

Audit Report

Office of Internal Audit

Louisville Metro Police Department

Court Pay

March 2008



Louisville Metro Police
Department

Court Pay

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LOUISVILLE, KENTUCKY

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Transmittal Letter

March 25, 2008

The Honorable Jerry E. Abramson
Mayor of Louisville Metro
Louisville Metro Hall
Louisville, KY 40202

Subject: Audit of Louisville Metro Police Department Court Pay

Introduction

An audit of court pay activity administered by the Louisville Metro Police Department (LMPD) was performed. The primary focus of the audit was the operational and fiscal administration of the activity. This included how LMPD processes, records, and monitors the activity.

The examination was conducted in accordance with Government Auditing Standards issued by the Comptroller General of the United States and with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors.

As a part of the review, the internal control structure was evaluated. The objective of internal control is to provide reasonable, but not absolute, assurance regarding the achievement of objectives in the following categories:

- Achievement of business objectives and goals
- Effectiveness and efficiency of operations
- Reliability of financial reporting
- Compliance with applicable laws and regulations
- Safeguarding of assets

There are inherent limitations in any system of internal control. Errors may result from misunderstanding of instructions, mistakes of judgment, carelessness, or other personnel factors. Some controls may be circumvented by collusion. Similarly, management may circumvent control procedures by administrative oversight.

Scope

The operating policies and procedures for the administration of court pay activity were reviewed through interviews with key personnel. The primary focus was the operational and fiscal administration of the activity. Tests of sample data were performed for transactions from two pay periods during fiscal year 2008. Activity reviewed included subpoenas and other court pay activity documents, information recorded in the subpoena tracking system, and transactions posted to Metro's PeopleSoft payroll system and Leap financial system.

The review included assessing whether activity was processed, recorded, and monitored accurately and appropriately. The details of the scope and methodology of the review will be addressed in the Observations and Recommendations section of this report. The examination would not identify all issues because it was based on selective review of data.

Opinion

It is our opinion that the administration of Louisville Metro Police court pay activity is weak. The internal control rating is on page 5 of this report. This rating quantifies the opinion on internal controls, and identifies areas requiring corrective action. Opportunities to strengthen the administration of court pay activity were noted in several areas. Examples include the following.

- **Monitoring and Reconciliation.** Police does not sufficiently monitor and reconcile court pay activity to ensure appropriateness, completeness, and adherence to all applicable policies and procedures. This includes the upload of court activity from the subpoena tracking system to Metro's payroll system, off-duty status indications by employees, brief court appearances, and monthly reports. The lack of proper monitoring and reconciliation could result in inappropriate activity going undetected.
- **General Administration.** Police does not have sufficient backup personnel designated to cover in the absence of key personnel administering court pay activity. In addition, there are no documented desktop policies and procedures to guide in the administration of the activity. This increases the risk of non-compliance with intended policy and can lead to inconsistencies and inefficiencies with activity processing.
- **Activity Processing.** There were several issues noted with the processing of court pay activity.

- Court continuance requests are recorded in the subpoena tracking system in an inconsistent manner and may not always be submitted timely in accordance with policy and procedures.
- Subpoenas issued to retired Police personnel are not logged in any manner to document the receipt of the documents.
- The form used to process pay for court attendance outside of Jefferson County needs to be revised.
- There is no way to track how many cases are dismissed due to Police personnel not showing up for court.
- There were several cases where Police personnel did not appear for court timely (arrival times ranged from 12 to 67 minutes after the court start time noted on the subpoena).

Corrective Action Plan

Representatives from the Louisville Metro Police Department have reviewed the results and are committed to addressing the issues noted, as indicated in the following LMPD response:

Several of the concerns and subsequent recommendations discussed in the report will be addressed through a collaborative approach using the resources of Metro Technology Services (MTS). LMPD has met with and will work with MTS to improve features of software programs MTS previously developed to assist LMPD in tracking subpoena service, attendance in court, and uploading court pay information into the PeopleSoft system. The remaining concerns will be addressed internally by LMPD's Inspections and Compliance Unit (ICU) and commanding officers.

