

DEPARTMENT OF JUSTICE

It Continues to Use the Improvements It Made to the California Witness Protection Program

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Audit Highlights . . .

The Department of Justice (department) has improved controls over the California Witness Protection Program (CWPP). Our most recent audit found that the department has made improvements that meet our previous recommendations. These improvements include:

- Establishing a formal review process for approving applications and reimbursements.*
 - Ensuring that staffing is sufficient to perform program activities.*
 - Performing field audits of district attorneys' offices participating in the CWPP.*
 - Updating the CWPP policies and procedures manual.*
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As required by the 1998–99 Budget Act, we conducted an audit of the Department of Justice's (department) California Witness Protection Program (CWPP). In response to requirements of subsequent budget acts, in November 1999, November 2000, and December 2001, we performed follow-up audits to examine the department's implementation of our recommendations. During these audits we noted the following conditions:

Finding #1: The CWPP does not have consistent management oversight.

Because only one analyst operates the CWPP, program responsibilities are concentrated and the department may not detect errors or omissions. In addition, the department does not always ensure that it has all the proper documents before it pays program costs. As a result, the department may reimburse costs of services for ineligible witnesses.

We recommended that the department establish a formal management-review process for the approval of applications and reimbursement requests. The department should deny payments on claims when crucial documents, such as applications and witness agreements, are missing or incomplete.

Department Action: Corrective action taken.

The department has implemented a checklist system to ensure that all necessary documents are received before reimbursements are processed. Also, the department has implemented formal management oversight procedures. Now a division manager has final approval of all program applications and reviews each reimbursement request prior to payment.

Finding #2: The program may lack the necessary staff to handle anticipated growth.

The program is assigned one analyst who performs all of its day-to-day activities. However, this analyst is already using limited overtime to complete the work. Any delays in processing claims or approving cases could delay payments to counties, or possibly place witnesses at risk.

We recommended that the department conduct a workload analysis to ascertain the CWPP's staffing needs. The department should also find staff who can back up the primary program analyst when necessary.

Department Action: Corrective action taken.

The department has hired a temporary analyst to serve as an immediate backup to the CWPP's primary analyst. We believe the staffing level of the CWPP is adequate for the current caseload, but the department should continue to monitor its staffing needs as the program grows.

Finding #3: The department does not independently ensure the propriety of expenditures at the district attorneys' offices.

As a result, the department has no way of knowing with any certainty that underlying support for reimbursement claims actually exists, or that the claims comply with CWPP requirements. The department therefore risks paying improper or misstated claims.

We recommended that the department perform periodic field audits to ensure that the district attorneys' offices are:

- Only claiming allowable costs.
- Using other funding sources before applying to the CWPP.
- Administering the program consistently.

Department Action: Corrective action taken.

The department has begun to perform periodic field audits to ensure that district attorneys' offices are claiming only allowable costs and are using the CWPP consistently. As of our December 2001 report, it had completed eight audits of district attorneys' offices and was in the process of completing another.

Finding #4: A formal reconciliation process between program and accounting records does not exist.

After the program analyst forwards a claim to the accounting department for payment, she has no way of knowing whether the claim was paid and if so, whether the payment was correct, prompt, or recorded accurately.

To account for all CWPP transactions, we recommended that the department develop and perform periodic reconciliations between accounting and program records.

Department Action: Corrective action taken.

The department has implemented procedures to periodically reconcile program and accounting records for all CWPP transactions.

Finding #5: The department has not adequately clarified certain policies in its manual to ensure consistent, appropriate use of CWPP funds.

To promote consistent administration of the program and help ensure that the department and the district attorneys' offices properly account for and spend CWPP funds, we recommended that the department specify in its policies and procedures manual how the district attorneys' offices should account for housing and utility deposits and meal receipts. We also recommended that the department periodically review established program rates and make adjustments as needed. In addition, the department should hold an informational workshop for the district attorneys' offices regarding the administration of the CWPP.

Department Action: Corrective action taken.

The department updated its policies and procedures manual to modify requirements related to meal receipts and unused portions of housing deposits. Further, it has plans to make additional revisions to its policies and procedures manual and in the interim has issued a policy memorandum.

The department reports that it has also taken advantage of opportunities to inform representatives from the district attorneys' offices about the use of the CWPP. The program analyst indicated that, as of October 2001, she has presented 26 briefings and workshops explaining various aspects of the CWPP and has scheduled three more training sessions for the future.

Finding #6: The department has not documented its basis for denying certain cases.

The program analyst has not maintained any records documenting the applications denied over the phone or the rationale for the decisions. Because the department has not documented these requests, it cannot ensure that its policies are consistently applied.

We recommended that the department maintain written records documenting the reasons that it denied certain applications.

Department Action: Corrective action taken.

The department has developed and implemented a case-denial form to document all cases it denies.