. As the procedures were not a detailed inspection of all transactions, there is a risk that error or fraud was not detected during this engagement. The official, therefore, retains the responsibility for the accuracy and completeness of their financial records and ensuring sufficient controls are in place to detect and prevent fraud.

Constable Ken Jones  
Constable Precinct 3

We appreciate the time and attention provided by you and your staff during this engagement.

Sincerely,



Barbara J. Schott  
County Auditor

cc: District Judges  
County Judge Ed Emmett  
Commissioners:  
    R. Jack Cagle  
    Jack Morman  
    Steve Radack  
    Gene Locke  
Devon Anderson  
Vince Ryan  
William J. Jackson

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## OVERVIEW

Harris County Constable Precinct 3 collects evidence and personal property during the performance of its law enforcement functions. The evidence and personal property items collected are documented and placed in a controlled environment that provides for item integrity and future availability. The department is responsible for the receipt, storage, safekeeping, and disposition of all evidence and property in its control.

Prior to March of 2015, evidence and property items for Constable Precinct 3 were recorded and managed using a Microsoft Access database. The evidence and property items were physically secured in one of three evidence and property rooms within the precinct.

On March 2015, Constable Precinct 3 reorganized the evidence and property room operation. Constable Precinct 3 replaced the Microsoft Access database with the implementation of FileOnQ. All evidence and property items were also moved and secured in a central location at 701 West Baker Road in Baytown, Texas. In addition, each evidence and property item in the centralized evidence and property room was physically reviewed and verified to a unique active record in the new FileOnQ.

The transition to FileOnQ identified active legacy evidence and property records that did not correspond to any physical items in the evidence and property room. These active legacy records were uniquely categorized and separated from other active records that did reconcile to the physical items in the evidence and property room. Constable Precinct 3 Management has an on-going investigative effort to research the active legacy records to determine a resolution.

Items currently submitted to the Constable Precinct 3 evidence and property room continue to be processed and managed through the FileOnQ. This system maintains a record of each evidence and property item, identifies the item location, links the item to the associated case, tracks the chain of custody, and documents item activity through its final disposition.

Constable Precinct 3 evidence and property are safeguarded behind locked enclosures within the general department, which is monitored by officers. Access to the evidence and property room is controlled to minimize the number of participants in contact with the items and risk of unauthorized movement and/or removal of items.

## RESULTS

Based on procedures performed at Harris County Constable Precinct 3 pursuant to Local Government Code §115.001, *Examination of Records*, items in the evidence and property room were properly recorded, managed, and secured.

However, our procedures identified an opportunity for improving internal controls with the active legacy evidence and property records associated with the March 2015, transition to FileOnQ.

This matter is discussed in more detail in the following Issue and Recommendation section of this report.

## ISSUE AND RECOMMENDATION

### Active Evidence and Property Legacy Records

#### Background

Constable Precinct 3 operates a central evidence and property room for all precinct activity at its main office located at 701 West Baker Road in Baytown, Texas. Items submitted to the Constable Precinct 3 evidence and property room are processed and managed through FileOnQ. This system maintains a record of the evidence and property items, identifies the item location, links the item to the associated case, tracks the chain of custody, and documents item activity through its final disposition. Each item in the evidence and property room is assigned a unique active record in FileOnQ.

Constable Precinct 3 transitioned to FileOnQ in March 2015. As a result, they identified active legacy evidence and property records for which there was no corresponding physical items identified in the evidence and property room.

#### Issue

Constable Precinct 3 had 2,052 active legacy evidence and property records identified during reorganization of the evidence and property room and implementation of FileOnQ in March 2015, which did not agree to the physical items in the evidence and property room.

Constable Precinct 3 Management informed us they are investigating each case where the record and the physical evidence and property item do not agree. The 2,336 items in the evidence and property room were accurately recorded in FileOnQ.

Not being able to reconcile the active legacy evidence and property records to the physical items in the evidence and property room may result in the inability to provide the required evidence and property in the pursuit of justice and/or misappropriations.

#### Recommendation

Constable Precinct 3 Management should complete its effort to investigate the 2,052 active legacy evidence and property records that do not agree to the physical items in the evidence and property room and update the evidence and property records accordingly.

In cases where investigative efforts are not able to agree the active legacy records to physical items in the evidence and property room or other controlled location, Constable Precinct 3 Management should contact the Harris County Attorney, present the investigation results, and obtain guidance on how to proceed with the unresolved active legacy records.

## **Management Response**

Constable Precinct 3 Management is currently conducting an investigation of the legacy system and FileOnQ for items prior to March 2015, and has substantially reduced the items in question. The investigation will continue and remaining items will be vetted to determine evidentiary value in any pending cases if any. The items not located will be presented to the Harris County Pct. 3 Constable for direction and consultation with the Harris County Attorney for disposition of list items.