Additional LMPD corrective action plans are included in the report in the Observations and Recommendations section. We will continue to work with LMPD to ensure the actions taken are effective to address the issues noted.

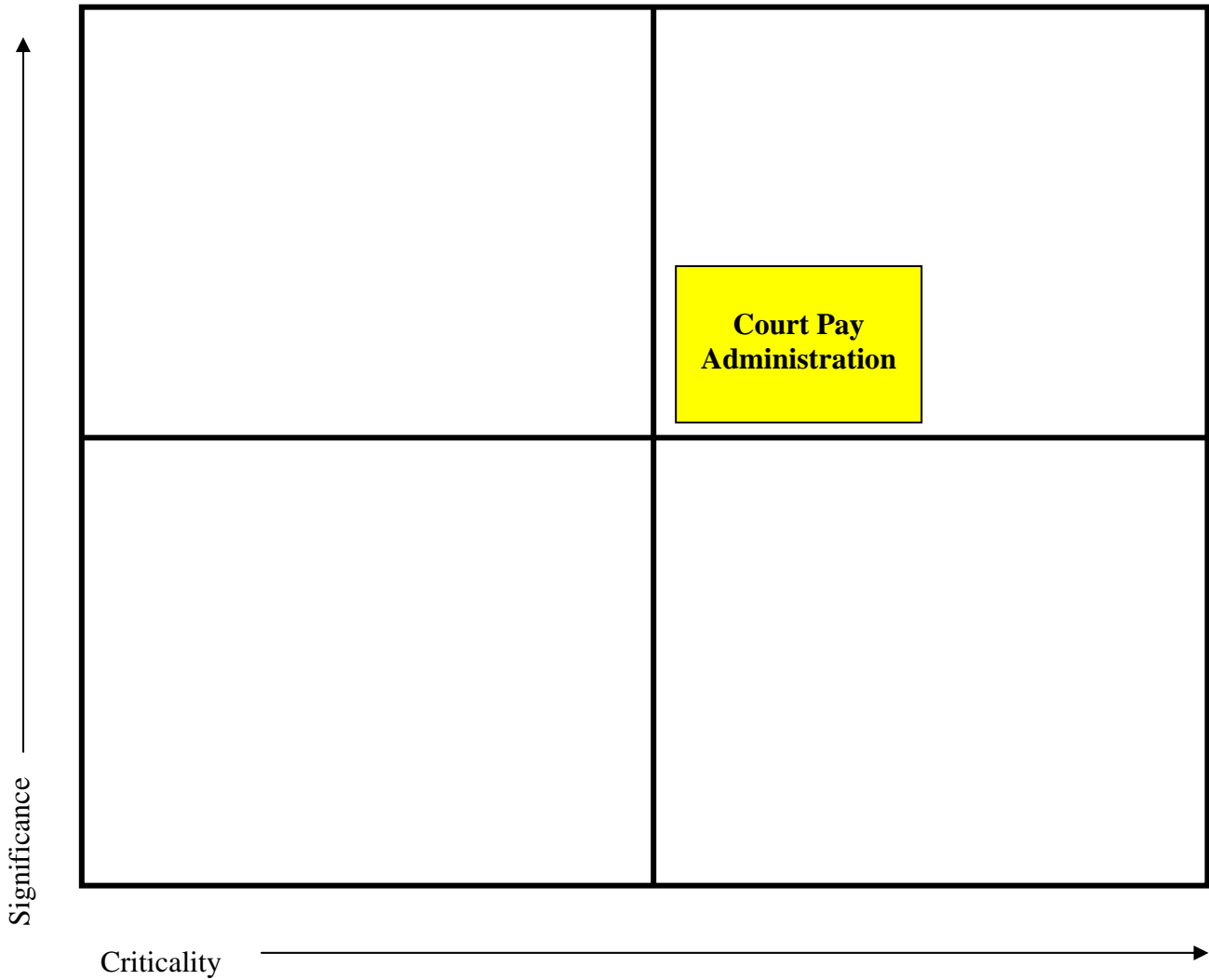
Sincerely,



Michael S. Norman, CIA, CFE, CGAP
Chief Audit Executive

cc: Louisville Metro Council Government Accountability and Audit Committee
Louisville Metro Council Members
Louisville Chief of Police
Louisville Metro External Auditors

