

**Follow-Up of the Audit of the
Orange County Corrections
Department Pretrial Release
Program**

**Report by the
Office of County Comptroller**

**Martha O. Haynie, CPA
County Comptroller**

County Audit Division

J. Carl Smith, CPA
Director

Christopher J. Dawkins, CPA
Deputy Director

Dexter J. Watts, Senior Auditor
In-Charge Auditor

**Report No. 320
October 2002**

TABLE OF CONTENTS

Transmittal Letter.....	3
Implementation Status of Previous Recommendations For Improvement	4
Introduction	6
Scope and Methodology.....	7
Follow-up To Previous Recommendations For Improvement	8
1. The Pretrial Services Unit Should Ensure That All New Files Are Reviewed For Completeness	9
2. A List Of New Pretrial Release Program Intakes For The Month Should Be Created And Retained	10
3. The Pretrial Services Unit Should Reevaluate Changes Made To Their Reporting And Tracking Systems	11
Exhibit – Management's Supplemental Response	13

October 21, 2002

Richard T. Crotty, County Chairman
And
Board of County Commissioners

We have conducted a follow-up of the audit of the Pretrial Release Program of the Orange County Corrections Department. Our original audit included the period of July 1, 1998 to December 31, 1998. Testing of the status of the previous Recommendations for Improvement was performed for the period January 1, 2002 through February 28, 2002. Our follow-up audit was conducted in accordance with generally accepted government auditing standards and included such tests as we considered necessary in the circumstances.

The accompanying Follow-Up to Previous Recommendations for Improvement presents a summary of the previous conditions and the previous recommendations. Following the recommendations is a summary of the current status as determined in this review. In addition, the Supervisor of the Pretrial Services Unit provided a response to the status reported in our follow-up. This response is incorporated herein.

We appreciate the cooperation of the personnel of the Corrections Department during the course of the audit.

Martha O. Haynie, CPA
County Comptroller

c: Ajit Lalchandani, County Administrator
Timothy P. Ryan, Chief, Orange County Corrections Department

IMPLEMENTATION STATUS OF
PREVIOUS RECOMMENDATIONS
FOR IMPROVEMENT

**FOLLOW-UP OF THE CORRECTIONS DEPARTMENT'S PRETRIAL RELEASE PROGRAM AUDIT
STATUS OF PREVIOUS RECOMMENDATIONS FOR IMPROVEMENT**

NO.	PREVIOUS RECOMMENDATION	IMPLEMENTATION STATUS			
		IMPLEMENTED	PARTIALLY IMPLEMENTED	NOT IMPLEMENTED	NOT APPLICABLE
1.	We recommend the Pretrial Services Unit reviews all new files for proper and complete documentation before filing.	X			
2.	We recommend the Pretrial Services Unit creates a list of defendants released during the month and periodically reconciles this list to the Court Alternatives system's new intakes report.	X			
3.	We recommend the Pretrial Services Unit performs the following:				
A)	Re-evaluate the telephone calling requirements; and	X			
B)	Use actual trial dates of cases to monitor persons released through the Pretrial Release Program.	X			

INTRODUCTION

INTRODUCTION



Follow-Up Audit of the Pretrial Release
Program of the Corrections Department

Scope and Methodology

The audit scope was limited to an examination of the status of the previous recommendations for improvement from the original audit of the Pretrial Release Program of the Orange County Corrections Department issued in April 2000.

To ensure that client files contained a warrant and local criminal history checklist, a charging affidavit and a properly completed interview form, we reviewed a sample of client files to ensure the forms were present.

To determine if documentation on the names of and number of defendants released through the Pretrial Release Program is maintained for each month we reviewed tracking procedures and ensured that the New Intakes report is prepared on a monthly basis.

To determine if the Pretrial Release Program call-in procedures were re-evaluated, we discussed current procedures with the management of the Pretrial Release Program and reviewed the client agency agreement form.

Finally, to determine if the actual trial date of the case was used to monitor felons released through the Pretrial Release Program, we traced a sample of felony cases to the information contained in the Orange County court's database to determine if the trial dates agreed.

**FOLLOW-UP TO PREVIOUS
RECOMMENDATIONS FOR
IMPROVEMENT**



1. The Pretrial Services Unit Should Ensure That All New Files Are Reviewed For Completeness

During our previous review of the Pretrial Release Program files, we noted the following:

- A) Three of the 30 Pretrial Release Program files reviewed did not include a Warrant and Local Criminal History Checklist.
- B) Two files did not contain a copy of the Charging Affidavit and five files contained copies that were too poor to read, although all charges appeared consistent with other documentation in the file.
- C) All 30 files did contain an Interview Form, but two were not complete, as they did not have the verification portion completed.

Pretrial Release Program Directive PTR-03 states that upon releasing a defendant from custody a completed release package should be retained in the Pretrial Release Unit. This package consists of an interview form, a criminal history report, an arrest affidavit, a release form, and a warrant checklist.

We Recommend the Pretrial Services Unit reviews all new files for proper and complete documentation before filing.

Status:

Implemented. All of the 10 Pretrial Release Program files reviewed contained an interview form and the appropriate charging documentation; however, three of the files did not contain a copy of the criminal history printout. The Community Corrections Division Pretrial Release Unit Standard Operating Procedures AM.004-03 section C 1. f. requires the release package to include a criminal history.

The Pretrial Release Services Unit stated that a criminal history printout is not retained in the file by the department



after the case is completed as it contains sensitive information. However, we were informed the Pretrial Release Services Unit maintains documentation in the file that the criminal history was reviewed on a Quality Assurance Checklist or by a notation in the file. Our testing found that the Quality Assurance Checklist was not always present in the files reviewed, although all files contained a notation that the quality assurance was performed. A Quality Assurance Checklist (noting the Criminal History Printout was present) should be prepared for each file.

