



December 2011
PE 11-15-504

DEPARTMENT REVIEW

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY

AUDIT OVERVIEW

The Department of Military Affairs and Public Safety Reports Relevant Performance Measures But Not the Most Important Ones

The Department of Military Affairs and Public Safety's Website Is User-Friendly But Not Transparent



JOINT COMMITTEE ON GOVERNMENT OPERATIONS

Senate	House of Delegates	Agency/ Citizen Members
Herb Snyder, Chair	Jim Morgan, Chair	John A. Canfield
Douglas E. Facemire	Dale Stephens, Vice-Chair	W. Joseph McCoy
Orphy Klempa	Ron Fragale	Kenneth Queen
Brooks McCabe	Eric Nelson	James Willison
Clark S. Barnes	Ruth Rowan	Vacancy
	Scott G. Varner, Nonvoting	

JOINT COMMITTEE ON GOVERNMENT ORGANIZATION

Senate	House of Delegates	
Herb Snyder, Chair	Jim Morgan, Chair	Rupert Phillips, Jr.
Mike Green, Vice-Chair	Dale Stephens, Vice-Chair	Margaret A. Staggers
Richard Browning	William Romine, Minority Chair	Randy Swartzmiller
H. Truman Chafin	Tom Azinger, Minority Vice-Chair	Joe Talbott
Dan Foster	Brent Boggs	Anna Border
Orphy Klempa	Greg Butcher	Eric Householder
Brooks McCabe	Samuel J. Cann, Sr.	Gary G. Howell
Ronald F. Miller	Ryan Ferns	Larry D. Kump
Joseph M. Minard	Roy Givens	Eric Nelson
Corey L. Palumbo	Daniel J. Hall	Rick Snuffer
Bob Williams	William G. Hartman	Erikka Storch
Jack Yost	Barbara Hatfield	
Donna J. Boley	Ronnie D. Jones	
Dave Sypolt	Helen Martin	



WEST VIRGINIA LEGISLATIVE AUDITOR

PERFORMANCE EVALUATION & RESEARCH DIVISION

Building 1, Room W-314
State Capitol Complex
Charleston, West Virginia 25305
(304) 347-4890

Aaron Allred
Legislative Auditor

John Sylvia
Director

Michael Midkiff
Research Manager

Gail V. Higgins, MPA
Senior Research Analyst

Michael Castle
Research Analyst

Derek Hippler
Referencer

CONTENTS

Executive Summary	5
Issue 1: The Department of Military Affairs and Public Safety Reports Relevant Performance Measures But Not the Most Important Ones.....	7
Issue 2: The Department of Military Affairs and Public Safety’s Website Is User-Friendly But Not Transparent.....	31
List of Tables	
Table 1: West Virginia Department of Military Affairs and Public Safety Website Evaluation Score	31
Table 2: DMAPS Website Evaluation	32
List of Appendices	
Appendix A: Transmittal Letter to Agency	35
Appendix B: Objective, Scope and Methodology	37
Appendix C: Website Criteria Checklist and Points System.....	39
Appendix D: Agency Response	43

EXECUTIVE SUMMARY

This report is part of a Department Review of the West Virginia Department of Military Affairs and Public Safety (DMAPS), as authorized by *West Virginia Code* §4-10-8(b)(4). The Legislative Auditor examined the performance measures of agencies within DMAPS and the DMAPS website. Overall, the Legislative Auditor determined that agencies within DMAPS need to supply more meaningful performance measures and that improvements in transparency need to be made in the DMAPS website.

Report Highlights:

Issue 1: The Department of Military Affairs and Public Safety Reports Relevant Performance Measures But Not the Most Important Ones.

- For the most part, the Legislature and the public do not know how well DMAPS agencies are doing in achieving their outcomes based on the performance measure they provide in the *Operating Detail* of the State's Executive Budget.
- Some agencies within DMAPS provided performance measures on which they have limited influence.
- The Regional Jail and Correctional Facility Authority's mission statement does not reflect its responsibilities related to rehabilitation of inmates.

Issue 2: The Department of Military Affairs and Public Safety's Website Is User-Friendly But Not Transparent.

- The DMAPS website overall needs more improvement, particularly in transparency.
- The DMAPS website does not provide public records, budgetary data, performances measures, and other important elements that promote transparency.

Recommendation

1. *The Department of Military Affairs should consider providing access to budgetary information as well as performance measures and outcomes, meeting minutes, contracts, audits, grants, and other public records on its website.*

ISSUE 1

The Department of Military Affairs and Public Safety Reports Relevant Performance Measures But Not the Most Important Ones.

Issue Summary

The Department of Military Affairs and Public Safety (DMAPS) provides performance measures for the *Operating Detail* of the State's Executive Budget (*Operating Detail*). As part of the agency review of the DMAPS, the Legislative Auditor assessed these performance measures in relation to their relevance to each division's mission statement. This report reviews all divisions listed in the *Operating Detail* except those that the Legislative Auditor will review in a separate report. Overall, the mission statements in this review are mixed in terms of reflecting statutory authority. Five of the divisions have mission statements that are fully supported by statute, while two divisions do not. One has a mission statement that appears to be more than statutorily required. Another division has a mission statement that appears to be less than statutorily required. **In most cases the divisions reported relevant performance measures but not the most meaningful ones.** In some cases divisions did not have performance goals, and several divisions provided fewer than the five performance measures allowed in the *Operating Detail*. Large divisions that have several important performance measures should represent their overall performance by reporting the maximum number of measures allowed. **As a result of these deficiencies, the Legislature, along with other users of the *Operating Detail*, does not have a good sense of how well most of these agencies are doing in achieving their desired outcomes.**

Five of the divisions have mission statements that are fully supported by statute, while two divisions do not. One has a mission statement that appears to be more than statutorily required. Another division has a mission statement that appears to be less than statutorily required.