Internal Control Rating



<u>Legend</u>			
<u>Criteria Issues</u>	<u>Satisfactory</u> Not likely to impact operations.	<u>Weak</u> Impact on operations likely contained.	<u>Inadequate</u> Impact on operations likely widespread or compounding.
<u>Controls</u>	Effective.	Opportunity exists to improve effectiveness.	Do not exist or are not reliable.
<u>Policy Compliance</u>	Non-compliance issues are minor.	Non-compliance issues may be systemic.	Non-compliance issues are pervasive, significant, or have severe consequences.
<u>Image</u>	No, or low, level of risk.	Potential for damage.	Severe risk of damage.
<u>Corrective Action</u>	May be necessary.	Prompt.	Immediate.

Background

Louisville Metro Police Department (LMPD) personnel are entitled to court pay in accordance with collective bargaining agreements (i.e. Police Officer and Sergeants agreement, Captains and Lieutenants agreement). Members are entitled to \$46 for attending court on any given day where the appearance is outside the regularly scheduled work hours, or after the member's retirement. Members may also be eligible to receive overtime pay or compensatory time depending on the duration of the court appearances.

The LMPD Inspections and Compliance Unit administers and monitors court pay activity. An in-house system called Subpoena Tracker was developed in 2006 and serves as the database to record relevant subpoena information, such as court date, officer served, and case number. The system also electronically records the badge swipes that employees enter when arriving and leaving court. This information is ultimately uploaded into Metro's payroll system for court payment processing. In addition, the Leap financial system is used to process court payments for retired personnel. Court pay expenditures were approximately \$1.7 million in fiscal year 2007, and \$833,000 for the first half of fiscal year 2008.

This was a scheduled audit.

Summary of Audit Results

I. Current Audit Results

See Observations and Recommendations section of this report.

II. Prior Audit Issues

The Office of Internal Audit has not previously conducted any reviews of the LMPD court pay activity.

III. Statement of Auditing Standards

The audit was performed in accordance with Government Auditing Standards issued by the Comptroller General of the United States and with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors.

IV. Statement of Internal Control

A formal study of the internal control structure was conducted in order to obtain a sufficient understanding to support the final opinion.

V. Statement of Irregularities, Illegal Acts, and Other Noncompliance

The examination did not disclose any instances of irregularities, any indications of illegal acts, and nothing was detected during the examination that would indicate evidence of such. Any significant instances of noncompliance with laws and regulations are reported in the Observations and Recommendations section of this report.

VI. Views of Responsible Officials / Action Plan

A draft report was issued to LMPD on February 29, 2008. An exit conference was held at the Internal Audit administrative offices on March 11, 2008. Attending were Lieutenant Colonel Vince Robison, Major Ed Burgin, Lieutenant Tony Denham, and Sergeant Dave Mutchler representing LMPD; Mike Norman, Gena Redmon, and Mary Ann Wheatley representing Internal Audit. Final audit results were discussed.

The views of LMPD officials were received on March 22, 2008 and are included as corrective action plans in the Observations and Recommendations section of the report. The plans indicate a commitment to addressing the issues noted.

LMCO §30.36(B) requires Louisville Metro Agencies to respond to draft audit reports in a timely manner. It specifically states that

*“The response must be forwarded to the Office of Internal Audit within 15 days of the exit conference, or **no longer than** 30 days of receipt of the draft report.”*

LMPD’s response was provided within this required timeframe.

