

**STATE OF NEW HAMPSHIRE  
DIVISION OF STATE POLICE  
FIELD OPERATIONS BUREAU**

**PERFORMANCE AUDIT REPORT  
OCTOBER 2010**



*To The Fiscal Committee Of The General Court:*

We conducted an audit of the New Hampshire Department of Safety, Division of State Police, Field Operations Bureau to address the recommendation made to you by the joint Legislative Performance Audit and Oversight Committee. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require 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 the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The purpose of the audit was to determine if the Field Operations Bureau was operating efficiently and effectively. The audit period includes State fiscal years 2009 and 2010.

This report is the result of our evaluation of the information noted above and is intended solely for the information of the Department of Safety, Division of State Police, and the Fiscal Committee of the General Court. This restriction is not intended to limit the distribution of this report, which upon acceptance by the Fiscal Committee is a matter of public record.

October 2010

Office Of Legislative Budget Assistant

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**STATE OF NEW HAMPSHIRE  
DIVISION OF STATE POLICE - FIELD OPERATIONS BUREAU**

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## ABBREVIATIONS

ALS	Administrative License Suspension
Bureau	Field Operations Bureau
CALEA	Commission On Accreditation Of Law Enforcement Agencies
CBA	Collective Bargaining Agreement
CJIS	Criminal Justice Information System
COOP	Continuity Of Operations Plan
D.A.R.E.	Drug Abuse Resistance Education
DMV	Division Of Motor Vehicles
DoIT	Department Of Information Technology
DOS	Department Of Safety
DOT	Department Of Transportation
DRP	Disaster Recovery Plan
FISCAM	Federal Information Systems Control Audit Manual
IACP	International Association Of Chiefs Of Police
IEEE	Institute Of Electrical And Electronics Engineers
ISO	International Standards Organization
IT	Information Technology
LBA	Office Of Legislative Budget Assistant
LPAOC	Legislative Performance Audit And Oversight Committee
MATS	Managing Assets For Transportation Systems
MCSA	Federal Motor Carrier Safety Administration
MOA	Memorandum Of Agreement
NCIC	National Crime Information Center
NCO	Non-Commissioned Officer
P54	Project 54
PAM	Police Allocation Manual
PSC	Professional Standards Of Conduct
SFY	State Fiscal Year
SPOTS	State Police Online Telecommunication System
SSN	Social Security Number
State Police	Division Of State Police
UNH	University Of New Hampshire
WLAN	Wireless Local Area Network

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**STATE OF NEW HAMPSHIRE  
DIVISION OF STATE POLICE - FIELD OPERATIONS BUREAU**

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**SUMMARY**

Purpose And Scope Of Audit

This audit was performed at the direction of the Fiscal Committee of the General Court consistent with the recommendation of the joint Legislative Performance Audit and Oversight Committee. It was conducted in accordance with generally accepted government auditing standards applicable to performance audits. The purpose was to assess the efficiency and effectiveness of the Division of State Police (State Police), Field Operations Bureau. The audit period is State fiscal years 2009 and 2010.

Background

The State Police was established by the Legislature in July 1937 to patrol State highways, enforce highway and motor vehicle laws, enforce criminal laws, and execute arrest warrants. The State Police has primary jurisdiction in towns with a population of less than 3,000 residents without a police force, shared jurisdiction in other towns with less than 3,000 residents, and primary jurisdiction on all turnpikes and interstate highways. In 1961, the Department of Safety (DOS) was created, incorporating the State Police as one of its divisions.

RSA 21-P:7 establishes the State Police under an unclassified Director responsible for: enforcing State criminal, motor vehicle, hazardous waste, and other public safety laws; issuing nonresident pistol permits; regulating detective agencies and security services; providing forensic science laboratory services; and approving professional conduct standards. RSA 106-B:12 establishes State Police employees as “ex-officiis” constables throughout the State and requires they patrol State highways, enforce highway traffic laws and regulations, enforce motor vehicle laws and regulations; and authorizes them to enforce all criminal laws, serve criminal processes, and make arrests under proper warrants in all counties. RSA 106-B:11 requires the State Police cooperate and exchange information with other law enforcement agencies, internal and external of the State, including federal authorities when preventing and detecting crime, apprehending criminals, and detecting and stopping vehicles transporting hazardous materials contrary to regulations.

RSA 106-B:4 requires the State Police Director hold the rank of Colonel and requires the State Police to have no less than one major, two field officers with the rank of Captain, six Troop Commanders with the rank of Lieutenant, six Assistant Troop Commanders with the rank of Sergeant, and six Corporals-at-large.

*Field Operations Bureau*

The Bureau provides uniformed patrol and Troop-level investigative services statewide and accounts for the majority of the State Police sworn personnel with 309 (as of August 2010) positions out of a total of 325 sworn personnel within the State Police. State Police Troopers may carry out law enforcement functions when they observe a violation of the law; are in pursuit of an investigation; or are asked to assist by local authorities, the Attorney General, or the Governor. The Bureau’s primary function is to provide motor vehicle enforcement, criminal

deterrence patrol, and assist in criminal investigations. The Department of Health and Human Services' New Hampshire Hospital Police Force and the Division of Motor Vehicles' Highway Patrol and Enforcement Bureau were transferred to the State Police in January 2005 and February 2008, respectively.

The Bureau maintains seven Troop stations throughout the State and is administered by the Bureau Commander who reports to the Executive Major and the State Police Director. Each Troop consists of between 26 and 65 personnel and is overseen by a Troop Commander and an Assistant Troop Commander. Troops also include investigative personnel depending on the level of criminal activity in the Troop's geographic area. Troops are supervised by Field Captains, who are each responsible for supervising two stations, with the exception of the Field Captain solely responsible for Troop G.

### Results In Brief

Management controls are a system implemented to provide reasonable assurance an agency's goals are met. A system of management controls, including the control environment, risk assessment, control activities, information and communication, and monitoring, significantly impact the Bureau's ability to achieve its mission. We found the Bureau lacked adequate controls exposing it to risk in numerous areas of its operations. Our report presents 21 observations and recommendations where the Bureau could improve its efficiency and effectiveness. One observation and recommendation may require Legislative action.

We found the State Police lacked a strategic plan articulating its mission, goals, and objectives, which inhibited its ability to gauge the effectiveness of its activities on its core responsibilities. Inadequate and nonintegrated information systems, fed by inaccurate and incomplete data, were incapable of informing deployment decisions and did not support management assessment of whether activities contributed to the accomplishment of its mission. Further, the State Police had not conducted a risk assessment to identify internal and external risks, nor did it have a finalized continuity of operations plan or an incident command system, exposing it to further risk in the event of a disaster.

We found State Police policies and oversight of off-duty Court attendance and extra duty details were inadequate and inconsistent, resulting in policy violations, while bifurcated information technology management controls resulted in no single point of accountability over basic management responsibilities.

We found opportunities for State Police personnel to be used more efficiently and effectively. We found Troopers spent an average of seven hours of on-duty time per week on patrol; Sergeants spent 53 percent of on-duty time on administrative functions, some of which could be performed by civilian personnel, retirees, or auxiliary Troopers; and personnel in Troop G performed functions not directly related to commercial vehicle law enforcement. We also found a narrow span of control, duplication of responsibilities, and multiple layers of management within the State Police, inhibiting effective communication and efficient use of personnel. The State Police has also not reviewed personnel needs since the late 1990s and Troop and patrol boundaries have remained relatively unchanged in the past 30 years. Periodically reviewing

personnel needs and aligning them with workload and customer expectations could allow the State Police to more effectively deploy its resources.

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**RECOMMENDATION SUMMARY**

<b>Observation Number</b>	<b>Page</b>	<b>Legislative Action Required</b>	<b>Recommendation</b>	<b>Agency Response</b>
1	23	No	Establish span of control guidelines, reassess responsibilities of certain management personnel to reduce redundancy, determine whether the Corporal rank is needed, and update Administrative Rules to reflect the current organizational structure.	<u>State Police:</u> Concur
2	26	No	Consider dispersing Troop G personnel into other Troops. Determine whether to continue performing non-commercial motor vehicle related functions, combine safety and weight inspections, and incorporate the Pupil Transportation Program into the existing inspection program.	<u>State Police:</u> Concur In Part
3	29	No	Periodically review Troop and patrol areas and develop criteria for establishing Troop boundaries, patrol areas, and the optimal number of personnel for each Troop. Work with local police departments to determine adequate coverage.	<u>State Police:</u> Concur In Part
4	32	No	Consider transferring some administrative functions to civilian personnel, amend Administrative Rules to incorporate the Pupil Transportation Program into the existing inspection program, and utilize retired law enforcement or auxiliary Troopers to support administrative functions.	<u>State Police:</u> Concur In Part
5	37	No	Conduct risk assessment to improve operational controls, efficiency, and effectiveness.	<u>State Police:</u> Concur
6	40	No	Establish a formal process to review off-duty Court Certifications prior to reimbursement, including a method to obtain third-party verification of Trooper Court attendance.	<u>State Police:</u> Concur

Recommendation Summary

Observation Number	Page	Legislative Action Required	Recommendation	Agency Response
7	42	No	Review off-duty Court attendance policy and Collective Bargaining Agreement to ensure efficient utilization of public resources. Ensure Troopers comply with the policy prohibiting negotiations within ten days of trial or update it.	<u>State Police:</u> Concur
8	43	No	Review whether case mediation and case stacking have achieved intended results in each Troop. Monitor and review the costs and benefits of the programs statewide.	<u>State Police:</u> Concur
9	46	No	Ensure Troopers apply current motor vehicle fines and provide motorists with the correct fine schedule.	<u>State Police:</u> Concur
10	47	No	Strengthen controls over the review of extra duty detail vouchers by ensuring Troopers understand the policy, accurately record information, and obtain approval for exceptions to the policy.	<u>State Police:</u> Concur
11	49	No	Review and revise the extra duty detail policy which allows Troopers to work more than the permitted 16 hours within a consecutive 24-hour period. Ensure the policy is aligned with the State Police mission, considers all time worked by Troopers, and eliminates inconsistencies.	<u>State Police:</u> Concur
12	52	No	Establish procedures to ensure payroll documents include the Troopers' signatures.	<u>State Police:</u> Concur
13	53	No	Provide training on weekly duty reports and establish review and authorization processes for weekly duty reports and payroll documents.	<u>State Police:</u> Concur

Observation Number	Page	Legislative Action Required	Recommendation	Agency Response
14	56	No	Establish patrol requirements for Troopers and Sergeants, review tasks to identify and prioritize essential activities, and review processes to eliminate duplicative or time consuming activities. Automate weekly duty reporting and improve the accident reporting system. Implement an integrated records management system.	<u>State Police:</u> Concur
15	60	No	Finalize continuity of operations plans. Test, validate, revise, and implement the plans agency-wide. Develop, test, and implement an incident command system.	<u>State Police:</u> Concur
16	61	No	Establish an information technology (IT) governance framework, develop a strategic IT plan and execute a memorandum of agreement with the Department of Information Technology. Maintain a complete IT inventory and system topologies; implement an IT disaster recovery plan; implement intrusion response plans, policies, and procedures; and institutionalize logging and audit trail capabilities. Timely address federal State Police Online Telecommunication System (SPOTS) audit findings and update and enforce IT-related policies.	<u>State Police:</u> Concur In Part  <u>DoIT:</u> Concur In Part
17	66	No	Designate an information security manager, conduct risk assessment, and take the lead in information security planning. Develop comprehensive agency-wide information security and supporting facility plans.	<u>State Police:</u> Concur  <u>DoIT:</u> Concur In Part

Observation Number	Page	Legislative Action Required	Recommendation	Agency Response
18	72	No	Require background investigations be conducted to the State Police standard prior to granting SPOTS access and establish reinvestigation frequency. Review access rosters, discontinue using generic accounts, and train backup personnel. Centralize account management, background investigations, and security management within the State Police; and develop written policies and procedures.	<u>State Police:</u> Concur In Part  <u>DoIT:</u> Concur In Part
19	77	No	Establish terms and conditions of the State Police-University of New Hampshire relationship regarding Project 54 (P54) and develop a project plan. Fully implement P54, establish written user policies, develop and implement a business continuity plan, and develop an assessment mechanism.	<u>State Police:</u> Concur  <u>DoIT:</u> Concur
20	83	Yes	Integrate information systems statewide, establish interoperability standards, and incorporate criteria into information systems to improve information and communications management. Consider assigning an interoperability coordinator and work with the Legislature to develop statutory language to codify the function within the Department of Safety.	<u>State Police:</u> Concur
21	87	No	Establish output and outcome performance measures consistent with a strategic plan, and the State Police and Bureau mission, goals, and objectives. Develop Trooper job performance evaluations based on these measures.	<u>State Police:</u> Concur



**STATE OF NEW HAMPSHIRE  
DIVISION OF STATE POLICE - FIELD OPERATIONS BUREAU**

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**OVERVIEW**

In January 2010, the Fiscal Committee of the General Court approved the joint Legislative Performance Audit and Oversight Committee's (LPAOC) recommendation for a performance audit of the Department of Safety (DOS), Division of State Police (State Police), Field Operations Bureau (Bureau). The purpose of the audit was to determine whether the Bureau is operating efficiently and effectively. The LPAOC approved the audit scope in January 2010.

**SCOPE, OBJECTIVES, AND METHODOLOGY**

Scope And Objectives

Our audit sought to answer the following question: **Is the Division of State Police, Field Operations Bureau, operating efficiently and effectively?** To address this question the audit focused on the functions of the Bureau for State fiscal years (SFY) 2009 and 2010. Our efforts examined:

- whether the Bureau's current organizational and management structures were efficient and effective;
- whether resource allocation within the Bureau (including staff deployment and utilization, use of physical resources, and Bureau funding) was effective and efficient;
- the organizational structure of other states performing similar statewide law enforcement functions; and
- whether the Bureau effectively and efficiently integrated information technology (IT) into its operations.

Methodology

In conducting our audit work, we employed the following methods to address our audit objectives. To gain a general understanding of the role of state police organizations, we:

- Reviewed other states' state police responsibilities, organization, and information technology through a website review of 48 state police forces and audits of other state police field operation organizations.
- Surveyed and followed up with six comparable states to compare State Police functions, responsibilities, and practices to states with similar population density, urban/rural composition, and responsibilities such as providing primary law enforcement in certain locations and enforcing commercial vehicle/motor carrier laws. We also reviewed responses from these six states regarding organizational structure, levels of supervision, and span of control. Our survey return rate was 100 percent.
- Reviewed police allocation and staffing models, law enforcement IT, and continuity of operations plans, as well as best practice for span of control, management control,

performance measures, and state police organizational structures; we reviewed best practice and comparable state practices for extra duty details, staff responsibilities, and patrol boundaries.

To better understand the roles and responsibilities of the Bureau, we:

- Reviewed State laws, as well as the State Police website, Administrative Rules, policies, procedures, professional standards of conduct, annual reports, personnel documents, organizational charts, supplemental job descriptions, class specifications, and vision and mission statements.
- Interviewed DOS, State Police, and Bureau management, as well as Troop-level personnel to determine the Bureau's organizational structure, operating practices, implementation of Bureau policies, integration and role of Troop G, and performance measures currently utilized by the Bureau to measure Trooper activity and outcomes.
- Reviewed the New Hampshire Troopers' Association Collective Bargaining Agreement 2007-2009.
- Documented internal processes for completing and submitting weekly duty reports, issuing citations, requesting extra duty details, completing extra duty detail vouchers, recording Court and administrative hearing attendance, and assigning patrol areas.

To identify strengths, weaknesses, and risks in the Bureau, we:

- Reviewed and analyzed the Bureau's source of funds and expenditures, including individual Trooper off-duty Court and extra duty detail compensation.
- Reviewed Trooper weekly duty reports, off-duty Court attendance certifications, and extra duty detail vouchers for 28-day periods from three of seven Troops to assess management controls, as well as the amount of off-duty time Troopers spent in Court, and Trooper and Sergeant time allocated to patrol and administrative duties. We selected one Troop with high motor vehicle activity, one Troop with high criminal activity, and one Troop with varied motor vehicle and criminal activity.
- Reviewed types of details performed and randomly selected invoices submitted to companies requesting details to assess controls over the process.
- Reviewed the Court mediation program and interviewed Troop personnel to determine whether the program has achieved its intended purpose.
- Conducted an e-mail survey of law enforcement agencies in 55 randomly selected localities in the State to obtain opinions regarding satisfaction with State Police coverage, support, and IT issues. We received 40 completed surveys, resulting in a 73 percent return rate.
- Reviewed supplemental job descriptions, class specifications, and internal documents outlining sworn personnel administrative responsibilities; interviewed Bureau personnel; reviewed other states' audits; and surveyed other states to identify areas for potential civilianization.

- Obtained an inventory of IT hardware and software, reviewed IT policies and procedures, compared State Police practices to best practice, and reviewed management controls over key operating systems.
- Interviewed State Police management, Department of Information Technology staff and management, and Bureau personnel to assess utilization of, and controls over, IT systems.
- Reviewed state-of-the-art technology available to the State Police and compared to technology currently utilized by the State Police.
- Reviewed State Police operating systems; conducted a review of physical and logical access to the State Police Online Telecommunication System and server rooms; and completed a risk assessment based on best practice, federal and State standards, and current IT trends.

## **BACKGROUND**

The New Hampshire State Police was established by the Legislature in July 1937 to patrol State highways, enforce highway and motor vehicle laws, enforce criminal laws, and execute arrest warrants. It has primary jurisdiction in towns with a population of less than 3,000 residents without a police force, shared jurisdiction in other towns with less than 3,000 residents, and has primary jurisdiction on all turnpikes and interstate highways. In 1961, the Department of Safety was created, incorporating the State Police as one of its divisions.

RSA 21-P:7 establishes the State Police under an unclassified director responsible for: enforcing State criminal, motor vehicle, hazardous waste, and other public safety laws; issuing nonresident pistol permits; regulating detective agencies and security services; providing forensic science laboratory services; and approving professional conduct standards. RSA 106-B:12 establishes State Police employees as “ex-officiis” constables throughout the State and requires they patrol State highways, enforce highway traffic laws and regulations, enforce motor vehicle laws and regulations, and authorizes them to enforce all criminal laws, serve criminal processes, and make arrests under proper warrants in all counties. RSA 106-B:11 requires the State Police cooperate and exchange information with other law enforcement agencies, internal and external to the State, including federal authorities when preventing and detecting crime, apprehending criminals, and detecting and stopping vehicles transporting hazardous materials contrary to regulations.

RSA 106-B:4 requires the State Police Director hold the rank of Colonel and requires the State Police to have no less than one major, two field officers with the rank of Captain, six Troop Commanders with the rank of Lieutenant, six Assistant Troop Commanders with the rank of Sergeant, and six Corporals-at-large.

## Field Operations Bureau

The Field Operations Bureau provides uniformed patrol and Troop-level investigative services statewide and accounts for the majority of the State Police sworn personnel with 309 positions, 28 of which were vacant (as of August 2010) out of a total of 325 sworn personnel within the State Police. The Bureau also employs 37 full-time, five part-time, and six temporary civilian personnel. State Police Troopers may carry out law enforcement functions when they observe a violation of the law; are in pursuit of an investigation; or are asked to assist by local authorities, the Attorney General, or the Governor. The Bureau's primary functions are to provide motor vehicle enforcement, criminal deterrence patrol, and criminal investigation. The Department of Health and Human Services' New Hampshire Hospital Police Force and the Division of Motor Vehicles' (DMV) Highway Patrol and Enforcement Bureau were transferred to the State Police in January 2005 and February 2008, respectively.

The Bureau maintains seven Troops with one Troop each in Epping, Bedford, Keene, Tamworth, and Twin Mountain and two Troops in Concord. The Bureau is administered by the Bureau Commander (Major) who reports to the Executive Major and the State Police Director. Both the Executive Major and the Director positions experienced turnover during the audit period. The Executive Major position has been vacant since May 2010. The current State Police Director officially took office on April 1, 2010, replacing the previous Director who held the position for six years. Each Troop consists of between 26 and 65 personnel and is administered by a Troop Commander holding the rank of Lieutenant, and an Assistant Troop Commander holding the rank of Sergeant. Troops also include investigative personnel depending on the level of criminal activity in the Troop's geographic area. Troops are supervised by Field Captains, each responsible for supervising two Troops, with the exception of the Field Captain who is responsible solely for the Troop performing commercial vehicle enforcement.

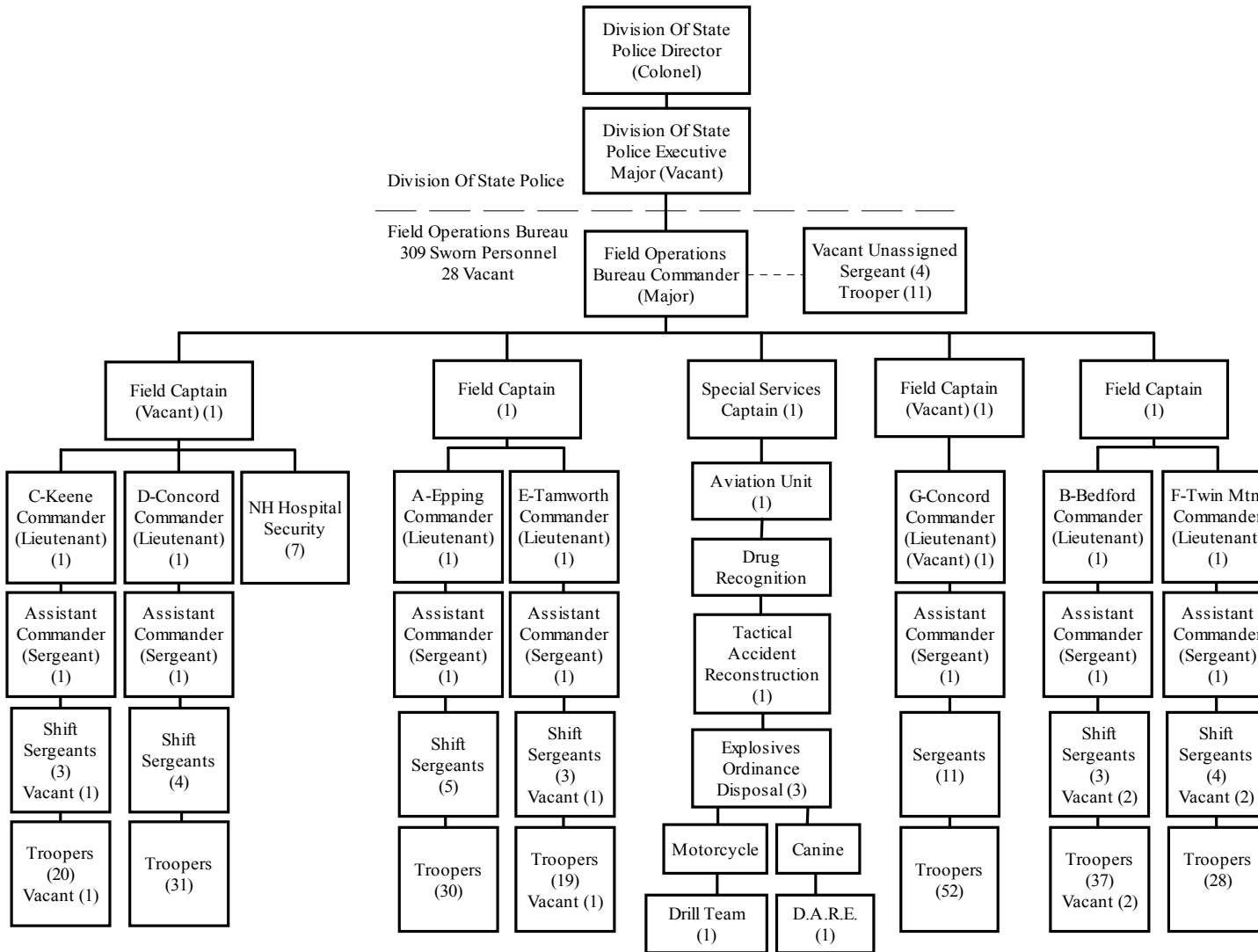
### *Organizational Structure*

As depicted in Figure 1, the State Police and Bureau structure contains six levels of sworn management personnel between Troopers and the Director. Troopers report directly to their shift Sergeant who is responsible for daily supervision of the Trooper's activities. Shift Sergeants review Troopers' weekly activity, accident, arrest, and investigation reports; supervise Troopers while they are on patrol; and conduct Trooper performance evaluations. Shift Sergeants supervise between four and nine Troopers. Troop A has the highest ratio of Troopers to Sergeants, while Troop E has the lowest.

Shift Sergeants report to the Assistant Troop Commander, a Sergeant with enhanced responsibility and pay. The Assistant Troop Commander is responsible for supervising Shift Sergeants, Trooper discipline, scheduling, and assuming the responsibilities of the Troop Commander in his or her absence. Depending on the Troop, Assistant Troop Commanders supervise between four and 11 Sergeants. The Assistant Troop Commander reports to the Troop Commander holding the rank of Lieutenant. Troop Commanders are responsible for daily operations of the Troop, establishing and maintaining relationships with local police departments in their geographic area, coordinating patrol and investigative activities in their geographic areas,

**Figure 1**

**Field Operations Bureau Sworn Personnel Organizational Chart,  
As Of August 2010**



Source: LBA analysis of Bureau-provided personnel information.

and Trooper discipline. Each Troop Commander supervises the Troop's civilian staff and one Assistant Troop Commander.

Troop Commanders report to a Field Captain who is responsible for offering guidance, resolving personnel issues, reviewing pursuit and use-of-force reports, fostering good relationships with chiefs of police and county attorneys in their district, coordinating multi-agency enforcement efforts, reviewing subordinates' performance, and acting as a liaison to elected officials in their area. Field Captains report to the Bureau Commander, who holds the rank of Major.

The Bureau Commander directs field operations, coordinates multi-agency enforcement efforts, supervises Troop Commanders, reviews subordinate and Bureau performance, and directs special service units. Special service units are comprised of sworn personnel who are assigned to Troop stations across the State but have additional duties within a special unit. One Field Captain oversees the New Hampshire Hospital Security Unit, which provides police coverage to the New Hampshire Hospital and State Office Park - South Campus and assists with managing community benefits and special events on campus, while the Special Services Captain supervises the remainder of the special service units. Special units include the:

- Explosives Ordinance Disposal Unit, which provides explosives disposal assistance to federal, State, and local law enforcement agencies, as well as fire departments.
- Canine Unit, which is comprised of Troopers and working dogs specially trained and certified to conduct drug, cadaver, and explosives detection.
- Technical Accident Reconstruction Unit, which examines and analyzes complex motor vehicle collisions to determine the pre-impact speed of the vehicle, relationship of vehicles prior to a collision, and vehicle defects contributing to the collision. The Unit also conducts forensic mapping of collision scenes.
- Special Enforcement Unit, which provides support to public safety operations such as traffic monitoring through aircraft, marked cruisers, and unmarked cruisers; drug surveillance; searching for missing and wanted individuals; and aerial photography.
- Motorcycle Unit, which conducts traffic enforcement in areas with heavy traffic volume or high accident rates.
- Drug Recognition Unit, which detects drivers impaired by alcohol and drugs through standardized breath, psychophysical, and eye tests; checking vital signs; and interviewing the arresting officer.
- Drug Abuse Resistance Education Program (D.A.R.E.), which provides kindergarten through high school students with information on drugs, gangs, violence, and the consequences of becoming involved in high-risk behavior.
- Drill Team, which provides Honor Guard and Color Guard details at parades and ceremonies.

The Bureau Commander reports to the Executive Major and State Police Director. The Executive Major oversees State Police operations on behalf of the Director; reviews and comments on proposed State Police rules, regulations, and procedures; coordinates supervisory authority within the State Police; reviews personnel evaluations; resolves personnel issues; and advises the administration on existing or potential problems. The Executive Major reports to the State Police Director, holding the rank of Colonel.

The State Police Director oversees all aspects of State Police operations including enforcement of criminal, motor vehicle, and other public safety laws. The Director oversees the three Bureaus: Field Operations, Investigative Services, and Support Services, as well as the Forensic Laboratory, Executive Security Unit, and the Professional Standards Unit.

### *Commercial Vehicle Enforcement*

Troop G performs commercial vehicle enforcement throughout the State through four functional sections: Driver Licensing Task Force, Field Operations, Motor Carrier Enforcement, and Special Services. The Driver Licensing Task Force is assigned to the DMV and is responsible for issuing operator, motorcycle, and commercial driver licenses. Troopers administer commercial vehicle and school bus road tests, oversee the State's school bus industry by ensuring all school bus drivers and their equipment meet minimum State and federal requirements, conduct semi-annual school bus safety inspections, and conduct semi-annual audits of licensed school bus drivers. Task Force personnel also oversee the Driver Education Program by conducting compliance audits of certified driver education instructors and attending driver education courses to ensure all policies and procedures are followed.

The Field Operations Section is responsible for detecting, arresting, or prosecuting individuals violating commercial motor vehicle and criminal laws and Administrative Rules. Troopers monitor, investigate, and enforce laws and rules pertaining to auto dealerships, safety inspection stations, and safety inspectors. They also oversee classroom instruction and examination of certified auto safety inspectors. Field Operations Section Troopers are also responsible for examining salvaged vehicles, locating and retrieving driver's licenses and registration plates of drivers whose driving privileges have been suspended or revoked, locating and serving notice to habitual offenders, examining commercial vehicles seeking certification to carry additional weight on State roads, and providing backup for other agencies as needed. The Section also maintains specialized teams to conduct mechanical examinations of vehicles; reconstructs accident at motor vehicle crashes resulting in a fatality or serious personal injury; and detects, apprehends, and prosecutes aggressive drivers.

The Motor Carrier Enforcement Section is comprised of Troopers, certified by the federal Department of Transportation, Motor Carrier Safety Administration (MCSA), who ensure commercial vehicles traveling through New Hampshire comply with federal motor carrier requirements. The Section is divided into three teams: Border, New Entrant, and Weigh Team. Border Team Troopers work closely with federal, State, and local law enforcement to maintain safety and security along the Vermont, Massachusetts, Maine, and Canadian borders. Troopers conduct federal motor carrier safety inspections and gross vehicle weight checks, and utilize canine units to assist in identifying and eradicating explosive materials and illegal drugs. The

New Entrant Team administers the New Entrant Safety Assurance Program mandated by the MCSA. Troopers conduct safety audits and compliance reviews to ensure new motor carrier companies are in compliance with the federal motor carrier safety rules and regulations, provide educational and technical assistance to new entrants, and gather safety data required to assess the new entrant's safety performance and adequacy of basic management safety controls. Weigh Team Troopers are responsible for enforcing maximum allowable weight limits on State roads and bridges. The Team uses the fixed weigh scale facility located in Windham and portable scales to check compliance with weight limits statewide.

Troop G Special Services Section provides criminal investigative services to the DMV. The Section works with the New Hampshire Departments of Justice and Insurance and the United States Attorney's Office, Immigration and Customs Enforcement, and Diplomatic Security Service to investigate fraud relating to the illegal use of New Hampshire addresses to obtain a driver's license, vehicle registration, or title. The Special Services Section investigates allegations of residency, registration, title, and odometer fraud; identity theft related to using a false name when filing DMV documents; vehicle identification number cloning; and theft by deception when selling or distributing a motor vehicle.

