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April 2016

Steven Bellone, County Executive
Members of the Legislature
Suffolk County
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Report Number: S9-15-6

Dear Mr. Bellone and Members of the Legislature:

A top priority of the Office of the State Comptroller is to help county officials manage their resources efficiently and effectively and, by so doing, provide accountability for tax dollars spent to support county operations. The Comptroller oversees the fiscal affairs of local governments statewide, as well as compliance with relevant statutes and observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations and governance. Audits also can identify strategies to reduce costs and to strengthen controls intended to safeguard assets.

In accordance with these goals we conducted an audit of six counties throughout New York State. The objective of our audit was to determine if the applicable county departments were adequately monitoring the State's Ignition Interlock Program to ensure proper use and compliance. We included Suffolk County (County) in this audit. Within the scope of this audit, we examined the county departments' policies and procedures and reviewed the record of actions taken to comply with monitoring requirements of the Ignition Interlock Program for the period January 1, 2010 through May 29, 2015. This audit was conducted pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the New York State General Municipal Law.

This report of examination letter contains our findings and recommendations specific to the County. We discussed the findings and recommendation with County officials and considered their comments, which appear in Appendix A, in preparing this report. Except as indicated in Appendix A, County officials generally agreed with our recommendation and indicated they planned to initiate corrective action. Appendix B includes our comment on an issue raised in the County's response. At the completion of our audit of the six counties, we will prepare a global report that summarizes the significant issues we identified at all of the counties audited.

Summary of Findings

Department officials generally monitored the ignition interlock device (IID) installations and negative activities of offenders as required. However, 21 of 82 installations (26 percent) were installed after the required 10 business days, on average 15 days late. Further, the monitors did not report these late installations. We also found that, in two of the 168 cases where the individual indicated no ownership or operation of a vehicle during the IID order period, vehicles were registered and not reported. In another case, the monitor identified vehicles registered to the individual, but did not report the installation violation in a timely manner. In addition, the monitors did not report 12 cases with negative activity¹ among the 82 completed installations to the court and district attorney in a timely manner and did not report six cases with failed tests.

Background and Methodology

Suffolk County is governed by an 18-member County Legislature (Legislature) and has a population of approximately 1.5 million. The County's fiscal year 2015 budgeted appropriations totaled \$2.89 billion. The County's Probation Department (Department) monitors the installation and activity of court-ordered ignition interlock devices (IIDs) using its probation officers as monitors. As of April 13, 2015, the County was monitoring 5,058 open cases² that required an IID installation.

“Leandra’s Law,” a New York State law enacted November 18, 2009,³ is intended to protect the public. It requires, among other things, that – as a condition of being sentenced for certain alcohol related offenses occurring on or after August 15, 2010 – a convicted individual install and maintain a breath alcohol IID on any vehicle owned or operated by that individual for a certain period of time.⁴ An ignition interlock device installed in a vehicle requires the operator to provide a breath sample in order to start the car.

The New York State Division of Criminal Justice Services (DCJS) has regulations for, among others, counties in regard to establishing standards for the usage and monitoring of IIDs ordered by criminal courts for these alcohol-related sentences.⁵ The County's Probation Department is responsible for monitoring court-ordered IIDs for both individuals sentenced to probation and

¹ For audit purposes, a negative event (activity) is the result of an individual's actions that are not in compliance with listed events in 9 NYCRR Section 358.7 (d) (1).

² Composed of 3,242 probation cases and 1,816 conditional discharge cases

³ The Child Passenger Protection Act (Chapter 496 of the Laws of 2009) is commonly referred to as Leandra's Law, which amended provisions of the Vehicle and Traffic Law (VTL), Executive Law and Penal Law. Provisions addressing the ignition interlock device became effective August 15, 2010, and Chapter 169 of the Laws of 2013, which strengthens certain provisions of Leandra's Law, took effect on November 1, 2013 (see Appendix C for additional detail). After this audit began, the Penal Law was further amended to provide that when a court sentence includes a condition that an IID be installed and maintained by a defendant, and the court later declares that individual to be delinquent, the condition to have the IID installed continues to be in effect during the period of delinquency. The court may also extend the period of the IID installation by the period of the delinquency (see Chapter 440 of the Laws of 2015, effective November 20, 2015).

⁴ See VTL Sections 1193, 1198; see also Executive Law Section 259-c.