Observations and Recommendations

Scope

The operating policies and procedures for the administration of court pay activity were reviewed through interviews with key personnel. The primary focus was the operational and fiscal administration of the activity. This included how activity is processed, recorded, and monitored.

Tests of sample data were performed for transactions from two pay periods during fiscal year 2008, periods ending August 25, 2007 and September 22, 2007. A sample of ten Police employees (approximately 37 court occurrences) was judgmentally selected for review from the population of court pay activity processed during the review periods. The sample included standard, as well as overtime, court pay activity. A sample of court pay transactions for three retired Police employees was also chosen for review. Activity reviewed included subpoenas and other corresponding activity documents, information recorded in the Subpoena Tracker system, and transactions posted to Metro's PeopleSoft payroll system and Leap financial system.

The review would not reveal all issues because it was based on selective review of data. The following issues were noted.

Observations

Issues were noted with the administration of Police court pay activity. As a result, the internal control structure is weakened and its effectiveness impaired. The observations are as follows.

- #1 Monitoring and Reconciliation
- #2 General Administration
- #3 Activity Processing

Details of these begin on the following page.

#1 – Monitoring and Reconciliation

Issues were noted with the monitoring and reconciliation of LMPD court pay activity. Specifics include the following.

- **Court Pay Upload Report.** Court appearances for Police personnel are tracked through a system called Subpoena Tracker. Specific system information is uploaded to the Metro’s payroll system (PeopleSoft) weekly in order to pay applicable personnel that are due court pay. Though a report is generated by the payroll system to indicate the transactions uploaded, Police does not reconcile the report to ensure all court pay transactions were properly received. This could result in errors (i.e. overpayments / underpayments to employees) going undetected.
 - In an attempt by Internal Audit to reconcile court pay uploads, it was discovered that the applicable Subpoena Tracker report (Time and Attendance) to be used in a reconciliation is not providing all the information needed for proper monitoring, and at times does not record accurate information.
 - The Time and Attendance report does not provide a transaction count of court occurrences for *off-duty* employees. This information is needed for upload reconciliation purposes since only off-duty employees are paid court pay.
 - The Time and Attendance report may not always reflect accurate activity when historical information is requested. This is due to the report pulling information from a table containing only “active” employee data. This results in court pay transactions being omitted from the report if an employee is no longer active (i.e. retired, terminated) at the time the report is run. This impairs the reliability of the report and limits its usefulness as a monitoring tool.
- **Off-Duty Status.** Police personnel are required to enter whether they are on or off-duty each time they record a court appearance in the Subpoena Tracker system. Only employees that are off-duty will receive court pay. However, transactions entered as off-duty are not monitored or verified to employee work schedules to ensure the status is appropriate. This could result in employees being inappropriately paid for court appearances.
- **Brief Court Appearances.** Court pay is generated on a per court appearance, no matter the amount of time spent in court. However, Police does not have any guidelines regarding the monitoring of brief court appearances (i.e. 15 minutes or less). Though there may be legitimate reasons for shortened court appearances, these are not being documented. There is an increased risk that employees may not actually be attending court in such brief periods but are being paid.

- The Subpoena Tracker system has a report (Average Time and Attendance Report) that highlights in red when an employee's in / out time for court is 15 minutes or less. It does not appear this tool is being used to monitor activity.
- **Monthly Reports.** Monthly reports of court pay costs are prepared and provided to Police management for informational purposes. However, the source documents used to prepare the monthly reports often have conflicting information. Police personnel have made efforts to determine the reasons for the differences but have been unsuccessful. Therefore, the source document having the greater court pay cost noted for the month is used for reporting purposes.
 - Upon further inquiry with Metro Payroll and Information Technology personnel, it was discovered that one of the source reports had a coding error resulting in the omission of negative court pay from the report. Therefore, it appears that the practice of Police using the report with greater costs is creating overstatements in the monthly reports to management. *Note: The coding error was corrected during this review.*

Recommendations

Appropriate personnel should take corrective action to address the issues noted. Specific recommendations include the following.