*Source Of Funds And Expenditures*

In SFY 2009, the Bureau expended approximately \$41.5 million on operations and received approximately \$42.1 million in revenue and transfers from other agencies. In SFY 2010, the Bureau expended approximately \$41.7 million and received approximately \$42.1 million in revenue and transfers from other agencies. Table 1 shows the Bureau's financial information for SFYs 2009 and 2010.



Table 1

**State Police Source Of Funds And Expenditures,  
SFYs 2009 And 2010**

<b>Source Of Funds</b>	<b>SFY 2009</b>	<b>SFY 2010</b>
Federal	\$2,500,031	\$1,652,757
Transfers From Other Agencies		
Highway Safety Agency	\$ 249,453	\$ 309,961
Department Of Corrections	82,261	48,397
Department Of Transportation (DOT)	189,285	212,380
Legislative Branch	33,400	33,400
Department Of Administrative Services	16,600	16,600
Department Of Safety, Bureau Of Emergency Communications	0	64,380
Department Of Safety	62,160	0
Other Sources Of Funds <sup>1</sup>	5,937	110,578
Transfers From DOT (Highway And Turnpike)	35,289,590	34,621,195
Revolving Funds	185,092	493,604
Private Local Funds	3,537,990	4,604,070
General Fund	15,048	0
Agency Income	0	27,833
<b>Total Source Of Funds</b>	<b>\$42,166,847</b>	<b>\$42,195,155</b>
<b>Expenditures</b>	<b>SFY 2009</b>	<b>SFY 2010</b>
Personal Services – Permanent	\$20,372,912	\$19,589,359
Personal Services – Part-Time	2,152,947	2,812,092
Personal Services – Temporary	638,973	162,130
Benefits	10,090,273	10,383,923
Overtime	1,530,956	1,666,565
Holiday Pay	761,564	748,355
Current Expense	1,993,822	2,681,000
Equipment	1,532,412	2,438,168
Other Expenditures <sup>2</sup>	2,417,626	1,289,714
<b>Total Expenditures</b>	<b>\$41,491,485</b>	<b>\$41,771,306</b>
Notes:		
<sup>1</sup> “Other Sources Of Funds” include 11 agencies transferring \$10,000 or less into State Police revenue accounts and services for localities.		
<sup>2</sup> “Other Expenditures” include rents and leases, utilities, maintenance, organizational dues, transfers to general services, indirect costs, audit fund, consultants, training, travel, and contracts.		
Source: LBA analysis of unaudited State Police financial data.		

### *Information Technology*

Bureau activities depend on an aging IT infrastructure, which pervades State Police operations. The Bureau relies on systems managed by other components of the State Police, the DOS, the Department of Information Technology (DoIT), and the University of New Hampshire (UNH), including communications and computer-aided dispatch systems, a payroll system, a detail management system, Project 54 (P54), and federal systems supporting Uniform Crime Reporting through the State Police Online Telecommunication System (SPOTS). The DOS reported transferring over \$14.5 million to the DoIT during the audit period for IT services for the Commissioner's Office and the Divisions of Administration, Motor Vehicles, and State Police during the audit period. Details on State Police- or Bureau-specific IT transfers were not available. According to State Police-provided inventories, nearly 1,100 personal computers, including 394 P54 computers, and 10 major systems, including SPOTS, P54, and office productivity and email file servers, supported daily field operations.

Information is needed Bureau-wide to achieve agency objectives. Effective IT management assures useful, secure, reliable, and continuous communications. The Bureau deals with sensitive personal information daily. The State Police exchanges data between the State's law enforcement community, other states, and other federal law enforcement agencies daily. The Federal Bureau of Investigation plays a role in establishing policies for sharing criminal justice information, in part through the Criminal Justice Information System security agreement, to which the State Police must conform as it holds primary system responsibility for the State. SPOTS is a secure network deployed statewide, providing access to crime data nationwide which includes wanted persons, missing persons, stolen vehicles and guns, protection orders, and records of sexual offenders and their whereabouts.

P54 is an information and communication system designed to create a pervasive computing environment within police vehicles where law enforcement can exchange information and interact with computers and other electronic devices, hands-free and eyes-off. P54 was developed at the UNH Consolidated Advanced Technologies Laboratory with the DOS and integrates law enforcement vehicle electronics using a user-speech interface to integrate in-vehicle electronic devices and provide data or verbal communication. P54 permits Troopers on patrol to utilize portable laptop and fixed on-board computers to check licenses, registrations, active warrants, and other information, and to relay information to headquarters or between mobile units. P54 can provide access to SPOTS through a digital two-way radio, reducing the need to talk to a dispatcher who would look up requested data and relay it back to the car via voice radio transmission. Driver and vehicle records data are carried on-board for access as needed, and can be updated wirelessly at numerous access points at anytime throughout the State.

### Management Control

Management control is a major part of managing an organization. Management control is a series of actions and activities occurring continually throughout an organization. Management controls includes the plans, methods, and procedures used to meet missions, goals, and objectives. Management controls also safeguard assets and help in preventing and detecting errors and fraud. Controls provide reasonable assurance agency objectives are being achieved, operations are efficient and effective, financial reporting is reliable, and applicable laws and regulations are

followed. The five standards of management controls are: control environment, risk assessment, control activities, information and communication, and monitoring. The standards are applicable for the State Police in each category.

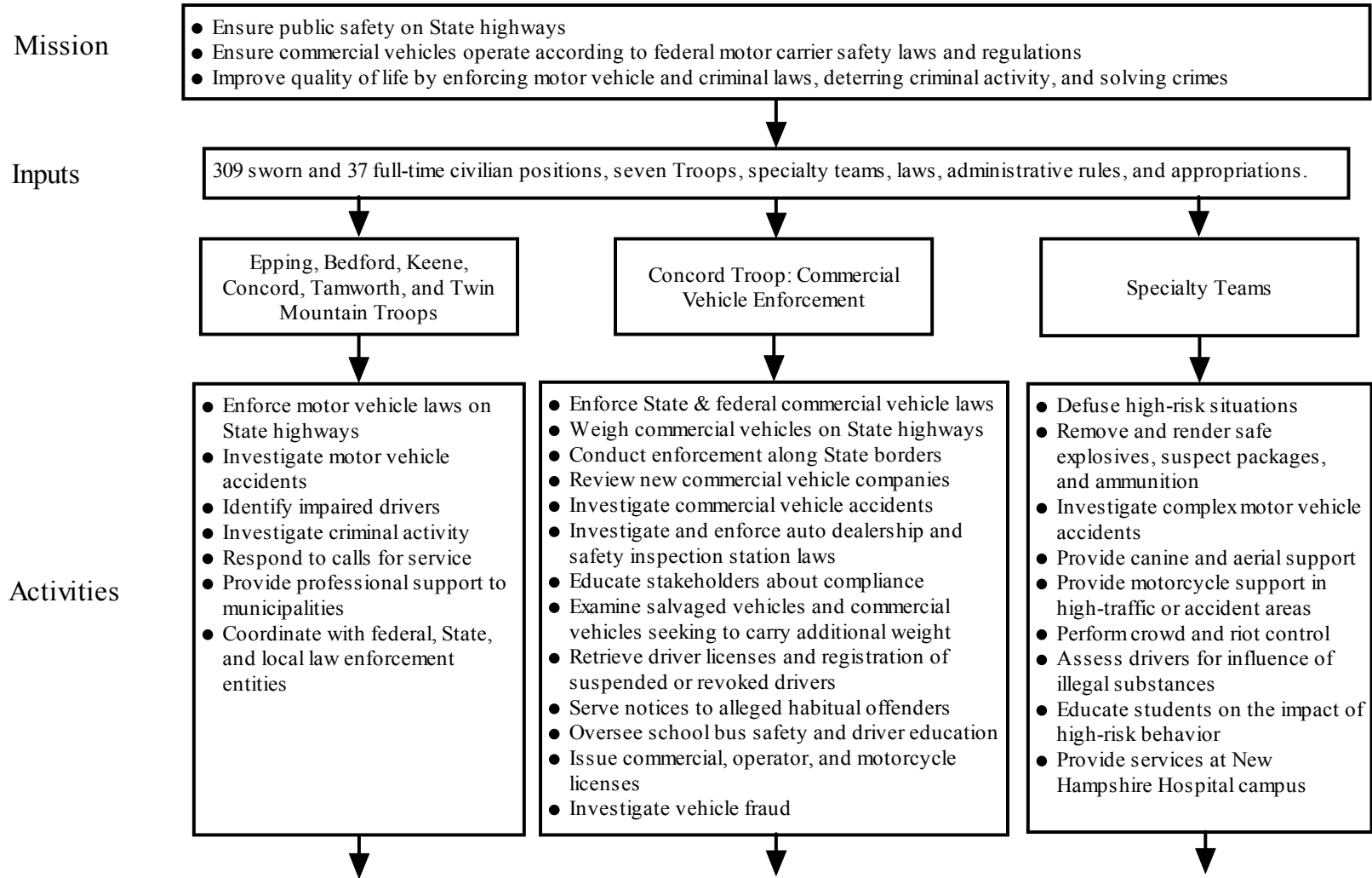
### Logic Model

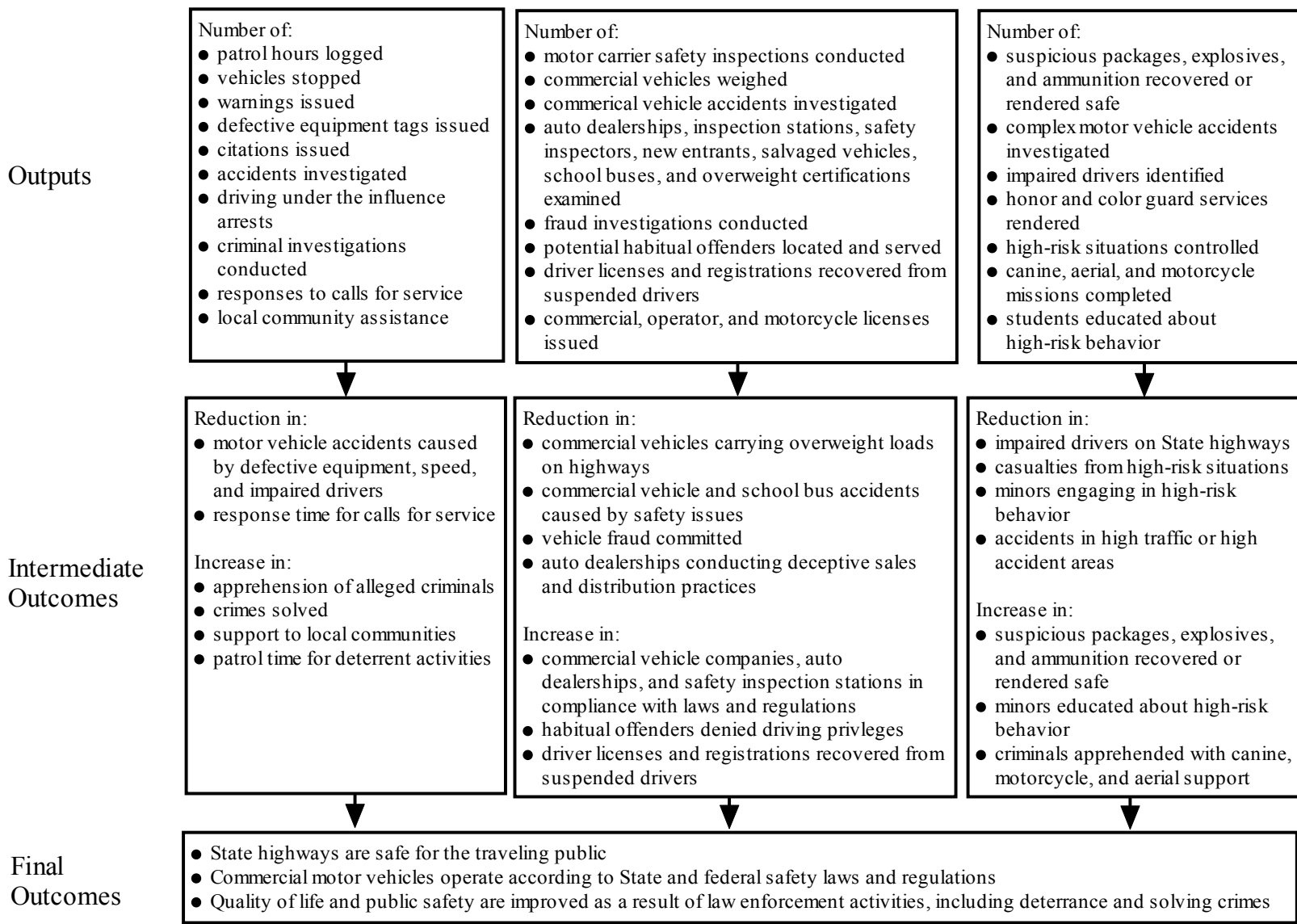
The logic model in Figure 2 presents how Bureau objectives are intended to connect significant program goals and their activities with outputs and outcomes. Logic models are presented as flow charts describing programs, to facilitate understanding the intended causal relationships between activities, outputs, and outcomes. The flow chart illustrates how a program intends to solve identified problems. Individual program activities, outputs, and outcomes are arranged in rows. Relationships between the various activities, outputs, and outcomes are arranged vertically according to the sequential flow of program logic. The arrows linking the program elements signify the intended flow of the program.

The starting point for the logic model is the Bureau's mission. Activities describe what the Bureau does to produce outputs. Outcomes are what the Bureau hopes to change via its activities. Therefore, outcomes, or the intended impact of the Bureau's activities, should be linked to the mission.

**Figure 2**

**LBA Logic Model Of Field Operations Bureau Activities**





Source: LBA analysis of Bureau information.

### Significant Achievements

Performance auditing by its nature is a critical process, designed to identify weaknesses in past and existing practices and procedures. Noteworthy management achievements related to the scope of the audit are included here to provide appropriate balance to the report. Significant achievements are considered practices, programs, or procedures that evidence indicates are performing above and beyond normal expectations.

Historically, new State Police Troopers served in all Troops statewide during their first year of service, resulting in per diem expenses for meals when away from home. During the audit period, the State Police assigned ten Troopers directly to their permanent Troop patrol instead of following historical practice, saving approximately \$6,150 per Trooper in per diem costs, for an aggregate savings of approximately \$61,500. The State Police also purchased used communication shelters, devices used to protect communication equipment from damage, in lieu of new, saving \$103,500.

The State Police began purchasing pre-screened warranted canines instead of accepting donated animals. Transitioning donated animals into police working dogs was a lengthy process, often involving hundreds of hours just to select a candidate. Donated animals often had behavioral or motivational issues which ultimately rendered them unsuitable for police work. Upon selection, a costly medical screening followed, but many donated animals reportedly failed the medical screening. Of those canines completing both the selection and medical screening, many could not complete the Canine School due to stress and the selection process would start over. Purchased animals have reportedly led to a more successful Canine Unit. Purchased canines are selected and bred as working dogs, put through a stressful screening process, and are raised as working dogs. They have been exposed to many different environmental settings and constantly screened as they grow. Purchased canines are also guaranteed healthy and replaced at no cost should they fail State Police training or a health-related deficiency appears in the first year. The State Police was unable to quantify any savings realized or increases in efficiency of the Canine Unit as a result of these changes.

**STATE OF NEW HAMPSHIRE  
DIVISION OF STATE POLICE - FIELD OPERATIONS BUREAU**

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**CONTROL ENVIRONMENT**

A positive control environment provides discipline and structure as well as a climate which influences the quality of management control. An agency's organizational structure provides the framework for planning, directing, and controlling operations to achieve objectives. Several factors affect the control environment including integrity and ethical values which must be maintained and demonstrated by management and staff. Management must also demonstrate a positive attitude and philosophy towards information systems, accounting, personnel functions, monitoring, audits, and operation evaluations. Another factor affecting the control environment is management's commitment to competence, ensuring personnel are trained, have the appropriate knowledge and skills for their position, and possess the proper authority and decision-making responsibility. Finally, agencies must institute appropriate hiring, orienting, training, evaluation, counseling, promotion, compensation, and disciplinary practices, as well as provide appropriate levels of supervision.

We found areas of inefficient and ineffective management within the Field Operations Bureau (Bureau), including duplicated efforts by certain sworn personnel, a narrow span of control at certain echelons within the organization, poor communication, and statutory and regulatory noncompliance. Troop G is not organized to optimize the efficiency and effectiveness of its personnel, which has led to personnel performing duties unrelated to commercial vehicle enforcement. Finally, we found minimal controls over establishing Troop and patrol boundaries and determining the optimal number of Troopers needed in these areas, as well as certain duties performed by sworn personnel which can be performed by civilian personnel.

**Observation No. 1**

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***Improve Organizational Efficiency And Effectiveness***

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The current Division of State Police (State Police) organizational structure results in duplication of efforts by certain sworn personnel, an excessively narrow span of control at certain echelons within the organization, poor communication, and statutory and regulatory noncompliance. Realigning the State Police organizational structure can improve its efficiency and effectiveness.

Span of control is the number of subordinates reporting directly to a single supervisor. In terms of the State Police, span of control refers to the ratio of personnel at different ranks. Best practice does not set a single, hard-and-fast span of control ratio because of the variability in organizations; however, other government agencies have set span of control and management layer guidelines taking into account situational differences such as task complexity and organizational size.

*Excessive Height In Organizational Structure*

Currently, the Bureau has a tall organizational structure, which runs counter to the trend of flatter organizations in government and business. There are six management layers between Troopers and the State Police Director, with the narrowest span of control at the Captain level. The State Police does not have a written span of control policy. The last manpower assessment study was

conducted in the late 1990s but resulted in no structural changes. The Bureau has no policy prescribing target supervisor-to-subordinate ratios.

Tall organizations with narrow spans of control risk: micro-management, pay and classification issues (when layers are added to justify grade levels), higher personnel and overhead costs, delayed and distorted communication, diffused accountability, and less responsibility assumed by subordinates. Generally, flat organizations with wider spans can improve communication and accountability; eliminate pay grade and job duplication; reduce operating costs, support staff, and overhead; improve subordinate autonomy, morale, job satisfaction, and growth opportunities; increase performance because there are more workers than supervisors; and gain economies of scale in larger organizations with fewer personnel. Risks for a too flat organization include less control and decision-making by inexperienced employees.

The seven Troops are supervised by seven Lieutenants and four Captains. Three Captains are each responsible for two Troops, creating a 1:2 supervisory ratio, and one Captain is responsible for one Troop, creating a 1:1 supervisory ratio. Two Captains are also responsible for certain specialty units. Lieutenants are responsible for day-to-day Troop operations, including supervising Troopers and Sergeants, reviewing reports, coordinating with local officials, assessing work performance, and investigating cases. Captains assist with Bureau administration, supervise various specialty units, oversee Troop operations, handle discipline, coordinate with localities for special events, and respond to critical incidents. Our review of class specifications and supplemental job descriptions found Captains have no major duty which is not shared with at least a Lieutenant or the Bureau Commander (Major), or both. Duplication of effort is most noticeable in:

- discipline (Lieutenants, Captains, and the Major have Trooper discipline responsibility),
- day-to-day Troop management (overseen by Lieutenants and Captains),
- daily reports (reviewed by Shift Supervisors, Assistant Troop Commanders, Lieutenants, and Captains),
- internal investigations (Lieutenants, Captains, and the Major are responsible), and
- relationships with other agencies (Lieutenants, Captains, and the Major are responsible).

### *Communication Issues*

The tall and narrow State Police structure may contribute to poor communication up and down the chain-of-command; poor communication contributes to dissatisfaction within the organization. Best practice literature suggests low span of control and multiple layers within an organization may indicate inefficiency, ineffectiveness, and can manifest itself through delayed and distorted communication.

Some Lieutenants reported daily communications with their Captains, while others reported infrequent communication. Three Captain positions were vacant during our audit, including the Captain overseeing a single Troop, with no reported negative results. Based on our interviews



with Troopers and managers in the field, seven of 19 sworn personnel (37 percent) believe information does not flow down the chain as well as it should. Three of 19 sworn personnel (16 percent) believe information moving up the chain is not timely, and four of 19 sworn personnel (21 percent) mention a prevalence of rumors. Increasing the span of control could improve communication and increase accountability.

*Structure Inconsistent With Statute And Administrative Rule*

Current State Police organizational structure does not conform to statute or Administrative Rule. RSA 106-B:4 specifies “there shall be not less than ... six corporals-at-large.” The rank of Corporal does not exist in the State Police structure. One senior State Police official concluded Corporal positions should exist for Sergeants to serve in prior to becoming management to get a feel for management.

Departmental organizational rules are inaccurate. RSA 541-A:17, II, requires rulemaking or Administrative Rule amendments commence no later than 90 days after structural changes. The Department of Safety (DOS) organization changed when the Highway Patrol transferred from the Division of Motor Vehicles (DMV) to the State Police in January 2008. The DOS has not undertaken rulemaking reflecting this change. Further, Administrative Rule Saf-C 102.09(c) identifies four bureaus in the State Police: Communications/Administration, Traffic, Detective, and Highway Enforcement. As currently organized, the State Police fields only three bureaus: Support Services, Investigative Services, and Field Operations.

**Recommendations:**

**We recommend State Police management:**

- **establish span of control guidelines;**
- **reassess responsibilities of Lieutenants, Captains, and the Major to reduce redundancy;**
- **determine whether the Corporal rank is required and either comply with or seek legislative changes to RSA 106-B:4; and**
- **update Administrative Rules to reflect the current organizational structure.**

**Auditee Response:**

*We concur.*

*The State Police is currently undergoing a review to determine span of control and management layer guidelines in order to improve organizational efficiency, effectiveness and organizational communication. We anticipate this review will be complete by January 1, 2011.*

*The Command Structure of the State Police at the level of Commissioned Officer is currently being assessed and changes are being made. Duties determined to be repetitive or redundant and not directly involved in public safety will be minimized or eliminated. We anticipate this review will be complete by January 1, 2011.*

*The rank of Corporal was eliminated several years ago through the reclassification process set out by the Division of Personnel. The State Police will introduce a bill this next legislative session to amend RSA 106-B:4 to make it conform to the existing rank structure.*

*By April 1, 2011, the State Police will initiate rulemaking to amend Saf-C 100 to correctly reflect the Division's current organizational structure.*

## **Observation No. 2**

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### ***Consider Reorganizing Troop G To Optimize Efficiency***

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Troop G performs a myriad of functions, but is not organized to optimize the efficiency and effectiveness of its personnel. Troop G was created in February 2008 by merging DMV Highway Patrol and Enforcement officers into the State Police. The 65 Troopers in Troop G perform the following 19 diverse functions:

- Enforcing federal and State commercial motor vehicle laws and regulations
- Weighing commercial motor vehicles
- Conducting school bus safety inspections
- Conducting motor vehicle-related criminal investigations
- Conducting operator driver license road tests
- Auditing and investigating motor vehicle dealerships for compliance with regulations
- Locating and serving paperwork to habitual offenders
- Inspecting salvage vehicles
- Administering commercial driver license medical waiver program
- Investigating fatal commercial vehicle accidents
- Educating industry, stakeholders, and the general public about enforcement trends
- Inspecting motor vehicles transporting hazardous materials
- Conducting motor coach safety inspections
- Conducting commercial driver license road tests
- Overseeing driver education programs
- Auditing and inspecting vehicle inspection stations for compliance with regulations
- Inspecting commercial vehicles crossing State borders
- Enforcing motorcycle noise laws
- Performing commercial motor vehicle safety inspections

We surveyed six states to obtain organizational and functional information on their commercial vehicle enforcement units. Five of six states organize their commercial vehicle enforcement units within a larger operations unit, similar to Troop G's placement in the Bureau; while in one state, commercial vehicle enforcement is in a separate division of the state's Department of Public Safety. While all of New Hampshire's commercial vehicle enforcement personnel are assigned

to Troop G, five of six surveyed states disperse commercial vehicle enforcement personnel among their various troops, barracks, or regions. Commercial vehicle enforcement personnel in two states report to a commander in charge of commercial vehicle enforcement, while in three other states, personnel report to the troop, barracks, or regional commander.

We found Troop G performs more functions than any of the surveyed states. The following are not common responsibilities of those states' commercial motor vehicle personnel:

- No other state reported administering medical waivers for commercial vehicle drivers.
- One state reported overseeing driver education programs (17 percent).
- One state reported conducting operator driver license road tests (17 percent).
- One state reported conducting commercial driver license road tests (17 percent).
- One state reported investigating motor vehicle dealerships for compliance with regulations (17 percent).
- One state reported locating and serving paperwork to habitual offenders (17 percent).
- One state reported enforcing motorcycle noise laws (17 percent).
- Two states reported investigating vehicle inspection stations for compliance with regulations (33 percent).
- Two states reported inspecting salvage vehicles (33 percent).

All Troop G functions are performed by sworn law enforcement personnel; however, these personnel are not organized or utilized in the most efficient or effective manner. As currently organized, eight Troopers in the Motor Carrier Enforcement Section weigh potentially overweight commercial motor vehicles, while nine Troopers perform safety inspections full-time and 41 Troopers perform them as well as their other duties. In four surveyed states, the same troopers who perform safety inspections also weigh vehicles. Five states equip certified troopers with portable scales to inspect and weigh commercial motor vehicles during the same stop, if necessary.

Federal regulation 49 CFR 385.203 (a), New Hampshire RSA 266:72-a (V) (a), and DOS Administrative Rule Saf-C 903.01 (a) allow Troopers certified by the federal Motor Carrier Safety Administration to inspect commercial motor carriers. Sixty-two of the 65 Troop G Troopers are certified inspectors, including all members of the Weigh Team. RSA 266:17 allows any law enforcement officer to weigh motor vehicles with either a stationary or portable scale. Combining these functions could increase Trooper coverage and the number of trucks weighed and inspected for both safety and weight violations.

Finally, one Trooper currently coordinates the Pupil Transportation Program, which inspects all school buses in the State for safety, and ensures bus companies adhere to laws, rules, and regulations. Troop G management stated the Pupil Transportation Program could be streamlined by incorporating it with the existing school bus inspection program. RSA 266:1, IX, and Administrative Rule Saf-C 1307.03 require school buses to be inspected at official inspection stations semi-annually. While RSA 266:7 requires the DMV Director, through "duly authorized agents," to inspect all school buses to ensure they are fit to transport school children, it does not specify the inspection be conducted by law enforcement personnel. Administrative Rule Saf-C 1307.04 requires school buses receive an additional annual inspection by a highway patrol and

enforcement officer. Administrative Rule Saf-C 1315 contains the criteria a motor vehicle must meet in order to pass inspection as a school bus, while Saf-C 3226 outlines additional requirements for school buses. The same criteria apply to both the inspection by official inspection stations and by Troopers. For up to five months per year, up to five additional Troopers are re-assigned to conduct safety inspections full-time to ensure compliance with Saf-C 1307.04. Transferring the responsibility for school bus inspections to official inspection stations could free up five Troopers to focus on their regularly assigned duties.

**Recommendations:**

**We recommend State Police management consider reorganizing Troop G to improve the efficiency of personnel use by:**

- **reviewing whether the commercial vehicle enforcement function would be better served by dispersing Troop G Troopers into the other Troops,**
- **reviewing whether functions not specifically supporting commercial vehicle enforcement should be continued,**
- **reviewing whether commercial vehicle weight enforcement and safety inspection functions can be combined, and**
- **amending Administrative Rules to incorporate school bus safety inspections performed by Troop G with the semi-annual inspections currently performed by inspection stations.**

*Auditee Response:*

*We concur in part.*

*A review of Troop G functions was begun prior to the commencement of this performance audit and continues at this time. Troop G has a variety of important functions that are not solely commercial vehicle enforcement, although this is an important part of what they do and a major source of federal funding. The State Police is currently using the Lean process (a process improvement technique to reduce waste and improve efficiency and effectiveness) to optimize efficiency in commercial vehicle enforcement and balance these needs with the other responsibilities of the Troop. As part of its ongoing study, the State Police is examining the possible decentralization of certain Troop G functions and their dispersal to the other Troops, as well as examining whether any of the existing responsibilities can be civilianized. We anticipate this process will be completed by April 1, 2011.*

*We are also cognizant of the fact that over the years, the Troop G functions started with uniformed Motor Vehicle Inspectors, morphed into Safety Inspectors under the Office of the Commissioner, became a separate Bureau of Highway Enforcement in the State Police, morphed back into a Highway Patrol and Enforcement Bureau in the DMV and more recently were transferred back to State Police as Troop G. History has taught us that when these functions were decentralized too much, vital support functions for DMV and vital commercial vehicle enforcement have fallen by the wayside, jeopardizing federal highway funds and adversely*

*affecting DMV functions. As we go forward we are determined to ensure that this history does not repeat itself.*

*The areas of weight enforcement, roadside truck safety inspections and salvage vehicle inspections have already been combined.*

*To the extent that this audit recommends incorporating school bus safety inspections performed by Troop G with the semi-annual inspections currently performed by inspection stations, and given New Hampshire's admirable school bus safety record compared with other states, the State Police would require further research in this area before taking the step of amending the Administrative Rules. We are particularly interested in the possibility of using private inspection stations as a base of operations during annual school bus inspections if indeed it is determined after our research that Troop G should continue to perform them. However, we are studying the data regarding school bus inspections to determine the need for this third, separate inspection of every school bus in the state by Troop G. The sole determinant cannot be simply the number of defects detected in these investigations, but due consideration should be given to the deterrence effect by private inspection stations knowing that Troop G will be doing an independent inspection. We anticipate completing the study by January 1, 2011 and that a series of sequential steps will be taken to implement the recommendations coming from the study, together with a rigorous evaluation process to ensure that the changes accomplish the intended goal and do not result in unintended consequences. We believe the State Police can implement any recommendations within the current fiscal year.*

### **Observation No. 3**

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#### ***Evaluate Troop Boundaries And Patrol Areas***

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The State Police has no systematic process to ensure adequate and efficient staffing within a Troop boundary or patrol area. Further, the State Police does not review patrol areas and Troop boundaries on a regular basis to ensure optimal staffing or efficient deployment of Troopers.

#### *Troop Boundaries*

Troop boundaries are currently established based on county boundaries, with slight variations; one Troop has statewide jurisdiction, two Troops are each responsible for one county, and four Troops are each responsible for two counties. State Police management did not know the history of the Troop boundaries, but reported boundaries are not reviewed often and Troop boundaries have changed minimally over the last 30 years. State Police management and Troop management personnel stated it no longer makes sense to maintain Troop boundaries along county lines as the current Troop boundaries do not reflect changes in population size and concentration.

Our survey of six states asked how Troop boundaries are established and how often Troop boundaries are reviewed. Five of the six states (83 percent) reported their troop boundaries are based on county lines; and four of the six states (67 percent) have reviewed these boundaries within the last five years.

### *Patrol Areas*

The State Police does not have a systematic approach to realigning patrol areas. According to State Police personnel, patrol areas are mainly established by clustering towns served by a common district Court into one patrol area. State Police management revised Trooper patrol area assignments two years ago to decrease fuel costs. This resulted in minor changes to patrol areas, mainly to ensure Troopers were living within their patrol area, but did not include an assessment of workload, geography, population, or other factors.

The *Police Allocation Manual* (PAM), developed by Northwestern University, is a model used by law enforcement agencies nationwide to determine patrol resource needs and the systematic allocation of those resources. The PAM model uses elements such as calls for service, miles of state roadways, vehicle accidents, and desired patrol intervals to identify patrol staffing recommendations and geographic patrol regions.