⁵ See VTL Section 1193 (1) (g) and 9 NYCRR Part 358 – Handling of Ignition Interlock Cases Involving Certain Criminal Offenders.

those sentenced to conditional discharge.⁶ Probation cases with an IID order requirement are potentially assigned to one of the more than 145 County probation officers. All conditional discharge cases are monitored by three probation officers, who specialize in these cases. Monitoring is a key component for ensuring that a vehicle operator is complying with a court order and for protecting the safety of the public.

Installation and activity requirements that must be monitored include the following:⁷

- The monitor shall receive court notification of an order for the IID within five business days from sentencing.
- The operator is required to have an IID installed within 10 business days of the court order or if sentenced to imprisonment, upon release from imprisonment, whichever is applicable.
- The operator shall submit to service visits at defined intervals (see Appendix C for details).
- The monitor shall notify the appropriate court and district attorney, within three business days, of the following:
 - Operator failure to install an ordered IID;
 - Operator non-compliance with a service visit requirement;
 - Any report of alleged tampering with or circumvention of the IID or an attempt thereof;
 - Any report of a lock-out, and/or any report of a failed test or retest when the BAC is 0.05 percent or higher.

Appendix C includes more details of monitoring requirements. The failure by an individual to comply with the Ignition Interlock Program may result in the conditional discharge or probation sentence being modified or revoked by the court.

To complete our audit objective, we conducted interviews with Department personnel and reviewed policies/procedures. We also reviewed court orders and information that the Department maintained for the IID records we sampled. We examined communications to ensure that appropriate monitoring actions were taken and tested records to confirm compliance. We conducted our audit in accordance with generally accepted government auditing standards (GAGAS). More information on such standards and the methodology used in performing this audit is included in Appendix D of this report. Unless otherwise indicated in this report, samples for testing were selected based on professional judgment, as it was not the intent to project the results onto the entire population. Where applicable, information is presented concerning the value and/or size of the relevant population and the sample selected for examination.

⁶ As a general premise, probation is a sentencing option used by the court that permits the offender to remain in the community under conditions specified by the court, and involves some form of supervision or reporting requirement. A conditional discharge is a sentencing option which is generally used for minor violations that do not require probation supervision. The regulations provide, in part, that the county's ignition interlock program plan "shall specify monitoring by the probation department where the operator is subject to a period of probation supervision and may designate one or more alternative persons or entities, in lieu of the probation department, responsible for monitoring where an ignition interlock device has been imposed pursuant to a conditional discharge" (see 9 NYCRR Section 358.4 [c]).

⁷ See 9 NYCRR Section 358.7.

Audit Results

The County's Probation Department is responsible for monitoring court-ordered IIDs for both individuals sentenced to probation and those sentenced to conditional discharge.

Department officials generally monitored the IID installations and negative activities of offenders as required. However, 21 of 82 installations (26 percent) were installed after the required 10 business days, and the monitors did not report them. In two of the 168 cases where the individual indicated no ownership or operation of a vehicle, we found that vehicles were registered and not reported by the monitors. In another case, the monitor identified vehicles registered to the individual, but did not report the installation violation in a timely manner. The monitors also did not report 12 cases with negative activity among the 82 completed installations to the court and district attorney in a timely manner and did not report six cases with failed tests.

IID Installations – We selected 250 court orders⁸ requiring IID installation for offenders sentenced to probation or conditional discharge to determine if the Department adequately monitored the installations and notified the court of violations as required. Eighty-two of the 250 IIDs ordered were installed, while in the remaining 168 cases the individuals indicated that they did not own or operate a vehicle. However, although we verified that 165 of these cases did not have a registered vehicle, we found that two cases had vehicles registered in another state during the IID order period and not reported by the monitors. In another case, the monitor identified vehicles registered to the individual after a vehicle history search was performed. The monitor did not report this to the court in a timely manner or to the district attorney at all. In addition, 21 of the 82 installations (26 percent) occurred after the required 10 business days, on average 15 days late. Further, the monitor did not report these 21 cases to the court or district attorney. Department monitors attributed the lack of reporting to the timing of case assignments, working with the individual and prioritizing work.

