# The University of Texas at Austin Police Department

*August 2024*

# Executive Summary

## The University of Texas at Austin Police Department (UTPD)
### Project Number: 24.004

| Audit Objectives |
|---|
| The objectives of this audit were to: <br> • Evaluate contract and MOU processes to determine compliance with terms and conditions and accuracy of financial transactions. <br> • Determine whether evidence storage procedures ensure security, accuracy, and appropriate disposal of evidence. <br> • Benchmark UTPD staffing levels to other university police departments of similar operating environments. |

| Conclusion |
|---|
| UTPD's contract and MOU processes generally provide compliance with terms and conditions and accurate financial transactions. However, UTPD should enhance evidence management policies and procedures to better ensure the security, accuracy, and appropriate disposal of evidence. <br><br> UTPD operates in a unique and complex environment (e.g., urban setting, numerous competing police departments nearby). As such, leadership continues to evaluate appropriate force size and resource needs. Although benchmarking information was provided during the engagement, additional considerations are needed beyond the benchmarking information given the environment. |

### Audit Observations[1]

| Observation | Risk Level | Estimated Implementation Date |
|---|---|---|
| Evidence Security | High | September 2024 |
| Evidence Destruction | High | September 2024 |

### Engagement Team
Ms. Mary Anderson, CPA, Auditor
Mr. Patrick McKinney, CIA, Director
Ms. Kalie Rhodes, Auditor
Ms. Abby Simpson, Auditor

---

[1] Each observation has been ranked according to The University of Texas System Administration (UT System) Audit Risk Ranking guidelines. Please see the last page of the report for ranking definitions.

# Detailed Audit Results

## Observation #1 Evidence Security

UTPD's policies and procedures do not fully address physical access to evidence. Current storage and access procedures increase the risk of evidence loss or diversion and could impact evidentiary value in criminal prosecutions. Specific risk areas include:

- Access to the evidence room was appropriately restricted and is controlled electronically through the building access control system (BACS). The director of Support Service (director) provisions/deprovisions evidence room access for Property and Evidence personnel; however, these procedures are not detailed in policy.
- The secure evidence room can be accessed with a key stored in a lockbox in the Property and Evidence office area. The director explained that the lockbox access code is changed regularly, but this process is not included in policy, and there is no documentation of updated access codes. Furthermore, there is not a mechanism to alert anyone or to track when the evidence room is accessed with the key.
- The director has administrative access to the evidence records management system that allows him to delete evidence records. Additionally, he has full access to the secure evidence room and cage areas. The ability to delete evidence records, while also having access to the evidence storage areas, creates an opportunity to divert evidence and delete related records.
- During our on-site inventory review, Property and Evidence personnel removed several boxes of evidence from the secure storage area and into the office area while searching for items. Our staff was left unattended with the evidence for multiple short periods of time. UTPD policies prohibit evidence being removed from the secure storage area except for analysis, court cases, or destruction. Policies also require visitors to Property and Evidence to be escorted at all times.

After the fieldwork phase of this audit, UTPD hired a new crime scene, evidence, quartermaster manager and updated multiple processes that were identified as potential risks. Specifically, UTPD discontinued the use of an outside unit for evidence storage, removed the director's administrative access to the records management system, and implemented a more secure method for storing keys. We will verify these updates during follow-up procedures.

**Management's Corrective Action Plan:** UTPD leadership moved promptly to address the issues in the report. The Director of Administration resigned instead of being terminated, and his duties were reassigned to ensure that a single employee is not the sole overseer of finances and evidence moving forward.

UTPD will develop and implement policies and procedures for the provisioning/deprovisioning of access to the records management system and the evidence storage areas. Policies will identify which roles are authorized for access, ensure appropriate segregation of duties for evidence

---

## Notable Practices

- UTPD leadership has demonstrated a commitment to process improvement, transparency, partnership building, and responsible stewardship of campus resources.

handling and records management, and detail requirements for timely access termination when an employee leaves UTPD or changes roles.

**Responsible Person:** Assistant Chief of Police

**Planned Implementation Date:** Leadership will have updated policies reflecting best practices in place by September 1, 2024.

## Observation #2 Evidence Destruction

UTPD does not have effective controls for the disposal and destruction of narcotics/controlled substances. Property and Evidence personnel explained that two individuals are present for the destruction of these items, and that any onsite destruction is performed in the secure evidence area and on camera. However, these procedures are not included in policy, and there is not always sufficient documentation to verify appropriate destruction and handling.

During evidence inventory testing, UTPD could not locate two drug-related items (i.e., amphetamines and a "filled" syringe) that records indicated were onsite. Property and Evidence personnel believed the items had likely been destroyed, but they did not have supporting documentation. They contacted the former Property and Evidence manager, who confirmed that the items were likely destroyed, but there may have been a system error with the records management system.

The absence of formal destruction processes and supporting documentation for drug-related items/controlled substances increases the risk of drug diversion and violates the Texas Administrative Code, which requires a written standard operating procedure, two witnesses, and a written witness statement.

**Management's Corrective Action Plan:** UTPD will develop procedures for the destruction of controlled substances and drug-related items of evidence. The procedures will align with best practices, comply with applicable regulatory requirements, and will require supporting documentation and witness attestation to ensure appropriate chain of custody and destruction.

**Responsible Person:** Assistant Chief of Police

**Planned Implementation Date:** Leadership will have updated policies reflecting best practices in place by September 1, 2024.