In March 2010, the State Police began a review of patrol areas. Troop Commanders recommended various methods of realigning patrol boundaries. However, none specifically used the PAM model, and two recommended realigning patrol boundaries and deploying resources based on the full- and part-time police departments within the Troop's jurisdiction.

### *Staffing*

The State Police has not formally reviewed its staffing needs since the late 1990s. Additionally, all three Troop Commanders and one Assistant Troop Commander we interviewed reported not knowing how the number of personnel for their Troop was determined. State Police management reported having no formal process for determining the adequate number of personnel for each Troop but reported the number of patrol areas is primarily used to determine how many Troopers are needed. Factors such as the number of calls for service, response time to calls for service, and geographic size of the Troop, which are included in the PAM model, are informally used to determine how many Troopers will be assigned to each Troop. The Bureau Commander stated if there are enough Troopers to cover all patrol shifts 24-hours-a-day, seven-days-a-week, then the Troop has enough personnel.

Several potential factors affecting staffing patterns have changed in the past ten years. For example, according to the United States Census Bureau, the population of New Hampshire has increased by approximately 14 percent. Additionally, RSA 106-B:15 prohibits State Police personnel from acting within the limits of a town with a population of more than 3,000 residents or within any city, with certain exceptions. New Hampshire has 13 localities designated as "city" and 43 percent of towns have a population of more than 3,000 residents. Over half of the towns in two Troop boundaries have populations of more than 3,000 residents. Finally, according to DOS management, the number of communities with full- and part-time police departments have changed, warranting a review of staffing needs for the State Police. As previously stated, two Troops proposed realigning patrol areas and Troopers to areas without a full-time police force to better utilize their resources. This approach appears consistent with the unsolicited comments of local police agencies from our survey of municipal law enforcement agencies throughout the State. Chiefs of Police from four localities with populations less than 3,000 residents expressed

the desire for more State Police coverage, while Chiefs from four localities with populations over 3,000 residents reported there is redundant coverage with State Police presence in their localities.

A generally recognized staffing standard does not exist. The State Police uses factors such as the number of calls for service, response times to calls for service, and the number of patrol areas to determine the number of personnel. However, the International Association of Chiefs of Police (IACP), the Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA), PAM, and human resource staffing models recommend conducting workload assessments to determine adequate staffing needs. The IACP and human resource staffing models recommend a workload assessment consider the following factors: the agency's priorities; numbers of calls for service; population size, density, and composition; stability of the population; and citizen expectations. We conducted a survey of state police organizations in states with similar select characteristics to New Hampshire to determine how their state police entities establish the optimal number of personnel for each troop. We found one state (17 percent) uses the PAM as well as allows command personnel to prioritize filling vacancies based on critical staffing needs. Four states (67 percent) determine personnel needs based on workload within the troop's geographic area and the number of patrol areas within the troop. One state (17 percent) has minimum staffing requirements. Further, CALEA's accreditation standards state, "...all components of the agency should be periodically assessed for workload service demands to ensure the best possible service to the public." Five of the six surveyed states (83 percent) reportedly have reviewed the optimal number of personnel within the past year.

### **Recommendations:**

**We recommend State Police management:**

- **review Troop and patrol areas periodically,**
- **develop formal criteria and factors to establish Troop boundaries and patrol areas,**
- **develop formal criteria to establish the optimal number of personnel for each Troop, and**
- **work with local police departments to determine whether State Police coverage is needed in cities or all towns with less than 3,000 residents or in towns with full-time police departments.**

### **Auditee Response:**

*We concur in part.*

*In the past two years, the State Police has undertaken two separate reviews of the Troop and Patrol boundaries in order to ensure the most efficient and effective deployment of State Police resources. The State Police agrees that the Troop and patrol area boundaries should be reassessed formally on an annual basis.*

*In conducting its two separate reviews of Troop and patrol areas, the State Police considers factors such as personnel resources, equipment, fuel costs, calls for service, crash data, patrol*

responsibilities (highway/rural) and request for service by local communities. As a result of considering these factors, new patrol area maps have been developed.

*The factors and criteria the State Police uses to assess Troop and patrol areas are fluid and constantly in flux. These factors will also determine the optimal number of personnel for each Troop. The State Police expects that the Troop Lieutenants will monitor their troop boundaries to ensure that it is providing optimal public safety services in an efficient and effective manner.*

*The State Police always has, and continues to work closely with local police departments to determine where police coverage is needed, in communities of all sizes. Troop Commanders or NCOs participate in monthly Chiefs' meetings in every county that has County Police Chiefs' Association. The Colonel attends the meetings of the New Hampshire Association of Chiefs of Police. Troop Commanders and Troopers patrolling a given area are encouraged and expected to visit with Police Chiefs and command officers in the various towns in their areas to stay current on their needs. More and more frequently due to budget cuts at the local level, police departments request additional State Police coverage. In some cases small communities are no longer able to fund some shifts and they ask State Police to cover emergencies in those communities during times when no local officers are on duty. In other cases larger communities that have only one or two officers working on a particular shift call on Troopers for backup assistance when responding to dangerous calls. Towns and some cities that do not have K-9 units request the assistance of a Troop's K-9 team several times a week to search for persons who have fled from vehicle stops or from arrest warrant services, to search buildings for suspected burglars, to assist with crowd control and to look for disoriented patients who have wandered away from convalescent homes. The SWAT team, the Technical Accident Reconstruction Team and the Explosives Disposal Unit are called upon to provide these resources in all sizes of communities if they do not have trained units of their own. Many communities have interstate highways or turnpikes traveling through their environs, where State Police has primary jurisdiction. Troop G officers have jurisdiction in towns of all sizes when performing commercial vehicle inspections and truck weight enforcement, checking motor vehicle dealers and inspection stations and serving bench warrants for traffic ticket defaults and at those times they often are called upon to respond to calls if they are the closest police unit. The Manchester Police Department depends on State Police assistance during the busy warm weather months to assist in anti-gang and anti-drug patrols under the Operation Street Sweeper program. The Command Staff continues to monitor the capabilities of local police departments and to look for ways to deploy resources at the Troop level to those areas where they are most needed and to avoid duplicating services that local police can provide.*

#### **Observation No. 4**

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#### ***Consider Civilianizing Some Administrative Duties To Improve Efficiency***

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Troopers and Sergeants have duties which could be performed by lower cost civilian personnel. We found Sergeants spent the majority of their on-duty time performing administrative duties, hindering their ability to more actively supervise patrol Troopers.



Sergeants' supplemental job descriptions and job class specifications do not identify administrative responsibilities; however, they perform numerous administrative duties including: general building maintenance, compiling Troop activity press releases, inventorying and ordering office supplies, general Troop equipment inventory, overseeing payroll, monitoring and tracking vehicle usage and maintenance records, maintaining lists of tow truck services, and providing fingerprinting services to the public. State Police Sergeants spend an average of 53 percent of their on-duty time performing administrative tasks while State Police management indicated Sergeants should spend more time on patrol actively supervising patrol Troopers. In our survey of state police operations in other states, four of six states (67 percent) have civilian personnel oversee payroll duties and order general office supplies. In three states (50 percent), civilian personnel perform general Troop inventory. Civilian personnel oversee law enforcement vehicle maintenance and conduct law enforcement equipment inventory in two states (33 percent).

Several positions may be better served by a civilian, freeing up sworn personnel, including:

- One Sergeant currently assists in issuing uniforms, equipment, and cruisers to the entire State Police. Two of six (33 percent) surveyed states employ civilian personnel to issue uniforms and other equipment.
- One Sergeant supervises nine Troopers in the Driver License Task Force, including the Troopers overseeing driver education schools and the Pupil Transportation Program, as well as Troopers conducting commercial and operator driver license examinations. The Sergeant is also responsible for daily operations and supervision of civilian personnel for 16 licensing substations in the State. This position was previously held by a civilian employee.
- One Trooper conducts operator driver license road tests. The DMV also employs driver license examiners, all of them civilian employees. State Police in two of six (33 percent) surveyed states manage operator driver license road tests, but civilian personnel perform road tests in both states.
- One Trooper oversees 110 certified driving schools and 260 driver education instructors to ensure they comply with Administrative Rules and New Hampshire motor vehicle laws. A DMV civilian employee performs similar duties. Five of six (83 percent) surveyed states do not oversee driver education programs; the one state doing so uses sworn personnel.
- Six Troopers conduct commercial driver license road tests. Civilian personnel previously performed these functions. State Police in two of six surveyed states (33 percent) are responsible for commercial driver license road tests, and civilian personnel perform the function in both states.
- One Sergeant reviews commercial vehicle driver medical waiver requests. The DOS Assistant Commissioner approves waivers. No surveyed state reviews commercial driver medical waivers.
- Up to five Troopers are reassigned from their normal duties for up to five months out of the year to inspect all school buses. The program could be streamlined by incorporating it with the existing school bus inspection program, allowing these five Troopers to focus on their regularly assigned duties.

Civilian salaries are generally lower than sworn Troopers' for performing comparable administrative and support duties. Table 2 shows State of New Hampshire civilian entry level salaries and sworn personnel salaries at the minimum step. Job descriptions for civilian positions listed are compatible with duties performed by sworn personnel discussed above. State Police management is currently centralizing dispatch to Concord, rendering communication specialist positions obsolete in each Troop. Four Troops employ one civilian administrative personnel, two Troops employ two, and one Troop has three, but one only works on a certain grant program.

**Table 2**

**Comparison Of Payroll Costs For Civilian And Sworn Entry Level Positions,  
As Of July 2010**

<b>Civilian Classification</b>	<b>Salary</b>	<b>Sworn Classification</b>	<b>Salary</b>
Clerk I	\$19,130	Trooper	\$45,007
Executive Secretary	\$25,584	Trooper First Class	\$48,878
Licensing Officer	\$28,646	Sergeant	\$55,390
Administrative Assistant I	\$30,986		
Administrator I	\$48,769		

Source: LBA analysis of Department of Administrative Services classified personnel and law enforcement salary schedules.

Additionally, RSA 106-B:19 authorizes the State Police Director to “recruit, train and organize an auxiliary state police force for the purpose of providing emergency services throughout the state ... and for augmenting the state police force in such manner as the director may deem appropriate.” The State Police currently uses auxiliary Troopers to assist with public relation events, communications, patrol, traffic control, and investigations. States such as New York, Kentucky, Minnesota, Illinois, Florida, and Alabama use auxiliary or retired law enforcement personnel to supplement their state police forces. Auxiliary or retired personnel in these states perform administrative functions, traffic control, patrol, and answer low-priority calls for service.

**Recommendations:**

**We recommend State Police management consider civilianization and reorganization of certain duties to improve efficiency by:**

- **reviewing administrative duties to determine which could be performed by civilian employees,**
- **reviewing and amending Administrative Rule Saf-C 1300 to allow the Pupil Transportation Program to be incorporated into the New Hampshire Motor Vehicle Inspection Program, and**
- **considering law enforcement retirees or auxiliary Troopers to perform additional duties requiring law enforcement expertise.**

Auditee Response:

*We concur in part.*

*Many of the auditors' observations concerning civilianizing certain administrative duties are grounded in Troop G functions. As indicated in response to Observation No. 2, the State Police is currently studying the work of Troop G and the Auditors' findings and recommendations will be included as part of the process. During this review process, the State Police will also evaluate all Troopers' administrative duties to improve efficiency as described in the Observation No. 4. The State Police agrees that some of the administrative responsibilities such as ordering office supplies, building maintenance and tracking vehicle usage could be assigned to a civilian. The State Police will reassess the administrative responsibilities of personnel and will consider transferring those administrative tasks that do not hinder law enforcement activities or law enforcement performance.*

*The State Police incorporates its response herein to Observation No. 2 with regard to the recommendation of amending administrative rules to incorporate school bus safety inspections performed by Troop G with the semi-annual inspections currently performed by inspection stations.*

*The State Police is currently utilizing our retirees in a part-time capacity as Auxiliary Troopers. Retirees possess at least 20 years of law enforcement experience and will generally possess expertise in some facet of law enforcement. We have used Auxiliary Troopers, for example, to conduct pre-employment background investigations, spearhead special projects, and provide enhanced law enforcement presence for special details and events.*

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**STATE OF NEW HAMPSHIRE  
DIVISION OF STATE POLICE - FIELD OPERATIONS BUREAU**

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**RISK ASSESSMENT**

Management should comprehensively assess and analyze internal and external risks facing the agency. Management's estimate of each risk's significance, the likelihood of its occurrence, how to manage the risk, and what actions should be taken will inform decisions on what management control activities are required to mitigate those risks. A precondition to risk assessment is the establishment of clear, consistent agency goals and objectives at both the entity level and at the program or mission level. Risk assessment is the identification and analysis of external and internal risks associated with achieving agency objectives and forms a basis for determining how risks should be managed.

**Observation No. 5**

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***Improve Risk Management Controls***

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Division of State Police (State Police) management should comprehensively identify risks at both the entity-wide and activity levels. We found no agency-wide risk assessment completed. Without a risk assessment, analysis of possible effects of the risk the State Police face cannot be accomplished and management cannot formulate a risk management approach or develop the controls necessary to mitigate risks. Comprehensive risk management can help the agency improve controls, efficiency, and effectiveness.

An entity's performance may be at risk due to internal or external factors. External factors could include economic changes affecting decisions regarding funding, capital expenditures, changing customer needs or expectations, legislative changes, and natural catastrophes. Internal factors may include disrupted information systems; quality of human resources, training methods, and motivation; and changes in management responsibilities influencing the effectiveness of management controls. Risks increase during times when personnel or procedures change.

**Recommendation:**

**We recommend State Police management conduct an enterprise-wide risk assessment to identify opportunities to improve controls, efficiency, and effectiveness in its operations.**

**Auditee Response:**

*We concur.*

*As with nearly every State agency we are familiar with, there is a need to institutionalize and formalize the process of a Department-wide risk assessment and we will endeavor to do this going forward. It is important to realize that although we have not had a unified and formalized system, the State Police perform many forms of risk management on a regular and ongoing basis. The Department of Safety (DOS) has had a Risk Management Coordinator for almost a decade. Through that individual, we are represented at the DOS level on a Worker's Compensation Review Committee, a Joint Loss Management Committee and two (2) Safety Committees, one unique to the Forensic Laboratory and the other department-wide. We have*

*written policies at either the DOS or the State Police level addressing the following: blood-borne pathogen exposure, emergency evacuation and response, personal protective equipment, firearms range safety, high-speed pursuit, wearing of high visibility safety clothing on roadside details, flagging of speeders, and tower climbing and safety gear for our Communications Maintenance Unit. We are also currently developing a Peer Support System to help Troopers deal with stress related matters on and off the job, and we actively participate and make referrals to the State's Employee Assistance Program.*

*The State Police, through the DOS Risk Management Coordinator, will contact the State Risk Management Director for assistance and guidance in conducting a division-wide risk assessment. We will initiate contact to discuss a Department-wide risk assessment by January 1, 2011 and complete the risk assessment by the end of SFY 2011.*

**STATE OF NEW HAMPSHIRE  
DIVISION OF STATE POLICE – FIELD OPERATIONS BUREAU**

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**CONTROL ACTIVITIES**

Control activities are the policies, procedures, techniques, and mechanisms which ensure management directives are carried out and address possible risks. Because control activities can occur at any level within the agency, they include approvals, authorizations, verifications, reconciliations, performance reviews, maintenance of security, and creation of records to document these activities.

We found inadequate management controls over a variety of Division of State Police (State Police) activities, including inadequate review over the off-duty Court attendance payment process, which resulted in inaccurate and incomplete off-duty Court/hearing attendance certifications (Certification) not being detected, policy violations, wasteful expenditures, and management's approval of Certifications without valid signatures. We found the Court mediation process, designed primarily to reduce off-duty Court witness fees, does not work as intended in some Troops and has not resulted in expected savings. Inadequate controls over extra duty details also resulted in inaccurate and inconsistent documentation and violations of State Police policy. Additionally, inadequate review and inconsistencies in the policy governing extra duty details have allowed controls to be circumvented to the point of abuse, potentially affecting public safety. Lax controls over these two processes resulted in approval of inaccurate payroll documents.

We also found management is not maximizing Trooper and Sergeant patrol time, as both spend less time on patrol than troopers and supervisors in six comparable states we surveyed. Troopers were also not assessing the correct fines in some instances. Security, continuity, recovery, and restoration of operations planning form a continuum of agency control activities. We found inadequacies in State Police continuity of operations and recovery planning and incident command systems.

Information technology (IT) controls are a subset of control activities. Effective IT management is critical to achieving useful and reliable reporting and communication of information. Protecting data requires both physical and logical access controls preventing or detecting unauthorized use, damage, loss, or modification. We found the State Police lack adequate management controls over supporting IT. Gaps exist in State Police general and application controls, general and IT-related security management, and in backup and recovery processes supporting IT systems. Controls over Project 54 (P54) were similarly inadequate and were structured by a loosely-written agreement which has not been revisited since project inception in 1999. Further, control of P54 rests outside Department of Information Technology (DoIT) purview except for remote update servers, and the project is not integrated into agency management or technology plans. Program performance is informally assessed, there is a lack of training on the use of P54, the Department of Safety (DOS) does not have control of P54 software, and the software developer does not utilize robust backup procedures.

## Observation No. 6

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### ***Improve Management Controls Over Off-Duty Court Payments***

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The State Police lacks an effective method to ensure Certification forms are reviewed for accuracy and completeness. The State Police compensated Troopers nearly \$3,000 over two one-month periods for off-duty Court appearances without the required Trooper or supervisor signature on the Certification. An additional \$2,025 was paid for instances where Troopers did not sign in at the Court indicated on their Certifications.

Motorists issued a citation for a violation of motor vehicle laws may plead guilty, no contest, or not guilty and request a trial through the plea-by-mail process. In February 2008, the State Police instituted a mediation process to allow motorists to attempt to mediate their “not guilty” plea before appearing for trial, if they desire. The process is as follows:

- A Trooper issues a citation to a motorist and Troop personnel send the ticket to the DMV.
- Upon receipt of a “not guilty” plea, the DMV sends the defendant’s copy of the ticket, along with the Court and Police Officer copies, to the District Court of jurisdiction.
- Once the Court receives the copies, it schedules a trial date and sends the defendant a trial notice, including a letter describing the Court mediation process and a phone number to contact the State Police Court Liaison Trooper assigned to that jurisdiction. The Trooper also receives a copy of the trial notice.
- The defendant may call the Court Liaison Trooper to attempt to mediate the case.
- The Court Liaison Trooper, after consulting the Trooper’s copy of the ticket and any additional notes provided by the issuing Trooper, communicates with any defendants who have inquired about possible mediation.
- The Court Liaison Trooper will contact the Trooper with the results of the mediation and notify the trooper if the case has been resolved and advise them they will no longer be required to attend a trial. The Court Liaison Trooper also must contact the Court to indicate which cases have been negotiated so the Courts may adjust their dockets accordingly.
- Troopers appear in Court, whether during on-duty or off-duty time, to attend the trial if the case had not been successfully mediated.

According to State Police policy Professional Standards of Conduct (PSC) 22-D pertaining to compensation for off-duty court and hearing attendance, and the Collective Bargaining Agreement (CBA) between the State of New Hampshire and the New Hampshire Troopers Association, during off-duty hours Troopers are compensated at time and one-half the regular rate for attending any Court or administrative hearing and shall be compensated for a minimum of four hours for each appearance.

To receive compensation for appearances, Troopers must: complete and sign a Certification for each Court where they appeared, record Court appearance hours on their weekly duty reports, and submit both forms to the Troop secretary at the end of each week. PSC 22-D further states



Troop Commanders shall ensure requests for compensation for off-duty Court and hearing attendance are reviewed for accuracy and conformity to this policy. We reviewed 121 Certifications from three Troops, each for a one-month period during State fiscal year (SFY) 2010. We found 118 of the Certifications (98 percent) contained errors including: incorrect or missing docket numbers, defendant's name, judge and prosecutor, and disposition (i.e., plea or trial). We also found Troopers did not sign 14 of the Certifications (12 percent); however, they were approved for and paid a total of \$2,050 for hours claimed on these unsigned forms. Finally, we found six of 121 Certifications (five percent) did not contain evidence of supervisory approval, resulting in payments of \$948 without proper approval as required by policy.

The State Police also does not verify Trooper attendance at Court prior to approving Certifications for payment. PSC 22-D states Troopers must complete and sign appropriate documents required by the New Hampshire Court system. Troopers are required to document their appearance at District and Superior Court by writing their name on the Court Witness Attendance form. PSC 22-D prohibits Troopers from reporting entitlements to Court compensation on their weekly duty report unless he or she has completed and signed the appropriate documents at the Court. We requested witness attendance forms from 16 Courts for 56 days indicated on Troopers' Certification during SFY 2010, as well as the preceding and subsequent dates. We also requested the *NH State Police Attendance Record* documentation from the Department of Justice. Finally, we contacted the District Courts to conduct a search by docket number. In 11 instances (nine percent), we could not find the Trooper's name on the witness attendance form for the day indicated on the Certification; however, we verified with the Court clerks the Trooper was present in Court on that day. In a separate instance, a Trooper noted the incorrect date on the Certification, while in two additional instances, Troopers noted incorrect locations for their appearances. Troopers were paid \$2,025 for these off-duty appearances where they certified, and management approved, inaccurate information.

An ineffective method for ensuring Certifications receive appropriate review has allowed errors and omissions to go undetected and uncorrected, and has resulted in Troopers being paid contrary to established policy. In one Troop, the Certifications receive supervisor approval prior to the Troop secretary entering the data into the payroll system. In another Troop, the Trooper's direct supervisor does not always review and approve the Certification. Instead, the Patrol Supervisor on duty when the weekly duty reports arrive at the barracks performs a review of all weekly duty reports and Certifications for the week. The Assistant Troop Commander and the Field Captain provide additional reviews to ensure the Certification is complete and all fields are filled out. In three Troops, the Troop secretaries compare the weekly duty report to the Certifications and enter the data into the payroll system prior to a review by the appropriate supervisor. In addition, the State Police does not compare the witness attendance forms to the Certifications, lacking a verification process to compare Court sign-in sheets to Certifications.

**Recommendation:**

**We recommend State Police management establish a formal process for reviewing Certifications for accuracy, completeness, and compliance with all provisions of agency policy prior to reimbursement for off-duty Court attendance. The process should include a method to obtain third-party verification of Trooper attendance at Court.**

Auditee Response:

*We concur.*

*The State Police will revise PSC 22-D to include a subsection which will require random audits at the Courts to be conducted by frontline supervisors and management to insure compliance with the policy. The State Police anticipates the revised policy will be effective by April 1, 2011.*

**Observation No. 7**

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***Review Minimum Compensation For Off-Duty Court Appearances***

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In practice, the CBA and PSC 22-D pertaining to compensation for off-duty court and hearing attendance has resulted in wasteful expenditures, including Troopers being compensated at overtime rates for time not actually spent at Court. In SFY 2009, the State Police expended \$517,113 on off-duty Court appearances and expended \$477,770 in SFY 2010.

According to PSC 22-D and the CBA, Troopers shall be compensated for a minimum of four hours of overtime for attendance at Court hearings. We reviewed 121 Certifications for 50 Troopers from three Troops during two one-month periods during SFY 2010. Our review found Troopers spent an average of two hours in Court for each off-duty appearance. These Troopers were paid for 476 overtime hours for off-duty Court appearances during the review period, totaling \$19,909, including 211 hours (44 percent) actually in Court and 265 hours (56 percent) not in Court. In 91 of 121 cases (75 percent), Troopers received four hours of overtime compensation for appearances lasting two hours or less, or \$9,883 for time not spent in Court. In 45 cases (37 percent), Troopers received four hours of overtime compensation for appearances lasting one hour or less, or \$5,359 for time not spent in Court. In the aggregate, Troopers received the minimum overtime compensation for appearances of less than four hours in 111 (92 percent) of the off-duty appearances we reviewed, or \$10,795 for time not in Court.

The State Police administrative procedure addressing mediation in the District Courts prohibits negotiations between State Police personnel and defendants less than ten days prior to the scheduled trial date, after which time defendants must either plead guilty to the original violation or go to trial. Although State Police management, Court Liaison Troopers, and Troopers are aware of the policy, senior management acknowledge it is being violated but has not addressed the problem. Our review of 121 Certifications included a total of 188 individual Court cases. Of these, we could not analyze 125 cases because Troopers did not note the case outcome on the Certification. Of the remaining 63 cases, we found 16 instances (25 percent) where the Troopers indicated the case went to trial yet also indicated the case was negotiated on the day of the trial. We found 46 of the remaining 47 cases (98 percent) were negotiated on the day of the trial in direct violation of PSC 22-D; however, Troopers were approved to receive four hours of overtime pay for these Court appearances.

While State Police management acknowledge Troopers are violating agency policy prohibiting them from negotiating cases on the day of the trial, management has neither enforced nor taken any action to change the policy.

**Recommendations:**

**We recommend the State Police review its policy and the CBA to ensure public resources are utilized more efficiently.**

**We also recommend the State Police ensure Troopers comply with agency policy prohibiting negotiations within ten days of the trial date. If State Police management determines the policy does not serve the public interest, management should change the policy.**

*Auditee Response:*

*We concur.*

*The State Police is bound by the terms and conditions of the CBA between the State and the New Hampshire Troopers Association. The State Police will submit a proposed amendment to the State Management Negotiation team for the relevant CBA articles that reflect a fair and equitable compensation for off-duty court appearances by Troopers, based on the statistics and research of the LBA auditors. This will be accomplished by January 1, 2011.*

*The mediation process was instituted in an effort to cut down on court costs. The purpose behind the policy of prohibiting negotiations within 10 days of trial was to discourage the defense bar from using the strategy of entering innocent pleas and requesting a trial in the hope that the Trooper would not show up for the hearing and consequently, the case would be dismissed. The State Police has determined that the policy prohibiting negotiations within ten days of the trial date is by and large effective when the matter involves misdemeanor or felony charges but not practical for violations. Therefore, the State Police will review and amend the policy to permit negotiations within ten days of the trial date when the offense involves violation offenses only. The State Police anticipates the new policy will be effective and enforced by April 1, 2011.*

**Observation No. 8**

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***Review Programs Intended To Reduce Off-Duty Court Witness Fee Payments***

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Processes for reducing off-duty Court overtime payments do not work together efficiently or effectively, and do not achieve intended outcomes in some Troops. Mediation and working with the Court System to schedule Troopers for multiple trials on a single day are the two primary methods used to reduce off-duty Court witness fee payments. However, these methods may not be suited for all Troops.

The mediation program was established statewide in February 2008 to reduce payments for off-duty Court witness fees and to reduce Troopers' Court appearances for prosecuting a single violation, or for when a defendant enters a plea. A second goal of the program is to reduce caseloads for Troopers appearing in Court while on duty, spending as little time in Court as possible. Under the program, each Troop has a designated Court Liaison Trooper, usually a

Trooper First Class or a Trooper with several years experience, to mediate violations, handle arraignments, prepare criminal cases for trials, and attend to other Court matters.

The mediation program allows violators pleading “Not Guilty” a chance to mediate their violations without appearing in Court, also reducing the number of trials Troopers must attend. Reducing Court appearances for off-duty Troopers should result in Court witness fee savings, while reducing appearances for on-duty Troopers should result in more patrol time. For various reasons, including the circumstances of the violation or the defendant not accepting the mediation offer, not all mediation attempts are successful. According to the Director of the State Police and one Court Liaison Trooper, the mediation program is not efficient, effective, or working as intended and has not saved the State Police money.

In addition to mediation, some Troops have worked informally with Courts within their jurisdictions to schedule, or “stack,” as many of a Trooper’s cases as possible for one day. Stacking cases attempts to reduce the number of Troopers’ Court appearances in a single month, and has led to Troopers in urban parts of the State being scheduled for as many as eight trials in one day. Stacking cases has helped some Troops reduce the number of monthly Court appearances; however, a Court Liaison Trooper and one State Police manager indicated stacking cases and mediation sometimes work at cross-purposes. For example, if the Court Liaison Trooper is successful in mediating half of a Trooper’s cases, the Trooper must still appear at Court for the other cases, potentially resulting in no witness fees savings for an off-duty Trooper. One Troop in an urban part of the State reviewed 370 mediated cases over a 20-month period and found at least 286 cases (77 percent) had no off-duty Court witness fee savings because off-duty Troopers still appeared for other cases. In one instance (0.3 percent), mediation eliminated a Trooper’s off-duty Court appearance, while in 42 instances (11 percent), Troopers appeared during their regular on-duty shifts. We could not determine whether the Trooper was on-duty or off-duty in 41 instances (11 percent).

Negative effects of combining mediation with scheduling practices are not found in all Troops. One Court Liaison Trooper from a Troop in a rural part of the State indicated the Troop has reduced off-duty Court witness fees through combining mediation and scheduling appearances during on-duty hours. According to the Court Liaison Trooper, scheduling cases for on-duty days reduces the number of Troopers appearing in Court while off-duty, while mediation helps alleviate the time Troopers spend in Court. However, stacking cases during on-duty hours affects patrol coverage, as Troopers are pulled off the road for longer periods of time to appear in Court for multiple cases in one day.

Five Court Liaison Troopers reported spending the majority of their time on duties other than mediation. Four Court Liaison Troopers estimate spending ten to 20 percent of their time on mediation-related tasks, while one reported the time spent varies too widely to estimate. One Court Liaison Trooper reported mediation is the last priority after completing other Court-related responsibilities, including attending arraignments and preparing criminal cases for trial. Three Court Liaison Troopers reported being unable to return some mediation calls due to their other responsibilities. Additionally, potential off-duty Court appearances are not prioritized for mediation. Two Court Liaison Troopers reported they have no system for prioritizing mediation, while three other Court Liaison Troopers reported prioritizing requests for continuances or based

on the defendant's Court date. Our review of one Troop's mediation data found 57 of 286 instances (20 percent) where off-duty Troopers still appeared in Court for one or two other cases after the Court Liaison Trooper successfully mediated another case.

According to the State Police Director, the State Police should be more proactive in ensuring Troopers do not have single Court appearances. The Director suggested requiring Troopers obtain supervisory approval prior to attending off-duty Court appearances and requiring Troopers scheduled to appear for Court for a single appearance file a continuance with the Court.

**Recommendations:**

**We recommend State Police management work with the Troops to ensure programs intended to reduce off-duty Court witness fees are efficient, effective, and maximize available resources by:**

- reviewing whether case mediation in each Troop has achieved the intended results,
- reviewing whether case stacking in each Troop has achieved the intended results, and
- monitoring and reviewing the costs and benefits of the mediation program statewide.

**Auditee Response:**

*We concur.*

*The State Police has been and continues to review data from all Troops to determine whether or not mediation has achieved its intended results. Current practice of seeking mediation of violation motor vehicle complaints does not work well in all troops.*

*The practice of reducing the number of court appearances by scheduling multiple cases on a single day, or "stacking cases", by court and by trooper has proven effective. Troops have seen an immediate and sustained reduction of witness fees in the courts that have agreed to "stack" cases in this manner. However, not all courts are willing to do this for fear that every case scheduled will go to trial. The key to our success is to promote and sustain a positive working relationship with the courts, increase communication and allow the trooper to negotiate cases on the day of trial. Any final policy must be accepted and explained globally prior to implementation. We must strive to obtain the cooperation of the troopers, prosecutors and courts with any new or improved prosecution process. We anticipate a final policy will be effective by April 1, 2011.*

*Statewide mediation is not effective. However some positive results have been seen in smaller troops with less volume. The State Police has and continues to monitor and review the costs and benefits of the mediation program.*

## Observation No. 9

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### ***Ensure Troopers Assess The Correct Fine When Issuing Citations***

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State Police personnel issued citations with incorrect fine amounts to motorists and did not always provide defendants with the correct *Uniform Fine Schedule* as required by statute. RSA 265:60, V and VI establish the fine amounts imposed for speeding violations. RSA 502-A:19-b states the defendant shall receive, in addition to his/her summons, a *Uniform Fine Schedule* and the defendant shall be given a notice of the fine indicating the amount of the fine plus penalty assessment at the time the summons is issued.