Performance measures may address the type or level of program activities conducted (process), the direct products and services delivered by a program (outputs), or the results of those products and services (outcomes).

Background

According to the United States Government Accountability Office, performance measurement is the ongoing monitoring and reporting of program accomplishments, particularly progress toward pre-established goals. This measurement is typically conducted by program or agency management. Performance measures may address the type or level of program activities conducted (process), the direct products and services delivered by a program (outputs), or the results of those products and services (outcomes). Performance measurement focuses on whether a program has achieved its objectives, expressed as measurable performance standards.

Performance Goals and Measures of the Executive Budget

As part of the appropriation request process, the Legislature requires that state agencies submit division-level performance measures for the *Operating Detail* of the State's Executive Budget. Other information reported includes the agency's mission statement, performance goals and objectives. Performance goals represent desired performance, while performance measures represent actual performance. Although legislative appropriations are not based on performance measures submitted by state agencies, performance measures are required in order to promote accountability before the Legislature and the public, and to encourage agencies to become result-oriented in their operations.

The Legislative Auditor has observed that many state agencies have not provided adequate performance goals or measures in the *Operating Detail*. In some cases, performance measures are not strongly tied to the agency's overall mission, while in other cases the list of performance measures is incomplete. In addition, state agencies often do not provide performance goals or benchmarks for their performance measures. Without a performance goal or benchmark, a performance measure does not indicate whether actual performance is good or needs improvement.

In this report, the Legislative Auditor assessed the performance measures submitted to the *Operating Detail* for the following 7 divisions:

- the Adjutant General;
- the Division of Juvenile Services;
- the Division of Protective Services;
- the Regional Jail and Correctional Facility Authority;
- the West Virginia State Fire Commission/ Office of the State Fire Marshal;
- Veterans Affairs; and
- the West Virginia State Police.

The following agencies are also listed in the *Operating Detail*; however, the Legislative Auditor will assess their performance measures and websites in separate reports.

- the Division of Corrections;
- the Division of Justice and Community Services;
- the West Virginia Division of Homeland Security and Emergency Management;
- the West Virginia Parole Board; and
- the Homeland Security State Administration Agency.

The Legislative Auditor has observed that many state agencies have not provided adequate performance goals or measures in the Operating Detail.

Without a performance goal or benchmark, a performance measure does not indicate whether actual performance is good or needs improvement.

The Adjutant General

The Adjutant General stated its mission as follows:

**The Adjutant General
Mission Statement**

The Adjutant General is responsible for providing Army and Air National Guard units with personnel that can successfully mobilize and deploy soldiers to meet federal and state missions and to add value to the communities in which we live, work and serve. The federal role is to support national security objectives while being prepared to meet the state mission requirements of protecting life and property and preserving peace, order and public safety.

The Legislative Auditor examined the agency’s mission statement to determine if the agency’s focus is statutorily supported. The performance of an agency is tied to what the agency considers its mission. Therefore, the mission should be clearly understood by the agency and it should not be more or less than what is statutorily required. The Legislative Auditor’s evaluation of what the agency considers its mission statement is shown in the following table.

The performance of an agency is tied to what the agency considers its mission.

The Adjutant General’s mission statement is:	
fully supported by statute.	
not supported by statute.	
less than statutorily required.	
more than statutorily mandated.	X
determined administratively as allowed by statute.	

Mission Statement Sources

The Adjutant General’s mission statement is supported by Chapter 15, Articles 1A, 1J and 6 of the West Virginia Code.

- **§15-1A-1:** *The adjutant general’s department shall be a part of the executive branch of the government charged with the organization, administration, operation and training, supply and discipline of the military forces of the state.*

- **§15-6-1:** *In order to provide modern and efficient facilities for the training, operations, supply and administration of the national guard, to provide for the defense of the state in time of war and to repel invasion and suppress insurrection, to provide facilities for use in time of fires, floods, riots and other disasters, to provide public meeting places, recreational and other facilities and to promote the general welfare, the state armory board (hereinafter created) is hereby authorized and empowered to construct, acquire, improve, maintain, repair and operate armories and armory projects*
- **§15-1J-2:** *The Legislature finds that the West Virginia National Guard is a unique entity that has a dual mission for both West Virginia and the United States. In this dual capacity, the West Virginia National Guard receives funds to administer programs, including the hiring of employees, that the federal government, including the Department of Defense, provides to the guard in support of specific activities for various federal agencies for national security and homeland security purposes.*

The Adjutant General is primarily responsible for providing the personnel necessary to meet federal national security objectives and state missions.

The Adjutant General is primarily responsible for providing the personnel necessary to meet federal national security objectives and state missions.