We Recommend the Pretrial Services Unit include a Quality Assurance Checklist in all files.

Management's Response:

We understand the importance of placing a Quality Assurance form in all Pretrial Release Program files and this is being addressed. Please note however that the files referenced as not containing the Quality Assurance form did contain notations that the Quality Assurance process had been completed.

2. A List Of New Pretrial Release Program Intakes For The Month Should Be Created And Retained

Adequate documentation of new Pretrial Release Program intakes was not retained. When the Staff Assistant made new Pretrial Release Program files during the month, she kept them on her desk for the entire month. At the end of the month, she counted the files and verbally reported the number of new files to the Manager. She then filed them with all of the other active Pretrial Release Program files.

We Recommend the Pretrial Services Unit creates a list of defendants released during the month and periodically reconciles this list to the Court Alternatives system's new intakes report.



Status:

Implemented. Adequate documentation of new intakes is now maintained. The Pretrial Release Program has a procedure that allows them to track and record the number of new cases that were opened during the previous month. All information relating to a client of Pretrial Services Unit is recorded into this system, as such; there is no need to reconcile this report to another system.

3. The Pretrial Services Unit Should Reevaluate Changes Made To Their Reporting And Tracking Systems

During our previous review of case tracking tools utilized by the Community Corrections Division, we noted the following:

- A) The Pretrial Release Program only required calls by a participant to the Pretrial Release Unit to be made once a month if a traffic or misdemeanor offense was committed and twice a month if a felony offense was committed. Prior to the implementation of the BI Profile system in December of 1998, calls were required to be made weekly for any type of offense. The change in the length of time between calls after the implementation of the new system was due to the cost of the calls to the defendants, which can average between \$2 to \$6 per call.
- B) Defendants who are released through the Pretrial Release Program were tracked through the use of expiration dates recorded in the Court Alternative system. This system reflects approximately how long specific cases generally take to get through a court appearance or finalized in some other manner. These dates were different for each type of charge: traffic cases were three months; misdemeanors were six months; and felonies were nine months. As such, cases were tracked by artificial future dates and not by actual dates such as a court date.

**STATUS OF PREVIOUS
RECOMMENDATIONS
FOR IMPROVEMENT**



Follow-Up Audit of the Pretrial Release
Program of the Corrections Department

We Recommend the Pretrial Services Unit performs the following:

- A) Re-evaluate the telephone calling requirements; and
- B) Use actual trial dates of cases to monitor persons released through the Pretrial Release Program.

Status:

- A) Implemented. Management stated the telephone calling requirements have been re-evaluated. Management believes that the current requirements result in a safe and successful monitoring program, which provides more supervision for higher risk offenders.
- B) Implemented. Actual dates are now used to track misdemeanors when they are entered into the system. When a defendant who has committed a felony is released into the Pretrial Release Program, the Pretrial Release Services Unit does not assign a court date, but rather monitors the court system and only enters a date when the Clerk of the Court assigns a court date.

**Exhibit – Management’s
Supplemental Response**

Exhibit – Management’s Supplemental Response



Timothy P. Ryan
Chief
Tel. (407) 836-3164
Fax (407) 836-3523

Corrections Department

3723 Vision Boulevard
Reply To: Post Office Box 4970
Orlando, Florida 32802-4970
Timothy.Ryan@ocfl.net

October 9, 2002

J. Carl Smith, CPA, Director
County Audit
201 South Rosalind Ave.
Orlando, FL 32801

Re: Follow-Up Audit of the Pretrial Release Program of the Orange County Corrections Department

Dear Mr. Smith:

The scope of the follow-up audit was to test the status of the previous Recommendations for Improvement. The follow-up audit was performed for the period January 1, 2002 through February 28, 2002.

As a result of several recommendations from the Jail Oversight Commission (JOC), the Corrections Department will be substantially changing the business practices of the Pretrial Release Unit, beginning October 2002. Currently, the unit staff spend a substantial amount of time screening offenders to determine their eligibility for release under Administrative Order No. 07-98-46-1, which allows the Corrections Department to release qualified inmates without a specific order from the court. As a result of the JOC recommendations, an additional 16 staff were allocated to the Pretrial Release Unit.

Effective October 2002, while continuing to effect the release of inmates court-ordered to Pretrial Release and Home Confinement, the focus will be shifted to gathering and compiling information to provide to the State Attorney, the Public Defender, and the Court to facilitate a more meaningful Initial Appearance for inmates. The JOC recommendations anticipate that the provision of pertinent information to the relevant parties would result in speedier resolution of cases and additional responsible releases from jail. This result is seen as crucial to maintaining a low level of growth in the jail population. The Pretrial Services Unit will continue to follow best business practices in those areas and will seek to develop responsible practices and monitoring systems for the new practices.

The overall evaluation, as a result of the follow-up audit, indicates substantial compliance by the Corrections Department. Compliance and implementation will be initiated where indicated.

I would like to express my sincere appreciation to the Comptroller's Office and specially, the Audit Division, for their cooperative dealing with Corrections.

Sincerely,

A handwritten signature in blue ink that reads "Timothy P. Ryan".

Timothy P. Ryan
Chief of Corrections

c: Chief Carl Plaughter, Acting Director of Public Safety
Major Scott P. Bradstreet, Acting Deputy Chief, OCCD
Dr. Jill Hobbs, Manager, Community Corrections, OCCD
Larry Taylor, Chief Fiscal Officer, OCCD
File