We reviewed citations issued for violations during three one-month periods during SFY 2010. Of the 91 citations we reviewed, we found 24 instances (26 percent) where Troopers did not assess the correct fine to the charge written on the citation. Effective July 1, 2009, the Legislature established new fines for motor vehicle violations; however, we found Troopers were still using the previous fine schedule as of August 28, 2009. The difference in the amount written in the citation and the amount established in the uniform fine schedule ranged from \$0.20 to \$128.

State Police personnel reported some confusion when the new fine schedule became effective. Some Troopers reportedly were not notified of the new fine schedule and once they became aware of the change, the State Police did not provide enough copies, forcing Troopers to request copies from the Courts. One member of State Police management reported Troopers used old citations to reduce waste, while personnel in one Troop stated they stopped issuing the old citations and discarded them once the new fine schedule became effective.

Management is responsible for ensuring Troopers are adequately notified of changes to the fine schedule and must provide the required resources to ensure statutory compliance. Troopers must ensure they levy the correct fine amount on the citations and provide motorists with the uniform fine schedule as required by statute.

### **Recommendation:**

**We recommend State Police management ensure Troopers remain current with changes to motor vehicle fines, ensure Troopers provide motorists with the correct fine schedule, and provide Troopers with the necessary tools when issuing citations.**

### **Auditee Response:**

*We concur.*

*Most amendments to the motor vehicle code become effective on January 1 of the following year, or within 60 days from date of passage. However, in order to realize any additional revenue as soon as possible, when the Legislature amends a fine or fine schedule they have recently made those changes effective "upon passage." The DMV is responsible for prescribing the plea by mail form and uniform fine schedules and DoIT is charged with implementing any computer changes necessary to effectuate the new fines. When changes in the amount of fines or new violations are added to the plea by mail list, the DOS becomes involved in a time-consuming bid*

*process as new uniform traffic tickets have to be printed in a two-stage process. Once the schedules and/or new tickets are printed they are sent to the various District Courts for distribution to the police in the area, including the State Police Troop Barracks. It is impossible to implement a new fine or fine schedule immediately upon passage. There will always be a built-in lag in doing so. Once the new schedules are printed and available the Department also notifies all local law enforcement agencies, other State agencies such as Fish and Game, and the County Sheriffs to pick up their new forms and implement the changes.*

*As a result of the audit finding, on September 7, 2010, a directive from the Support Services Bureau Commander was sent to all sworn State Police personnel instructing noncommissioned officers (“NCOs”) to insure that the correct fine schedule is being used and to review troopers’ paperwork to insure that they are assessing the correct fines.*

*The Division will also take the following steps to assure timely notification to personnel and to ensure the most current fine schedule is being used:*

- Special notification will be made to each Troop/Unit Commander to confirm that personnel under their command are aware of the effective date of any new fine schedule change and that troopers are using the most current fine schedule,*
- Troop Commanders are directed to confirm NCOs are inspecting fine schedules during bi-monthly cruiser inspections,*
- The auditors’ finding will be included in the next issue of the Training Bulletin that is disseminated to personnel by the State Police Recruitment & Training Unit, and*
- The State Police will mandate periodic audits by NCOs of citations issued by Troopers to ensure the proper fines are being assessed relative to the violation alleged.*

## **Observation No. 10**

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### ***Improve Management Controls Over Extra Duty Details***

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Inadequate controls over the extra duty detail process have led to inaccurate detail vouchers, inconsistencies between detail vouchers and weekly duty reports or off-duty Court attendance documentation, and violations of the extra duty details policy. The State Police defines an extra duty detail as the “providing of law enforcement services at construction sites, the escorting of oversize loads, and other designated voluntary commercial assignments that are not related to the regular duties of a sworn employee.” State Police management requires Troopers who work extra duty details to complete a detail voucher upon finishing the detail. Troopers also enter the number of detail hours worked on their weekly duty report. During SFYs 2009 and 2010, the State Police expended approximately \$3.9 million and \$4.8 million on extra duty details, respectively. We reviewed 365 detail vouchers completed by State Police Troopers during three one-month periods during SFY 2010, 197 of which (54 percent) had at least one inaccuracy.

According to the State Police policy PSC 22-E pertaining to extra duty details, Troopers must enter the hours they *actually* worked on their detail vouchers; however, we found Troopers

entered the incorrect number of hours on 48 of 365 detail vouchers (13 percent). Specifically, we found:

- 31 vouchers (65 percent) in which the Trooper entered the incorrect number of hours spent on the detail. Although the CBA guarantees a minimum of four hours compensation for extra duty details, we found Troopers working fewer than four hours entered four hours on the “total detail hours worked” line of the voucher instead of the actual hours worked as required by policy.
- eight vouchers (17 percent) in which the Trooper entered hours worked on the “total detail hours worked” line of the detail voucher even though the detail was cancelled, resulting in zero hours of work for the Trooper.
- nine vouchers (19 percent) in which the number of hours Troopers reported spending in Court differed from the number of hours shown on the Certification Troopers filed for the same day.

In addition to the inaccuracies discussed above, we found two details (one percent) which were not accounted for on the Trooper’s weekly duty report and 147 vouchers (40 percent) in which the Trooper did not accurately report the number of regular duty hours worked on the detail voucher. In 144 instances (98 percent), Troopers reported working fewer regular duty hours on their detail vouchers than what appeared on their weekly duty reports. For example, we found some Troopers worked nine hours of regular duty (as shown on their weekly duty report); however, their detail vouchers showed eight hours of regular duty.

PSC 22-E also prohibits employees from working more than 16 hours from midnight to midnight. Troopers working on details lasting longer than expected must obtain permission from a State Police supervisor before working beyond the 16-hour limit and document the approval on their detail vouchers. We found nine instances where Troopers worked more than 16 hours from midnight to midnight, but only two vouchers (22 percent) showing evidence the Trooper sought permission from a supervisor. Additionally, PSC 22-E requires Troopers have eight consecutive hours off after working 16 hours. Of the nine instances where Troopers worked more than 16 hours from midnight to midnight, four (44 percent) did not have the required eight consecutive hours off before working again.

PSC 22-E requires each Troop assign a Troop Detail non-commissioned officer (NCO) to review all detail vouchers for compliance with the policy as well as to ensure details are not so physically or mentally demanding as to diminish the employee’s ability to perform regularly assigned duties. Five of the seven Troops (71 percent) have an NCO assigned to check the vouchers for compliance with the PSC; however, review is inconsistent. In one Troop, patrol supervisors review the detail vouchers for all Troopers on a rotating basis; in another, the Trooper’s shift supervisor reviews the detail voucher; in another Troop, the Troop Commander reviews the detail voucher; while in two Troops, personnel stated no one reviews the vouchers for compliance. All Troops receive a faxed or e-mailed summary of the Troopers scheduled to work details for the next day, but management is often unaware of an individual Trooper’s extra duty detail until after it is completed and the Trooper has submitted the detail voucher.



Inadequate management controls have allowed Troopers to inaccurately complete their detail vouchers and violate PSC 22-E without consequence. While PSC 22-E allows State Police management to suspend a Trooper's privilege to perform details for violations of the policy, without adequate management review of extra duty detail vouchers, management cannot determine which Troopers are violating the policy.

**Recommendations:**

**We recommend State Police management strengthen controls over the review of extra duty detail vouchers by establishing a process to ensure:**

- **all Troopers understand the policy and the importance of completing associated paperwork accurately,**
- **information recorded on the extra duty detail voucher accurately reflects actual work performed, and**
- **Troopers receive and document approval for exceptions to the policy.**

*Auditee Response:*

*We concur.*

*The State Police is in the process of reviewing the current Extra Duty Detail policy (PSC 22-E) in light of the findings of the LBA auditors. The State Police anticipates revising PSC 22-E by April 1, 2011. In the interim, the State Police will undertake Division-wide training to emphasize the importance of accurate paperwork, as well as enforcement and compliance with all existing policies.*

*The State Police will direct the Captain in charge of the Extra Duty Detail desk to perform periodic audits of the detail vouchers from the various troops.*

*The State Police will enforce the existing policy by assigning a non-commissioned officer from each Troop to review all detail vouchers for compliance with the policy.*

**Observation No. 11**

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***Review Extra Duty Detail Policy***

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The State Police policy PSC 22-E, pertaining to extra duty details, does not fulfill its intended purpose. PSC 22-E permits Troopers to work a maximum of 16 hours in a 24-hour period. However, the policy is written inconsistently and lacks adequate management controls, possibly affecting efficiency and effectiveness of State Police operations, and compromising public and Trooper safety. These inconsistencies and inadequate controls allow employees to circumvent the policy to the point of abuse.

Extra duty details are a significant aspect of State Police work for some Troopers. The State Police expended approximately \$3.9 million on extra duty details during SFY 2009, and

expended \$4.8 million during SFY 2010. During SFY 2009, Troopers working extra duty details earned a range of approximately \$200 to \$51,800, and as of February 2010, Troopers earned between \$200 and \$55,900. Seventy-four Troopers earned more than \$10,000 in both SFYs 2009 and 2010, as of February 2010. According to the CBA, Troopers are compensated at one-and-one-half times the rate of pay for a Trooper II at the maximum step, or \$47.48 per hour.

Federal law 23 CFR Part 630 subpart K (2005) requires each state develop minimum requirements and guidance for using protective devices between the workspace and traffic, including using uniformed law enforcement. Subpart K requires compliance for all federally-funded highway projects and was “encouraged on other highway projects as well.” Specifically, 23 CFR 630.1106 (c) required states develop a policy addressing the use of uniformed law enforcement on federally-funded highway projects including addressing conditions where law enforcement may be needed or beneficial as well as criteria to determine project-specific law enforcement needs. In June 2009, the New Hampshire Department of Transportation established its “*Flagger And Uniformed Officer Use In Work Zones*” policy and guideline to establish parameters for identifying “the appropriate need and consistent use of flaggers and uniformed officers....”

Although PSC 22-E establishes extra duty details as a “privilege” which “shall **not** interfere, nor hinder, the efficient operation” of the State Police, we found the following provisions and inconsistencies within the policy and its implementation that may interfere with efficient and effective State Police operations:

- After completing an extra duty detail, Troopers are required to file a detail voucher which records the number of hours spent on regular duty, administrative duties, Court, regular overtime, and extra duty details. According to the policy, the detail voucher shall be reviewed to ensure compliance; however, as discussed in Observation No. 10, management does not adequately review the vouchers for accuracy or compliance.
- PSC 22-E prohibits Troopers from working “more than sixteen (16) hours during ANY consecutive 24-hour period...” without supervisory approval. The policy is inconsistent, as it later defines a 24-hour period as “midnight to midnight.” As discussed in Observation No. 10, we found nine instances from 365 vouchers (two percent) in which Troopers worked more than 16 hours from midnight to midnight, seven of which (78 percent) did not have documented supervisory approval.
- PSC 22-E allows Troopers to exclude regular duty hours worked over eight hours from their detail voucher by defining regular duty as “an eight (8) hour day,” regardless of the actual number of regular duty hours a Trooper works. This inconsistency allows Troopers to underreport the number of actual hours worked in a day, allowing them to circumvent the prohibition on working more than 16 hours in a day. As discussed in Observation No.11, we found 144 instances from 365 vouchers (39 percent) where Troopers underreported the number of regular duty hours on their detail voucher.
- Although Bureau personnel have expressed concerns about patrol coverage due to Trooper absences, PSC 22-E.1.2 A (9) allows Troop Commanders to “adjust an employee’s scheduled duty hours ... to allow for the required eight (8) hours off ... as

long as patrol or duty assignments permit.” In permitting adjusted hours to accommodate Troopers working extra duty details, management may be allowing extra duty details to interfere with or hinder effective and efficient operations of the State Police.

- PSC 22-E states details should not be paid portal to portal and does not allow Troopers to travel to or from an extra duty detail during their regular duty time. However, we found 26 instances from 365 vouchers (seven percent) where the Trooper’s extra duty detail started at the same time their regular duty ended. In one instance, we found a Trooper’s extra duty detail started .5 hour prior to the end of the Trooper’s regular duty shift.

The current policy defining a 24-hour period as midnight to midnight is also not consistent with the State Police mission of protecting public safety as it does not consider all hours worked in cases where a Trooper’s shift starts prior to midnight and continues into the next day. For instance, a Trooper working regular duty hours from 5:30 pm until 2:30 am is allowed to “reset” the clock at midnight and is not required to include the 6.5 hours worked prior to midnight when calculating the number of hours worked within a 24-hour period. Additionally, it allows a Trooper to work 32 consecutive hours without violating the policy (i.e., a Trooper working from 8:00 am to midnight may continue working until 4:00 pm the next day – 16 hours each midnight to midnight period – without violating the policy).

We found 23 instances from 365 vouchers (six percent) in which Troopers worked more than 16 hours when viewed in a *consecutive* 24-hour period. We further reviewed all hours for ten Troopers working the most number of detail hours during the one-month period we sampled. We found 14 instances in which Troopers worked extensive periods of time with less than eight hours off after completing 16 hours of work. For instance, during a 24-hour period starting prior to midnight and continuing into the next day, one Trooper worked two regular shifts and one extra duty detail for a total of 22.5 hours. The Trooper had a .5-hour and a one-hour break between the shifts. This same Trooper also worked 30 hours within a 34-hour period with three .5-hour breaks and a 2.5-hour break between shifts and had another span of time during the month with a similar pattern. Another Trooper worked two regular duty shifts and three extra duty details for a total of 33 hours within 38 hours with two .5-hour breaks and one 4-hour break between shifts. This Trooper had ten hours off then worked another 33 hours within the next 45-hour timeframe with a 6.5-hour and a 3.5-hour break between shifts. This Trooper had two other periods during the month with similar patterns. Based on patrol area and extra duty detail locations, some of the break times between regular duty and extra duty details appear to involve Troopers’ travel times.

Of the 14 instances in which Troopers worked extensive periods of time without the required eight hours off, only three violated the policy prohibiting a Trooper from working 16 hours from midnight to midnight. Resetting the clock at midnight allows Troopers to circumvent controls established to protect them and the public safety and allows them to continue working long periods of time without adequate time off.

Literature on the effects of sleep deprivation concludes lack of sleep is linked to increased reaction time, compromised motor skills, increased errors, and negatively impacts cognitive

function, especially in tasks requiring sustained attention. In September 2008, a State Police Trooper who had worked long hours was escorting an oversized load, fell asleep, and struck two bicyclists. State Police management acknowledges the potential threat to Trooper and public safety when Troopers work long hours without adequate rest; however, it has not taken adequate steps to mitigate this risk.

**Recommendation:**

**We recommend the State Police review and revise its policy allowing Troopers to work 16 hours from midnight to midnight. State Police management should ensure the policy is aligned with the State Police mission, considers all time worked by Troopers in determining policy compliance, and eliminates inconsistencies.**

**Auditee Response:**

*We concur.*

*As discussed in response to Observation No. 10, the State Police is in the process of reviewing the current Extra Duty Detail policy (PSC 22-E) in light of the finding of the LBA auditors. This review will include revisiting the definition of “duty day” and the number of consecutive hours a trooper can work. The State Police recognizes sleep deprivation as a hazard to the trooper him or herself, fellow troopers and the public at large. In order to minimize the risks of fatigue, the State Police will explore reviewing all policies (i.e., detail duties, court appearances and off-duty employment) that affect the number of consecutive hours a person can work. The State Police will also explore training for supervisors regarding assessing troopers for sleep deprivation and division-wide training for employees on the effect and management of sleep deprivation. The State Police anticipates a proper review and revision of the pertinent policies by April 1, 2011.*

**Observation No. 12**

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***Ensure Trooper Signatures On Payroll Documents Are Valid***

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State Police personnel submitted Certifications for payroll purposes with signatures which do not appear to be the same as the signatures on the weekly duty reports they submitted for the same pay period.

To receive compensation for off-duty Court appearances, Troopers must complete and sign a Certification for each Court they attended, record Court appearance hours on their weekly duty reports, and submit both forms to the Troop secretary at the end of each week. PSC 22-D pertaining to off-duty court and hearing attendance further states Troop Commanders shall ensure requests for compensation for off-duty Court and hearing attendance are reviewed for accuracy and conformity to the policy.

We reviewed 121 Certifications from three Troops, each for a one-month period during SFY 2010 and compared them to the signatures on the Trooper’s weekly duty reports and extra duty detail vouchers to determine whether they were the same. We found ten instances (eight percent)

involving five Troopers where the Troopers' signatures on the Certifications do not appear to be the same as the signatures on the Troopers' weekly duty report and/or extra duty details voucher. In one instance, another Trooper signed the Certification rather than the Trooper submitting the form. We could not compare signatures on 22 Certifications (18 percent) because either the Certification or the weekly duty report was unsigned.

State Police management is responsible for ensuring payroll documents are complete and include valid signatures before payment is issued. As discussed in Observation No. 6, the State Police does not have an effective method to ensure Certifications are reviewed for accuracy and completeness. As a result, there is no method in place to ensure Certifications are signed by the Trooper requesting payment for an off-duty Court appearance.

**Recommendation:**

**We recommend the State Police establish procedures to ensure all payroll documents include the valid signature of the Trooper submitting the document.**

**Auditee Response:**

*We concur.*

*State Police Management has immediately implemented the following procedures to correct the issues identified by the LBA audit:*

- *Management has notified all employees of the State Police that only valid signatures will be accepted on official payroll documents and further, no payroll documents will be accepted without a valid signature; and*
- *Troopers and support staff will be notified that all payroll-based paperwork such as weeklies, overtime vouchers, detail vouchers, court vouchers, expense accounts and leave requests, will be reviewed by supervisors upon submission for completeness and accuracy. Any discrepancies will immediately be brought to the attention of the submitting employee and corrected.*

**Observation No. 13**

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***Reassess Current Payroll Process***

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Inconsistent and ineffective controls over the State Police payroll process have resulted in incomplete and inaccurate documentation used to support payroll, varying review levels between Troops, and untimely review and approval of supporting documents. State Police personnel submit weekly duty reports at the end of each week to record the hours spent on regular duty, regular overtime, off-duty Court appearances, and extra duty details, as well as to report activities such as vehicle stops, warnings issued, and citations issued.

State Police policy PSC 22-G pertaining to weekly duty reports, requires weekly duty reports be used to “properly account for hours worked and services provided.” Troopers submit their weekly duty reports, copies of citations, warnings, extra duty detail vouchers, Certifications, and general service reports to the Troop weekly. Troop Secretaries review each Trooper’s packet of information to ensure the weekly reflects the number of citations and warnings turned in, information in the extra duty details voucher, and information on the Certifications. Secretaries enter the information into the Access-based *State Police Payroll* system.

We found the documents used to support payroll contained numerous inaccuracies. Our review of 468 weekly duty reports for three Troops found 52 weeklies (11 percent) where the number of daily work hours did not equal the sum of the hours recorded in the total column for the week. These errors went unidentified and uncorrected by Troop personnel. Additionally, as discussed in Observation No. 6, 118 of the 121 Certifications (98 percent) contained significant errors. Finally, as discussed in Observation No. 10, 197 of the 365 detail vouchers (54 percent) we reviewed contained at least one error.

PSC 22-G requires the Commanding Officer or designee sign the weekly, indicating it “represents an accurate and true accounting of the individual [Trooper’s] weekly duties and activities.” Supervisor review varies between Troops. Of the three Troops we reviewed, two Troops’ weeklies (312 weeklies) had no signature. In one Troop, the Trooper’s direct supervisor reviews and approves weekly duty reports prior to the Troop Secretary entering the data into the payroll system. In another Troop, the Trooper’s direct supervisor does not always review the weekly duty report; instead, the Patrol Supervisor on duty when the weekly duty reports arrive at the Troop reviews all weekly duty reports. In another Troop, Sergeants review the monthly statistical reports generated from the weeklies; however, they do not review individual subordinates’ weekly duty reports or accompanying documents. In all of the three Troops we reviewed, the Troop Secretaries entered data into the payroll database system prior to a supervisor’s review.

After entering weekly duty reports into the payroll database system, Troop Secretaries submit timesheet summaries, including hours worked and leave taken by each Trooper, to Bureau personnel at State Police Headquarters. Time sheet summaries then go to the DOS Business Office. Neither Bureau personnel nor the Business Office receive copies of the weeklies. The Business Office reviews the timesheet summaries for calculation and other errors and, if discrepancies are found, changes the summaries based on email correspondence with the Trooper, Troop Secretary, and Bureau personnel. The Business Office notes and makes subsequent changes to payroll before entering payroll information into the State payroll system.

According to an August 2009 memo from the Business Office, six personnel at State Police headquarters are authorized to approve payroll, but if no one is available when payroll is submitted, it will be approved at Business Office convenience. According to Business Office personnel, the State Police Director was often unavailable to sign and approve the timesheet summaries prior to entry into the State payroll system; therefore, the Business Office requested the Director submit a memo retroactively approving the timesheet summaries for payment. However, this approval was not done timely. The Business office provided us a memo dated April 12, 2010 requesting the State Police Director’s signature to approve payroll from the

period of August 1, 2009 through April 8, 2010 for payment. Payroll for this eight-month period had been processed, certified, and paid without the Director's signature.

We also reviewed one Troop's weekly duty reports for a 28-day period to determine whether information in the weekly duty reports matched payroll summaries retained at the Business Office. We found 21 of 156 weekly duty reports (13 percent) contained errors by Troopers. These errors were discovered and corrected by the Troop Secretary. We found four other instances (three percent) where the Business Office changed work hours and leave time on timesheet summaries, with no evidence the Trooper was subsequently informed or approved the changes.

Management is responsible for establishing controls to ensure accurate reporting of information. Inadequate supervisory review has contributed to a number of undetected errors in payroll documents.

### **Recommendations:**

#### **We recommend:**

- **State Police management provide additional training on the weekly duty reports to Troopers to reduce the number of Trooper-generated errors,**
- **Supervisors and Troop Commanders perform a review of the weekly duty reports prior to the Troop Secretaries entering the data into the State Police payroll database,**
- **State Police management establish a process to notify Troopers of all changes made to their payroll documents after submission, and**
- **The Commanding Officers and the State Police Director review and authorize payroll timely prior to submission to the Business Office.**

#### *Auditee Response:*

*We concur.*

*As a result of the Audit findings, the State Police has conducted in-service training to reduce trooper generated errors on the weekly duty reports.*

*The DOS is in the process of adopting a web based payroll enhancement that is currently in use at the DOT. The system is called MATS (Material Activity Tracking System) and has been in use for nearly 8 years and was developed as a cooperative project with the DOTs in Maine, Vermont, and New Hampshire. It has a payroll component that allows the capture of all currently required payroll fields and is subject to multiple supervisory controls in the process. The system is compatible with the State's GHRS and ERP systems. We anticipate that implementation of this system will allow greater efficiencies and accuracy in the State Police payroll process. The MATS system is robust enough to handle the diversity of the DOS payroll, as well as the multitude and various compensation adjustments as a result of the CBA. The new*

*system has multiple control layers and eliminates redundant keying of information. The new process will require us to:*

- *Provide training and update existing polices,*
- *Allow for supervisor and administrative review in the process,*
- *Automate notifications in errors, and*
- *Allow for command level review of each payroll.*

*The DOS attempted to implement this system in 2008 but was delayed due to the State's rollout of the Enterprise Resource Planning system. Our goal currently is to have the new system operational by April 1, 2011, provided the needed resources from within DOS and DoIT are available.*

## **Observation No. 14**

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### ***Review Opportunities To Increase Patrol Time***

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The State Police is not maximizing Trooper and Sergeant patrol time, resulting in Troopers and Sergeants spending less time on patrol than personnel in six states we surveyed. Troopers are responsible for enforcing criminal, motor vehicle, and all other laws to ensure public protection and safety; however, Troopers are spending only a fraction of their duty time on patrol when compared to those other states.

State Police resource allocation directly affects the organization's impact on crime and public safety, as well as its ability to support local communities, including responding to calls for service, patrolling, and providing investigative services. The State Police is New Hampshire's primary law enforcement division and provides uniformed police presence and law enforcement services throughout the State, with primary responsibility for traffic safety and responding to emergency calls on New Hampshire highways.

We reviewed weekly duty reports for 94 Troopers from three Troops, over a four-week cycle, or one-month period. Over the period, Troopers worked an average of 34 hours of on-duty time per week. Troopers' on-duty time does not include leave time. We found Troopers spent an average of 7 hours per week, or 21 percent, of their on-duty time on patrol. We surveyed six other states to determine how much time their Troopers spend on patrol. All of the surveyed states reported their Troopers spend between 20 and 35 hours per week on patrol. Table 3 shows how the 94 New Hampshire Troopers in our review spent their on-duty time, on average.

For an entity to control its operations, it must have relevant, reliable, and timely data. As discussed in Observation No. 20 information systems can improve data quality, eliminate redundant data entry, and improve information consistency and reliability. We found at least five other state police entities have or are implementing multi-functional, integrated information systems. The State Police does not have an integrated information management system. The current management information system for State Police is paperwork intensive. Each week, Troopers record hours spent on regular duty, regular overtime, off-duty Court appearances, and



extra duty detail; as well as the number of vehicle stops, warnings issued, citations issued, accidents, and criminal cases on their weekly duty report electronic spreadsheets. However, according to State Police personnel, each Trooper's hard copy weekly duty report submission can be up to an inch thick.

State Police personnel described the automated accident reporting system as time-consuming and cumbersome, and requires repeated entry of the same information. During the one-month periods we reviewed, Troopers spent approximately 570 hours (4.5 percent of their on-duty time) covering accidents and 470 hours (3.7 percent of on-duty time) writing accident reports out of 12,580 total on-duty hours worked. The State Police piloted an improved automated accident reporting system in August 2010, which should allow Troopers and local law enforcement officers to scan driver licenses and vehicle registrations to automatically populate the driver and passenger information onto the accident report, improving efficiency.

**Table 3**

**Trooper Activity Over A Four-Week Period**

<b>Activity</b>	<b>Percent Of On-Duty Time</b>
Criminal/Motor Vehicle Investigations	22
Patrol	21
General Service Requests	18
Administrative Duties <sup>1</sup>	9
Accident Coverage And Reporting	8
Training	8
Equipment Maintenance	5
On-Duty Court And ALS <sup>2</sup> Hearings	4
Other	5
<b>TOTAL</b>	<b>100</b>
Notes:	
<sup>1</sup> Administrative duties include completing administrative reports.	
<sup>2</sup> Administrative License Suspension.	
Source: LBA analysis of weekly duty reports.	

The states of Oregon and Montana have established goals for supervisors to spend 50 percent of their on-duty time on traffic patrol. Currently, the State Police have no performance goals for supervisor patrol time. Our review of weekly duty reports for 17 Sergeants shows they spent two percent of their on-duty time on patrol and 20 percent on field supervision activities including inspecting personnel and equipment, supervising patrol activities, serious incidents, criminal investigations, and motor vehicle accidents. While supplemental job descriptions enumerate no administrative responsibilities, State Police Sergeants spent an average of 53 percent of their on-duty time performing administrative tasks including overseeing payroll, inventorying equipment,

monitoring vehicle and fuel usage, completing administrative reports, and other tasks at Troop headquarters. The remaining 25 percent of on-duty time was spent on other activities including criminal motor vehicle investigations, general service requests, equipment service, training, and on-duty Court and administrative license suspension hearings.

Supervisory review of hardcopy Trooper weekly duty reports, off-duty Court appearance certifications, extra duty detail vouchers, and accident and criminal reports is reportedly very time-consuming. Corrections to accident and criminal reports must be sent back to the Trooper in hardcopy, re-printed, and resubmitted to the Sergeant. The current paper-intensive system and administrative burden limits Sergeants from spending more time on patrol and directly supervising Troopers. State Police management acknowledges there is a need to increase the amount of time Sergeants spend outside of the barracks.

**Recommendations:**

**We recommend State Police management review opportunities to increase patrol time by:**

- **establishing goals for the amount of time Troopers and Sergeants spend on patrol,**
- **reviewing Trooper and Sergeant tasks to determine essential and non-essential activities,**
- **prioritizing Trooper and Sergeant work activities to focus resources on the most important requirements,**
- **reviewing processes to identify efficiencies and eliminate duplicative and time-consuming activities,**
- **using technology to automate weekly duty reporting and improve the accident reporting system, and**
- **considering implementing an integrated records management system to eliminate redundant data entry and improve data quality.**

**Auditee Response:**

*We concur.*

*The audit compared the State Police with six other State Police agencies, all of which indicated their patrol time is between 20 and 35 hours per week. If the same method of calculating patrol time was not used by all of these agencies as was used for the State Police, it creates the classic “apples v oranges” comparison problem. For example, when a Trooper is traveling from place to place within the patrol area conducting criminal investigations and follow-ups, the Trooper is also “on patrol” in that if he or she observes a law violation during that time, he or she is expected to take action.*

*Due to the budget crisis, the State Police is currently understaffed and many Troopers are covering more than one patrol and in some cases, several patrols. Mandatory training requirements, annual and sick leave, and special assignments further tax a Trooper’s availability on patrol. The unpredictable nature of the job dictates when and where a Trooper spends his or*

*her time in response to calls for service, criminal investigations, court appearances, case preparation, and report writing. It is not practical to dictate the precise amount of time to be spent on patrol every day, but the State Police can set goals that will require Troopers to remain on patrol and highly visible during peak traffic hours. Once budgets are able to support the hiring of more Troopers or increase staffing, we will be able to greatly increase the amount of time a Trooper spends on patrol.*

*The State Police aspires to have Patrol Sergeants on the road 50% of the time, but this is impractical until the State Police is able to automate and streamline its documents and records. Nevertheless, when a Patrol Sergeant is at the barracks doing administrative work, he or she is always available to the Trooper for advice by telephone or to respond to an emergency in progress.*

*It is the State Police goal to implement an automated payroll system that captures all fields in the current Weekly Duty Report, and thereby, eliminate duplication of effort. The State Police anticipates this project will be in effect by April 1, 2011.*

*A new statewide accident reporting form was recently adopted and will enable Troopers with in-car data terminals to complete these accident reports at the roadside. If and when this can be combined with driver license and registration scanning, even more time will be saved. In addition, as stated in our response to Observation No. 13, the State Police is currently in the process of adopting the MATS system which is currently in use at the Department of Transportation. This will automate the State Police payroll. The system is web-based and will require daily work reports. These can be completed in the cruiser and transmitted via the wireless network to the designated control points.*

*The Division has contracted with a vendor to implement a new Records Management System (VALOR) which is designed to eliminate redundant data entry and improve data quality. It will also streamline the report approval process and activity reporting. This will give Patrol Sergeants and Troopers more time to spend on the road. We anticipate that the vendor will develop and deploy the software by October 1, 2011. The State Police is seeking funds to implement a system for scanning driver licenses and registration documents at the roadside and enable us to issue electronic traffic tickets. If we are able to fund this system, it will enable Troopers to conclude traffic stops and resume patrol more quickly, as well as reduce errors in our records system and that of the DMV. Only the lack of funds has prevented us from implementing this system to date.*

*The Business Office has been directed to notify employees of all changes to payroll documents after submission.*

*The Colonel has authorized all of the Command staff to review and authorize payroll to ensure timely submission to the Business Office.*

## Observation No. 15

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### ***Improve Continuity Of Operations Planning***

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State Police management should improve its Continuity of Operations Plans (COOP). We found inadequacies in State Police information security, IT security, and in backup and recovery processes supporting IT systems. While State Police management reported using an Incident Command System-compatible, Internet-based application to interface with the Division of Homeland Security and Emergency Management, we found no established, standardized, on-scene, all-hazards incident response policy or procedures, such as the Incident Command System commonly used in fire and emergency response services. We also found incomplete continuity of operations planning.