Agency-Reported Performance Goals and Measures

The Adjutant General supplied the following three performance measures to the *Operating Detail* of the State’s Executive Budget:

Fiscal Year	Actual 2007	Actual 2008	Estimated 2009	Actual 2009	Estimated 2010	Estimated 2011
Maintain the personnel strength of all National Guard units at or greater than the maximum readiness levels authorized by the National Guard Bureau each year.						
Army Guard authorized strength	3,711	3,711	3,730	3,912	4,373	4,510
Army Guard actual strength	4,500	4,513	4,550	4,342	4,510	4,510
Air Guard authorized strength	2,137	2,108	2,150	2,145	2,150	2,160
Air Guard actual strength	2,297	2,306	2,390	2,356	2,400	2,450
The Mountaineer ChalleNGe Academy will encourage 100% of graduates to remain in the job market, serve in the military, or pursue further educational goals during the 12 months following program completion.						
Students who entered the job market	29%	37%	40%	50%	43%	43%
Students who entered military service	25%	27%	20%	13%	21%	21%
Students who pursued further educational goals	46%	36%	40%	36%	36%	36%
Students graduated from the academy	144	144	164	149	145	145
The STARBASE Academy will annually provide 2,700 fifth grade students with 25 hours of classroom instruction.						
Academy students (fifth grade students)	1,260	2,949	3,156	3,273	2,700	2,700

The performance goal of maintaining personnel of all National Guard units at or above readiness levels is clearly relevant to the outcome of protecting life, preserving peace and safety. The measures indicate that the Adjutant General is achieving its goal. However, the second and third performance goals and measures appear to have less relevance to the Adjutant General’s mission. The agency may have tied the establishment of these two programs to the statutory language “to promote the general welfare” (WVC §15-6-1). The Legislature acknowledged the value of the Mountaineer Challenge Academy in West Virginia Code §15-1B-24. The Challenge Academy addresses at-risk youth who are high school dropouts. It has 59 staff positions and a budget of \$4.8 million. The STARBASE Academy provides classroom instruction on science, mathematics, technology, positive personal goal setting, substance abuse prevention and teamwork skills. The STARBASE Academy is a federally funded program not mentioned in state code. According to the agency’s information in the Executive Budget, the STARBASE Academy is an educational outreach program for 5th graders conducted in Kanawha and Berkeley counties. STARBASE Academy has 8 staff positions and a budget of \$500,000. Since agencies are allowed to list five performance measures in the *Operating Detail*, the Adjutant General should consider other relevant readiness measures as they pertain to personnel and equipment.

The performance goal of maintaining personnel of all National Guard units at or above readiness levels is clearly relevant to the outcome of protecting life, preserving peace and safety.

The West Virginia Division of Juvenile Services

The Division of Juvenile Services stated its mission as follows:

**Division of Juvenile Services
Mission Statement**

The Division of Juvenile Services is committed to providing effective, beneficial services to predispositional and adjudicated youth, promoting positive development and accountability while preserving community safety, preparing residents with the opportunity to return to the community and conduct a useful life as productive citizens, and maintain a work environment predicated upon the principles of professionalism with dignity and respect for all participants in the juvenile justice system.

The Legislative Auditor’s evaluation of what the agency considers its mission statement is shown in the following table.

The Division of Juvenile Services’ mission statement is:	
fully supported by statute.	X
not supported by statute.	
less than statutorily required.	
more than statutorily mandated.	
determined administratively as allowed by statute.	

The agency is to provide medical and educational services in a safe, secure facility.

The Division of Juvenile Services is charged with operating two types of juvenile facilities and providing a continuum of care to youth in custody in cooperation with the West Virginia Department of Health and Human Resources. The agency is to provide medical and educational services in a safe, secure facility. The provision of these services is to be coordinated with the Department of Health and Human Resources to avoid duplication and to be efficient. The state Board of Education is to provide educational services.

Mission Statement Sources

The Division of Juvenile Services' mission statement is supported by Chapter 49, Articles 5E-1, 5E-2 and 5E-3.

§49-5E-1: *It is the policy of the state to provide a coordinated continuum of care for its children who have been charged with an offense which would be a crime if committed by an adult, whether they are taken into custody and securely detained or released pending adjudication by the court. It is further the policy of the state to ensure the safe and efficient custody of a securely detained child through the entire juvenile justice process, and this can best be accomplished by the state by providing for cooperation and coordination between the agencies of government which are charged with responsibilities for the children of the state.*

§49-5E-2: *(a) There is hereby created the division of juvenile services within the department of military affairs and public safety. The director shall be appointed by the governor with the advice and consent of the Senate and shall be responsible for the control and supervision of each of its offices. The director may appoint deputy directors and assign them duties as may be necessary for the efficient management and operation of the division.*

(b) The division of juvenile services shall consist of two subdivisions:

(1) The office of juvenile detention, which shall assume responsibility for operating and maintaining centers for the predispositional detention of juveniles, including juveniles who have been transferred to adult criminal jurisdiction under section ten, article five of this chapter and juveniles who are awaiting transfer to a juvenile corrections facility; and

(2) The office of juvenile corrections, which shall assume responsibility for operating and maintaining juvenile corrections facilities.

§49-5E-3: *... Working in collaboration with the department of health and human resources, the division of juvenile services shall employ a comprehensive strategy for the social and rehabilitative programming and treatment of juveniles, consistent with the principles adopted by the office of juvenile justice and delinquency prevention of the office of justice programs of the United States department of justice.*

The Division of Juvenile Services is also required by WVC §49-5E-3 to assign “necessary personnel and provide adequate space for the operation of any facility” and in WVC §49-5E-6 to provide or to arrange for necessary medical or other treatment for any juvenile in custody. WVC §49-5E-7 requires the provision of educational services in cooperation

with the state Board of Education.