- ✓ A major component of any reporting system is proper monitoring and reconciliation. It is imperative that LMPD review court pay transactions and reports on a regular basis to ensure appropriateness, completeness, and adherence to all applicable policies and procedures. This will help ensure the activity was processed as intended and properly recorded.
- ✓ The Subpoena Tracker Time and Attendance report should be modified so that it provides sufficient information (i.e. a count of off-duty employees) to assist with a reconciliation of court pay upload transactions. It is also necessary that the report be modified so that it properly retrieves historical data. These changes are essential in order for the report to be a useful monitoring and reconciliation tool. LMPD should consult with Metro Technology Services for assistance with the Subpoena Tracker system.
- ✓ Police management should determine and assign the responsibility for monitoring and reconciling various court pay activity. This should include the monitoring of individual transactions for appropriateness (off-duty status, brief court appearances) and monitoring of cumulative data (court pay upload activity, monthly reports to management). These responsibilities should be clearly communicated to all applicable personnel (i.e. Inspections and Compliance Unit personnel, District supervisors) and appropriate tools should be provided to assist with the duties. Reconciliations should be documented and any discrepancies should be clearly researched and resolved.

LMPD's Corrective Action Plan

- **Court Pay Upload Report.** LMPD Human Resources currently retrieves a file from Call2Court/Subpoena Tracker containing court attendance information. This information is uploaded to PeopleSoft to process payment. Officers use their departmental identification card to swipe into the Call2Court system. Each card is uniquely coded to the individual officer to verify who is attending court. MTS will work with LMPD on the feasibility of building a program to allow officers to swipe directly into PeopleSoft, thus eliminating the need to convert data from Call2Court. The Time and Attendance report not counting occurrences for off duty employees will be addressed by MTS with the possible conversion from Call2Court to PeopleSoft. This would also address the issue of historical reports omitting inactive employees because the PeopleSoft system maintains this data.
- **Off Duty Status.** A monthly random audit will be conducted by the Court Sergeant to compare officers' work hours with days they sign up to receive court pay. Any discrepancies will be investigated. MTS may be able to build business rules into the software update that will cross reference the off duty swipe against the officer's work schedule.
- **Brief Court Appearances.** LMPD does generate a report from Subpoena Tracker's Time and Attendance feature that highlights any court appearance of 15 minutes or less. This report is now being checked on a daily basis by the Court Sergeant and is available to commanding officers throughout the department. MTS may be able to adapt the software to require an explanation from the officer attending court for any court appearance of less than 15 minutes. LMPD – ICU will conduct a monthly audit to ensure court cases are not being dismissed due to brief appearances.
- **Monthly Reports.** There was a coding error in one of the reports which was causing a discrepancy. The coding error was fixed resolving the issue.

#2 – General Administration

Issues were noted with the general administration of court pay activity. Specifics include the following.

- **Backup Personnel.** Police does not have adequate backup personnel designated to cover in the absence of key personnel administering court pay. Though Police personnel on temporary assignment (e.g. pregnancies, injury) are periodically assigned to help with the court pay processing, this does not provide for sufficient coverage (i.e. fully trained personnel) during extended absences.
- **Policies and Procedures.** LMPD has Standard Operating Procedures (SOP) to provide guidance and instruction to Police personnel when they are subpoenaed for court. However, there are no desktop policies and procedures for the administration of court pay activity to guide in the processing, monitoring and reconciliation of activity.
- **Collective Bargaining Agreement.** Police could not provide an official copy of one of the collective bargaining agreements requested during the review. The agreement notes specific policies and procedures with regards to court pay. The agreement provided by Police was obtained from the LMPD website and appeared to be a draft. This increases the risk that activity may not be processed as intended and in accordance with finalized guidelines. *A signed copy of the agreement was obtained during the review and forwarded to Police personnel for their records.*

Recommendations

Appropriate personnel should take corrective action to address the issues noted. Specific recommendations include the following.

