

PERFORMANCE AUDIT
OF THE
LAW ENFORCEMENT DIVISION
DEPARTMENT OF NATURAL RESOURCES

June 2001

EXECUTIVE DIGEST

LAW ENFORCEMENT DIVISION

INTRODUCTION	This report, issued in June 2001, contains the results of our performance audit* of the Law Enforcement Division (LED), Department of Natural Resources.
AUDIT PURPOSE	This performance audit was conducted as part of the constitutional responsibility of the Office of the Auditor General. Performance audits are conducted on a priority basis related to the potential for improving effectiveness* and efficiency*.
BACKGROUND	<p>LED's mission* is to protect the State's natural resources and the environment and the health and safety of the public through effective law enforcement and education. LED functions include enforcement of traditional outdoor recreational and natural resource laws as well as environmental laws. In addition, LED administers safety education programs and the Report All Poaching Program.</p> <p>LED had 245 employees as of September 30, 2000 and expended approximately \$26.7 million for operations for the fiscal year ended September 30, 2000.</p>
AUDIT OBJECTIVE, CONCLUSION, AND NOTEWORTHY ACCOMPLISHMENTS	<p>Audit Objective: To assess the effectiveness and efficiency of LED operations.</p> <p>Conclusion: We concluded that LED operations were generally effective and efficient. Also, we concluded</p>

* See glossary at end of report for definition.

from our observation of conservation officers during field operations that officers were well-trained, professional in both performance of their duties and appearance, and effective in dealing with the public while maintaining respect for the public's legal rights and concerns. However, we noted reportable conditions* relating to measurable program goals and objectives and vehicle inventory monitoring (Findings 1 and 2).

Noteworthy Accomplishments: LED became only the third law enforcement agency in the State with its own law enforcement academy. New LED conservation officers attend the 20-week academy, which focuses on physical fitness; communication skills; firearms and vehicle training; and enforcement of natural resource, environmental protection, and general criminal laws. The academy provides LED with the flexibility to conduct training sessions as needed, focusing on training specific to its operations, and allows LED additional time to evaluate candidates.

In addition, starting in October 2000, LED implemented an employee activity reporting system that accumulates information to help monitor the effectiveness and efficiency of LED operations.

**AUDIT SCOPE AND
METHODOLOGY**

Our audit scope was to examine the program and other records of the Law Enforcement Division. Our audit was conducted in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States and, accordingly, included such tests of the records and such other auditing procedures as we considered necessary in the circumstances.

* See glossary at end of report for definition.

Our audit procedures included an examination of LED records and activities for the period October 1, 1998 through December 31, 2000.

We performed a preliminary review that consisted of interviewing LED management and field staff and reviewing applicable statutes, appropriations acts, administrative rules, management plans, and policy and procedure manuals. We visited four LED district field locations to gain an understanding of, and to observe conservation officers performing, field operations. The purpose of the preliminary review was to obtain an understanding of LED operations and to plan our audit.

To evaluate the effectiveness and efficiency of LED operations, we examined various LED program reports, program performance documentation, and the assignment of conservation officers to field locations. In addition, we analyzed LED's monitoring of various safety education programs, reviewed hiring and training requirements of conservation officers, and reviewed procedures and controls pertaining to LED equipment and confiscated property inventory.

We reviewed the operation of the Report All Poaching Hotline. This included reviewing the number and type of calls received, the distribution of information to field locations, and the follow-up by the conservation officers.

**AGENCY RESPONSES
AND PRIOR AUDIT
FOLLOW-UP**

Our audit report includes 2 findings and 2 corresponding recommendations. The preliminary response prepared by the Department of Natural Resources indicated that it agreed with the recommendations.

LED partially or fully complied with 3 of the 4 prior audit recommendations. One of the prior audit recommendations was rewritten for inclusion in this audit report.

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June 27, 2001

Mr. Keith J. Charters, Chairperson
Natural Resources Commission
and
Mr. K. L. Cool, Director
Department of Natural Resources
Stevens T. Mason Building
Lansing, Michigan

Dear Mr. Charters and Mr. Cool:

This is our report on the performance audit of the Law Enforcement Division, Department of Natural Resources.