Since 2009, the State Police has been drafting COOPs intended to sustain operations for up to 30 days in the event of a disaster. The drafts have not been approved, or tested. Further, the COOPs:

- identified Troop-level mission-essential priorities rather than adopting State Police-wide priorities;
- relied on alternate facilities which may be unable to house the number of personnel estimated to perform mission-essential functions and did not have vulnerability assessments;
- lacked complete memoranda of understanding for alternate facilities;
- lacked methods for management to identify, notify, and train individuals next in the line-of-succession;
- inadequately addressed methods to protect vital resources and records; and
- lacked embedded plans outlining the process to return to normal operations.

Five field personnel reported not knowing whether plans existed, what the plans included, or how they should respond to an incident. Two others reported local procedures to back up computer files but no other processes or plans to address operational continuity were in effect. One Troop Commander could recount the substance of his Troop's draft COOP.

### **Recommendations:**

**We recommend State Police management improve controls by completing draft COOPs and subsequently testing, validating, revising, and implementing the COOPs agency-wide. We also recommend State Police management develop, test, and implement a standardized incident command system to aid in responding to internal and external incidents.**

### **Auditee Response:**

*We concur.*

*Much work has been done on the plan, but it has not reached the point of being approved and implemented. We will use the LBA Audit Team's observations as a starting point, make the appropriate changes and implement the plan during SFY 2011. We will call upon our sister*

*Division (Homeland Security and Emergency Management) as needed for technical advice and assistance.*

*The Incident Command System is a standardized model that is recognized nationwide and was adopted by statute in New Hampshire. In 2002 we trained all of our noncommissioned officers in the Incident Command System and the National Incident Management System and in 2004 all other sworn personnel received this training. We have since used this system on a number of critical incidents. However, we need to develop a Professional Standard outlining how and when it will be used and will do so as part of our ongoing project of updating all of our Professional Standards. This will be a priority in that project. Although a majority of the State Police received this training in 2002 and 2004 it must become an ongoing practice.*

## **Observation No. 16**

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### ***Improve Information Technology Management Controls***

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State Police operations could benefit from improved management controls over supporting IT. IT is extensive throughout State Police operations. Reliance on IT poses numerous risks, and agency operations and key functions could shut down if IT is lost.

#### *Governance*

Proper IT governance helps ensure IT-related decisions are made by the appropriate authority and IT helps effectively achieve business objectives. DoIT employees at the DOS manage technical aspects of State Police IT. The State Police employs no IT staff of its own, but has uniformed personnel performing additional IT-related duties. Our 2006 Financial Audit of the Division of Motor Vehicles found the DOS and DMV did not “demonstrate primary responsibility for the Division’s IT systems.” Nor did a memorandum of agreement (MOA) between the DOS and the DoIT exist, increasing the risk of each party’s responsibilities becoming unclear. We recommended the DOS view the DoIT as a service organization and formalize their relationship. DOS management concurred. However, these concerns continue.

We found:

- No formal DOS-DoIT MOA.
- No comprehensive DOS strategic IT plan.
- No readily available basic system inventories or topologies detailing system structure.
- Projects, like P54, were not always integrated into the DoIT’s management scheme, falling outside formal support processes such as DoIT’s Help Desk.
- State Police management is concerned the DoIT does not adequately service the operational uniqueness of the State Police.
- No after-hours support from the DoIT; the State Police has contracted with a third-party for after-hours and weekend services, and routinely uses other work-around support procedures.
- No formal process to review operating systems’ performance.

### *General And Application Controls*

General controls are policies and procedures designed to allow management-authorized IT system use. IT asset protection includes physical and logical access controls preventing or detecting unauthorized use, damage, loss, or modifications. Access to these resources should be limited to properly authorized personnel. We found controls in the following areas need improvement: disaster recovery planning; removable media and mobile device management; log management, audit, and management reporting; training; and segregation of duties.

#### Disaster Recovery Planning

Agencies should take steps to prevent and minimize potential damage and interruption through the use of data and program backup procedures, including offsite storage of backup data, as well as environmental controls, staff training, hardware maintenance and management, and plan development and testing. Controls provide reasonable assurance an organization will be able to recover from loss or destruction of data processing facilities, hardware, software, or data. Disaster recovery plans (DRP) focus on employee safety, emergency services, operational communications, and recovery of power, hardware, and software; address the immediate emergency; and are differentiated from business continuity planning. Since 2009, the State Police has been developing a COOP; however, an IT-focused DRP is not included.

The State Police relies on the DoIT to back up mission-essential system data nightly and store system backups off-site monthly, as well as the University of New Hampshire (UNH) for P54 backups. The DoIT off-site storage location may not adequately ensure survivability, as it is a closet with a locked door, not a fireproof safe. We also found several unattended containers of backup tapes with labels indicating they contained sensitive State Police data, in two different locations within the headquarters, raising questions about the security and reliability of the DoIT-operated backup system. Further, recovery plans are untested.

State Police policy only suggests user-level weekly back-ups for sensitive or essential data rather than requiring backups, and employees are neither issued State-owned nor allowed by policy to use their own removable media to create backups. Nonetheless, management reported employees use their own devices, contrary to policy, but without consequence. Further, State Police backup policy pre-dates DoIT policy by some eight years and does not reflect technical aspects of the more current DoIT policy.

#### Log Management, Audit, And Management Reporting

State Police networks, key card door access systems, and applications record, or log, user activity. DoIT staff reported network changes are logged but intrusion protection and prevention capabilities, other than the firewall, do not exist. Best practice suggests agencies maintain formal intrusion response plans, escalation procedure, and a reporting system and employ intrusion detection and prevention systems. We found while the DoIT established an incident response policy, there are no corresponding State Police plans, policies, or procedures to operationalize DoIT policy.

Best practice also suggests periodic log reviews, conducting audits of agency devices and settings, and creating and reviewing audit trails. We found no evidence the State Police used such control measures. The lack of log review directly led to some of the State Police Online Telecommunication System (SPOTS) deficiencies we discuss in Observation No. 18. SPOTS receives periodic federal audits required by federal policy, but we noted the State Police had the same findings for one and two audit cycles. Management control best practice suggests timely mitigation of audit findings are essential to good management control.

### Training

Employee training, including awareness training on computer viruses and network use, underpins management controls. Troopers reported initial, but no ongoing or sustainment training in this area, and we found no policy-based ongoing training requirement for employees or contractors, except for SPOTS.

### Segregation Of Duties

Policies implementing controls to ensure adequate segregation of duties exist to strengthen system security. Segregation of duties between users and supporting staff must be maintained among database administrators, security, users, application programmers, operators, database management systems programmers, and internal auditors. Management should periodically review segregation of duties. We found no segregation of duties policy or ongoing review. We also found DoIT application and system personnel (database administrators, tape librarians, Windows operations, and Unix staff), being allowed more access than best practice suggests is permissible.

### Recommendations:

**We recommend State Police management improve IT controls by:**

- **establishing and utilizing a DOS-led IT governance framework;**
- **developing a strategic IT plan addressing each system;**
- **executing a MOA with the DoIT covering all State Police systems, detailing support and service relationships and segregation of duties policies and procedures;**
- **obtaining and maintaining a complete inventory of IT assets and system topologies;**
- **implementing a comprehensive IT disaster recovery plan in concert with ongoing continuity of operations planning;**
- **implementing intrusion response plans, polices, and procedures, including a reporting system;**
- **reviewing existing logging and audit trail capabilities and developing polices and procedures to institutionalize system monitoring;**
- **ensuring federal SPOTS-related audit findings are addressed timely; and**

- **revising or updating and enforcing IT-related policies including the general computer use policy, removable media and mobile devices use, and employee training, to conform to State policy.**

State Police Response:

*We concur in part.*

*There is no MOA between DoIT and DOS. In researching this we found that a draft MOA was set up but never executed. Additionally, we asked DoIT to produce any existing fully executed MOA between DoIT and any state agency, at any level. However, we were told that none exist. Our plan by the end of SFY 2011 is to execute a comprehensive MOA between DoIT and DOS.*

*DoIT and DOS have developed a strategic plan for projects and that has been in existence for several years and is updated annually. Although it does not specifically address every system individually, it does identify needs and priorities for maintenance, modification or replacement.*

*DoIT and the State Police, through the DOS, will work together to create and execute an MOA covering all State Police systems that will detail support, service and segregation of duties as well as policies and procedures. Our goal is to complete an MOA by the end of SFY 2011.*

*DoIT does maintain an inventory of all systems and equipment. However, the process that creates the inventory is not simple or efficient. We expect this to be accomplished by the end of SFY 2011.*

*DoIT has been working with DOS in developing continuity of operation plans with regards to DOS information technology. The DoIT plan covers all State Police and while only in draft form, we expect completion by the end of SFY 2011.*

*We previously recognized the need to develop intrusion response plans and policies as it relates to personal credit information compliance. We have limited capabilities at this time but we have new infrastructure that is being developed that will give us better intrusion detection and will have periodic testing.*

*Not all State Police information technology systems have audit capabilities. Many of the legacy systems do not have that ability and the cost to develop such capability may be prohibitive. We plan to dramatically improve our audit capabilities by the end of SFY 2011.*

*We are moving to a different method of connectivity for SPOTS users and while doing this we are concurrently improving controls and management of the system.*

*The current Computer Use Agreement was modified in 2007. It does lack in some areas but effectively covers substantive issues. By the end of SFY 2011, we expect to update the Computer Use Agreement.*



Department Of Information Technology Response:

*We concur in part. In our opinion the LBA audit has misstated several areas of concern as indicated in the responses below. There is coverage on systems agreed upon at a level agreed upon by DOS and DoIT.*

- We agree the DOS should establish and utilize a Department-led IT governance framework. There was, and is planned to be, periodic meetings with the division directors to discuss current and future project efforts and overall IT requirements.*
- There is a current IT Plan available but was never requested from the IT lead. There is also an effort underway to develop a new IT plan.*
- DoIT will work with DOS to create and execute an MOA covering all State Police systems, detailing support and service relationships and segregation of duties policies and procedures.*
- The IT inventory is currently done through a group effort including the business office, IT and warehouse. It is in need of upgrading/replacement and should be a priority in the near future. DoIT will work with the Agency to develop a list of to better manage IT assets.*
- COOP is in process. Most divisions have a draft plan available. This is an on-going project.*
- We agree intrusion response plans, policies, and procedures should be implemented. The new infrastructure that is currently being implemented allows us the ability to put up a durable and proactively self-mitigating intrusion detection/protection perimeter.*
- Reviewing existing logging and audit trail capabilities and developing policies and procedures to institutionalize system monitoring will need to be a joint effort between DOS and DoIT. The logging and auditing of physical access in the DOS buildings will require both agencies to set policy and procedures. For our newer applications and all financial applications logging and audit trails are being maintained (MAAP/Boater Reg etc). Most older applications have a limited version of audit trails. Components of the new security infrastructure address the ability to monitor and log traffic passing through our network and the enforcement of internal use policies as well as access to “secure” data.*
- SPOTS related findings have always been a priority and have been addressed as quickly as can be accomplished given resources and funding. We have a contractor, CPI, on yearly contract to address any SPOTS issues.*
- We agree IT-related policies should be revised, updated, and enforced. This is addressed in our response to Observation No. 17.*

**LBA Rejoinder To DoIT Response:**

**As stated in the observation, we found no comprehensive DOS strategic IT plan. We requested the State Police strategic IT plan and received a slide presentation offered by DOS management as a strategic IT plan.**

## Observation No. 17

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### ***Improve Information Security-Related Management Controls***

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Day-to-day operations have multiple information security risks for the State Police. Security breaches are expensive and compromise credibility and public trust. We found no agency-wide or component unit information security programs; no formally assigned security manager; and no comprehensive, agency-wide risk assessment detailing risks facing the agency. Agency management reported informal assignment of security management responsibility to staff and working on incremental improvements to segments of security programs. Information security was addressed piecemeal in:

- federally-generated Criminal Justice Information System (CJIS) network-related documentation containing some components of a SPOTS-specific plan; and
- a DoIT policy and procedure focused on information systems (IS) and how the DoIT would respond to an IS-related security incident.

Information security requires a multi-disciplined program encompassing personnel, physical, IS, and communications security; investigations; and security management. Information security protects information from unauthorized access or modification and includes classification, declassification, marking, control, accountability, and safeguarding requirements; cryptography; clean desk policies; and policies prohibiting cell phones and cameras in sensitive areas. We found no agency-wide policy implementing such controls. We also found significant amounts of technical P54 information readily available on the Internet and we communicated several sensitive physical security inadequacies to the State Police confidentially, which they reportedly are in the process of addressing. Further, DoIT policy prohibits connecting personally-owned devices to the State network. Agency policy does not address this.

#### *Personnel Security*

Personnel security practices should ensure personnel with access to sensitive information have appropriate authority and clearance, which includes background investigations and regularly scheduled reinvestigations. Inadequate personnel security measures can lead to breaches in information security. The State Police conducts broad-based background checks on sworn personnel and civilians which examine prior employment, military service, financial, criminal, and motor vehicle histories. Third-party security risks should be addressed before access to sensitive information or systems is granted. However, as we discuss in Observation No. 18, we found significant flaws in State Police handling of personnel security.

According to the *Federal Information Systems Control Audit Manual (FISCAM)* and the International Standards Organization's (ISO) *ISO 27002-Information Security Standard*, agencies should ensure: departing employees with access to confidential information should receive exit interviews, access cards and keys should be returned, logical information systems access terminated, and notification made agency-wide of their change in status. We found no related agency-wide policy and found former employees who retained information system

access. We also found one employee retained access to crime intelligence files after transfer to a position no longer requiring such access.

Initial and ongoing training of employees and third-parties with access necessarily must be embedded into an agency's control plan according to FISCAM and ISO 27002 standards. The only formalized security-related training we found was federally-mandated CJIS training.

### *Communications Security*

Communications security includes procedures to prevent unauthorized users access to agency telecommunications. Wireless technology systems pose enormous security risks, requiring robust network security controls be established. P54 relies on a wireless update system using remote update servers statewide. P54 users download current motor vehicle records, and due to documented wireless security issues, the privacy of transmitted information is a concern. Files are encrypted and private keys, essential to decrypting data, are never transmitted wirelessly. In-vehicle equipment is configured to enable the wireless device only when a user chooses, limiting, but not eliminating, the opportunity to detect and exploit the wireless connection.

However, users must be aware of information security policies to be effective and P54 has no password screen, one Trooper we interviewed reported being unaware of data transfer security requirements, and as we discuss in Observation No. 19, there is no formal P54 training program. Additionally, since 2007, all State Wireless Local Area Networks (WLAN) are required to conform to the Institute of Electrical and Electronics Engineers (IEEE) 802.11g protocol by DoIT policy. The P54 WLANs relied on an older, less secure protocol, IEEE 802.11b until February 2009. Further, best practice suggests WLANs should operate on the current wireless protocol, IEEE 802.11i, as it addresses known weaknesses in earlier standards. The agency has no plans to migrate to IEEE 802.11i. As we discuss in Observation No. 19, we found no P54 project plan, leaving it to chance for project managers to include security in the system's development lifecycle as best practice would suggest and State policy requires.

### *Information Systems Security*

Information systems pervade agency operations, information systems security should protect information systems from unauthorized access and information systems security plans should be echeloned at the agency, unit or program, and system levels. DoIT has responsibility for establishing statewide information systems security policy and the State Police must also conform to federal CJIS requirements. However, we found no agency-wide, unit or program-level, or system-specific security plans. We found major subsystems controlled by third parties, third parties in sole possession of user names and passwords to hardware devices on State Police systems, and weak passwords in use until we made inquiries in June 2010. Further:

- The Division's computer use policy cited by staff and management as guiding current practice is outdated, drafted in 1999, and does not conform to DoIT's current, 2007 standards.

- Users should be expected to protect their passwords and equipment; however, one trooper reported taping passwords to computers and one ranking officer allowed other employees to use his computer.
- Ongoing logging, reviews of logs, and audit are essential components of a management system; while logging capabilities exist for some systems, logs are not reviewed and no agency policy exists requiring reviews or audits.
- Single-factor authentication of user identification was widely used, relying on user name and password to authenticate users for information system access; but is the least preferred and weakest form of user identification.
- Asset inventory maintenance is essential to adequate management control and understanding risk; however, the agency maintains no comprehensive system or hardware inventory.
- Controlled disposal, data security, and encrypting removable media are essential components of security polices but Department policy and controls are lacking. Agency policy for computer security simply requires computers “shall be stored, when not in use, in such a way that it is protected...against theft.” We observed on numerous occasions hardware awaiting disposal and stored in public areas but not sanitized. Management reported other equipment had been sold as surplus but later found with sensitive data after sale to the public.

Overall, the State Police lack a proactive information systems security management structure, clearly assigned program responsibility, and an appointed security officer to manage security programs and plans. Agency-wide plans do not exist and are not supported by component unit plans, and management has not established sufficient, detailed polices and procedures to implement plans. Management needs to systematically assess risks and develop mitigating plans, polices, and procedures.

### **Recommendations:**

**We recommend State Police management improve information security controls by:**

- **formally assigning security manager duties to an appropriate employee;**
- **conducting a comprehensive, agency-wide risk assessment; and**
- **leading information security-related planning regardless of whether the DoIT, UNH, or other third parties are involved to ensure State Police requirements are addressed.**

**We further recommend State Police management develop a comprehensive agency-wide information security plan and supporting facility plans, including:**

- **requiring all personnel with ongoing and routine, unaccompanied access to sensitive information and facilities meet the same clearance requirements, and requiring personnel without such clearance be supervised when accessing sensitive areas and information;**

- ensuring information security procedures for employees departing the agency are codified and implemented, including exit interviews, and ensuring employees at all times only have access to sensitive information consistent with their assignments;
- migrating from single-factor authentication for physical and logical access to sensitive areas and systems to either a two-factor or multiple-factor authentication;
- a plan to migrate legacy WLANs to current protocols and integrate security in P54 project plans;
- updating and implementing comprehensive, agency-wide information security-related policies and procedures including use and disposal of removable media, logging and audit requirements, use of personal devices, and information control and marking;
- conducting initial and sustainment training of employees on their information security roles and responsibilities; and
- conducting ongoing reviews and updates of information security plans, policies, and procedures, including reporting and response processes.

State Police Response:

*We concur.*

*We concur with the assignment of an information security manager with the authority to enforce relevant policies. The State Police will formally assign an employee as the information security manager.*

*We concur that the State Police should conduct a comprehensive Department-wide risk assessment. This will be completed by the end of SFY 2011.*

*Based on the outcome the risk assessment, once vulnerabilities are identified and properly addressed, the State Police will make every effort to ensure that any other agency tied into the State Police's network complies with its policies and requirements.*

*The State Police agrees that a policy should be put into place that no outside vendor would be able to access secure areas without an escort under those conditions. For basic and planned repairs, a fingerprint check along with a criminal check should be completed.*

*The State Police should by policy conduct exit interviews. At that time a checklist could be completed canceling passwords and access. The State Police also concurs that employees should only have access to sensitive information consistent with their assignments. To that end, the State Police will ensure that a review of an employee's access to information technology systems will be conducted whenever an employee's assignment is changed. The State Police will initiate the implementation of these steps immediately.*

*The DOS met with the DoIT on September 24, 2010. Agency management decided to migrate to two-factor authentication for IT systems. It was determined multi-factor authentication for facilities was cost-prohibitive.*

*Updating legacy equipment may also be cost prohibitive. If the State is able to fund such a project we could strengthen our security.*

*The State Police concurs that there ought to be policies and procedures regarding the use and disposal of removable media, logging and audit requirements, use of personal devices and information control and marking. The disposal of hard drives is DoIT's responsibility. The State Police shall ensure that the MOA between the DoIT and DOS addresses a mutually acceptable "best practice" process. Access to the State network by personal devices has been discussed in the past and rejected. That policy should also be memorialized in the DoIT and DOS MOA.*

*The State Police concurs with the auditor's recommendations concerning the initial and sustainment training of employees on their information security roles and responsibilities. The State Police will work with DoIT to enhance all training of employees.*

*The State Police concurs with the recommendation that it conduct ongoing review and updates of information security plans, policies, and procedures, including reporting and response processes. The State Police will work with DoIT to complete this within the next 18 months.*

*Department Of Information Technology Response:*

*We concur in part. In our opinion the LBA audit is on target with the caveat that compliance with IEEE 802.11g standard is reasonable at this time; compliance with IEEE 802.11i is a reasonable goal for the foreseeable future. The audit is also correct in that DOS/State Police needs to officially identify a Business Security Officer (BSO) to oversee Agency security. Furthermore, the BSO needs to work with the technical security officer (TSO) to assist in following best business practices and standards. This coordination will be needed to perform ongoing risk assessment and implement the solutions. Engaging the BSO and TSO in all aspects of the business would help alleviate the emergence of security problems later as projects would not be designed without security in mind.*

- The DoIT will advise and assist DOS/ State Police to help plan for and implement an agency-wide security policy. Leading information security planning and addressing information security procedures for departing employees would be the job of the BSO. Conducting ongoing reviews and updates of information security plans, policies and procedures, including reporting and response processes will also be addressed by the BSO. Ensuring information security procedures for employees departing the agency are codified and implemented, including exit interviews and ensuring employees at all times only have access to sensitive information consistent with their assignments will be addressed in the security plan and administered by the BSO.*
- We agree a comprehensive, agency-wide risk assessment would be a good investment of effort but would take a full-time team/consultants and review of funding to coordinate and communicate the necessary work and response efforts. This would need*

*to be considered a high priority to allow us to dedicate the resources needed to comply.*

- *Requiring all personnel who access sensitive information and facilities meet the same clearance requirements is a function of the State Police and out of direct DoIT control.*
- *DOS is implementing a comprehensive security infrastructure upgrade, which is presently underway. Components of the new security infrastructure address the ability to monitor and mitigate security breeches or traffic anomalies at a wall jack interface level. A part of the new security infrastructure also enables us to implement two-factor authentication for all of our web based offerings and our web mail interface such as SPOTS, LINX, J-ONE, and MAAP. We are currently in discussion on the installation and implications of 2 factor authentication. This requires a careful review of what roles and information actually require the added security and difficulty associated with two factor authentication.*
- *While we agree migrating legacy WLANs to current protocols and integrating security in P54 project plans is the direction to take, P54 is currently a project without a defined goal. It has been funded by grants to UNH and the direction has been set by UNH, with agreement from State Police, based on the latest technology innovations that UNH feels could be of benefit to State Police. The P54 project objectives should be determined by the strategic business goals.*
- *Updating and implementing comprehensive information security-related policies and procedures would be a reasonable expectation of a joint effort between the assigned BSO and the DoIT. The DoIT currently has policies in place that address several of the issues identified by the auditors (ie: personal devices, information control and access) and will offer them to DOS/SP for their review.*
- *Conducting initial and sustainment training of employees on their information security roles and responsibilities could be done on an annual basis at the same time personnel evaluations are done as we do for DoIT personnel.*
- *DoIT will advise and assist DOS to plan for and implement a security policy.*

#### **LBA Rejoinder To DoIT Response:**

**As stated in the observation, best practice suggests WLANs should operate on the current wireless protocol IEEE 802.11i, promulgated in June 2004. IEEE 802.11i was designed to overcome known security shortcomings of earlier protocols and provide IEEE 802.11-based wireless networks with a robust security mechanism. Reliance on early IEEE 802.11 protocols does not adequately protect sensitive information. Further, without a comprehensive risk assessment, no quantification of the risks posed by reliance on obsolete wireless protocols exists.**

## Observation No. 18

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### ***Improve State Police Online Telecommunication System Management Controls***

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Certain management controls over SPOTS are inadequate. SPOTS is administered by the State Police National Crime Information Center (NCIC) unit supervisor. New Hampshire law enforcement relies on SPOTS, in part, to exchange data between the State law enforcement community, other states, the Federal Bureau of Investigation, and other federal law enforcement agencies. SPOTS is a secure network deployed statewide, providing access to crime data nationwide including wanted persons, missing persons, stolen vehicles and guns, protection orders, and records of sexual offenders and their whereabouts. Federal requirements apply when criminal history records are involved and impose penalties for not meeting federal requirements.

#### *Access Security*

Our review of State Police administration of SPOTS-related physical and logical access controls (being able to log in) found significant weaknesses. Access controls include policies and procedures designed to allow using data processing assets only in accordance with management's authorization. Protecting these assets requires both physical and logical access controls preventing or detecting unauthorized use, damage, loss, or modification. These resources should be accessed only by those authorized to process or maintain a particular system.

#### Incomplete, Inadequate, Or Absent Background Investigations For Logical Access

Logical access controls to SPOTS were inadequate. We reviewed background investigation files of 37 personnel with SPOTS logical access. We found two of 37 personnel (five percent) had no background investigation, but received SPOTS logical access. Ten of 37 files (27 percent) had one or more pieces of information missing from their background investigations but these personnel were also granted SPOTS access. Table 4 details our findings.

Additionally, two DoIT employees who support SPOTS, and have logical access, only received a criminal background investigation. We also found no evidence one UNH staff member working on P54, and maintaining SPOTS logical access for test purposes, received any background investigation.



Table 4

## Availability Of Required Background Documentation

Background Investigation Area	Present	Not Present
Consent To Investigation	31 (84%)	6 (16%)
Personal Data	34 (92%)	3 (8%)
Education	33 (89%)	4 (11%)
Military Service	32 (86%)	5 (14%)
Employment	33 (89%)	4 (11%)
Criminal And Motor Vehicle Record	33 (89%)	4 (11%)
Financial	30 (81%)	7 (19%)
References	28 (76%)	9 (24%)
Source: LBA analysis of file review data.		

Expired Logical Access Accounts And Logical Access Granted To Uncertified Personnel

We also reviewed SPOTS certification, a federally-mandated training requirement, identifying users with access enabled but without proper or current certification and identified 88 users potentially without certification or otherwise without access appropriately granted. We determined 12 users had proper access (14 percent), nine users had access disabled before our meeting with program management (ten percent), and 67 users (76 percent) had one or more administrative or substantive issues. Substantive issues included:

- 21 (31 percent) users retained valid passwords after their certification expired,
- 12 (18 percent) users were not listed as certified but had valid passwords,
- three (four percent) users were retired or resigned and their passwords were not disabled, and
- two (three percent) users were on the access list multiple times.

Also, 36 of 67 users (54 percent) had SPOTS access without valid certification and:

- all 36 users could query driver licenses and registrations, access the Interstate Identification Index and criminal history record information, and query the State database;
- 30 users (83 percent) could access mobile data terminals, which permit remote SPOTS access;
- two users (six percent) could access commercial vehicle queries;
- one user (three percent) could enter, modify, clear, and cancel a record;
- one user (three percent) could enter images; and
- one user (three percent) could modify the State database.

Three users without certification also had supervisory authority to enter and cancel records, one being a generic Helpdesk account. Further, 23 of 67 users (34 percent) had expired certifications

but retained valid passwords. The median number of days the password remained valid after the certification expired was 294 days. Two employees who resigned in 2001 and 2002 maintained valid passwords for 1,740 days (almost five years) and 1,257 days (almost four years), respectively. Accounts were not disabled when certifications expired or employees retired or resigned. Accounts only became disabled because passwords expired or we brought the issue to management's attention and the accounts were subsequently disabled.

#### Inadequate Control Over Generic Logical Access Accounts

Six of the 67 users (nine percent) had generic logical access accounts not assigned to specific personnel. Three were issued to Troop dispatch centers for use by personnel covering dispatch in the event a dispatcher on duty was indisposed. These passwords were not changed after each use, provided access to administrative messages, and allowed users to complete driver license and registration queries, obtain Interstate Identification Index and criminal history record information, and run State database queries. Two Troop accounts were disabled after our meeting with program management and one remained active. Because the password is not changed after each issuance, there is no control over the number of current or past employees with access. Three generic accounts were set up as test accounts and remained active until our meeting with program management. These accounts were maintained by the NCIC supervisor in addition to the supervisor's regularly assigned account and circumvent the controls of having unique individual user names and passwords.

#### Inadequate Physical Access Controls

Physical access controls are inadequate over State Police headquarters server rooms, supporting SPOTS and other operating systems containing sensitive and protected information. We reviewed physical access controls over server rooms and found contractor and other non-DOS employees with access either did not have background investigations completed or the extent of the investigation did not conform to State Police policy. State Police employees are subject to review of personal data, education, military service, employment, criminal and motor vehicle records, financial information, and references. Backgrounds of DoIT employees were investigated by the DoIT and limited only to criminal backgrounds. As of March 2010, contractors were required to undergo a criminal background check before receiving access. Since 1977, federal policy has required the same level of background checks for support personnel with access to CJIS-related systems as those who actively use the system.

Further, we found access lists for the server rooms are not reviewed or purged regularly. Records on personnel with access inconsistently contained the proper background investigation-related documentation; personnel with access may no longer work for the DOS; personnel had, but did not require, access; generic access passes were issued; and no one knew who controlled background information or where it was housed.

One hundred forty-five names were listed as having access to one server room and 128 names were listed as having access to a second server room. Some of these names were DOS, DoIT, or Department of Administrative Services personnel, while some were contracted employees. We reviewed background investigations for 32 personnel with access to the first server room and 31

personnel with access to the second server room. We found 18 personnel with access to the first server room (56 percent) did not have a background investigation on file and two others (six percent) had access without need. Similarly, 18 personnel with access to the second server room (58 percent) had no background investigation and five (16 percent) had access without need. Finally, the State Police could not produce records for four with access to the first server room (13 percent) and two individuals with access to the second server room (six percent). Also, one employee with access to the first server room (three percent) had an initial background check in 1988 but no update was documented. State Police training materials state a five-year reinvestigation should be conducted on personnel with any type of access to NCIC information systems but there is no State Police requirement to conduct any reinvestigations.

### *Program Management*

Other aspects of SPOTS program management should be improved. We found: no fully-functional back-up to the SPOTS program administrator; back-up personnel to the program administrator are not formally trained; user account management is distributed among five State employees, three from the DOS and two from the DoIT; agency-developed program policies and procedures, including those controlling access roster maintenance, did not exist; and the CJIS security officer, required by federal policy, has not received the full State Police background investigation. To obtain background investigation files for our work, we found no one person responsible for, or knowing who else was responsible for, the files. We communicated with 11 personnel employed both by the DOS and the DoIT before identifying four personnel able to locate the files we randomly selected for review.