- ✓ Police should assign backup personnel to cover in the absence of individuals assigned the task of processing and monitoring court pay activity. Backup personnel should be fully trained in all processing areas to include the day to day activities, as well as routine monitoring and reporting. This will help ensure that court pay activity is continually processed as intended and in accordance with policies and procedures. Assigning backup individuals will also help ensure that key personnel are given adequate opportunities to use leave time as needed. LMPD may want to consider having a Civilian position serve in this capacity.
- ✓ Police should develop a written desktop policies and procedures manual to guide in the administration of court pay activity to include the processing, monitoring and reconciliation of activity. The manual should address court pay activity reports to be run and reviewed for appropriateness prior to payments being made, forms / documents to be

completed to initiate payments for court appearances outside of the Subpoena Tracker system (retirees, court outside Jefferson County), monthly reports to management and such. The manual should be distributed to all applicable personnel and should be updated periodically to help ensure it is descriptive of current processes and it adheres to applicable guidelines. In addition, training of key personnel will help ensure consistent adherence to the requirements.

- ✓ Care should be taken by LMPD to ensure they have final versions of collective bargaining agreements. This will help ensure activity is processed as intended and in accordance with specified guidelines. Draft versions of agreements should not be posted or distributed to staff since they are not official, approved documents.

LMPD's Corrective Action Plan

- **Backup Personnel.** There are two employees other than the Court Sergeant that can perform the day to day functions of the court office. LMPD will continue to ensure these employees are able to perform the payroll portion of the Court Sergeant's position. These employees will have copies of the new court office desktop policies and any updates to these policies.
- **Policies and Procedures.** The Court Sergeant, in consultation with other affected Metro units, is drafting desktop policies for the ICU – Court Office.
- **Collective Bargaining Agreement.** LMPD has an unsigned final version of the collective bargaining agreement in a searchable format on the LMPD intranet page available to all employees with computer access. A signed version is available 24/7 through the MetroNet. The Court Office will have a signed copy available.

#3 – Activity Processing

Issues were noted with the processing of court pay activity. Specifics include the following.

- **Court Continuances.** Police personnel may request a continuance when they are unable to attend a scheduled court appearance. A Court Continuance Request form is completed to document the reason for the request. Some issues were noted with the processing of continuance requests.
 - The Subpoena Tracker system does not have a designated place to indicate when a continuance has been requested. As a result, continuance requests are not recorded in the system in a consistent manner (i.e. sometimes the subpoena is documented as served, while in other cases it is documented as unserved). This process does not allow for proper tracking and monitoring of court continuance requests.
 - In some cases, a court continuance request may not be submitted in a timely manner in accordance with policy and procedures. If Police personnel are out for an extended period of time (i.e. illness, training), some Supervisors will hold the subpoena and continuance request form until the employee returns to sign the documents. According to Police Standard Operating Procedures, the Division Supervisors should sign the subpoena, complete a court continuance request form, and return it to the Inspectional Services Unit (ISU) at least 3 days prior to the court date.
 - The policy of providing continuance request forms to ISU at least 3 days prior to the court date may not provide the Courts with sufficient time for processing.
- **Retired Personnel.** Retired Police personnel are paid court pay based on each court appearance they make. When the Police Department receives the subpoenas, they are mailed directly to the retirees. However, the subpoenas are not keyed into the Subpoena Tracker system, and manual logs are not maintained. This does not allow for comprehensive reporting on all subpoenas received into the Police Department (i.e. served subpoenas). It also does not allow for proper fiscal planning since records are not maintained on the anticipated expenses.
- **Court Outside Jefferson County.** Police personnel that receive subpoenas to attend court outside of Jefferson County (e.g. Alcohol and Beverage Control court, Federal Court) are entitled to court pay following the same guidelines as when court is in Jefferson County. However, the employees are not required to record their attendance in the Subpoena Tracker system since the system computers are only located in the Hall of Justice. Instead, they must complete a Request for Court Pay form to record their activity. Some issues were noted with the Request for Court Pay form that limits its usefulness and conflicts with Police policies.