Agency-Reported Performance Goals and Measures

The Division of Juvenile Services supplied the following five performance measures to the *Operating Detail* of the State’s Executive Budget:

Fiscal Year	Actual 2007	Actual 2008	Estimated 2009	Actual 2009	Estimated 2010	Estimated 2011
Reduce workers’ compensation claims to 4.0% of staff by the end of 2010 by maintaining and streamlining the system of early identification of potential claims (assuring timely challenge of those claims deemed to be questionable) and measuring outcomes.						
Workers’ compensation claims	4.1%	4.3%	4.0%	4.2%	4.0%	4.0%
Reduce employee turnover rate to 15.0% of authorized staffing levels by the end of FY 2011 by continuing the focus on employee communication, giving staff extra benefits where legally and fiscally prudent, improving working conditions as much as possible, and continuing to work with the Legislature in an effort to keep salaries comparable with surrounding jurisdictions.						
Employee turnover rate	15.7%	15.9%	14.8%	15.6%	15.2%	15.0%
Reduce occurrence of resident-on-resident violence to 3.6% of reported incidents by the end of FY 2011.						
Reported incidents of resident-on-resident violence	4.4%	4.0%	3.8%	4.1%	3.6%	3.6%
Reduce the number of physical and/or mechanical restraints used on residents to 5.0% of applied behavior management techniques by the end of FY 2011 through a more efficient and standardized program of dealing with juveniles who display out-of-control behavior.						
Restraint usage on residents	5.9%	5.4%	5.2%	5.4%	5.0%	5.0%
Provide early and periodic screening, diagnosis, and treatment (EPSDT) for 100% of residents in all DJS facilities each year.						
EPSDT provision for residents	100%	100%	100%	100%	100%	100%

The five goals and measures listed above are relevant to various aspects of performance for the agency. Reducing workers’ compensation claims is a goal associated with protecting financial inputs. Reducing the employee turnover rate to 15 percent is a goal to ensure the appropriate level of staffing for effective operations. The other goals relate to resident safety. These are important for certain aspects of performance. However, the agency should consider listing more important goals and measures that either directly represent or strongly correlate to the agency’s outcome, such as the recidivism rate, the high school graduation rate for residents, the percentage of residents attaining the graduation equivalency diploma (GED), the percentage of residents learning a trade, or achieving and maintaining employment. **As it stands, it is not clear how well the**

The agency should consider listing more important goals and measures that either directly represent or strongly correlate to the agency’s outcome.

Division of Juvenile Services is achieving its mission of developing and rehabilitating juvenile residents into productive citizens.

Division of Protective Services

The Division of Protective Services (DPS) stated its mission as follows:

**Division of Protective Services
Mission Statement**

To provide for the safety and security of individuals who visit and work at the West Virginia State Capitol Complex with a highly-trained and professional workforce.

The Legislative Auditor’s evaluation of what the DPS considers its mission statement is shown in the following table.

The Division of Protective Services’ mission statement is:	
fully supported by statute.	X
not supported by statute.	
less than statutorily required.	
more than statutorily mandated.	
determined administratively as allowed by statute.	

Mission Statement Sources

The Division of Protective Services mission statement is supported by Chapter 15, Article 2D of *West Virginia Code*.

- **§15-2D-2(a):** *The state facilities protection division within the department of military affairs and public safety shall hereafter be designated the division of protective services. The purpose of the division is to provide safety and security at the capitol complex and other state facilities.*

WVC §15-2D-2(a) charges the DPS with the responsibility to provide for the safety and security of individuals who work at or visit the capitol complex, as well as other state facilities. Although *WVC* §15-2D-3(a) does not obligate the division to provide security at state facilities outside of the Capitol Complex, security can be provided outside of the Capitol Complex as determined by the Secretary of the Department of Military Affairs and Public Safety.

Agency-Reported Performance Measures

The DPS provided the following performance measures the 2011 Operating Detail of the Executive Budget:

Fiscal Year	Actual 2007	Actual 2008	Estimated 2009	Actual 2009	Estimated 2010	Estimated 2011
Certify all Division of Protective Services law enforcement administrative/supervisory personnel in two phases of the National Incident Management Systems course by the end of FY 2011.						
Administrators/supervisors certified	N/A	0%	50%	0%	50%	100%
Complete the annual in-service training and mandatory semiannual pistol and shotgun course for all agency law enforcement officers.						
Officers completing annual in-service training	100%	100%	100%	100%	100%	100%
Officers completing semiannual firearms training	100%	100%	100%	100%	100%	100%
Screen within five minutes at least 95% of visitors desiring to enter Buildings 3 and 7 directed public access points.						
Visitors screened within five minutes	95%	95%	95%	95%	95%	95%
Obtain by FY 2011, in conjunction with the General Services Division, evacuation plans for all buildings located on the capitol complex.*						
Evacuation plans obtained*	85%	85%	90%	85%	100%	100%
* Last year, this objective (and performance measure) included obtaining agency continuity of business plans. That responsibility has been assumed by the Office of the Cabinet Secretary for the Department of Military Affairs and Public Safety.						

The first two goals of certifying personnel in the National Incident Management Systems, and completing annual in-service training and firearms training are input (staff) quality measures. Obviously having the appropriate level and quality of staff is important in providing security. Screening visitors within five minutes is a timeliness measure, and developing evacuation plans is a readiness measure. However, West Virginia Code §15-2D-3(7) and (8) require the agency to gather data from employees and visitors to determine their security needs and develop a comprehensive plan to maintain and improve security at the Capitol Complex, and assess safety and security needs. **The DPS should provide performance measures as they relate to survey results from employees and visitors of their level and needs of security.**

Regional Jail and Correctional Facility Authority

The Regional Jail and Correctional Facility Authority (RJA) stated its mission as follows:

**Regional Jail and Correctional Facility Authority
Mission Statement**

To ensure the safety of the public, staff, and inmates by maintain a safe, secure, and humane system of regional jails.

The Legislative Auditor concludes that what the agency considers its mission statement is less than statutorily required as shown in the following table. The following subsection explains this determination.

The Regional Jail and Correctional Facility Authority's mission statement is:	
fully supported by statute.	
not supported by statute.	
less than statutorily required.	X
more than statutorily mandated.	
determined administratively as allowed by statute.	