Negative IID Activity – We reviewed the reported negative IID activity from the vendor for all 82 cases with installed devices (76 negative events)⁹ and found that the monitors did not notify the court and district attorney in a timely manner in 12 cases (27 negative events). The late notification events included missed service visits, failed tests due to BAC levels, a circumvention attempt and IID lockouts. Additionally, the monitor did not report six cases with failed tests (16 negative events) that were due to registered BAC levels, a missed serviced visit, and tampering and resulting IID lockout. The monitors attributed the delay in notification to the caseload volume and delayed receipt of vendor reports. In the instances of the failed tests that were not reported, the monitor attributed the lack of notification to working with the individual and delayed receipt of vendor reports.

While the IIDs potentially stop individuals from starting and driving their vehicle with a BAC higher than 0.025 percent,¹⁰ courts rely on county monitoring to ensure an individual is following

⁸ See Appendix D for methodology.

⁹ A “negative event” is counted each time an individual’s actions are not in compliance with listed events in 9 NYCRR Section 358.7 (d) (1). For example, each of the following is counted as a separate “event” for a total of three negative events, even though the three events occur in one attempt to start a vehicle: a breath sample is given at a BAC of 0.05 percent, a sample is not given for a re-test, and a lock-out results.

¹⁰See 9 NYCRR Section 358.5 (c) (2).

sentencing conditions and to protect the public. A failure to adequately monitor the IID program and report violations could prevent a court from knowing about noncompliance and from deciding whether an individual sentence needs to be modified or revoked to keep the county roadways safe.

Recommendation

1. Department officials should address the causes of monitors' late or missed reporting of IID Program violations to the court and district attorney, and institute procedures, as necessary, to help ensure that all violations are reported in a timely manner.

The County Legislature has the responsibility to initiate corrective action. A written corrective action plan (CAP) that addresses the findings and recommendations in this report should be prepared and forwarded to our office within 90 days, pursuant to Section 35 of the General Municipal Law. For more information on preparing and filing your CAP, please refer to our brochure, *Responding to an OSC Audit Report*, which you received with the draft audit report. We encourage the Legislature to make this plan available for public review in the Clerk of the Legislature's office.

We thank the officials and staff of the Suffolk County Probation Department for the courtesies and cooperation extended to our auditors during this audit.

Our office is available to assist you upon request. If you have any further questions, please contact Ann Singer, Chief Examiner of the Statewide and Regional Projects Unit, at (607) 721-8306.

Sincerely,

Gabriel F. Deyo
Deputy Comptroller

APPENDIX A

RESPONSE FROM COUNTY OFFICIALS

The County officials' response to this audit can be found on the following pages.

COUNTY OF SUFFOLK



Steven Bellone
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PROBATION

Patrice S. Dlhopsky
Director

October 8, 2015

Ann C. Singer, Chief Examiner
State Office Building, Suite 1702
44 Hawley Street
Binghamton, New York 13901-4417

Dear Ms. Singer:

Suffolk County Probation has reviewed the results of the audit of the Suffolk County Ignition Interlock program by the New York State Comptroller's Office. As the designated Ignition Interlock monitor for the vast majority of cases in the county, Probation is committed to meeting the obligations outlined in the Suffolk County plan approved by the state.

In reviewing the audit results, it appears that the analysis of shortcomings can be divided into two areas: the process plan and adherence by staff to the plan. The process set up by the Department appears sound with one area that was required to be addressed. In the current year's plan, Suffolk was required to make direct notification to the DA's office on negative activity (violations of the Ignition Interlock provisions by the probationer or person monitored on Conditional Discharge). In the past, the District Attorney's office had relied on the notification sent to the court. A process for direct notification to the District Attorney's office has been put in place. Probation has begun sending duplicate summaries to both the sentencing court and to a central location in the District Attorney's office District Court Bureau. The head of that bureau has agreed to assume responsibility for forwarding the notifications to the appropriate Assistant District Attorney.

As to individual failures to adhere to the plan by Probation Officers assigned to each case, these occurred in several different areas. Of the 250 cases audited, 168 did not install the Ignition Interlock device claiming that they did not own or have access to another vehicle in which the device could be installed. Of these 168 cases, Probation Officers appropriately verified that there was no vehicle registered to that offender in 165 instances. In one instance, the notification to the court was not made in a timely fashion. On two cases, out of state vehicle registrations were not reported. The Probation Department instituted a procedure within the past year whereby New York State DMV records of all those who have been ordered to install Ignition Interlock but have not done so are run initially and at quarterly intervals by clerical staff within the Department to determine if any vehicles are registered to the individual. This accounts for the high percentage of cases appropriately identified.