### **Recommendations:**

**We recommend State Police management improve SPOTS-related controls by:**

- **requiring all background investigations be completed to the State Police standard;**
- **ensuring background investigations are complete, including those currently granted access without an investigation;**
- **regularly reviewing access rosters and purging accounts without a current demonstrated need;**
- **establishing the necessary frequency of reinvestigations and requiring periodic reinvestigations for all personnel with access;**
- **discontinuing the practice of creating generic access accounts;**
- **developing and formally training a fully-functional program backup from existing staff;**
- **centralizing account management, background investigations, and security management within the State Police; and**
- **promulgating detailed, written policies and procedures to implement and enhance the management control structure.**

State Police Response:

*We concur in part.*

*With regards to background investigations for SPOTS system access the FBI does not require a full employment background to be completed in order to gain access to their system, rather a fingerprint supported check is required to be performed. The FBI's authorized vetting process includes a state of residency and national fingerprint based record check be completed within 30 days of employment.*

*We will update our records immediately. We have taken steps to eliminate access to SPOTS server rooms and switches for all non-essential personnel within DoIT, State Police, other state agencies and outside contractors.*

*The Division, through the SPOTS Administrator, currently reviews the access rosters on a quarterly basis and purges obsolete accounts as applicable. The Division agrees this practice is not documented and should be. The Division will draft a written policy by April 1, 2011.*

*The process for updating SPOTS certification will change to a two year certification and the Division will begin to require an updated fingerprint background check. The Department has created a committee to explore the reinvestigation of employee backgrounds and recommend a draft policy. The work of this committee is in progress.*

*Although the Division understands the Auditors' concerns regarding generic access accounts, the Division utilizes these accounts to provide full-service training to authorized users. The Division will thoroughly monitor these accounts for suspicious activity.*

*The Division concurs with the recommendation of training a back-up program manager for SPOTS. The Division expects to formally assign and train an employee as a back-up manager by April 1, 2011.*

*All State Police backgrounds are secure and due to the nature of these backgrounds only certain people should have access to these files.*

*We will develop a CJIS compliant policy to implement and enhance the management control structure by the end of SFY 2011.*

Department Of Information Technology Response:

*We concur in part with the LBA findings and some exceptions are noted.*

- *Requiring all background investigations be completed to the State Police standards and ensuring background investigations are complete is a function of the State Police and out of direct DoIT control. Although a blanket rule may not be the best answer as many positions do not need a full investigation. If State Police standards allow for*

*several levels of investigation then that would be sufficient. Currently no one is granted access without some level of background investigation.*

- We agree the State Police should review access rosters and purge accounts as necessary. This should be done by the Business Security Officer and DoIT representative along with office/dept chiefs where applicable. DOS and DoIT will work together to consolidate the list of personnel who require access to the “secure areas” of our facility. This list will then be used as the master list for access in the physical card pass system to the various data centers.*
- We agree requiring reinvestigations and reinvestigation frequency should be established. DoIT will work with DOS/ State Police to comply with Agency requirements as they pertain to employees working at DOS/ State Police.*
- We agree in principle generic access accounts should be discontinued although the Agency may review and accept the associated risk where business needs dictate.*
- DoIT will advise and assist DOS/ State Police, as needed, to plan for and implement a fully functional backup from existing DOS staff.*
- Regarding centralization of account management, background investigations, and security management, DoIT will work with the State Police to institute a process to maintain access per DOS direction/request.*
- DoIT will advise and assist DOS to plan for and implement a management control structure.*

## **Observation No. 19**

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### ***Develop Project 54 Management Controls***

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The State Police utilizes an in-vehicle system in all marked patrol vehicles integrating communications, radar, lights, and other systems, known as Project 54 (P54). P54 goals are to: 1) improve the ability of police to collect and interpret data, and exchange data between mobile units, and 2) provide seamless integration of in-vehicle equipment controls. The system was designed to operate hands-free and eyes-off, relying on speech to control systems. P54 provides access to the central SPOTS database through a digital two-way radio, reducing the need to talk to a dispatcher who would look up requested data and relay it back to the car via voice radio transmission. Driver and vehicle records data can be updated wirelessly at numerous access points throughout the State and carried on-board. The State Police have been working in concert with UNH for over ten years to develop and implement the system, and report the system remains in development. UNH has research and development responsibilities while the State Police tests systems and provides users. It is primarily funded by nearly \$22 million in federal grants through UNH over the 10-year development period.

Management controls are a major part of managing an organization. Controls comprise the plans, methods, and procedures used to meet missions, goals, and objectives and help program managers achieve desired results through effective stewardship of public resources. Management should track major agency achievements and compare these to State Police plans, goals, and objectives established. Project plans establish scope and objectives, identify resources, determine

needs, explore options, select optimal solutions, establish schedules, and implement the solution. Plans help lead to successful projects and should be tied to long-range organizational goals and objectives. Plans should also be in place to minimize potential damage and interruptions in service due to data loss, environmental disasters, and human or infrastructure failures. Management should develop, document, and implement a comprehensive contingency plan to ensure key operating systems are recoverable. In reviewing the implementation of P54, we found inadequate management controls requiring improvement in several areas.

*No Project Plan, Project Management, Or Other Agreement*

P54 was not integrated into agency management or technology plans. State Police management reported establishing project and support priorities were a collaborative effort, driven by UNH research interests. State Police employees conduct user evaluations of system modifications in the field setting. When we asked about system ownership, State Police management was unsure who owned the system. A one-page letter of intent to participate in the then-proposed program, dating from 1999, documents the relationship between the DOS and UNH, but it does not address ownership rights and responsibilities.

P54 rests outside DoIT purview except for remote update servers. Consequently, DoIT policies have not been applied. State Police management concluded P54 management was beyond DoIT capabilities and retained system support and control internally. Agency management reported P54 had no cost to the State Police, but agency employee time and effort, including embedded DoIT employees, was expended to install, test, and maintain the systems.

*No Program Performance Review*

There are monthly P54 status meetings with State Police management and communications maintenance personnel, UNH, and others; however, we found no ongoing review of system use, system utility, user satisfaction, or use of available management information. Program performance is informally assessed by one key State Police staff member and UNH project leads. The last broad-based user survey was conducted in 2004.

Mobile data systems, like P54, are designed to improve the effectiveness of law enforcement officers by increasing the ability of police to collect and interpret data and exchange data between mobile units. State Police employees we interviewed provided comments questioning the system's effectiveness and reliability. P54 does not update real-time and, while speech is the preferred means of operating the system to keep the Trooper's attention on driving, State Police employees we interviewed reported not using the voice command capability, as it was inconsistent or inoperative. Issues with misinterpretation of voice commands date back at least to 2004. Some Troopers acknowledge P54 improves efficiency and the system is improving.

*No Continuity Of Operations Planning*

There was no DRP or COOP in place during the audit period, although personnel reported COOP initiatives were on-going. P54 was not incorporated into agency draft COOP plans. Further, the DOS does not have control of P54 software and the software developer does not utilize robust

backup procedures. Consequently, should the software owner suffer a catastrophic loss to its facilities, the original software and subsequent versions might be unavailable. The DOS might have no means to recover its systems. P54 continuity of operations and disaster recovery planning should be incorporated into agency-wide plans.

#### *No User Policy*

There is no P54 user policy, only a 1999 general computer use and care policy as the regulating policy. While there is a user manual detailing technical aspects of the system, nothing details how Troopers are to operationally use P54 or establish business rules such as how frequently Troopers should update their system data.

According to management, data should be updated daily and can be accomplished at Troops and fuel points statewide. Troopers who do not frequently update may be able to use only the traditional radio system to obtain operator data during vehicle stops. However, when in areas where the radio system does not operate, these Troopers must rely on P54 data which are not current without regular updates. State Police management's accepted P54 practice allows Troopers to use, or not use, the system at their discretion. Some Troopers use it to its fullest and others use only certain aspects of it or not at all.

#### *No Institutionalized Initial Or Ongoing Training*

State Police policy requires sworn personnel undergo annual and semi-annual training on subjects including firearms, updated laws, and defensive tactics. Troopers we interviewed reported limited or ad hoc initial P54 training and no ongoing training. Troopers used to be trained by UNH or headquarters staff but in 2004, P54 training became the responsibility of Field Training Officers. P54 updates are issued via email and management reported informal training is available on request.

#### **Recommendations:**

**We recommend the State Police exert more management control over P54 by:**

- **formally establishing the terms and conditions of the State Police-UNH relationship, including system ownership and protection, should UNH discontinue its support of the system;**
- **developing a project plan for P54 and establishing project goals and objectives;**
- **fully implementing P54 and establish written user policies;**
- **establishing institutional support to implement and support P54 through the DoIT;**
- **drafting, testing, validating, revising, and implementing a comprehensive DRP for P54, including creating software backups, storing backups remotely from the original copy, and ensuring backups are accessible in the event recovery is required;**  
**and**
- **developing an ongoing assessment mechanism involving P54 users and management to ensure project goals and objectives are met.**

State Police Response:

*We concur.*

*The State Police will pursue a Cooperative Project Agreement under the Master Agreement and Cooperative Project Agreement form between the State and the University System. It has always been the State Police's understanding and belief that ownership of the system belongs to UNH and that any law enforcement agency within the State of New Hampshire will be provided the software at no cost. This has historically been the case over the past 10 years and this business practice continues to be in place today. Public safety entities from outside the State of New Hampshire may obtain a copy of the Project 54 software for a one-time fee of \$500. Both in-State and out-of-State users get an unlimited number of licenses and access to UNH telephone support during normal business hours. The system was developed using open source code which is published on the Web, rather than proprietary source code. This allows users to modify, enhance or customize their system as needed. The only proprietary source code is that of manufacturers such as Motorola, where UNH and the State had to sign non-disclosure agreements. We plan to execute a formal document in January of 2011.*

*The State Police agree that the P54 project's objectives have not been documented as well as they should be. This project has always been a research and development project; one that has never before been attempted anywhere in the nation. It has sparked nationwide, and even worldwide interest. The Division will collaborate with UNH to establish a more definitive set of goals, objectives and data points for more precise management of progress. The State Police anticipates accomplishing this within the current fiscal year.*

*The State Police's intent has always been, and remains, to fully implement Project 54 and develop written user policies. This would have been accomplished except that the project has developed and expanded at such a rapid rate that the time has not been available to do this. The State Police will share the Audit findings with UNH and we will work collaboratively to develop these policies. Given the current resources, it is difficult to predict a time frame for accomplishing this goal, however, the State Police will commit to using its best efforts to complete this.*

*The State Police has already begun this process with the deployment of the wireless 802.11g network, as an example. We plan to involve DoIT in our future plans to deploy electronic ticketing capability to our police cruisers. We also plan to hand off some of the more mature and established aspects of Project 54 for support by DoIT personnel, to the extent that DoIT's resources will enable them to take them over. The research and development aspects will continue to require the resources and talent that UNH brings to the table.*

*The State Police intends to work with our Communications Maintenance unit and UNH to create a continuity plan for those aspects of Project 54 that it is responsible for. The Division will also collaborate with DoIT to coordinate a continuity plan for those aspects of P54 that DoIT is responsible for to ensure that the two processes mesh. The embedded personal computers and radio servers located at the State's Information Planning and Operations Center on Smokey Bear Drive, provide a measure of backup in time of need. The State Police will strive to accomplish these goals during the current fiscal year.*



*The State Police has a core group of Troopers that are actively involved in the testing of new hardware and software. This core group frequently share and provide insights to their co-workers with respect to the kinds of features that are being worked on and tested. They gather ideas from their colleagues and peers within the law enforcement community. These suggestions and concerns are forwarded to UNH and are considered for future deployment. User feedback is important, not only to the overall success of Project 54, but also to gain some assurances that the system is meeting the Troopers' needs and that it will likely meet the needs of the greater law enforcement community. We have solicited user feedback in the past; the most recent instance was in 2008. Surveys were done by UNH and not shared with the State Police. The State Police has access to survey software and it will conduct surveys on a periodic basis, as well as to explore additional systematic means of soliciting user feedback. State Police management will also better coordinate with UNH user information and feedback and assessment of data.*

*Department Of Information Technology Response:*

*We concur. P54 needs a strategic direction/goal. It was developed by grants given to UNH and has never been a DoIT driven project. It is currently in a maintenance pattern without a definite next step. It is being monitored and maintained by UNH with some server maintenance performed by DoIT staff. We offer the following comments.*

- *The DoIT, the State Police, and UNH will work together to address the terms and conditions of the State Police – UNH relationship as soon as possible and will formalize this effort with a MOU.*
- *State Police need to set a direction and goal for this project. DoIT and UNH will then work together within the confines of the MOU to accomplish the desired end product. If this project is determined to be complete we will transition from a development and testing phase to an implementation and closure phase with adequate training and knowledge transfer to DoIT staff. This transition will include User and Systems documentation, so DoIT can take over the ongoing maintenance or otherwise contract with UNH for support.*
- *DoIT will work with the Department of Safety/State Police to provide guidance, along with UNH, in development of user policies and procedures.*
- *DoIT, in concert with UNH, will work with DOS/State Police in establishing institutional support for P54. The process will include developing a comprehensive business continuity plan for P54.*
- *Continuation checkpoints will be incorporated into all project plans for reporting on project wellness.*

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**INFORMATION AND COMMUNICATION**

For an entity to run and control its operations, it must have relevant, reliable, and timely internal and external communications. Information should be recorded and communicated to management and others who need it, and in a format and a time frame that enables them to carry out their management control and other responsibilities. Operational and financial data are needed agency-wide to assess the achievement of objectives, meet performance plans, meet accountability goals, make operating decisions, monitor performance, and allocate resources. Effective communications should occur in a broad sense with information flowing down, across, and up the organization. Effective information technology management is critical to achieving useful, reliable, and continuous reporting and communication of information. Management is responsible for ensuring effective internal communications occur.

**Observation No. 20**

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***Improve Information Management And Communication***

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Nine of 13 (69 percent) Division of State Police (State Police) Field Operations Bureau (Bureau) personnel and the two local law enforcement officials we interviewed identified concerns with the lack of integration and interoperability between State Police communications systems and other law enforcement agencies and questioned the adequacy of radio and computer-based systems. Further, seven of 40 respondents (18 percent) to our survey of municipal law enforcement agencies commented on integration issues affecting State Police communications. Limited information sharing with other agencies and within the State Police can reduce situational awareness and lead to safety concerns. State Police and other law enforcement agency personnel reported commercial information management solutions offering interoperability are used by other law enforcement agencies in-State and at least one was tested in the past by the State Police but never adopted.

Effective information and communication technology management is critical to achieving useful, reliable, and continuous communication. Improved information management and communication controls could result in better administrative and operational efficiency and effectiveness. For the State Police to function and control its operations it must have relevant, reliable, and timely communications. Information is needed throughout the agency to achieve its objectives, allow effective monitoring, and enable prompt reaction. Pertinent information should be identified, captured, and distributed timely in useable form. Further, the State Police is responsible for the State Police Online Telecommunication System (SPOTS) upon which New Hampshire law enforcement relies, in part, to exchange data between the State law enforcement community, other states, and federal law enforcement agencies. Statute requires the State Police to cooperate and exchange information with any other law enforcement agency in or outside the State, including federal agencies (RSA 106-B:11).

*Integration And Automation*

The State Police relies on an aging technology infrastructure, must “dumb down” newer technology to work within existing system constraints, and lack adequate management

information. State Police administrative procedures and practices are not integrated and only partly automated. For example, weekly duty reports are hand-carried to the Troops, incorrect and incomplete Trooper activity data are entered into the payroll system without supervisory approval, and payroll data are altered or updated at headquarters without prior Trooper or supervisory approval. Operational functions similarly lack integration and are disparate and only partly automated. Integration and automation inefficiencies limit information-sharing outside and within the State Police, result in untimely data entry and decision-making, impose burdensome paperwork requirements, and reduce situational awareness, leading to safety concerns. Examples of shortcomings include: time-consuming and redundant data entry at the headquarters and the Troop levels; paper-based citations, which led to incorrect fines being levied, partially because updated uniform fine schedules were not distributed; and some indicators of Trooper activity, such as copies of warnings in storage at Troops, not receiving subsequent data analysis.

Integrated justice information systems can improve quality by eliminating error-prone redundant data entry, improve timely access to information, increase information sharing, and substantially improve information consistency and reliability. Best practice suggests law enforcement agencies consider implementing automated case management, intelligence, and incident-based tracking capabilities to support agency tactical, operational, and strategic needs. We found at least five other State Police entities have or are implementing multi-functional, integrated information systems. Given the distributed nature of State Police operations, there is a need to move to an integrated information system. Management has discussed automating existing manual processes, such as migrating to electronic ticketing and reported a plan to migrate accident reports, arrest and incident reporting, and electronic ticketing to the Project 54 (P54) system to leverage its wireless data transfer capability. Migrating to a P54-centric information management system may be technically feasible; however, numerous security concerns exist in utilizing wireless systems to transmit sensitive data and current controls are not adequate to provide reasonable assurance of security.

### *Interoperability*

Best practice suggests there should be state-level responsibility for developing infrastructure to support and enable integration of law enforcement agencies statewide, including hardware and standards. Integrated and interoperable systems, where software and hardware can communicate across agencies, can improve information quality, aid in timely access to information, increase information sharing, and improve information consistency and reliability. Without a comprehensive strategic information technology plan, it is unclear where law enforcement community-wide information system interoperability rests on State Police priorities.

### **Recommendations:**

#### **We recommend State Police management:**

- **consider a strategy to improve information and communications management efficiency and effectiveness by integrating systems statewide, and**

- **establish interoperability standards and incorporate interoperability criteria into information systems to which the statewide law enforcement community might require access.**

**We further recommend the Department of Safety (DOS) consider assigning, from existing personnel assets, an interoperability coordinator responsible for ensuring communications interoperability internally across platforms and providing external guidance to law enforcement community-wide.**

**Finally, we recommend the DOS, working with the Legislature, consider developing statutory and regulatory language to codify the interoperability function within DOS and provide it statewide authority, goals, and objectives to further the concept.**

Auditee Response:

*We concur.*

*DOS has been engaged in a process to assess its interoperability within the public safety community. The functionality includes interoperability for both voice and data. We currently administer the J-ONE project for the transmission of data. J-ONE is actually a hub that allows for criminal justice data to be passed between law enforcement, the courts and corrections state-wide.*

*Voice interoperability has been under review within the DOS for 10 months. The current voice infrastructure is nearing end of life and issued by police, fire and EMS. The components of the interoperability continuum include governance, procedures, technology, training and usage. We have been working on an assessment to find out where we currently are, where we need to be and identifying the steps to be taken to reach that goal. The DOS has identified a need for an interoperability coordinator and will be developing a plan to resource this need. Once we complete our assessment, we will seek any necessary statutory authority to improve interoperability. There is a significant financial investment that needs to be made to effectuate interoperability.*

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**MONITORING**

The final facet of internal control is monitoring. According to government auditing standards, an organization's management control should be designed to ensure ongoing monitoring occurs in the course of the organization's normal operations. Monitoring should be continual and ingrained in an agency's operations. It includes regular management and supervisory activities, comparisons, reconciliations, and other actions.

We found Division of State Police (State Police) management does not emphasize or ensure monitoring of daily activities; we found no systematic review of operations and activities by management. Management collects little performance data, does not use the data to measure achievement, and lacks a strategic plan to provide a framework for measures. Additionally, some data collected for Trooper activities are inaccurate.

**Observation No. 21**

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***Establish And Monitor Outcomes Linked To Formal Division-Wide Goals And Objectives***

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The State Police has not established a performance measurement system, has not established formal agency-wide goals and objectives, does not measure outcomes, and does not use outcome statistics to aid in personnel deployment. Further, the State Police lacks a strategic plan or any formal articulation of mission, goals, and objectives, making such measurement problematic were it to occur. Additionally, we found output data collected by the State Police contain errors, inhibiting future comparison of actual performance to stated goals.

According to the U.S. Government Accountability Office, performance measurement "focuses on whether a program has achieved its objectives, expressed as measurable performance standards." A performance measurement system facilitates comparing actual performance levels to pre-established targets, to determine whether program results are achieved. Used correctly, performance measurement demonstrates accountability to the public, and identifies areas of possible improvement. Performance measurement can help an organization define what it wants to accomplish through formally articulated goals and objectives, gauge progress towards meeting goals, allow rational resource allocation, and improve decision-making. Performance measurement may be directed at some or all of the following:

- *program processes*, or the means by which the program is carried out;
- *program outputs*, or the products and services delivered by the program; and
- *program outcomes*, the results of those services.

Outcomes are particularly salient, as they provide management and the public with evidence of a program's success or failure. To be most effective, best practice suggests performance measurement systems align with strategic and organizational goals through a strategic plan. The State Police has no formal strategic plan for the Field Operations Bureau (Bureau) or the State Police as a whole. By comparison, all six states we surveyed have established formal strategic plans linked to their missions, goals, objectives, and performance measures.

Management reported the State Police mission is to ensure public safety and efficiently deploy its resources. However, there are no established formal goals and objectives to ensure this mission is accomplished. The only organization-wide goal or objective State Police management identified is an informal, unwritten expectation of one contact with the public per Trooper per patrol hour. Troop-level managers reported the State Police has no written goals or objectives. However, two Troop Commanders reported establishing informal goals for their Troops, and one Troop Commander reported not having any goals or objectives for the Troop. One Troop Commander reported the Troop's goal is to provide good service to the citizens of the State, while another reported the Troop's goals are cooperation and collaboration with local law enforcement entities. Best practice literature suggests performance goals should represent the targeted level of expected performance, usually represented in a quantitative value or rate, and be relevant to the mission of the program and the results the agency is trying to achieve. Informal goals do not articulate expected performance rates, and it is unclear how to measure or link collaboration, cooperation, and good service to the State Police mission of ensuring public safety and efficiently deployed resources.

Performance measurement systems require establishing output and outcome measures to gauge agency progress towards its goals. Data collected by the State Police consist primarily of aggregated *output* data from weekly duty reports, forms submitted weekly by Troopers identifying numbers of accidents, arrests, vehicle stops, warnings and citations issued, criminal cases worked, and other activity. Troops compile output data then send them to State Police headquarters, where they are aggregated to track Trooper activity for the State. State Police management and Troop-level personnel indicated Trooper activity is extremely important and Trooper performance is based on the number of vehicle stops conducted. Output data are used to identify trends in a Trooper's activity for annual performance evaluation purposes. Sergeants review output data to identify and monitor fluctuations in Trooper activity such as decreases in the numbers of vehicle stops, citations and warnings issued, and criminal cases generated. While these outputs measure Trooper *productivity*, they do not *define* how Trooper activity affects public safety or demonstrate the effect of State Police operations.

Department of Safety (DOS) management recognizes the need to assess whether Troopers' activities are achieving State Police mission, goals, and objectives, but managers are not systematically using data to identify priorities and decide resource allocation. As discussed in Observation No. 3, Trooper activity is used as one factor in determining Troop personnel allocation; however, activity statistics alone do not indicate whether each Troop is achieving its mission and goals or whether additional resources may be needed. By failing to take outcomes into account when measuring Trooper performance, State Police management effectively treats all vehicle stops equally, and potentially provides Troopers with an incentive to issue as many citations as possible without regard to outcome. Literature on police performance measurement systems indicates the need to shift from the propensity to concentrate on quantitative results such as the number of tickets and warnings issued, the number of arrests, or number of accidents investigated to capturing qualitative results of police activity such as percent of arrests resulting in conviction, reduction in specific types of crime, reduction in accidents per miles traveled, and satisfaction with police services.



Accurate management information is also needed to ensure data are useful for measuring how effective the State Police is in attaining its mission. Our file review of weekly duty reports submitted by Troopers in three troops for a four-week period showed errors collectively overstated the number of vehicle stops by nearly 16 percent (5,563 vehicle stops reported by Troopers versus 4,800 stops identified by our review). We reviewed a total of 407 weekly duty reports, including 56 reports from Supervisors and Troopers on personal or military leave status, which did not contain traffic activity. We found:

- 129 of 351 weekly duty reports with traffic activity (37 percent) contained an inaccurate total for the number of vehicle stops for the week.
- 47 instances (13 percent) where Troopers included the number of accidents in the number of vehicle stops. According to State Police Professional Standards of Conduct Chapter 22-G pertaining to weekly duty reports, “Block 59 Vehicle Stops,” Troopers must enter the “total number of vehicles stopped for law enforcement action. In situations where an operator is stopped and several law enforcement actions are taken, the actual stop is only considered.”

Our six-state survey found only one relies exclusively on output measures to assess agency performance like the State Police. We found the other five states employ a mix of output- and outcome-based measures. Specific outcome measures vary by state; three measure the yearly percentage reduction in accidents caused by speeding, impaired driving, and other causes; two states obtain satisfaction ratings from customers; and one state measures the decrease in response time to calls for service. In addition, one state includes a wide variety of metrics designed to measure department efficiency procuring supplies, compliance with information security standards, and other activities indirectly supporting the agency’s mission. The states we surveyed developed goals, objectives, and measures consistent with their own mission. Appendix D incorporates some of these goals, objectives, and measures.

### **Recommendations:**

**We recommend State Police management develop:**

- **a formal State Police-wide strategic plan, including identifying State Police and Bureau mission, goals, and objectives;**
- **output- and outcome-based performance measures consistent with the mission, goals, and objectives as identified in the strategic plan; and**
- **job performance measures for Troopers taking into account the quality of Trooper interactions with the public, as measured by the outcome of those interactions.**

### **Auditee Response:**

*We concur.*

*The State Police has a Mission Statement, a Vision Statement, a Collaborative Agreement and a Code of Ethics (PSC 1.3.6). The State Police routinely establishes goals and objectives on an ad*

*hoc basis to address specific problems and make use of available data in our planning. The State Police will initiate the process of developing a strategic plan which will identify State Police and Bureau mission, goals and objectives. The auditors' findings have given us several examples from other State Police agencies which will be of assistance to us in developing our own plan. The State Police expect to complete the strategic plan by April 1, 2012.*

*In the development of the formal strategic plan, the State Police will include operational plans that will identify output- and outcome-based performance measures on how the State Police plans to meet the identified goals and objectives.*

*Although the State Police does not currently have a formal strategic plan, nonetheless it is currently utilizing existing data to examine what job performance measures may be implemented to help us determine the quality of Trooper interactions with the public, as measured by the outcome of those interactions. For example, the State Police has recently utilized crash data prior to deploying Troopers to high-risk areas and is in the process of analyzing that data to measure the outcomes of those operations. The State Police recognizes that its analysis will be limited until the State Police can obtain its crash records from a Records Management System.*

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**OTHER ISSUES AND CONCERNS**

In this section, we present issues we consider noteworthy, but were not developed into formal observations. The Division of State Police (State Police), the Department of Safety (DOS) and the Legislature may wish to consider whether these issues and concerns deserve further study or action.

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***Establish Conflict Of Interest Policy***

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Policies and practices establishing appropriate supervision, reporting relationships, hiring, evaluation, delegation of authority, and responsibility throughout the organization are critical to an entity's internal control environment. RSA 21-G:26-a states no Executive Branch official shall directly hire, evaluate, set the compensation or salary for, supervise, or terminate the employment of any employee if the employee is related to the official. Moreover, the Executive Branch Ethics Committee specifically urges "those individuals with hiring and supervisory authority to be mindful of the possible appearance of impropriety or a conflict of interest when dealing with hiring and supervision involving family members."

We found one instance of spouse-to-spouse supervision and Troop management reported one instance of sibling-to-sibling supervision within State Police. We also found a number of instances where the possible appearance of impropriety or a conflict of interest may be construed including brothers, father and son, and father and daughter working in the same Troop.

The State Police does not have a conflict of interest policy specifying guidelines for the organization and its expectations in these circumstances. Conflict of interest includes any bias or the *appearance* of bias in a decision-making process that would reflect a dual role played by a member of the organization or group. The State Police is an organization serving the community as a whole and the appearance of a conflict of interest can cause embarrassment to the organization and jeopardize its credibility.

We suggest the State Police establish a conflict of interest policy and ensure personnel adhere to the policy at all levels within the organization.

***Auditee Response:***

*We concur.*

*The Command Staff is working toward developing policy verbiage that incorporates RSA 21-G:26-a and Executive Branch Ethics Committee guidelines. Publishing a Troop level organizational chart detailing rank structure and lines of supervision may help eliminate any appearance of impropriety or perceived nepotism in the limited number of cases identified in the audit.*

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***Improve Protection Of Social Security Numbers***

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Certain State Police documents require a Social Security Number (SSN) without proper privacy protections required in federal law. Federal law requires any document asking for individual information contain language explaining the authority for the organization to collect the information, whether the information is mandatory or voluntary, the purpose of the information, the routine uses of the information, and the effects of not reporting the information. State Police Professional Standards of Conduct (PSC) Chapter 22-G pertaining to weekly duty reports requires State Police personnel enter their SSNs in Block 64 of their Weekly Duty Reports. Troopers also write their SSNs on Special Detail Vouchers and Certifications of Off-Duty Court/Hearing Attendance. SSNs are used on internal State Police documents such as the Weekly Time Report summary created by Troop administrative personnel and Special Detail Payroll Reports created by Extra Duty Details Desk personnel. None of these forms contain the privacy protections required by law. Troop administrative personnel report being unaware of the purpose for SSNs on the Weekly Duty Reports. One Troop Secretary reported informing Troopers only the last four digits of their SSN are required, contrary to PSC 22-G. Requiring the use of SSNs without the proper protection may expose personnel to the risk of identity theft.

We suggest the State Police either remove the requirement for Social Security Numbers on certain forms or include proper privacy protections.

*Auditee Response:*

*We concur.*

*We will review all of our current forms in use to determine anywhere there is no legitimate business purpose for inclusion of an employee's social security number (which should be true in most instances) and revise the forms to eliminate this requirement. Forms that we anticipate revising in this manner include application for leave requests, weekly duty reports, and special detail vouchers. The requirement to provide SSNs on expense vouchers has already been waived.*

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***Delegation Of Decision-Making Authority***

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State Police Division-level management makes decisions which could be made by Troop Commanders, Assistant Trooper Commanders, and Shift Sergeants, provided proper management controls were developed and implemented. State Police Department-level management reportedly retains decision authority on individual Trooper shift start times, variations in shift start times of as little as one or two hours, Troop-internal patrol transfers, and Troopers returning to duty after recovering from injuries. Three management personnel and one Trooper in the Field Operations Bureau (Bureau) reported decision-making taking a long time, resulting in inefficient personnel utilization. Both Troopers and management personnel report Troop Commanders and Sergeants are more knowledgeable about their Troops and Troopers than State Police Division-level management, and believe they should have the authority to make certain personnel decisions.

Both the State Police Director and the Bureau Commander favored “downward empowerment,” or letting Troop Commanders and Sergeants make certain decisions based on the needs of their Troops and Troopers. Decentralized management can give front-line workers more discretion in their day-to-day business, and centralized decision-making is not practical in large law enforcement agencies. For large agency managers to centralize decision-making, they would need to access and process inordinate amounts of information about the organization and its operations, making decentralization, or delegation to subordinates, a necessity in spite of a preference by some for lower spans of control and multiple layers of management. As discussed in Observation No. 1, best practice suggests low spans of control and multiple layers within an organization may indicate inefficiency and ineffectiveness. Flatter structures can promote better communication and increased delegation, improving employee morale through less detailed supervision, and increasing job satisfaction. Empowering Troop-level managers to make Troop-level personnel decisions within limits set by State Police Division-level management can also allow State Police Division-level management to focus more on State Police-wide issues.