The Legislative Auditor concludes that what the agency considers its mission statement is less than statutorily required.

Mission Statement Sources

The Regional Jail and Correctional Facility Authority's mission statement is supported by Chapter 31, Article 20 of *West Virginia Code*.

➤ **§31-20-1a(b):** *The purposes of this article are as follows:*

- (1) To provide a cost-efficient system within this state for the construction, maintenance and operation of adult jails and correctional facilities;*
- (2) To develop and implement plans for the renovation and improvement of existing facilities and the design and construction of new facilities to better serve the incarcerated and detained juvenile and adult populations and the citizens of this state;*

(3) To provide an environment in which new and innovative corrections programs may be considered and undertaken, and in which opportunities may be offered to incarcerated persons to overcome personal deficiencies which are educational, vocational, social or psychological in nature; and

(4) To investigate the feasibility of individualizing and classifying adult inmates according to their psychological and physical conditions at the time they are incarcerated, and the feasibility of designing for each such inmate a plan for self-improvement and rehabilitation.

➤ **§31-20-5:** *The authority, as a public corporation and governmental instrumentality exercising public powers of the state, may exercise all powers necessary or appropriate to carry out the purposes of this article, including, but not limited to, the power:*

(v) *To assume the responsibility for operation and management of regional jail facilities under the jurisdiction of the state regional jail and correctional facility authority. The authority shall provide for the transportation of inmates between the regional jails and local holding facilities for court appearances.*

(w) *To exercise all power and authority provided in this article necessary and convenient to plan, finance, construct, renovate, maintain and operate or oversee the operation of regional jails and correctional facilities.*

(x) *To exercise all power and authority provided in this article necessary and convenient to plan, finance, construct, renovate, repair and replace juvenile detention facilities and juvenile correctional facilities.*

➤ **§31-20-9(a):** *The purpose of the jail facilities standards commission is to assure that proper minimum standards and procedures are developed for jail facility operation, maintenance and management of inmates for regional jails and local jail facilities.*

West Virginia Code §31-20-5 and §31-20-9(a) charge the Regional Jail Authority with the operation, management, renovation and repair of regional jails. The agency is also charged with repairing juvenile detention centers and juvenile correctional facilities. Although the Regional Jail Authority addresses these responsibilities in its mission statement, **it does not address its responsibilities to create an environment that facilitates self-improvement and rehabilitation of incarcerated persons as required by WVC §31-20-1a(b)(3) §31-20-1a(b)(4).**

The Regional Jail Authority mission statement is less than statutorily required because it does not address its responsibilities to create an environment that facilitates self-improvement and rehabilitation.

Agency-Reported Performance Measures

The Regional Jail and Correctional Facility Authority provided the following performance measures:

Fiscal Year	Actual 2007	Actual 2008	Estimated 2009	Actual 2009	Estimated 2010	Estimated 2011
Ensure that the State's regional jail system attains 100% staffing by June 30, 2010.						
Staffing level	91%	90%	100%	88%	100%	100%
Collect 100% of accounts receivable from city, country, state, and federal entities for inmate billing by June 30, 2010.						
Yearly accounts receivable collected to date	98.0%	99.6%	N/A	87.3%	100.0%	100.0%
Accounts receivable collected in year due	88.0%	95.0%	100.0%	87.3%	100.0%	100.0%

The two performance goals and measures listed above address adequate staffing levels, and collecting finances owed the RJA. These are important input standards and measures (staffing and finances) that detail resource levels needed to achieve its mission. **However, more relevant performance goals and measures should be reported that directly represent or are highly correlated to the agency's outcome of maintaining a secure and humane regional jail system, providing safety for the public, inmates, and staff, and providing opportunities for inmate self-improvement and rehabilitation.** A few performance areas that are more relevant to the agency's outcomes for which performance goals and measures could be developed are:

- the adequacy of facility space,
- the percentage of facility capacity,
- the rate of inmate grievances (monthly),
- any federal and state laws that the RJA is not in compliance with, and
- the educational and vocational achievements of the incarcerated.

In addition, since the RJA holds many inmates who will pass through to the Division of Corrections (DOC), the RJA should have goals and measures in terms of ensuring the DOC receives complete information on each inmate including information representing an inmate's tenure in the regional jail. Moreover, given the size and importance of the RJA, it should list more than two performance goals and measures. The State Budget Office allows up to five performance goals to be listed; therefore, the RJA should list the maximum number allowed.

The RJA should have goals and measures in terms of ensuring the DOC receives complete information on each inmate including information representing an inmate's tenure in the regional jail.

The West Virginia State Fire Commission/ Office of the State Fire Marshal

The West Virginia State Fire Commission/Office of the State Fire Marshal stated its mission as follows:

**West Virginia State Fire Commission/Office of the State Fire Marshal
Mission Statement**

The State Fire Marshal’s Office improves the quality of life of the citizens of West Virginia through the leadership, development and administration of fire safety programs that reduce loss of life and property through education, inspections, investigations, certification and licensure, building plan review, and enforcement of the fire safety laws.

The Legislative Auditor’s evaluation of what the agency considers its mission statement is shown in the following table.

The West Virginia State Fire Commission/ Office of the State Fire Marshal’s mission statement is:	
fully supported by statute.	X
not supported by statute.	
less than statutorily required.	
more than statutorily mandated.	
determined administratively as allowed by statute.	

Mission Statement Sources

The West Virginia State Fire Commission and the Office of the State Fire Marshal’s mission statement is supported by Chapter 29, Articles 3, 3B, 3C, 3D; Chapter 61, Articles 3 and 3E.