For Conditional Discharge sentences on out-of-state residents, the Department's process is to send a letter to the Motor Vehicle authority in that state requesting a records check on motor vehicles registered to that offender. There are limited options available in these situations.

The Probation Department requested from the State Comptroller's Office and received a copy of the failures noted on the cases where Ignition Interlock devices were installed by the offenders and where deficiencies were noted in the audit. The audit identified a total of 24 cases (15 CD's and 9 Probation cases) in which the assigned PO reportedly failed to notify the sentencing court that the IID had not been installed within 10 business days. Our review of these instances finds that one of these cases should have been excluded from the audit, because it was an Interim Probation case involving a DWI that occurred prior to 11/1/2013, when Leandra's Law was expanded to allow for the pre-sentence installation of the IID. The case is therefore not subject to the provisions of Leandra's Law. On the other cases, the notification to the court did occur after the required 10 day period. In a number of instances, especially those where sentencing occurred in a local court as opposed to the County or District Courts, a delay occurred in notification to the Department of the sentence imposed.

See
Note 1
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On the installed devices, 16 cases were cited for negative activity. Of the 16 cases, 14 were Conditional Discharge cases. Negative events include missed service visits, failed tests due to a recorded BAC level, attempted circumvention of the device, and Ignition Interlock lockouts. Of the 76 individual negative events, sixteen were not reported to the court; 27 were reported past the required three business days.

Following the receipt of audit results, a quarterly meeting was held with all supervisory and management staff. The results of the audit were discussed in an attempt to identify problem areas that can be corrected. In general, it was the view of the supervisors that the three business day requirement for notification of negative events is the most difficult area to address. Emergencies on other cases, staff scheduling, and attention to other duties were all cited. Current process results in failure notification to the Probation Officer, the Supervising Probation Officer, and the Principal Probation Officer when a negative event occurs. Supervisors were cautioned to follow through within the required time frame to ensure that the Probation Officer provides these notifications. This deficiency is particularly difficult on the Conditional Discharge cases because of the high volume assigned to the officers monitoring these cases.

As to the failure to send out notifications on six cases, these would seem to reflect individual errors made by Probation Officers that have been addressed. In the management meeting, it was noted to supervisory staff that there is no discretion allowed on the part of the Probation Officer in terms of court notification on these failures. The notification is required no matter what the circumstance might be. Some supervisors had noted that Probation Officers sometimes contacted the monitoree to determine, for example, if a missed service visit had since taken place. If so, the notification was not sent. Supervisors were advised that this is not acceptable and that the notification must be sent.

Regarding late notification to the court and the DA on devices that were not installed within ten business days, supervisors reiterated a comment noted in the audit that this sometimes occurred when PO's contacted the person monitored and verified that a date for installation of the device had been set. Officers then did not report the late installations. Staff was again informed that this was a requirement, not a matter for discretion.

Corrective action:

Regarding late notification to the court on the failure to install an IID device within 10 business days, two areas have been identified for corrective action.

1. Some of the late notifications are caused by a failure of local courts to forward sentencing paperwork to the Probation Department in a timely fashion. The Department will reach out to the local jurisdictions with a request to provide paperwork immediately in order to meet the Leandra's Law requirements.
2. Within the Department, a delay between the arrival of paperwork on Conditional Discharge cases and the opening of the case in the case management system, Caseload Explorer, has delayed the initial DMV check. In turn, this has caused a delay in court notification of failure to install the Ignition Interlock device. As a remedy, part-time clerical staff assigned to DMV records check will spend a small portion of each day entering all received cases into Caseload Explorer to eliminate this delay.
3. Probation Officers have been made aware that there is no discretionary leeway in court notification on negative events or installations past the 10 business day deadline. Supervisors have been advised to review adherence to this requirement on a continuing basis.

It is felt that this combination of efforts will correct the greatest number of the identified issues. Follow through will occur at periodic intervals to ensure that Department policies are fully implemented and that the Leandra's Law requirements are being met.