This report contains our executive digest; description of agency; audit objective, scope, and methodology and agency responses and prior audit follow-up; comment, findings, recommendations, and agency preliminary responses; a map showing conservation officer staffing by area, presented as supplemental information; and a glossary of acronyms and terms.

The agency preliminary responses were taken from the agency's responses subsequent to our audit fieldwork. The *Michigan Compiled Laws* and administrative procedures require that the audited agency develop a formal response within 60 days after release of the audit report.

We appreciate the courtesy and cooperation extended to us during this audit.

AUDITOR GENERAL

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Description of Agency

The Law Enforcement Division's (LED's) mission is to protect the State's natural resources and the environment and the health and safety of the public through effective law enforcement and education as required by Section 324.1601 of the *Michigan Compiled Laws*. LED functions include enforcement of traditional outdoor recreational and natural resource laws as well as environmental laws. In addition, LED administers hunter, marine, and snowmobile safety education programs and the Report All Poaching Program.

LED consists of eight sections and one unit:

1. Executive Section - This Section is responsible for providing overall direction, planning, coordination, and evaluation functions.
2. Support Services Section - This Section provides oversight over budgetary, central procurement, and grant writing and provides traditional staff support functions. Also, the Section maintains the LED activity data reporting system and LED's internal operations manual.
3. Employment and Training Section - This Section is responsible for recruiting and hiring conservation officers, training LED personnel, and administering LED's safety training program.
4. Legal and Policy Section - This Section is responsible for criminal and legal research for LED. This Section provides interpretation of legislative actions, monitors and analyzes proposed legislative activity, and assists in the development of LED policy and procedures. Also, the Section provides general advice to staff on matters related to enforcement of natural resource and criminal laws and maintains LED's criminal records system.
5. Marine Safety Section - This Section is responsible for managing various technical and educational marine, snowmobile, and off-road recreation vehicle safety functions. This Section provides support services for safety instructors, who annually train approximately 49,000 young boaters and 5,000 snowmobilers. This Section analyzes accident data and provides direction to field personnel and other agencies on targeting high-accident areas.

6. Hunter Education Section - This Section is responsible for the supervision and administration of the hunter safety program by recruiting volunteer instructors and providing support services to assist them in annually certifying approximately 31,000 young hunters. This Section is also responsible for analyzing hunting accidents to develop and distribute appropriate educational materials to reduce hunting-related accidents.
7. Wildlife Resource Protection Section - This Section conducts in-depth special investigations of organized, illegal taking and/or commercializing of fish and wildlife resources.
8. Communications Section - This Section provides support services through a 24-hour communications and information center, which includes the operation of the toll-free telephone number for reporting poaching activities (the Report All Poaching Hotline).
9. Field Services Unit - This Unit consists of the uniformed conservation officers and is organized into 10 districts. The Unit is responsible for enforcing all fish and wildlife, marine, environmental, snowmobile, off-road recreation vehicle, habitat protection, and general criminal statutes of the State.

LED had 245 employees as of September 30, 2000 and expended approximately \$26.7 million for operations for the fiscal year ended September 30, 2000.

Audit Objective, Scope, and Methodology and Agency Responses and Prior Audit Follow-Up

Audit Objective

The objective of our performance audit of the Law Enforcement Division (LED), Department of Natural Resources, was to assess the effectiveness and efficiency of LED operations.

Audit Scope

Our audit scope was to examine the program and other records of the Law Enforcement Division. Our audit was conducted in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States and, accordingly, included such tests of the records and such other auditing procedures as we considered necessary in the circumstances.

Audit Methodology

Our audit procedures were conducted from September 2000 through January 2001 and included an examination of LED records and activities for the period October 1, 1998 through December 31, 2000.

To establish our methodology, we performed a preliminary review that consisted of interviewing LED management and field staff and reviewing applicable statutes, appropriations acts, administrative rules, management plans, and policy and procedure manuals. We visited four LED district field locations to gain an understanding of, and to observe conservation officers performing, field operations. The purpose of the preliminary review was to obtain an understanding of LED operations and to plan our audit.

To evaluate the effectiveness and efficiency of LED operations, we examined various LED program reports, program performance documentation, and the assignment of conservation officers to field locations. In addition, we analyzed LED's monitoring of various safety programs, reviewed hiring and training requirements of conservation officers, and reviewed procedures and controls pertaining to LED equipment and confiscated property inventory.