- **§29-3-9:** ... (b) *The state fire commission is responsible for fire programs within this state, including the state fire marshal’s office, training, uniform standards and certification, finance and planning and fire prevention.* (c) *All state and area training and education in fire service shall be coordinated by the state fire commission. The state fire marshal shall ensure that these programs are operated throughout the state at a level consistent with needs identified by*

the commissioner. ... (i) The state fire commission shall establish standards and procedures by policy to implement the provisions of this section with regard to the following: (1) Fire prevention and control; (2) Uniform standards of performance, equipment and training; (3) Certification; (4) Training and education in fire service; and (5) The creation, operation and responsibilities of fire departments throughout the state.

- **§29-3-11:** *(a) The state fire commission shall appoint a state fire marshal ... (b) The state fire marshal, within policy established by the state fire commission, shall have all responsibility for the implementation of fire safety programs in this state designated to minimize fire hazards and disaster and loss of life and property from these causes. These responsibilities include, but are not limited to, the establishment and enforcement of fire safety practices throughout the state, preventive inspection and correction activities, coordination of fire safety programs with volunteer and paid fire departments and critical analysis and evaluation of West Virginia's fire loss statistics for determination of problems and solutions.*

- **§29-3-12: Powers and duties of State Fire Marshal.** *(a) Enforcement of laws. -- The State Fire Marshal and any other person authorized to enforce the provisions of this article under the supervision and direction of the State Fire Marshal has the authority to enforce all laws of the state having to do with: (1) Prevention of fire; (2) The storage, sale and use of any explosive, combustible or other dangerous article or articles in solid, flammable liquid or gas form; (3) The installation and maintenance of equipment of all sorts intended to extinguish, detect and control fires; (4) The means and adequacy of exit, in case of fire, from buildings and all other places in which persons work, live or congregate, from time to time, for any purpose, except buildings used wholly as dwelling houses for no more than two families; (5) The suppression of arson; and (6) Any other thing necessary to carry into effect the provisions of this article including, but not limited to, confiscating any materials, chemicals, items, or personal property owned, possessed or used in direct violation of the State Fire Code.*

- **§29-3B-1:** *This article is enacted to protect the health, safety and*

welfare of the public as well as public and private property by assuring the competence of those who perform electrical work through licensure by the state fire marshal of the state fire commission.

The duties of the State Fire Commission/Office of the State Fire Marshal encompass all areas of fire safety. Code sections not cited address licensure for specific trades related to fire protection work, and arson and related crimes. The mission statement is fully supported by state code.

The State Fire Commission should provide measures that reflect other aspects of its mission.

Agency-Reported Performance Goals and Measures

The State Fire Commission/Office of the State Fire Marshal provided the following three performance measures to the *Operating Detail* of the State’s Executive Budget:

Fiscal Year	Actual 2007	Actual 2008	Estimated 2009	Actual 2009	Estimated 2010	Estimated 2011
Reduce the number of fire deaths statewide to 60 by FY 2011.						
Fire deaths in West Virginia	80	41	60	57	61	60
Annually inspect and issue a certificate of occupancy to all West Virginia health care facilities, educational facilities (schools and day care), detention facilities, and other licensed occupancies.						
Facilities inspected	95%	70%	70%	70%	70%	65%
By the end of FY 2011, provide 60% of the regional response team members with training in hazardous materials identification using the periodic elements chart.						
Team members with specific training	N/A	N/A	60%	50%	50%	60%

The first performance goal and measure of reducing fire deaths to 60 by FY 2011 is relevant to the State Fire Commission’s charge to minimize loss of life (§29-3-11) due to fire. Fire deaths in the state directly represent how well the agency is achieving its outcome.

The second measure for annual inspections is also relevant to the agency’s mission since inspections help identify and reduce risks of fire. The agency is not achieving this measure and has fallen short of the goal by 25 percentage points in 2008 and 2009. The agency estimates that it

will continue to fall short of this goal by the same magnitude in 2010 and 2011. In order to improve its performance in this important area of fire safety, the agency should evaluate why it is not meeting its performance goal and take the steps needed to improve its performance and meet this goal. The third measure is also an important goal that significantly impacts fire safety when hazardous materials are concerned.

Given that state agencies can list up to five performance goals and measures, the State Fire Commission should provide measures that reflect other aspects of its mission, such as education or enforcement. One goal could be annual audits conducted on fire departments. Evaluations of fire departments can reveal deficiencies in personnel, training, and equipment. A legislative audit in 2000 found that the agency was inspecting 10 percent or less of fire departments each year and discovering important deficiencies in training and equipment. The State Fire Commission could have a performance goal to increase the number of audits on fire departments each year.

The State Fire Commission could have a performance goal to increase the number of audits on fire departments each year.

Division of Veterans Affairs¹

The Division of Veterans Affairs (DVA) stated its mission statement as follows:

**Division of Veterans Affairs
Mission Statement**

To aid, assist, counsel, advise, and look after the rights and interests of all persons known as veterans who have served in the armed forces of the United States in the Army, Air Force, Navy, Marine Corps, or Coast Guard. Services are provided for veterans who are citizens of this state and who have been honorably discharged and to their widows, dependents, and orphans.

¹The Division of Veterans Affairs was separated from the Department of Military Affairs in the past Legislative Session and created as its own cabinet level agency. When the Legislative Auditor began working on this project, Veterans Affairs was still under the Department of Military Affairs, hence the reason for its inclusion in this report.

The Legislative Auditor’s evaluation of what the agency considers its mission statement is shown in the following table.