We suggest State Police management consider what personnel decisions are appropriate for Troop-level leaders to make, and provide sufficiently detailed policies and procedures to ensure consistent results from, and accountability for, delegated authority.

Auditee Response:

*We concur.*

*The recommendation will receive review by the Colonel and his command staff to explore appropriate guidelines for evaluating at what level of command certain decisions can be entrusted.*

*The State Police is bound by State and Federal statute, appellate court decisions, professional standards of conduct, and two collective bargaining agreements. We agree with the principle of a flatter command structure which provides a shorter chain of command and simplifies communications from the top to the bottom of the structure, and brings with it a broader span of control. The ideal span of control varies depending on the type and complexity of work being supervised and other factors. In law enforcement hesitancy to make decisions at a lower level is sometimes hampered by a fear of lawsuits and discipline if the wrong decision is made, leading people to believe the safest course is to refer the decision up to the next level.*

*We anticipate that some of the results of our exploration of this issue will be to make a clearer delineation between staff and line authority so that superior officers who have staff positions will not overlap their authority into line areas, and an effort to create a culture in which supervisors are empowered and encouraged to make decisions at a lower level and have a clearer understanding of the types of decisions that require either involvement of the next level of command or at least notification.*

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**STATE OF NEW HAMPSHIRE**  
**DIVISION OF STATE POLICE - FIELD OPERATIONS BUREAU**

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**CONCLUSION**

The Division of State Police (State Police) Field Operations Bureau (Bureau) is New Hampshire's largest law enforcement agency and is responsible for patrolling State highways, enforcing highway and motor vehicle laws, enforcing criminal laws, and executing arrest warrants. Management controls, including the control environment, risk assessment, control activities, information and communication, and monitoring, significantly impact the Bureau's ability to achieve its mission. We found State Police management can make numerous changes to improve controls in each of these five areas. Policies governing off-duty Court attendance and extra duty details were inadequate and inconsistent, resulted in wasteful expenditures, and were overtly violated with management knowledge. There were significant lapses in information technology management controls. Controls bifurcated between the State Police and the Department of Information Technology or the State Police and the University of New Hampshire resulted in no single point of accountability over basic management responsibilities such as governance and security.

Control inadequacies allowed communication issues to pervade all levels of the State Police organization. Troop-level personnel reported decisions were not made timely, as many decisions which could be made at the Troop-level required State Police Division-level management approval. Factors such as a narrow span of control, duplication of some management responsibilities, and multiple layers of management between Troopers and the State Police Director inhibited effective communication and efficient personnel management. Internal and external communication was further limited by nonintegrated information technology systems and the lack of automated processes to timely capture and transmit necessary information, reducing the ability of the State Police to accomplish its core mission - ensuring public safety. The State Police could not measure the efficiency or effectiveness with which it carried out its statutory responsibilities as it lacked a strategic plan, clear measureable goals and objectives, and outcomes. Further, data upon which these systems depended were incomplete and often inaccurate, exacerbating the State Police's inability to effectively monitor and assess whether it achieved its mission. To efficiently and effectively deploy its personnel, the State Police must review its Troop and patrol boundaries more frequently, utilizing measures other than simple outputs to drive decision-making. The State Police had not conducted a personnel study since the late 1990s and Troop boundaries have remained consistent for over 30 years. Patrol boundaries were not aligned to account for variations in workload, resulting in no formal process for determining the optimal number of personnel needed for each Troop.

The recommendations in this report cannot be fully implemented immediately, and while some agency actions could lead to short-term gains in efficiency and effectiveness, any improvement of management controls can only be realized in the long-term following restructuring those controls. Without setting strategic goals, developing performance measurement systems, integrating technology, and improving monitoring program and policy implementation, there can be little assurance future Bureau activities will not perpetuate the conditions we found leading to the observations contained in this report.

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STATE OF NEW HAMPSHIRE  
DIVISION OF STATE POLICE - FIELD OPERATIONS BUREAU

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APPENDIX A

Department Response To Audit



Colonel Robert L. Quinn  
Director

State of New Hampshire

DEPARTMENT OF SAFETY

John J. Barthelmes, Commissioner of Safety

*Division of State Police*

James H. Hayes Safety Building, 33 Hazen Drive, Concord, NH 03305

Telephone: 603-271-2450



October 5, 2010

Richard J. Mahoney, CPA  
Director of Audits  
State House, Room 102  
107 North Main Street  
Concord, NH 03301-4906

Re: Performance Audit of the NH State Police – Field Operation's Bureau.

Dear Mr. Mahoney,

Thank you for the chance to comment on the audit of the New Hampshire State Police Field Operation's Bureau conducted by the Office of Legislative Budget Assistant.

First, I would like to recognize the Audit Division staff who has maintained an open relationship with the Division of State Police throughout the entire process. Excellence is always appreciated in any job, and I commend the Auditors for their exemplified professionalism and dedication to the tasks at hand. I would like to take the opportunity to highlight the fact that the Division has undertaken several comprehensive projects, currently in progress, to re-organize the Bureau to operate in the most professional and successful manner. We have dedicated resources and manpower to these projects in order to enhance the efficiency and effectiveness of not only the Field Operations Bureau, but the entire Division of State Police. The extensive research performed by your auditors, and recommendations, will be a useful guide and reference for implementing changes to operations and policy, as necessary.

In closing, on behalf of the Department of Safety, Division of State Police, I wish to thank you and the Audit team for the time you have devoted to the Audit Report of the Division of State Police Field Operations Bureau.

Sincerely,

  
Colonel Robert L. Quinn  
Director

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**STATE OF NEW HAMPSHIRE  
DIVISION OF STATE POLICE - FIELD OPERATIONS BUREAU**

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**APPENDIX B**

**Survey Of Other States**

The New Hampshire Office of the Legislative Budget Assistant, Audit Division is conducting an audit of the New Hampshire Division of State Police, Field Operations Bureau. The purpose of this survey is to understand the functions, organization, and staffing of your state police operations unit. **For the purpose of this survey, operations unit refers to the unit in your organization which is generally responsible for patrol and criminal deterrence activities. This does not include the major crime or narcotics investigation units.** The survey specifically covers general operations, staffing, deployment, performance measures, extra duty details, and commercial vehicle enforcement. Your state was selected because it has characteristics similar to New Hampshire including population density, concentration of the population residing in urban and rural areas, and other factors. Your responses will help us better understand how state police operation units function in other states.

Included in this email is the survey entitled **LBA Survey Of Other States' State Police Operations**. Please distribute this survey to the person within your agency most appropriate to answer the questions. At the end of the survey, we ask you review and sign the survey to ensure this is the official response of your agency. Please email your completed survey back to me or you can print the survey, fill it out, and mail it to me at LBA Audit Division, 107 North Main St, Room 102, Concord, New Hampshire 03301-4906 or fax it to my attention at (603) 271-6158.

Please note, all responses will be considered in the aggregate and no individual respondent will be identified in our report. We ask for your name and title to track and follow-up on responses as necessary. Please contact me at the email address above or call (603) 271-2785 if you have any questions. As we are hoping for a quick response time, please email or mail your survey responses to us by **May 3, 2010**.

If you would like more information about our office, please visit our website at [www.gencourt.state.nh.us/lba/audit.html](http://www.gencourt.state.nh.us/lba/audit.html). The Office of the Legislative Budget Assistant, Audit Division appreciates your time and effort. Thank you in advance for your participation.

**Note: Unless otherwise noted, six states responded to questions.**

**SECTION I: GENERAL INFORMATION: This section pertains to general information about your operations unit. For the purpose of this survey, operations unit refers to the unit in your organization which is generally responsible for patrol and criminal deterrence activities. This does not include major crime or narcotics investigation units.**

1. Which of the following functions does your operations unit perform?

	<u>Yes</u>	<u>No</u>
a. Patrol state highways for motor vehicle law violations	6 100%	0 0%
b. Patrol secondary roads for motor vehicle law violations	6 100%	0 0%
c. Perform general criminal deterrence patrol	6 100%	0 0%
d. Perform general law enforcement functions for communities without a local police department (e.g., respond to calls for service, conduct criminal investigations, respond to civil disturbances, etc.)	4 67%	2 33%
e. Provide SWAT services to municipalities	5 83%	1 17%
f. Perform accident reconstruction services to municipalities	6 100%	0 0%
g. Provide crisis negotiation services to municipalities	5 83%	1 17%
h. Provide canine services to municipalities	5 83%	1 17%
i. Provide explosives disposal services to municipalities	4 67%	2 33%
j. Provide drug recognition expertise to municipalities	4 67%	2 33%
k. Other:		
<b>Three states provided three other responses:</b>		
• Crime Scene Technician/Laboratory	1 17%	
• SCUBA	2 33%	

2. How many personnel of each rank is your operations section authorized to have?

**Number Of Authorized Full-Time Equivalent Positions**

	<u>State 1</u>	<u>State 2</u>	<u>State 3</u>	<u>State 4</u>	<u>State 5</u>	<u>State 6</u>
a. Trooper	63	44	912	NA	NA	634
b. Trooper First Class	331	771	NA	NA	1,382	NA
c. Corporal	238	NA	16	NA	190	NA
d. Sergeant	296	179	253	NA	64	141
e. Lieutenant	59	15	41	NA	24	79
f. Captain	27	8	28	NA	8	14
g. Major	5	1	21	3	2	4
h. Lieutenant Colonel	1	1	4	1	NA	2
i. Colonel	1	NA	1	1	NA	1
j. Probationary Trooper	75	NA	0	NA	NA	NA
k. Civilian	1,126	200	311	160	334	NA
l. <b>Other:</b>						
Senior Trooper	NA	369	NA	NA	NA	NA
Master Trooper	NA	97	NA	NA	NA	NA
First Sergeant	NA	61	NA	NA	NA	NA
Commercial Vehicle Enforcement Officer	NA	72	NA	NA	NA	NA
Superintendent	NA	NA	1	NA	NA	NA
Total Authorized Trooper Positions	NA	NA	NA	948	NA	NA

3. What was your operations section's budget for State fiscal year 2009?

<b>State</b>	<b>Budget</b>
State 1	\$126,700,000
State 2	\$161,326,835
State 3	\$113,000,000
State 4	\$85,980,832
State 5	\$139,927,351
State 6	\$93,632,725

What percentage of your operations section is funded through the following methods:

	<b>State 1</b>	<b>State 2</b>	<b>State 3</b>	<b>State 4</b>	<b>State 5</b>	<b>State 6</b>
<b>Federal</b>	3%	NA	NA	8%	NA	7%
<b>State</b>	97%	91%	100%	92%	100%	93%
<b>Local</b>	NA	NA	NA	NA	NA	NA
<b>Grants</b>	NA	9%	NA	NA	NA	NA
<b>Other</b>	NA	NA	NA	1%*	NA	NA

\*Totals may not equal 100% due to rounding.

4. Would you please send us a copy of your operations unit organizational chart using one of the following methods?

**All six states provided organizational charts.**

**SECTION II: STAFFING AND DEPLOYMENT: This section pertains to general information about your operations unit. For the purpose of this survey, operations unit refers to the unit in your organization which is generally responsible for patrol and criminal deterrence activities. This does not include major crime or narcotics investigation units.**

5. How many troop stations are in your state?

State 1	State 2	State 3	State 4	State 5	State 6
9	7 uniformed field divisions and 48 area offices	17 districts	9 troops/ 48 posts	8 troops/54 district offices	93

6. Are there restrictions on the number of consecutive hours a trooper may work?

Yes	2	33%
No	4	67%
If yes, what is the maximum number of consecutive hours a trooper may work?		
16 hours	2	100%

7. On average, how much of a trooper's time is spent on patrol each week?

20-25 hours	3	50%
26-30 hours	2	33%
30+ hours	1	17%

8. How are your trooper station boundaries established? (Mark all that apply)
- |    |   |   |     |
|----|---|---|-----|
| a. | Based on county boundaries                                    | 5 | 83% |
| b. | Based on city boundaries                                      | 0 | 0%  |
| c. | Based on workload within geographic areas                     | 0 | 0%  |
| d. | Based on patrol miles within the geographic area              | 0 | 0%  |
| e. | Other:  |   |     |
|    | <b>Two states provided two other responses:</b>               |   |     |
|    | • Political considerations                                    | 1 | 17% |
|    | • Historical, based on Highway Department district boundaries | 1 | 17% |
9. When was the last time troop boundaries were reviewed?
- |    |                                |   |     |
|----|--------------------------------|---|-----|
| a. | Within the past year           | 2 | 33% |
| b. | Between two and five years ago | 2 | 33% |
| c. | Between six and ten years ago  | 0 | 0%  |
| d. | More than 10 years ago         | 2 | 33% |
| e. | Never been reviewed            | 0 | 0%  |
| f. | Don't Know                     | 0 | 0%  |
10. How does your agency determine the optimal number of personnel for each troop? (Mark all that apply.)
- |    |   |   |     |
|----|---|---|-----|
| a. | Based on minimum personnel requirements                   | 3 | 50% |
| b. | Based on workload within troop geographic area            | 4 | 67% |
| c. | Based on the number of patrol areas within the troop area | 1 | 17% |
| d. | Based on the number of patrol miles within the troop area | 0 | 0%  |
| e. | Other:  |   |     |
|    | <b>One state provided one other response:</b>             |   |     |
|    | • Vacancies are filled based on critical staffing needs   | 1 | 17% |

11. When was the last time the optimal number of personnel within each troop area was reviewed?

a.	Within the past year	5	83%
b.	Between two and five years ago	0	0%
c.	Between six and ten years ago	0	0%
d.	More than 10 years ago	0	0%
e.	Never been reviewed	0	0%
f.	Don't Know	1	17%

12. How are patrol area boundaries established?

a.	Based on city boundaries	0	0%
b.	Based on workload within each patrol area	2	33%
c.	Based on the number of miles within each patrol area	0	0%
d.	Other:		
	<b>Five states provided five other responses:</b>		
	• County boundaries	4	67%
	• At the discretion of district commanders	1	17%

13. How is the number of personnel for each shift established? (Mark all that apply)

a.	Based on the number of patrol areas	0	0%
b.	Based on workload within each patrol area	4	67%
c.	Based on minimum personnel requirements	4	67%
d.	Based on number of calls for service during the shift	3	50%
e.	Based on motor vehicle activity during each shift	3	50%
f.	Based on the amount of criminal activity during each shift	1	17%
g.	Other	0	0%



14. How often is the optimal number of personnel for each shift reviewed? (Choose one)

a.	Every six months	1	17%
b.	Annually	3	50%
c.	Every two years	0	0%
d.	Between two and five years	0	0%
e.	More than five years	0	0%
f.	Never been reviewed	0	0%
g.	Don't Know	2	33%

15. Are the following functions performed by sworn personnel or civilian staff at the troop level?

	Civilian	Sworn	Civilian & Sworn
a. Oversee payroll duties	4 (67%)	1 (17%)	1 (17%)
b. Conduct general troop equipment inventory (e.g., furniture, office equipment, etc.)	3 (50%)	3 (50%)	0 (0%)
c. Conduct evidence room inventory	0 (0%)	6 (100%)	0 (0%)
d. Conduct law enforcement equipment inventory (e.g., stop sticks, preliminary breath test machines, etc.)	1 (17%)	5 (83%)	0 (0%)
e. Order general office supplies	4 (67%)	2 (33%)	0 (0%)
f. Issue trooper uniforms, firearms, and other equipment	2 (33%)	4 (67%)	0 (0%)
g. Conduct scheduling for troopers	1 (17%)	5 (83%)	0 (0%)
h. Conduct scheduling for civilian staff	2 (33%)	4 (67%)	0 (0%)
i. Coordinate troop training needs	1 (17%)	5 (83%)	0 (0%)
j. Oversee law enforcement vehicle maintenance	2 (33%)	4 (67%)	0 (0%)
k. Ensure proper certification of law enforcement equipment	1 (17%)	5 (83%)	0 (0%)

**SECTION III: PERFORMANCE MEASURES: This section addresses measures used to assess trooper, troop station, and agency performance. Performance measures should include any measure your agency uses to determine whether troopers, troop stations, or the agency as a whole are accomplishing the agency’s missions, goals, and objectives.**

16. What are your agency’s primary mission, goals, and objectives?

**Six states provided information on their mission, goals, and objectives, which is incorporated in Appendix D.**

17. Does your agency utilize measures to evaluate agency or trooper performance? (Choose one)
- |    |   |          |            |
|----|---|----------|------------|
| a. | Yes, we utilize formal agency-wide performance measures applicable to all troopers and troop stations   | <b>5</b> | <b>83%</b> |
| b. | Yes, we utilize informal agency-wide performance measures applicable to all troopers and troop stations | <b>1</b> | <b>17%</b> |
| c. | Yes, troop stations establish formal station-specific performance measures                              | <b>0</b> | <b>0%</b>  |
| d. | Yes, troop stations establish informal station-specific performance measures                            | <b>0</b> | <b>0%</b>  |
| e. | No, we do not have formal or information performance measures   | <b>0</b> | <b>0%</b>  |

18.	What does your agency utilize to measure agency performance? (Choose all that apply)		
a.	N/A; we do not have formal or informal performance measures	0	0%
b.	Number of patrol hours performed annually	0	0%
c.	Number of accidents responded/investigated annually	4	67%
d.	Number of calls for service answered annually	3	50%
e.	Number of vehicles stopped annually	4	67%
f.	Number of warnings issued annually	4	67%
g.	Number of tickets issued annually	4	67%
h.	Percent of tickets resulting in guilty pleas annually	0	0%
i.	Percent of tickets negotiated/resulting in a lower fine annually	0	0%
j.	Percent of tickets dismissed annually	0	0%
k.	Percent reduction in accidents caused by speeding	3	50%
l.	Percent reduction in accidents caused by other moving violations	2	33%
m.	Percent reduction in accidents caused by defective equipment	0	0%
n.	Percent reduction in accidents caused by impaired drivers	3	50%
o.	Decrease in response time to calls for service	1	17%
p.	Response rate to other entities' requests for assistance	1	17%
q.	Increase in annual patrol hours	0	0%
r.	Maintain specific satisfaction ratings from customers	2	33%
s.	Other:	0	0%
	<b>Six states provided 13 other responses:</b>		
	• Reduce the rate of total collisions	2	33%
	• Reduce the rate of total fatal collisions	2	33%
	• Reduce the rate of fatalities	2	33%
	• Reduce the number of speed-related collisions	1	17%
	• Reduce the number of alcohol-related collisions	1	17%
	• Reduce the number of unbelted fatalities	1	17%
	• Annual number of criminal arrests	1	17%
	• DWI enforcement statistics	1	17%
	• Average response time to emergency calls	1	17%
	• Number of unsafe heavy commercial vehicles placed out of service	1	17%

19.	How is trooper efficiency and effectiveness measured? (Choose all that apply)		
a.	N/A; we do not have formal or informal performance measures	0	0%
b.	Number of patrol hours worked	3	50%
c.	Number of accidents investigated	4	67%
d.	Number of responses to calls for service	4	67%
e.	Number of vehicles stopped per mile	0	0%
f.	Number of vehicles stopped per patrol hour	1	17%
g.	Number of warnings issued per mile	0	0%
h.	Number of warnings issued per patrol hour	1	17%
i.	Number of tickets issued per mile	0	0%
j.	Number of tickets issued per patrol hour	2	33%
k.	Percent of tickets resulting in guilty pleas	0	0%
l.	Percent of tickets negotiated/resulting in a lower fine	0	0%
m.	Percent of tickets dismissed	0	0%
n.	Other:	0	0%
	<b>Six states provided six other responses:</b>		
	• DWI enforcement activity	1	17%
	• Number of custodial arrests and traffic tickets issued	1	17%
	• Number of warnings	1	17%
	• Number of vehicles stopped	1	17%
	• Number of motorist assists	1	17%
	• Achievements in the MADD DUI Enforcement Awards program	1	17%

**SECTION IV: EXTRA DUTY DETAILS: This section addresses extra duty details performed by troopers.**

20.	Do troopers work extra duty details?		
a.	Yes	6	100%
b.	No	0	0%

21.	At what rate are troopers paid for performing details?		
a.	N/A; troopers do not perform extra duty details	0	0%
b.	Troopers are paid straight time	0	0%
c.	Troopers are paid time-and-one-half of their regular pay rate	2	33%
d.	Troopers are paid a specific pay rate	2	33%
e.	Other:		
	<b>Two states provided two other responses:</b>		
	• Straight time until number of hours worked reaches a certain point, after which troopers are paid time-and-a-half	2	33%
22.	When do troopers perform extra duty details?		
a.	N/A; troopers do not perform extra duty details	0	0%
b.	During regular duty hours	0	0%
c.	During off-duty hours only	0	0%
d.	During off-duty days only	1	17%
e.	During any off-duty time	5	83%
f.	Other	0	0%
23.	What types of extra duty details do troopers perform? (Please mark all that apply)		
a.	N/A; troopers do not perform extra duty details	0	0%
b.	Escorting oversized loads on state highways	6	100%
c.	Escorting oversized loads on secondary roads	4	67%
d.	Traffic detail at construction sites on state highways	6	100%
e.	Traffic detail at construction sites on secondary roads	4	67%
f.	Traffic detail at the request of commercial businesses (e.g., traffic detail at the request of utility companies)	0	0%
g.	Other:		
	<b>Three states provided three other responses:</b>		
	• Federal traffic safety projects	1	17%
	• Safety at special events	1	17%
	• Courtroom security	1	17%

24. Do the following extra duty details directly support the mission of your agency?

	Yes	No	NA
a. N/A; troopers do not perform extra duty details	0	0	0
b. Escorting oversized loads on state highways	6 (100%)	0 (0%)	0 (0%)
c. Escorting oversized loads on secondary roads	5 (83%)	1 (17%)	0 (0%)
d. Traffic detail at construction sites on state highways	6 (100%)	0 (0%)	0 (0%)
e. Traffic detail at construction sites on secondary roads	4 (67%)	1 (17%)	1 (17%)
f. Traffic detail at the request of commercial businesses (e.g., traffic detail at the request of utility companies)	2 (33%)	3 (50%)	1 (17%)
g. Other			

**SECTION V: COMMERCIAL VEHICLE ENFORCEMENT: This section addresses commercial vehicle enforcement. If your operations unit does not perform these functions, please distribute this section of the survey to the unit conducting commercial vehicle enforcement activities.**

25. Does your operations unit conduct commercial motor vehicle/motor carrier enforcement activities?

a. Yes	5	83%
b. No	1	17%

**In the State that answered “no,” commercial motor vehicle enforcement is performed by the Motor Carrier Compliance Division.**

26. If your commercial vehicle enforcement personnel are within the operations unit, how are personnel organized? (Choose one)

a. Personnel are dispersed among troops and barracks	5	83%
b. Commercial vehicle personnel are organized within a single barrack	0	0%
c. Other:		

**One state provided one other response:**

- All personnel are certified 1 17%

27. What are the hours of operation for your commercial vehicle enforcement activities?

24 hours/7 days per week	<b>3</b>	<b>50%</b>
Fixed hours seven days per week	<b>2</b>	<b>33%</b>
Fixed hours only Monday through Friday	<b>1</b>	<b>17%</b>

28. How many of each type of personnel perform commercial vehicle enforcement duties?

<b>State</b>	<b>Sworn</b>	<b>Civilian</b>	<b>Both</b>
State 1	28	313	341
State 2	59	8	67
State 3	65	38	103
State 4	243	26	269
State 5	Combination of sworn and non-sworn personnel. State-funded motor carrier enforcement and federal- and state-funded MCSAP officers are sworn, while weigh station personnel are not.		
State 6	All commercial vehicle enforcement personnel are sworn.		

29.	Which of the following functions does your commercial vehicle enforcement unit perform? (Choose all that apply)		
a.	Enforce commercial MV laws and regulations	6	100%
b.	Perform commercial MV safety inspections	6	100%
c.	Weigh commercial motor vehicles	5	83%
d.	Inspect transporters of hazardous materials	6	100%
e.	Conduct school bus safety inspections	5	83%
f.	Conduct motor coach safety inspections	5	83%
g.	Conduct operator drivers license road tests	0	0%
h.	Conduct commercial drivers license road tests	0	0%
i.	Conduct MV-related criminal investigations	4	67%
j.	Investigate vehicle inspection stations	1	17%
k.	Investigate motor vehicle dealerships	0	0%
l.	Oversee driver's education programs	1	17%
m.	Locate and serve habitual offenders	1	17%
n.	Inspect salvage vehicles	1	17%
o.	Enforce border crossings	0	0%
p.	Review fatal commercial vehicle accidents	5	83%
q.	Enforce motorcycle noise laws	1	17%
r.	Educate industry, stakeholders, and/or the general public	5	83%
s.	Administer medical waiver for commercial driver licenses	0	0%



30. For the above functions you answered "Yes," are the functions performed by personnel who are:

	<u>Civilian</u>	<u>Sworn</u>	<u>Civilian &amp; Sworn</u>	<u>NA</u>
a. Enforce commercial motor vehicle laws and regulations	0 (0%)	4 (67%)	2 (33%)	0 (0%)
b. Perform commercial motor vehicle safety inspections	0 (0%)	3 (50%)	3 (50%)	0 (0%)
c. Weigh commercial motor vehicles	0 (0%)	1 (17%)	4 (67%)	1 (17%)
d. Inspect transporters of hazardous materials	0 (0%)	3 (50%)	3 (50%)	0 (0%)
e. Conduct school bus safety inspections	0 (0%)	2 (33%)	3 (50%)	1 (17%)
f. Conduct motor coach safety inspections	0 (0%)	2 (33%)	3 (50%)	1 (17%)
g. Conduct operator drivers license road tests	2 (33%)	0 (0%)	0 (0%)	4 (67%)
h. Conduct commercial drivers license road tests	2 (33%)	0 (0%)	0 (0%)	4 (67%)
i. Conduct motor vehicle-related criminal investigations (e.g. license, title, or registration fraud)	0 (0%)	3 (50%)	2 (33%)	1 (17%)
j. Investigate vehicle inspection stations	0 (0%)	1 (17%)	1 (17%)	4 (67%)
k. Investigate motor vehicle dealerships	0 (0%)	0 (0%)	1 (17%)	5 (83%)
l. Oversee driver's education programs	0 (0%)	1 (17%)	0 (0%)	5 (83%)
m. Locate and serve habitual offenders	0 (0%)	1 (17%)	0 (0%)	5 (83%)
n. Inspect salvage vehicles	0 (0%)	1 (17%)	1 (17%)	4 (67%)
o. Enforce border crossings	0 (0%)	0 (0%)	0 (0%)	6 (100%)
p. Review fatal commercial vehicle accidents	0 (0%)	3 (50%)	2 (33%)	1 (17%)
q. Enforce motorcycle noise laws	0 (0%)	1 (17%)	0 (0%)	5 (83%)
r. Educate industry, stakeholders, and/or the general public	1 (17%)	3 (50%)	1 (17%)	1 (17%)
s. Administer medical waiver for commercial driver licenses	0 (0%)	0 (0%)	0 (0%)	6 (100%)

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**STATE OF NEW HAMPSHIRE**  
**DIVISION OF STATE POLICE- FIELD OPERATIONS BUREAU**

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**APPENDIX C**

**Survey Of Municipal Law Enforcement Entities**

The Office of the Legislative Budget Assistant, Audit Division is conducting an audit of the New Hampshire Division of State Police, Field Operations Bureau. The purpose of this survey is to understand: 1) the size and staffing levels of your police department, 2) your department's satisfaction with the State Police's delivery of service and services available, and 3) satisfaction with State Police information technology services and programs. Your responses will help us better understand the current availability of and satisfaction with State Police services and help us make meaningful recommendations to the Legislature to improve State Police operations.

Included in this email is the survey entitled **LBA Survey Of Municipal Law Enforcement Entities**. Your municipality has been randomly selected by our office to participate in this survey. Please distribute this survey to the person within your agency most appropriate to answer the questions. At the end of the survey, we ask you review and sign the survey to ensure this is the official response of your agency. Please email your completed survey back to me or you can print the survey, fill it out, and mail it to me at LBA Audit Division, 107 North Main St, Room 102, Concord, New Hampshire 03301-4906 or fax it to my attention at 271-6158.

Please note, all responses will be considered in the aggregate and no individual respondent will be identified in our report. We ask for your name and title to track and follow-up on responses as necessary. Please contact me at the email address above or call 271-2785 if you have any questions. As we are hoping for a quick response time, please email or mail your survey responses to us by **May 3, 2010**.

If you would like more information about our office, please visit our website at [www.gencourt.state.nh.us/lba/audit.html](http://www.gencourt.state.nh.us/lba/audit.html). The Office of the Legislative Budget Assistant, Audit Division appreciates your time and effort. Thank you in advance for your participation.

**Note: Some totals may not add up to 100 percent due to rounding.**

1. Is the police department in your municipality:

**Forty municipalities responded.**

**29 (73%)** Full-time                      **10 (25%)** Part-time                      **1 (3%)** No police department

2. How many sworn officers does your law enforcement entity have?

**Forty municipalities provided 40 responses.**

Between one and ten	<b>19</b>	<b>48%</b>
Between 11 and 20	<b>13</b>	<b>33%</b>
Between 21 and 30	<b>5</b>	<b>13%</b>
More than 31	<b>3</b>	<b>8%</b>

3. What are your law enforcement department's hours of operation?

**Sunday    Monday    Tuesday    Wednesday    Thursday    Friday    Saturday**

**Thirty-seven municipalities provided 37 responses.**

24 hours/ 7 days per week	<b>27</b>	<b>73%</b>
Fixed office hours, but fewer than 24 hours per day	<b>6</b>	<b>16%</b>
Varies	<b>3</b>	<b>8%</b>
No hours because there is no police department	<b>1</b>	<b>3%</b>

4. Please rate your ***level*** of satisfaction with the following services provided by the New Hampshire State Police:

	Extremely Satisfied	Satisfied	Not Satisfied	Not Applicable
a. Patrol (40 municipalities responded)	14 (35%)	20 (50%)	0 (0%)	6 (15%)
b. SWAT Services (38 municipalities responded)	5 (13%)	10 (26%)	0 (0%)	23 (61%)
c. Accident Reconstruction (39 municipalities responded)	10 (26%)	14 (36%)	1 (3%)	14 (36%)
d. Criminal Investigation (39 municipalities responded)	10 (26%)	14 (36%)	2 (5%)	13 (33%)
e. DWI Patrols (37 municipalities responded)	7 (19%)	13 (35%)	0 (0%)	17 (46%)
f. Other (Please explain): (Four municipalities provided five other responses)				
Requests for assistance	1 (100%)			
Mutual aid	1 (100%)			
Bomb unit	1 (100%)			
K-9 unit	1 (100%)			
Joint enforcement efforts	1 (100%)			

5. Please rate your satisfaction with the timeliness of services provided by the New Hampshire State Police for the following services:

	Extremely Satisfied	Satisfied	Not Satisfied	Not Applicable
a. Patrol (37 municipalities responded)	13 (35%)	17 (46%)	0 (0%)	7 (19%)
b. SWAT Services (37 municipalities responded)	5 (14%)	8 (22%)	1 (3%)	23 (62%)
c. Accident Reconstruction (37 municipalities responded)	8 (22%)	14 (38%)	1 (3%)	14 (38%)
d. Criminal Investigation (38 municipalities responded)	11 (29%)	15 (39%)	0 (0%)	12 (32%)
e. DWI Patrols (36 municipalities responded)	7 (19%)	11 (31%)	0 (0%)	18 (50%)
f. Other (Please explain): (Four municipalities provided four other responses)				
Mutual aid		1 (100%)		
Bomb unit	1 (100%)			
Response to calls during the day			1 (100%)	
Motor vehicle title and motor carrier inspections and investigations		1 (100%)		

6. Are there additional services your department needs which the New Hampshire State Police is not currently providing?

**Thirty-nine municipalities responded.**

a. Yes	4	10%
b. No	35	90%

If yes, what services?