We reviewed the operation of the Report All Poaching Hotline. This included reviewing the number and type of calls received, the distribution of information to field locations, and the follow-up by the conservation officers.

Agency Responses and Prior Audit Follow-Up

Our audit report includes 2 findings and 2 corresponding recommendations. The preliminary response prepared by the Department of Natural Resources indicated that it agreed with the recommendations.

The agency preliminary response which follows each recommendation in our report was taken from the agency's written comments and oral discussion subsequent to our audit fieldwork. Section 18.1462 of the *Michigan Compiled Laws* and Department of Management and Budget Administrative Guide procedure 1280.02 require the Department of Natural Resources to develop a formal response to our audit findings and recommendations within 60 days after release of the audit report.

LED partially or fully complied with 3 of the 4 prior audit recommendations. One of the prior audit recommendations was rewritten for inclusion in this audit report.

COMMENT, FINDINGS, RECOMMENDATIONS, AND AGENCY PRELIMINARY RESPONSES

EFFECTIVENESS AND EFFICIENCY OF OPERATIONS

COMMENT

Audit Objective: To assess the effectiveness and efficiency of Law Enforcement Division (LED) operations.

Conclusion: We concluded that LED operations were generally effective and efficient. Also, we concluded from our observation of conservation officers during field operations that officers were well-trained, professional in both performance of their duties and appearance, and effective in dealing with the public while maintaining respect for the public's legal rights and concerns. However, we noted reportable conditions relating to measurable program goals and objectives and vehicle inventory monitoring.

Noteworthy Accomplishments: LED became only the third law enforcement agency in the State with its own law enforcement academy. New LED conservation officers attend the 20-week academy, which focuses on physical fitness; communication skills; firearms and vehicle training; and enforcement of natural resource, environmental protection, and general criminal laws. The academy provides LED with the flexibility to conduct training sessions as needed, focusing on training specific to its operations, and allows LED additional time to evaluate candidates.

In addition, starting in October 2000, LED implemented an employee activity reporting system that accumulates information to help monitor the effectiveness and efficiency of LED operations.

FINDING

1. Measurable Program Goals and Objectives

LED could enhance its management process by expressing program goals and objectives in measurable terms. LED has recently increased its emphasis on developing program evaluation measures, but further development is needed.

LED's mission is to protect the State's natural resources and the environment and the health and safety of the public through effective law enforcement and education. LED has developed a number of goals, objectives, and activities to help ensure that its mission is being achieved.

LED maintains information related to the outputs* of some of its activities, such as the number of complaints received and investigated, citations issued, and hours worked on various activities, which provides LED with general feedback on the achievement of its mission. However, LED had not developed certain goals, objectives, and activities with measurable outcomes*; therefore, LED could not assess whether it achieved its mission.

For example, one of LED's goals for fiscal year 1999-2000 was to protect aquatic and wildlife species from exploitation and ensure current management and proper utilization of these resources. An LED objective related to this goal was to:

Maintain surveillance of wildlife and aquatic resource use and enforce game and fish laws and regulations to ensure a high rate of compliance consistent with the priority management objectives developed by Fisheries and Wildlife Divisions.

LED activities to fulfill this goal and objective included focusing patrols in high density areas and during opening hunting dates to maximize encounters with potential participants. However, because LED had not established goals and objectives with measurable outcomes, it was unable to determine the extent to which its efforts had achieved its mission.

Without measurable program goals and objectives, LED and other interested parties cannot assess whether LED's enforcement efforts are achieving planned and desirable results.

RECOMMENDATION

We recommend that LED enhance its management process by expressing program goals and objectives in measurable terms.

* See glossary at end of report for definition.