- There is not a place designated on the form to distinguish between on and off-duty court appearances. Payment is only due to those employees that are off-duty. Currently, payment is made based on the off-duty status as indicated on the subpoena. Having the employee's status indicated on the Request for Court Pay form would provide additional assurance of appropriateness.
 - Since court pay is not due when an employee attends while on-duty, the title of the form, Request for Court Pay, could be confusing to employees. This could result in the form not being completed for all on-duty cases. In turn, Police would have no documentation of the court appearances.
 - The form does not distinguish between time spent in court and travel time as required by Standard Operating Procedures.
- **Dismissed Court Cases.** Court cases may be dismissed due to Police personnel not attending as requested. There are various reasons why Police personnel may not attend court, to include the employee was not served properly (i.e. the subpoena was not sent to LMPD), a continuance was requested but the courts did not file the request timely, and the officer did not show up. Currently, there is no way to track how many cases are dismissed due to Police personnel not showing up for court. Police personnel not attending court as requested could reflect badly on the department.
 - In an attempt to track dismissed cases, Police has requested prosecutors to call in to a designated phone line if Police personnel do not show up for court. However, there is no way to tell if the prosecutors consistently comply with this request. In addition, the form used to document these calls is often incomplete in that it is based solely on the information gathered from calls and messages left by the prosecutors and judges. Follow-up to gain additional pieces of information to complete the monthly report is limited and not always performed.
- **Untimely Court Appearances.** There were several cases noted where Police personnel did not appear for court timely based on swipes recorded as "in" on the Subpoena Tracker system. In 19 of 37 court appearances reviewed (51%), Police personnel arrived 12 to 67 minutes after the court start time noted on the subpoena. Employees arriving late for court could result in a case being dismissed, which in turn would reflect badly on Metro Government and result in pay when court was not actually attended. The Police SOP directs employees to appear in court at the time specified on the subpoena or as instructed by the court. In all of the cases where the employee was late, there were no indications that the employee was instructed by the court to appear at a later time.
- **Inappropriate Court Payments.** There was one case noted where court overtime pay did not appear to be paid properly according to the Fraternal Order of Police bargaining agreement. The agreement states that overtime pay shall be computed in 15 minute increments of time and no pay shall be received for seven minutes or less. It appears the Supervisor calculated the number of overtime hours based on exact times instead of using

15 minute increments. Though this case resulted in an insignificant overpayment, there appeared to be other cases where this occurred based on the payroll earnings report reviewed.

Recommendations

Appropriate personnel should take corrective action to address the issues noted. Specific recommendations include the following.

- ✓ Appropriate LMPD personnel should assess the Subpoena Tracker system to determine whether it is functioning as intended and providing all the features that Police needs to appropriately process and monitor court pay activity. Ideally, it would be beneficial if the system could allow for additional features such as tracking of continuance requests, subpoenas to retirees, court activity outside Jefferson County, and tracking of dismissed cases. A system with comprehensive capabilities would allow for a more efficient and effective administration of court pay activity. LMPD should consult with Metro Technology Services for assistance with the Subpoena Tracker system. Also, consideration should be given to other possible systems of tracking court pay activity that may better suit LMPD's needs.
- ✓ LMPD should review the policy for requesting court continuances to ensure adequate time is allowed for continuance requests to be processed and properly filed with case documentation. This will help ensure that cases are not being dismissed unnecessarily due to time constraints.
- ✓ If tracking of subpoenas to retirees is not possible within the Subpoena Tracker system, Police should consider manually tracking these documents. A log of these subpoenas would provide Police with an estimation of anticipated expenses.
- ✓ Police should consider modifying the form used to record court attendance outside of Jefferson County. The title of the form should be changed so that it is more representative of its intended use. The form should also be modified so that all necessary data fields are properly indicated on it. This will help ensure that court pay is only processed for those eligible (i.e. off-duty employees) and that all information is properly noted as required by policies and procedures (e.g. travel time, court time).
- ✓ Appropriate LMPD personnel should contact Circuit Court personnel to determine whether there is means by which to track dismissed cases. At a minimum, it may be beneficial if the Courts could provide data regarding Police employees attending court or not. This would help provide additional assurance regarding attendance and court pay eligibility.
- ✓ Police personnel should make every effort to arrive for court timely as indicated on the subpoena. In any cases where an employee does not arrive in a timely manner, a notation should be made on the subpoena to indicate the reason (e.g. instructed by the prosecutor to