The Division Veterans Affairs’ mission statement is:	
fully supported by statute.	X
not supported by statute.	
less than statutorily required.	
more than statutorily mandated.	
determined administratively as allowed by statute.	

Mission Statement Sources

The Division of Veterans Affairs’ mission statement is supported by Chapter 9A, Articles 1-3:

- **§9A-1-9:** *The division of veterans’ affairs of West Virginia shall:*
 - (1) *Assist veterans, their widows, dependents and orphans within the state, in properly presenting their claims before the United States veterans’ administration, its administrator, or any federal agency, the state of West Virginia, or any of the several states of the United States, when the claims arise out of service with the armed forces of the United States as defined in section one of this article;*
- **§9A-2-1:** *In consultation with the governor and other appropriate state agencies, the division of veterans’ affairs shall establish and maintain a home for qualified veterans. The home in Barboursville shall be designated as the sole veterans home of its type in the state.*
- **§9A-3-1:** *The department of veterans affairs is hereby empowered to establish and maintain a state veterans’ cemetery which shall be centrally located within the state and easily accessible. Interment in the state veterans’ cemetery shall be available to all persons who are residents and citizens of the state and who have served in the armed forces of the United States, including the army, air force, navy, marine corps and coast guard, and who have a discharge other than dishonorable.*

The DVA’s mission is consistent with the requirements of *WVC* §9A-1-9 which requires the agency to aid veterans and their families in presenting claims to the U.S. Department of Veterans Affairs and assisting

veterans with information relating to insurance, education, pension, and compensation.

Agency-Reported Performance Measures

The Division of Veterans Affairs provided the following performance measures:

Fiscal Year	Actual 2007	Actual 2008	Estimated 2009	Actual 2009	Estimated 2010	Estimated 2011
Increase the occupancy rate of residents at the Veterans Home to 80% by the end of FY 2011.						
Occupancy rate	59%	66%	70%	66%	72%	80%
Increase to 97% the occupancy rate of residents at the Veterans Nursing Facility by the end of FY 2011.						
Resident/patient occupancy	0%	12%	83%	38%	83%	97%

An important outcome for the DVA is that it is providing adequate coverage so that veterans and their family are aware of the benefits they are eligible for and they are receiving them. Increasing occupancy rates at the Veterans Home and the Veterans Nursing Facility are relevant performance goals and measures because they directly represent the outcome of coverage, that is, to provide services to as many veterans who are eligible for these services. The 2009 performance measure of 38 percent occupancy of the Veterans Nursing facility is well below the performance goal of 97 percent to be reached in 2011. Additionally, the DVA did not provide goals or measures related to its responsibilities in assisting veterans in filing benefits claims or the administration of the veteran’s cemetery. Veteran’s benefits are not awarded automatically and the U.S. Department of Veterans Affairs has only one office located in West Virginia that processes claims. West Virginia currently has over 200,000 veterans and their dependents. Because of this, the DVA should supply performance goals and measures that represent reducing the percentage of the eligible population who have not filed claims for veteran services.

Veteran’s benefits are not awarded automatically and the U.S. Department of Veterans Affairs has only one office located in West Virginia that processes claims.

The DVA should supply performance goals and measures that represent reducing the percentage of the eligible population who have not filed claims for veteran services.

West Virginia State Police

The West Virginia State Police stated its mission as follows:

**West Virginia State Police
Mission Statement**

To provide direct and indirect law enforcement services to the citizens of the state and to other law enforcement entities to ensure the continued security of persons, residential and business properties, and the safety of motorists operating on the state’s streets and highways. The key areas of focus are criminal investigations involving illegal drugs, crimes of violence, and crimes against children.

The Legislative Auditor examined the agency’s mission statement to determine if the agency’s focus is statutorily supported. The Legislative Auditor’s evaluation of what the agency considers its mission statement is shown in the following table.

The West Virginia State Police’s mission statement is:	
fully supported by statute.	X
not supported by statute.	
less than statutorily required.	
more than statutorily mandated.	
determined administratively as allowed by statute.	

Mission Statement Sources

The West Virginia State Police’s mission statement is derived from Chapter 15, Article 2 of *West Virginia Code*.

- **§15-2-12(a):** *The West Virginia State Police shall have the mission of statewide enforcement of criminal and traffic laws with emphasis on providing basic enforcement and citizen protection from criminal depredation throughout the state and maintaining the safety of the state’s public streets, roads and highways.*

(b) The superintendent and each of the officers and members of the division are hereby empowered:

(1) To make arrests anywhere within the state of any persons charged with the violation of any law of this state, or of the United States, and when a witness to the perpetration of any offense or crime, or to the violation of any law of this state, or of the United States, to make arrests without warrant; to arrest and detain any persons suspected of the commission of any felony or misdemeanor whenever a complaint is made and a warrant is issued thereon for the arrest, and the person arrested shall be immediately brought before the proper tribunal for examination and trial in the county where the offense for which the arrest has been made was committed;

(2) To serve criminal process issued by any court or magistrate anywhere within this state: Provided, That they may not serve civil process; and

(3) To cooperate with local authorities in detecting crime and in apprehending any person or persons engaged in or suspected of the commission of any crime, misdemeanor or offense against the law of this state, or of the United States, or of any ordinance of any municipality in this state; and to take affidavits in connection with any application to the Division of Highways, Division of Motor Vehicles and of West Virginia State Police for any license, permit or certificate that may be lawfully issued by these divisions of state government.