AGENCY PRELIMINARY RESPONSE

The Department of Natural Resources (DNR) agreed that it is best to assess whether a goal or objective has been attained by utilizing measures that will indicate a degree of success or failure. DNR stated that, unfortunately, most LED objectives do not easily lend themselves to using measurements as an appropriate means for evaluation purposes. DNR informed us that, given the scope of LED's responsibilities, it is difficult to accurately quantify how actions taken by LED are impacting activities that are occurring on a Statewide scale. For instance, if hunter accidents increase from one year to the next, it would be unclear if the increase was due to the actions/inactions of LED field officers, hunter safety training, a change in hunter numbers, or random human error. Further, if hunting accidents decline over time, it would not be clear if the decline was due to LED activities related to hunter safety, a change in hunter numbers, legislative changes, etc. DNR informed us that similar difficulties are encountered when addressing snowmobile and off-road recreation vehicle accidents or changes in the Statewide fish and wildlife populations. The impact that LED effort has on local levels is more evident and can many times be measured.

LED believes that it is meeting its responsibilities by continuously monitoring Statewide activities and addressing, measuring, and evaluating local/regional issues. DNR informed us that work plans are generated at the district level and include measurements relevant to local and Statewide issues.

FINDING

2. Vehicle Inventory Monitoring

LED had not developed procedures to effectively monitor its motor vehicle inventory. As a result, LED incurred excessive fees related to maintaining unused vehicles in its inventory.

As of September 30, 2000, LED maintained a fleet of 297 vehicles for its 245 employees. The fleet included an assigned vehicle for each conservation officer, a pool of vehicles for undercover operations, spare vehicles located at LED district offices, and administration vehicles. LED incurred a monthly fee for each vehicle that ranged from \$5 to \$649, in addition to a per-mile fee.

Our review of LED vehicle billing records for the fiscal year ended September 30, 2000 disclosed that LED incurred a total of approximately \$165,000 in monthly fees for vehicles that LED did not dispose of in a timely manner and for new vehicles in inventory but not placed into service. We noted 28 vehicles that were unused for an average of more than 5 months prior to disposal and 67 new vehicles that required an average of more than 4 months to be placed into service. Failure to efficiently remove vehicles from inventory or to place new vehicles into service caused LED to pay monthly fees for vehicles that were not used.

Discussions with LED employees; communication equipment installers; and an employee of Vehicle Transportation Services, Department of Management and Budget, indicated that various factors caused delays in the vehicle transition process. The factors included transportation of vehicles to communication equipment installation locations; delays in installation and removal of communication equipment, especially during instances when a large number of vehicles required service; district offices' failure to properly evaluate the need to maintain excess or spare vehicles; complications related to ordering and receiving new vehicles when needed; and Vehicle Transportation Services' failure to promptly obtain vehicles for disposal. LED did not maintain documentation related to the vehicle transition process so it was unable to effectively monitor the process to accurately determine the reasons for processing delays.

LED needs to improve the management of its fleet operations to ensure that vehicles are obtained and disposed of in an efficient manner and to ensure that only vehicles essential to its operations are maintained in its inventory.

RECOMMENDATION

We recommend that LED develop procedures to effectively monitor its motor vehicle inventory.