Very truly yours,

Patrice Dlhopsky,
Probation Director

Cc: Steven Bellone, Suffolk County Executive
Timothy Sini, Assistant Deputy County Executive
Thomas Vaughn, County Executive Assistant III
Frank Bayer, Executive Director, Auditing Services
Jason Taylor, Sr. Auditor

APPENDIX B

OSC COMMENT ON THE COUNTY'S RESPONSE

Note 1

This individual was convicted and placed on interim probation by court order on June 10, 2014 (subsequent to the August 15, 2010 effective date of Leandra's Law). The orders and conditions of interim probation included a condition to install and maintain a functioning ignition interlock device in any vehicle owned or operated by the defendant. As a result, this case is subject to the provisions that were effective August 15, 2010 and is subject to compliance with Title 9 NYCRR Part 358. The situation described does not change the County's responsibility to monitor the IID requirement and report violations to the court and district attorney.

Although the law was amended in 2013, the changes included, among others, extending the period of interlock restriction and also authorizing the imposition of an IID to be installed prior to sentencing as a preventive measure.

APPENDIX C

CERTAIN DEFINITIONS AND MONITORING REQUIREMENTS ¹¹

Definitions

“Ignition Interlock Device” – any blood alcohol concentration equivalence measuring device which connects to a motor vehicle ignition system and prevents a motor vehicle from being started without first determining through a deep lung breath sample that the operator’s equivalent blood alcohol level does not exceed the calibrated setting on the device as required by standards of the department of health.

“Monitor” – the local probation department where the operator is under the probation supervision or any person(s) or entity(ies) designated in the county’s ignition interlock program plan for any operator granted conditional discharge.

Monitoring Requirements

Minimum standards for the usage and monitoring of ignition interlock devices imposed by a criminal court for a felony or misdemeanor under the Vehicle and Traffic Law or Penal Law are provided, in part, as follows.

- Any monitor shall receive notification pursuant to its county plan of all operators which it has responsibility to monitor within five business days of the sentencing court’s order imposing the condition of an ignition interlock device and of an operator’s release from imprisonment. Such monitor shall obtain proof of installation by the operator and installation/service provider.
- Every operator shall have installed and maintain a functioning ignition interlock device in any vehicle(s) he owns or operates within 10 business days of the condition being imposed by the court or if sentenced to imprisonment upon release from imprisonment, whichever is applicable; within three business days of installation, submit proof of installation to the court, county probation department, and any other designated monitor.
- Qualified manufacturers notify the monitor and county probation department when an ignition interlock device has been installed on an operator’s vehicle(s) within three business days of installation. Where a monitor learns that the operator no longer owns or operates a motor vehicle in which an IID has been installed, the monitor may issue letter of de-installation directly to the installation/service

¹¹ See Title 9 NYCRR Part 358, Handling of Ignition Interlock Cases Involving Certain Criminal Offenders, available on the DCJS website: <http://www.criminaljustice.ny.gov/opca/ignition.htm>.

provider which authorizes removal of the device. The monitor selects the class of IID and features to be used in the county.

- Upon learning of the following events: (i) that the operator has failed to have installed the ignition interlock device on his/her own vehicle(s) or vehicle(s) which he/she operates; (ii) that the operator has not complied with service visits requirements; (iii) a report of alleged tampering with or circumventing an ignition interlock device or an attempt thereof; (iv) a report of a failed start-up re-test; (v) a report of a missed start-up re-test; (vi) a report of a failed rolling re-test; (vii) a report of a missed rolling re-test; and/or (viii) a report of a lockout mode; the applicable monitor shall take appropriate action consistent with public safety. Where under probation supervision, the county probation department shall adhere to Part 352. With respect to any operator sentenced to conditional discharge, the monitor shall take action in accordance with the provisions of its county ignition interlock program plan. At a minimum, any monitor shall notify the appropriate court and district attorney, within three (3) business days, where an operator has failed to have installed the ignition interlock device on his/her own vehicle(s) or vehicle(s) which he/she operates, where the operator has not complied with a service visit requirement, any report of alleged tampering with or circumventing an ignition interlock device or an attempt thereof, any report of a lock-out mode, and/or any report of a failed test or re-test where the BAC is 0.05 percent or higher. The monitor may recommend a modification to the operator's condition of his or her sentence or release whichever is applicable as otherwise authorized by law, including an extension to the IID period, a requirement that the operator attend alcohol and substance abuse treatment and/or drinking driver program, referral to the Department of Motor Vehicles to determine whether the department may suspend or revoke the operator's license, or recommend revocation of sentence or release. Where the operator is under the supervision by the Division of Parole, the monitor shall coordinate monitoring with the Division and promptly provide the parole agency with reports of any failed tasks or failed tests.
- Any monitor may disseminate relevant case records, including failed tasks or failed reports no otherwise sealed or specifically restricted in terms of access by state or federal law to, among others, appropriate law enforcement authorities. In all such instances, those to whom access has been granted shall not secondarily disclose such information without the express written permission of the monitor that authorized access.
- Every operator shall submit to service visits within thirty (30) calendar days of prior installation or service visits for the collection of data from the ignition interlock device and/or for inspection, maintenance, and recalibration purposes where the device does not automatically transmit data directly to the monitor; and submit to