arrive at a later time). This will allow for monitoring of untimely arrivals, and action could be taken as deemed necessary for unexcused tardiness.

- ✓ Care should be taken by Police personnel to ensure court pay activity is processed in accordance with policies and procedures. Adequate training and policy manuals should be provided to all applicable personnel to assist with processing.

LMPD's Corrective Action Plan

- **Court Continuances.** MTS will update the Subpoena Tracker software to include a check-off box to track court continuances. LMPD policy will be revised to reflect this change. When the software is revised, a list will be printed by the Court Sergeant and distributed to each court room on a daily basis. This list will provide prosecutors a list of cases on which officers have requested continuances.

In addition, the Subpoena Tracker software revision allowing LMPD to track continuances will improve notice to the court of a continuance request. ICU will continue to maintain copies of all court continuance requests. LMPD policy will be revised to require officers to request a case continuance at least five business days prior to the court appearance instead of the current three day requirement. If officers cannot meet the five day requirement because the subpoena was received late, they become ill, etc. they will be required to call the Court Sergeant to advise of the need for a continuance. The Court Sergeant will notify the appropriate court.

- **Retired Personnel.** Retired employees cannot sign into court using Subpoena Tracker because they are no longer Metro employees. LMPD – ICU now maintains a manual log of subpoenas sent to retirees. A report of court pay payments to retirees is generated monthly. When a subpoena for a retiree is received by the ICU the following now happens:

- A copy of the subpoena is filed and kept in ICU.
- The original subpoena is then mailed to the retiree's home address.
- The retiree attends court and leaves the subpoena along with a request for court pay for the Court Sergeant.
- The request for court pays is recorded by the LMPD – ICU secretary and forwarded to Finance so payment is sent to the retiree.
- A database is kept on retiree subpoenas.

- **Court Outside Jefferson County.** The computer hardware for subpoena tracker is located in the Hall of Justice. The hardware includes a device that allows officers to swipe their unique identification card for verification purposes. LMPD will review the current policy regarding court attendance for possible improvements such as requiring a signature from a presiding official and direct entry of the information into Subpoena Tracker by the Court Sergeant.

In addition, LMPD is reviewing the Request for Court Pay form and may revise it.

- **Dismissed Court Cases.** LMPD utilizes a Court Sergeant who is known to criminal justice system personnel. The Court Sergeant is available by phone and at an office in the Hall of Justice. Prosecutors have been instructed to notify the Court Sergeant when officers do not appear in court. Notifications from prosecutors are documented to analyze for patterns of employee misconduct. When notified the Court Sergeant contacts the officer and addresses the absence. In some cases officers completed continuance forms however the form did not reach the individual case jacket so prosecutors are unaware the officer requested a continuance. The software enhancements LMPD has requested will allow a daily continuance report to be generated and disseminated to each court room.

- **Untimely Court Appearances.** Daily monitoring by the Court Sergeant is being conducted. All LMPD commanding officers have the ability to track this information using the Subpoena Tracker software. LMPD will request MTS enhance the existing software to flag late appearances. LMPD – ICU will review a random sample of cases each month to determine if tardiness is affecting case outcomes.

- **Inappropriate Court Payments.** LMPD will work with MTS on a software enhancement. Depending on the complexity of the business rules involved the software system may be able to automatically flag these errors.