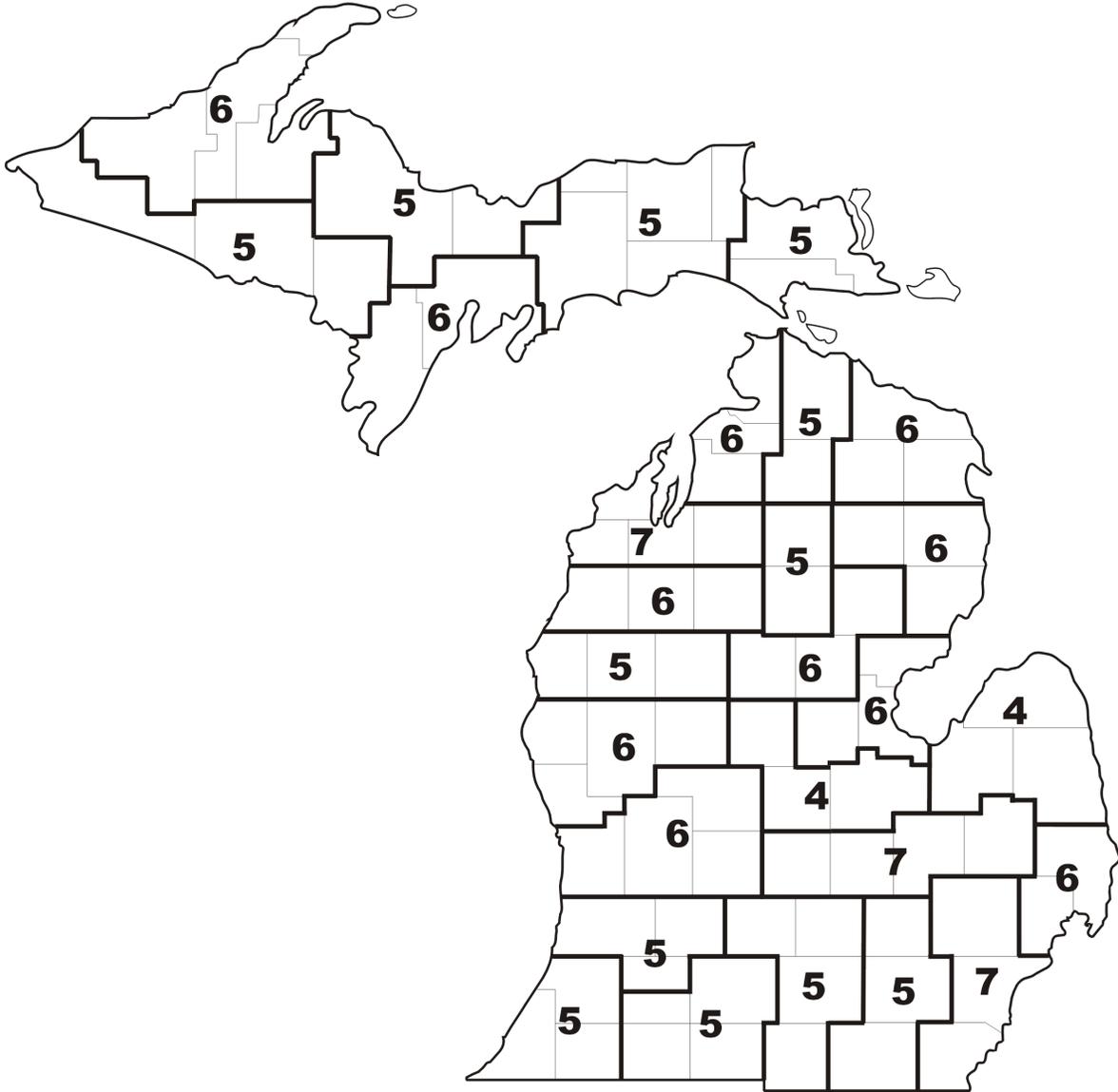
AGENCY PRELIMINARY RESPONSE

DNR agreed that better procedures can be developed to monitor vehicle inventory but informed us that some factors remain outside of LED control, including delays in installing and removing radio and emergency equipment, officers on unanticipated leave, the need to maintain spare vehicles at various locations during peak seasons, and the intermittent nature of police surveillance needs.

LED informed us that it had begun a number of initiatives to improve efficiency, such as staggering vehicle orders, utilizing outside contractors to install radio hardware, and establishing a new position with vehicle monitoring responsibilities.

SUPPLEMENTAL INFORMATION

LAW ENFORCEMENT DIVISION
Department of Natural Resources
Conservation Officer Staffing by Area
As of January 1, 2001



Glossary of Acronyms and Terms

DNR	Department of Natural Resources.
effectiveness	Program success in achieving mission and goals.
efficiency	Achieving the most outputs and outcomes practical for the amount of resources applied or minimizing the amount of resources required to attain a certain level of outputs or outcomes.
LED	Law Enforcement Division.
mission	The agency's main purpose or the reason that the agency was established.
outcomes	The actual impacts of the program. Outcomes should positively impact the purpose for which the program was established.
outputs	The products or services produced by the program. The program assumes that producing its outputs will result in favorable program outcomes.
performance audit	An economy and efficiency audit or a program audit that is designed to provide an independent assessment of the performance of a governmental entity, program, activity, or function to improve public accountability and to facilitate decision making by parties responsible for overseeing or initiating corrective action.
reportable condition	A matter coming to the auditor's attention that, in the auditor's judgment, should be communicated because it represents either an opportunity for improvement or a significant deficiency in management's ability to operate a program in an effective and efficient manner.