an initial service visit within thirty (30) calendar days of installation and service visits within sixty (60) calendar days of prior service visits where the device either automatically transmits data directly to the monitor for inspection, maintenance, or recalibration purposes or the device head is sent to the qualified manufacturer every thirty (30) calendar days for such purposes, including data download. However, an operator shall only remove the device head upon receipt of a new device head.

Chapter 169 of the Laws of 2013:

On July 26, 2013, Chapter 169 of the Laws of 2013 was signed into law, to strengthen “Leandra’s Law” and establish new safeguards to help keep impaired drivers off the streets. This Chapter law took effect November 1, 2013 and applies to those violations committed on and after such date. Among its provisions are as follows:¹²

- Extending the period of interlock restriction to a minimum of 12 months (from six months) for individuals convicted of certain alcohol-related offenses.¹³
- Authorizes imposition of IIDs to be installed prior to sentencing as a preventive measure. The period of IID restriction will commence from the earlier of the sentencing date, or installation date in advance of sentencing.
- Establishing that a court can waive the installation of an IID only where the defendant asserts under oath that he/she is not the owner of any motor vehicle and that he/she will not operate any motor vehicle during the period of interlock restrictions, except as may be otherwise authorized pursuant to law.
- Ensuring that youth adjudicated as Youthful Offenders of DWI and/or other alcohol related offenses will be subject to Leandra’s Law provisions, including the IID requirement.
- Expanding upon the Class E felony, Aggravated Unlicensed Operation 1st Degree to capture operators who were given the benefit of a conditional license after a DWI and/or alcohol-related offense and then drive impaired again.
- Clarifies that operators provide proof of installation compliance with the IID requirement to the court and the probation department or other monitor where such person is under probation or conditional discharge supervision.

¹² See Leandra’s Law – Reform and Ignition Interlock Program Plan Updates, State of New York Division of Criminal Justice Services, Office of Probation and Correctional Alternatives, dated April 14, 2014.

¹³ VTL Section 1193(1) also provides that “such period of interlock restriction shall terminate upon submission of proof that such person installed and maintained an ignition interlock device for at least six months, unless the court ordered such person to install and maintain an ignition interlock device for a longer period as authorized...and specified in such order.”

APPENDIX D

AUDIT METHODOLOGY AND STANDARDS

We interviewed the County staff involved in the IID program for general background information and policies/procedures in place with respect to usage of ignition interlock devices and monitoring the compliance of an individual subject to installation of an ignition interlock device.

To determine if the Department is monitoring the IID program for both conditional discharge and probation cases, we obtained the list of individuals with a court-ordered sentence to install an IID. To verify reliability, we compared this list, which was pulled from the County Probation Department's computer system, to the New York State Office of Court Administration (Unified Court System) records showing required IIDs.

We sampled 250 of 3,184 cases reported by the County from 2014 through April 28, 2015 for conditional discharge and probation cases to focus on current impact to the public. We sorted the list for the sample by separating conditional discharge from probation cases, selecting every ninth case for conditional discharge cases and every 17th case for probation. All conditional discharge cases not monitored by the County were replaced entirely once identified through source documents with a new case selected from a pool created of 75 alternatives, selected from 2014-2015 data starting at the third case and selected every 15th case. We reviewed documentation in each individual file (hardcopy and electronic formats when available) to determine timing of installation of an IID and communications between the monitor and the courts/district attorney. Further, we met with County staff to understand the actions taken for negative activity related to a case.

For the cases sampled that were identified by court documentation as not having a vehicle and where no IID was installed, we used software tools to determine if the individual had any vehicle registered.¹⁴

We conducted this performance audit in accordance with GAGAS. 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 based on our audit objectives.

¹⁴ The software accesses only public records reported in electronic format.