# Conclusion

UTPD's contract and MOU processes generally provide compliance with terms and conditions and accurate financial transactions. However, UTPD should enhance evidence management policies and procedures to better ensure the security, accuracy, and appropriate disposal of evidence.

UTPD operates in a unique and complex environment (e.g., urban setting). As such, leadership continues to evaluate appropriate force size and resource needs. Although benchmarking information was provided during the engagement, additional considerations are needed beyond the benchmarking information given the environment.

**Table: Controls Assessment**

| Audit Objective | Controls Assessment |
|---|---|
| • Evaluate contract and MOU processes to determine compliance with terms and conditions and accuracy of financial transactions. | Generally Effective |
| • Determine whether evidence storage procedures ensure security, accuracy, and appropriate disposal of evidence. | Ineffective with High-Risk Opportunities |
| • Benchmark UTPD staffing levels to other university police departments of similar operating environments. | Not Applicable |

# Additional Risk Considerations

UTPD's authorized force size is comparable to the publicly available staffing data for similar university police departments. However, UTPD's actual force strength is significantly distressed with an approximate 40 percent vacancy rate in officer positions. Additionally, UT Austin operates in a unique and complex environment (e.g., urban setting, numerous competing police departments nearby) that may require additional considerations when determining appropriate force size and resource needs. UTPD serves the campus community 24 hours a day, including students, faculty, staff, and visitors, and the volume of events on-and-near campus critically strains current staffing levels. UTPD and campus leadership have been engaged on this issue, and some additional resources have been made available. However, UTPD and leadership should continue discussions and considerations of short and long-term staffing and resource needs necessary to fully support the operations and safety of UT Austin.

# Background

UTPD is an accredited state police agency that operates on a community-oriented policing philosophy.[2] The Department is responsible for patrolling all local UT Austin campus areas and patrols West Campus. UTPD also provides services for UT System, UT Athletics, Texas Performing Arts, and special events at the Moody Center. In 2023, UTPD received nearly 80,000 calls for service.

The current chief of police was sworn in to lead the department in July 2023, and two new assistant chiefs joined the force within the last year. The post-pandemic return of on-campus learning and activities, new leadership, and an evolving urban environment and campus present both risks and opportunities to UTPD and the campus.

# Scope, Objectives, and Methodology

This audit was conducted in conformance with The Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*. Additionally, we conducted the audit in accordance with Generally Accepted Government Auditing Standards and meet the independence requirements for internal auditors. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions on our audit objectives.

The scope of this review includes current UTPD operations and fiscal years 2023 and 2024 financial transactions.

Specific audit objectives and the methodology to achieve the objectives are outlined in the table below.

<div align="center">

**Table: Objectives and Methodology**

</div>

| Audit Objective | Methodology |
|---|---|
| Objective 1. Evaluate contract and MOU processes to determine compliance with terms and conditions and accuracy of financial transactions. | <ul><li>Reviewed UTPD income data and relevant contracts and MOUs.</li><li>Interviewed key personnel and reviewed documentation to understand financial processes.</li><li>Tested a sample of transactions to verify accuracy and compliance with applicable agreements.</li></ul> |
| Objective 2. Determine whether evidence storage procedures ensure security, accuracy, and appropriate disposal of evidence. | <ul><li>Reviewed evidence management policies and procedures.</li><li>Conducted walkthrough of evidence storage areas.</li></ul> |

---

[2] UTPD is accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA).

| | |
|---|---|
| | • Reviewed evidence access and inventory records.<br>• Tested a sample of evidence inventory to verify security, accuracy, and (if appropriate) disposal processes. |
| Objective 3. Benchmark UTPD staffing levels to other university police departments of similar operating environments. | • Researched staffing levels and environmental/operating conditions of peer university police departments.<br>• Interviewed UTPD leadership to assess current staffing conditions.<br>• Reviewed the U.S. Department of Justice Special Report on Campus Law Enforcement, 2011-12, published in 2015. |

## Criteria

- UTPD Standard Operating Procedures
- Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA), *Standards for Law Enforcement Agencies*
- Texas Administrative Code, Chapter 13, *Controlled Substances*
- UT System Office of the Director of Police Operating Policies

## Observation Risk Ranking

Audit observations are ranked according to the following definitions, consistent with UT System Audit Office guidance.

| Risk Level | Definition |
|---|---|
| Priority | If not addressed immediately, has a high probability to directly impact achievement of a strategic or important operational objective of The University of Texas at Austin (UT Austin) or the UT System as a whole. |
| High | Considered to have a medium to high probability of adverse effects to UT Austin either as a whole or to a significant college/school/unit level. |
| Medium | Considered to have a low to medium probability of adverse effects to UT Austin either as a whole or to a college/school/unit level. |
| Low | Considered to have minimal probability of adverse effects to UT Austin either as a whole or to a college/school/unit level. |

In accordance with directives from UT System Board of Regents, Internal Audits will perform follow-up procedures to confirm that audit recommendations have been implemented.

## Report Submission

We appreciate the courtesy and cooperation extended throughout the audit.

Respectfully Submitted,

Sandy Jansen, CIA, CCSA, CRMA, Chief Audit Executive

## Distribution

Dr. Jay C. Hartzell, President
Ms. Amanda Cochran-McCall, Vice President for Legal Affairs and General Counsel
Ms. Christy Sobey, Director of President's Office Operations
Chief Eve Stephens, Assistant Vice President for Campus Safety & Chief of Police

The University of Texas at Austin Institutional Audit Committee
The University of Texas System Audit Office
Legislative Budget Board
Governor's Office
State Auditor's Office