**Four municipalities provided four responses.**

Increased staffing/general support	3	75%
Greater communication regarding investigations	1	25%

7. Please rate your level of satisfaction with the following services provided by the New Hampshire State Police:

	Extremely Satisfied	Satisfied	Not Satisfied	Not Applicable
a. State Police Online Telecommunication System (SPOTS) (39 municipalities responded)	16 (41%)	17 (44%)	2 (5%)	4 (10%)
b. Dispatch Services (38 municipalities responded)	5 (13%)	9 (24%)	0 (0%)	24 (63%)
c. Communication Infrastructure (radio towers, communication lines, etc.) (36 municipalities responded)	5 (14%)	14 (39%)	5 (14%)	12 (33%)
d. Other IT Services (Please explain):				

8. Please rate your level of satisfaction with New Hampshire State Police support of the following services:

	Extremely Satisfied	Satisfied	Not Satisfied	Not Applicable
a. State Police Online Telecommunication System (SPOTS) (39 municipalities responded)	13 (33%)	19 (49%)	1 (3%)	6 (15%)
b. Dispatch Services (39 municipalities responded)	6 (15%)	10 (26%)	0 (0%)	23 (59%)
c. Communication Infrastructure (radio towers, communication lines, etc.) (37 municipalities responded)	5 (14%)	15 (41%)	4 (11%)	13 (35%)
d. Other IT Services (Please explain):				

9. Are the above technologies and infrastructure operating as intended?

**Thirty-one municipalities responded.**

a.	Yes	<b>26</b>	<b>84%</b>
b.	No	<b>5</b>	<b>16%</b>

If no, what is not working as intended? What can be done to improve operations?

**Five municipalities provided five responses.**

Interoperability with Vermont	<b>1</b>	<b>100%</b>
Allow municipalities greater access to State Police radio infrastructure	<b>1</b>	<b>100%</b>
Help installing SPOTS in municipal cruisers	<b>1</b>	<b>100%</b>
Safety concerns with existing radio system	<b>1</b>	<b>100%</b>
Is working, but technology upgrades will soon be needed	<b>1</b>	<b>100%</b>

10. Has your department experienced any jurisdictional issues with the New Hampshire State Police?

**Forty municipalities responded.**

a.	Yes	<b>6</b>	<b>15%</b>
b.	No	<b>34</b>	<b>85%</b>

If yes, please explain.

**Six municipalities provided seven responses,**

State Police acting without authority	<b>2</b>	<b>29%</b>
Unnecessary motor vehicle enforcement in community	<b>1</b>	<b>14%</b>
Communications issues and isolated incidents	<b>4</b>	<b>57%</b>



11. Do you have any additional comments or suggestions regarding New Hampshire State Police operations, services, and/or support to municipal law enforcement entities?

**Twenty-four municipalities responded.**

State Police needs more staff and resources.	3	13%
Municipality and State Police have a good working relationship.	12	50%
Have experienced problems/jurisdictional issues/poor communication.	3	13%
Have been problems in the past, but the Department/Division is moving in the right direction.	2	8%
Towns should be compelled to have their own police department rather than relying exclusively on the State Police.	1	4%
Safety issues resulting from poor coordination with/on the part of the State Police.	2	8%
Troopers should be involved in local drug task forces.	1	4%

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**STATE OF NEW HAMPSHIRE  
DIVISION OF STATE POLICE- FIELD OPERATIONS BUREAU**

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**APPENDIX D**

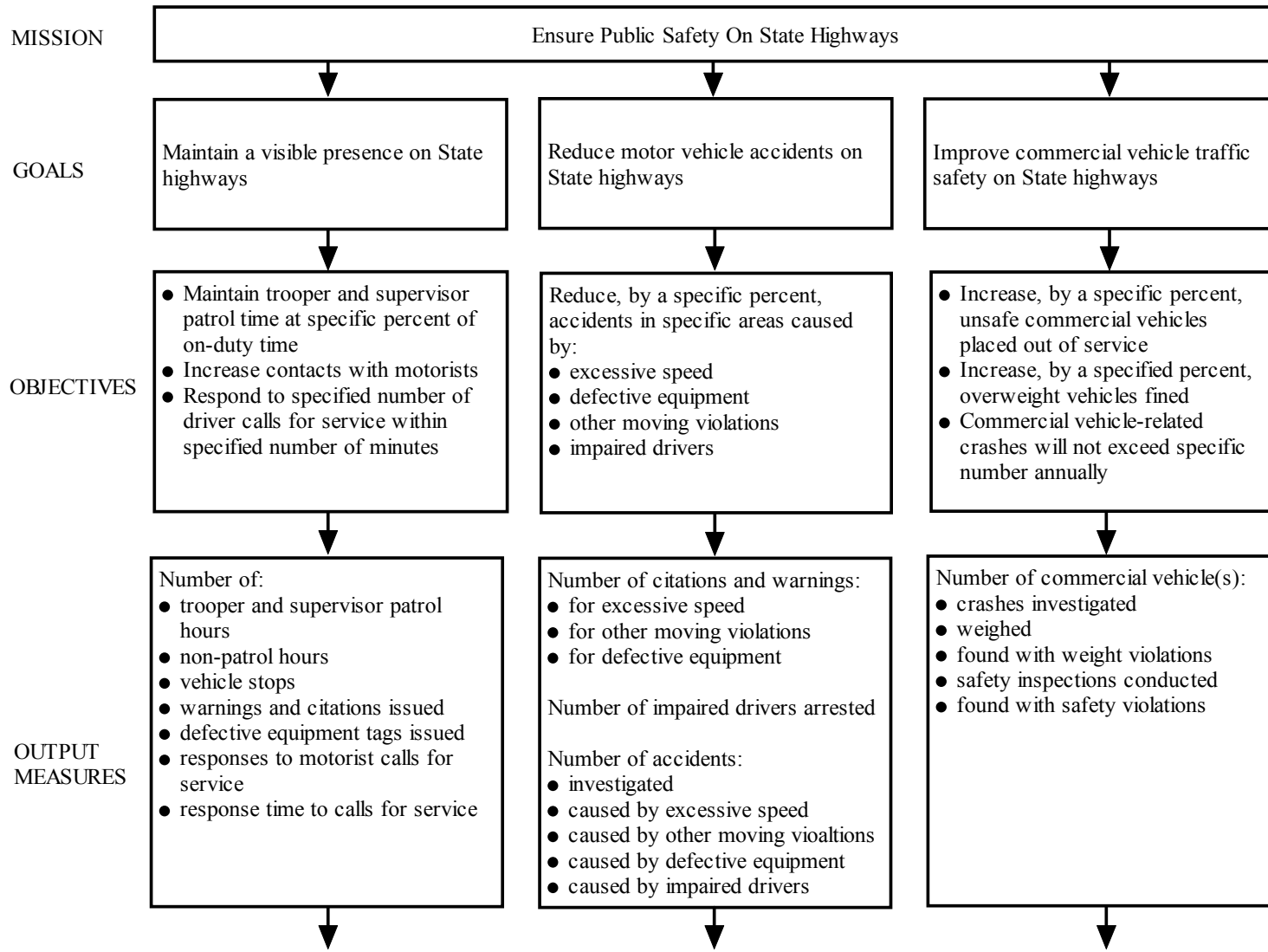
**Goals, Objectives, And Performance Measures Found In State Police Agencies**

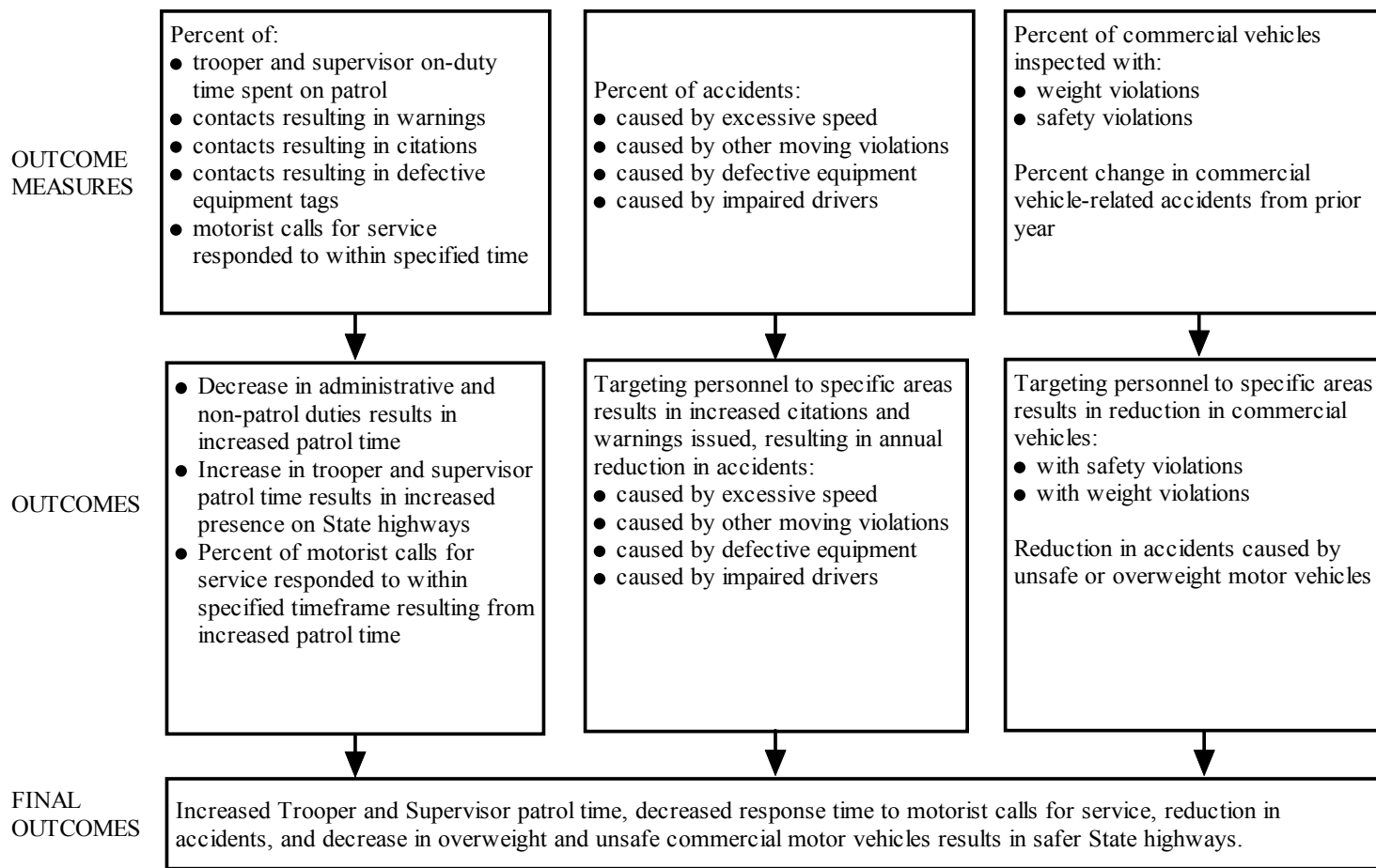
Performance measurement focuses on whether a program has achieved its goals and objectives, which are expressed as measurable performance standards. A performance measurement system facilitates comparing actual performance levels to pre-established targets (i.e., goals and objectives), to determine whether program results are achieved. Performance measurement systems are dependent upon identifying the agency's mission (i.e., what it wants to accomplish), establishing measureable goals and objectives by which to achieve the mission (i.e., how it will accomplish the mission), and establishing output and outcome measures to gauge agency progress towards its goals and objectives.

The following tables show missions, goals, objectives, performance measures, and outcomes found in state police agencies nationwide. The mission is represented as the program results the law enforcement agency intends to achieve, while goals define the specific activities conducted to achieve the mission. Objectives define the standards to which the law enforcement agency will compare its results, and the measures quantify the results the agency produced. Outcomes define the results law enforcement agency expected to achieve and the final outcomes show the activity's link to the mission.

**Figure 3**

**Performance Measurement Model:  
Ensure Public Safety On State Highways**



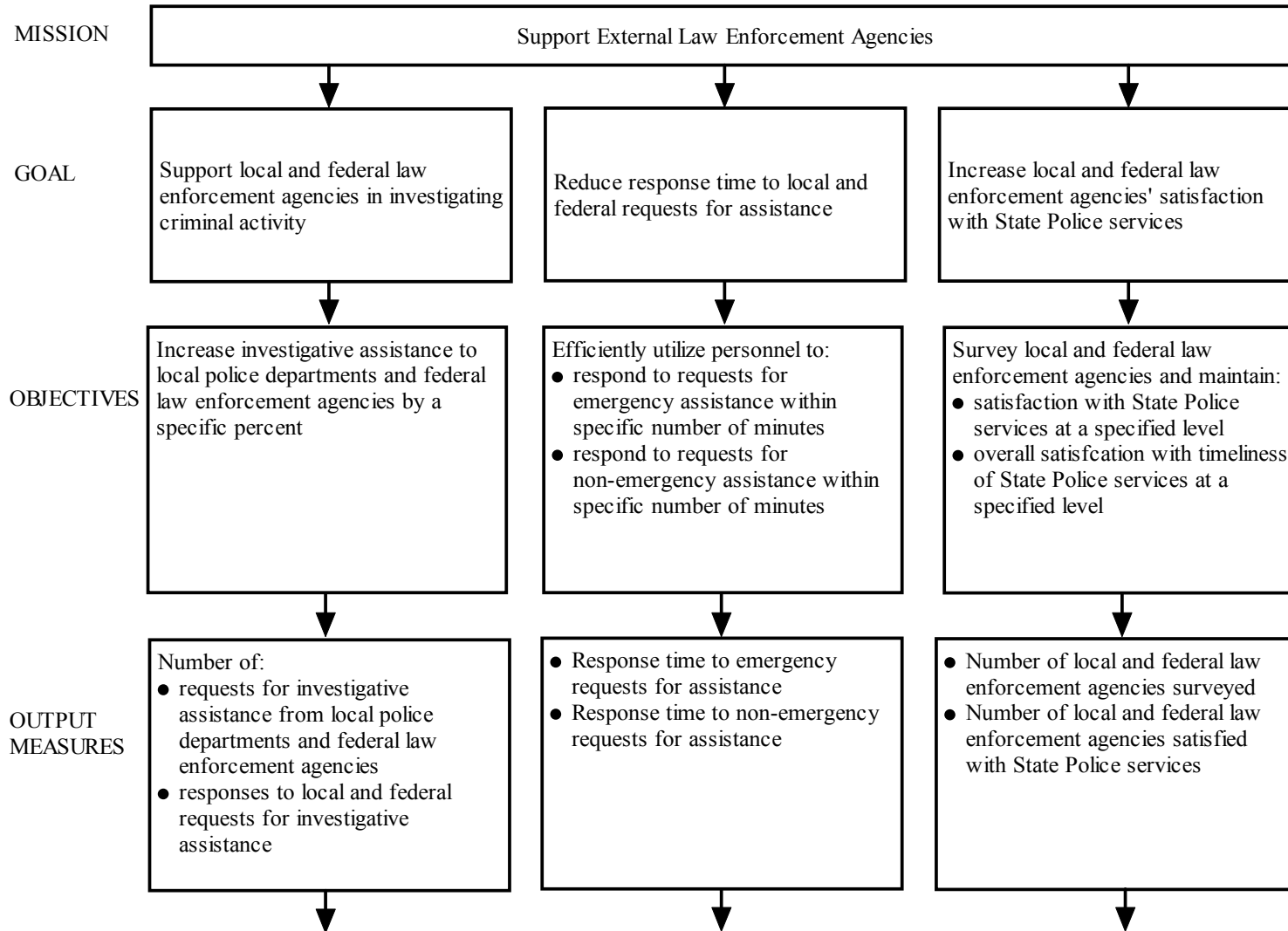


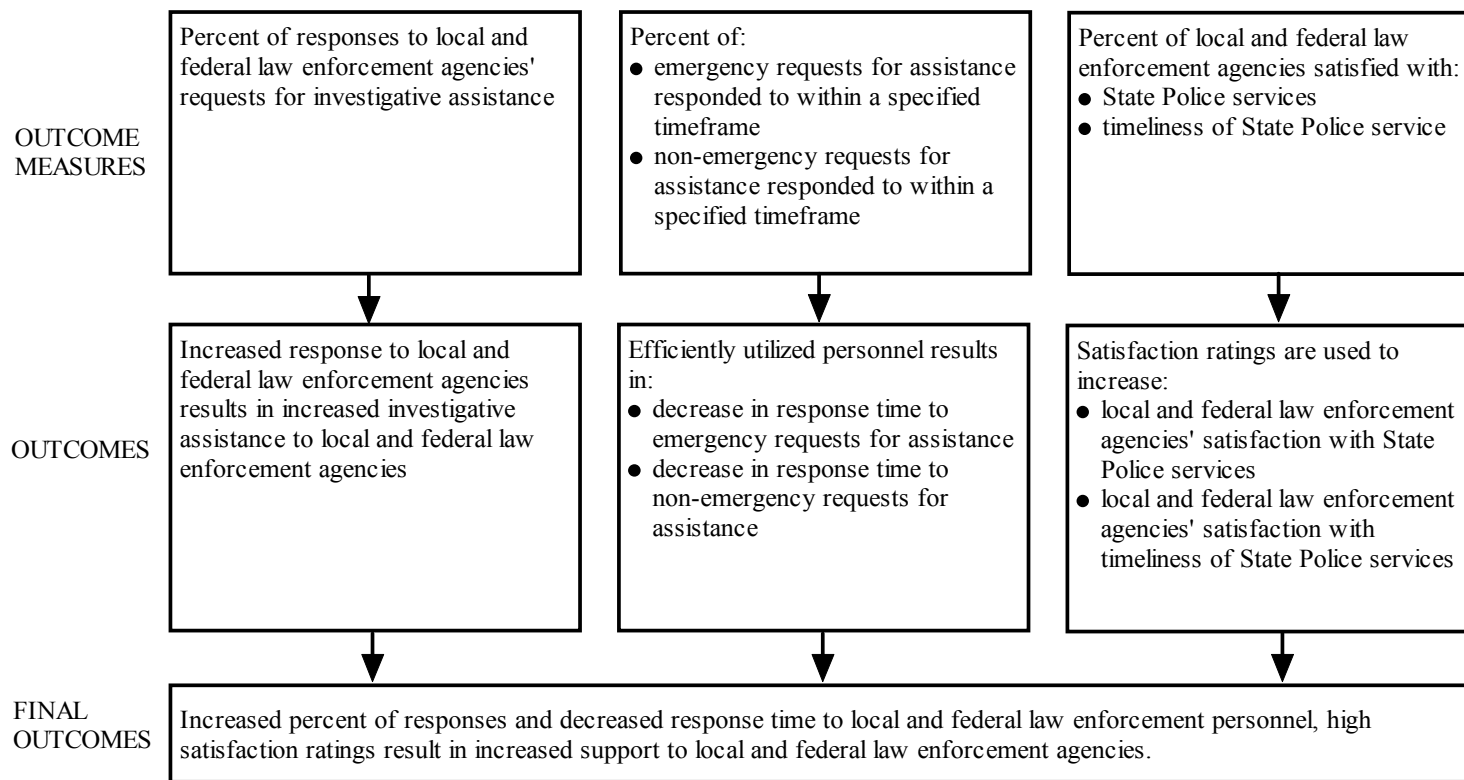
Source: LBA analysis of State Police and other states' performance measurement systems.

Figure 4

**Performance Measurement Model:  
Support External Law Enforcement Agencies**

D-4



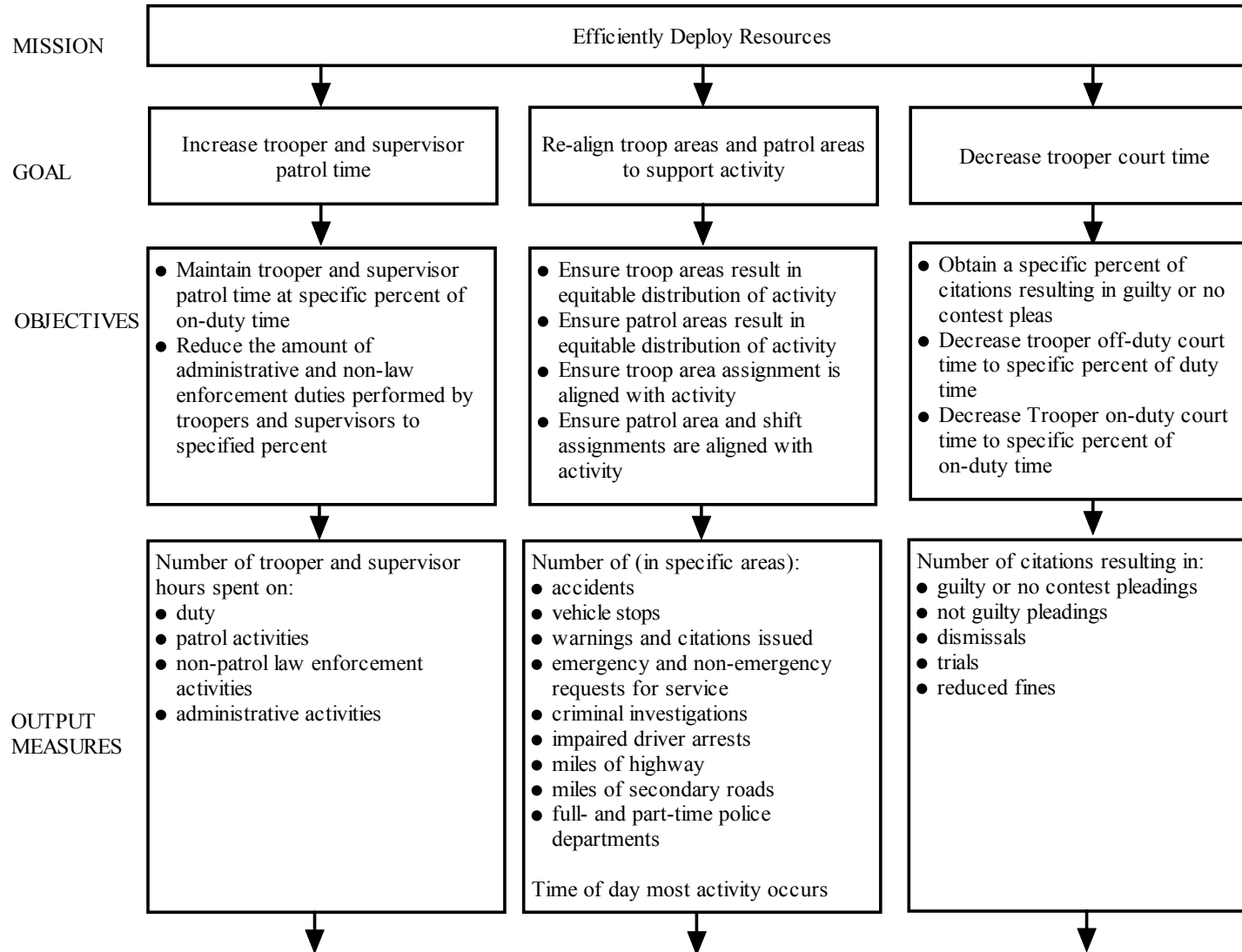


D-5

Source: LBA analysis of State Police and other states' performance measurement systems.

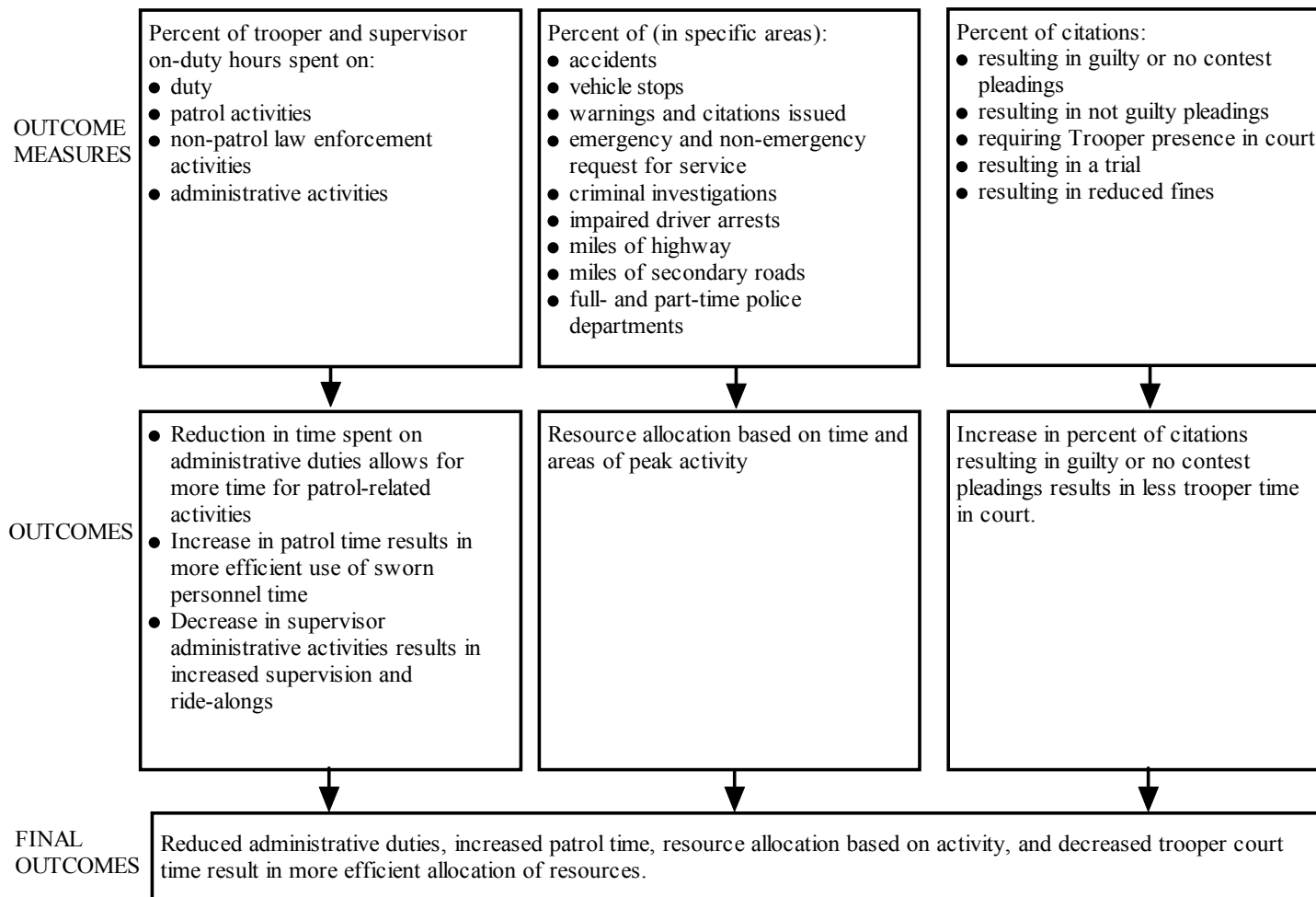
**Figure 5**

**Performance Measurement Model:  
Efficiently Deploy Resources**



D-6





Source: LBA analysis of State Police and other states' performance measurement systems.

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<u><b>TITLE OF REPORT</b></u>	<u><b>DATE</b></u>
Community Mental Health System	July 2010
State Board for the Licensing and Regulation of Plumbers	December 2009
Fuel Oil Discharge Cleanup Fund	December 2009
Bureau of Elderly and Adult Services Medicaid Long-Term Care Program	July 2009
Liquor Commission	April 2009
State of New Hampshire Service Contracting	March 2009
Department of Resources and Economic Development Division of Parks and Recreation Revenues of the State Park Fund	September 2008
Fleet Management	September 2008
Office of Information Technology	July 2008
State of New Hampshire Succession Planning	July 2008
Board of Medicine	April 2008
Department of Fish and Game	January 2008
Department of Environmental Services Alteration of Terrain and Wetlands Permitting	August 2007
Insurance Department Consumer Protection Functions	August 2007
Department of Education No Child Left Behind Fund Distribution	February 2007
Insurance Procurement Practices	September 2006
Enhanced 911 System	January 2006

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<u>TITLE OF REPORT</u>	<u>DATE</u>
Department of Education Adequate Education Grant Data	December 2004
Board of Mental Health Practice	November 2004
Home Care for Children with Severe Disabilities	April 2004
Department of Corrections Division of Field Services	December 2003
Judicial Branch Administration	November 2003
Department of Health and Human Services Division of Elderly and Adult Services Home- and Community-Based Care	April 2003
Department of Corrections – Inmate Health Care	January 2003
Department of Corrections – Sexual Harassment and Misconduct	October 2002
Department of Environmental Services Performance-Based Budgeting	March 2002
Department of Safety – Division of Fire Safety	November 2001
Department of Education – Construction and Renovation Programs	September 2001
Department of Health and Human Services Division for Children, Youth and Families Foster Family Care	September 2001
Department of Education – Bureau of Vocational Rehabilitation and Service Delivery	August 2001
Department of Transportation – Bureau of Turnpikes Performance-Based Budgeting	April 2001
Judicial Branch – Family Division Pilot Program	January 2000
Year 2000 Computing Crisis – Special Report – Update	July 1999
Special Education – Catastrophic Aid Program	July 1999

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<u>TITLE OF REPORT</u>	<u>DATE</u>
Year 2000 Computing Crisis – Special Report	March 1999
Juvenile Justice Organization	November 1998
Marine Patrol Bureau Staffing	March 1998
Health Services Planning and Review Board	January 1998
Economic Development Programs	October 1997
Job Opportunities and Basic Skills Training Program	May 1997
Child Support Services	December 1995
Multiple DWI Offender Program	December 1995
Managed Care Programs for Workers' Compensation	November 1995
State Liquor Commission	July 1994
Property and Casualty Loss Control Program	November 1993
Child Settlement Program	March 1993
Workers' Compensation Program for State Employees	January 1993
Prison Expansion	April 1992
Developmental Services System	April 1991
Department of Administrative Services Division of Plant and Property Management State Procurement and Property Management Services	June 1990
Mental Health Services System	January 1990
Hazardous Waste Management Program	June 1989
Review of the Indigent Defense Program	January 1989

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<u><b>TITLE OF REPORT</b></u>	<u><b>DATE</b></u>
Review of the Allocation of Highway Fund Resources to Support Agencies and Programs	March 1988
Review of the Public Employees' Deferred Compensation Plan	December 1987
Review of the Management and Use of State-Owned Passenger Vehicles and Privately Owned Vehicles Used at State Expense	August 1984
Management Review of the Policies and Procedures of the Division of Plant and Property Management	June 1984

***Copies of previously issued reports may be received by request from:***

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Office of Legislative Budget Assistant  
107 North Main Street, Room 102  
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