(c) Members of the West Virginia State Police are hereby designated as forest patrolmen and natural resources police officers throughout the state to do and perform any duties and exercise any powers of forest patrolmen and natural resources police officers, and may apprehend and bring before any court or magistrate having jurisdiction of these matters, anyone violating any of the provisions of chapters twenty, sixty and sixty-one of this code. The West Virginia State Police is at any time subject to the call of the West Virginia Alcohol Beverage Control Commissioner to aid in apprehending any person violating any of the provisions of chapter sixty of this code. They shall serve and execute warrants for the arrest of any person and warrants for the search of any premises issued by any properly constituted authority, and shall exercise all of the powers conferred by law upon a sheriff. They may not serve any civil process or exercise any of the powers of an officer in civil matters.

The agency’s mission is consistent with the requirements of *WVC* §15-2-12.

Agency-Reported Performance Measures

The West Virginia State Police provided the following performance measures:

Calendar Year	Actual 2007	Estimated 2008	Actual 2008	Estimated 2009	Estimated 2010	Estimated 2011
Maintain a state crime rate at least 12 percentage points lower than the national average of 32.1 crimes per 1,000 population as reported by the FBI for 2008.						
West Virginia crime incidence (per 1,000 population)*	26.3	25.0	24.5	24.2	24.2	24.2
National average crime incidence (per 1,000 population)*	37.3	N/A	32.1	N/A	N/A	N/A
Clearance rate for crimes investigated by West Virginia State Police	38.9%	39.0%	42.1%	44.8%	44.8%	44.8%
Reduce the number of fatal traffic crashes in West Virginia.						
Fatal traffic accidents statewide per 100 million miles driven**	2.18	1.82	1.88	1.80	1.90	1.80
Incidence of DUI traffic accidents**	3,163	3,300	2,635	3,100	3,075	3,000
Fiscal Year	Actual 2007	Actual 2008	Estimated 2009	Actual 2009	Estimated 2010	Estimated 2011
Maintain a rate of less than 50% of sustained allegations of misconduct lodged against employees.						
Sustained allegations of misconduct against agency personnel	47%	45%	49%	39%	44%	44%
* Data provided by the FBI.						
** Data provided by Department of Transportation, Division of Highways.						

Some of the performance goals and measures provided by the State Police are relevant to the agency’s mission statement and also represent good outcome measures. Despite the fact that maintaining the state’s crime rate a certain percentage below the national average is also influenced by local law enforcement agencies, reducing the crime rate as a performance goal is still appropriate since the State Police provides law enforcement statewide and assists local law enforcement. The clearance rate of crimes investigated by the State Police is a performance measure but without a performance goal (benchmark) there is no indication of whether the clearance rate listed is good or bad. Reducing fatal traffic

The clearance rate of crimes investigated by the State Police is a performance measure but without a performance goal (benchmark) there is no indication of whether the clearance rate listed is good or bad.

accidents is an important performance measure; however, it does not have a benchmark, such as reducing it to or maintaining it below a specific level. The incidence of DUI traffic accidents simply lists the number of occurrences. Although this is an important outcome measure, the State Police does not provide a goal for DUI traffic accidents.

ISSUE 2

The Department of Military Affairs and Public Safety’s Website Is User-Friendly But Not Transparent.

Issue Summary

It has become common and expected that governments convey to the public their actions and processes through website technology. A number of organizations have developed assessment criteria to evaluate federal and state government websites for transparency and user-friendliness. The Legislative Auditor conducted a literature review on assessments of government websites and developed an assessment tool to evaluate West Virginia’s state agency websites (see Appendix C). The assessment tool lists a large number of website elements; however, some elements should be included in every state website, while other elements such as social media links, graphics and audio/video features may not be necessary or practical for certain agencies. Table 1 indicates that the Department of Military Affairs and Public Safety (DMAPS) integrates 36 percent of the checklist items in its website. This measurement shows that DMAPS needs to increase efforts to improve its website, particularly in the area of transparency.

In order to actively engage with an agency online, citizens must first be able to access and comprehend information on government websites.

Table 1 West Virginia Department of Military Affairs and Public Safety Website Evaluation Score			
Substantial Improvement Needed	More Improvement Needed	Modest Improvement Needed	Little or No Improvement Needed
0-25%	26-50%	51-75%	76-100%
	DMAPS 44%		
<i>Source: The Legislative Auditor’s review of the Department of Military Affairs and Public Safety’s website.</i>			

DMAPS Scores Well in User-Friendliness but Poorly in Transparency

In order to actively engage with an agency online, citizens must first be able to access and comprehend information on government websites. Therefore, government websites should be designed to be user-friendly. **A user-friendly website is understandable and easy to navigate from page to page.** Government websites should also provide transparency of an agency’s operation to promote accountability and public trust. **A website that promotes transparency provides sufficient information**

on an agency’s budget, organization, performance, and other matters of operation.

The Legislative Auditor reviewed the DMAPS website for both user-friendliness and transparency. Table 2 demonstrates that while the DMAPS website is user-friendly, needing only modest improvements, its transparency leaves much room for improvement.

Table 2			
DMAPS Website Evaluation Score			
Category	Possible Points	Agency Points	Percentage
User-Friendly	18	11	61
Transparent	32	11	34
Total	50	22	44

Source: Legislative Auditor’s assessment of the DMAPS website.

The DMAPS Website Is User-Friendly but Needs Additional Improvement

The DMAPS website is easy to navigate as every page is linked to the agency’s homepage, as well as a search tool and site map that acts as an index of the entire website. The website also displays a Frequently-Asked-Questions (FAQ) section that allows users to immediately obtain answers to the most common questions presented to the DMAPS. The DMAPS website can also be comprehended by most citizens.

The DMAPS website is easy to navigate as every page is linked to the agency’s homepage.

User-Friendly Considerations

The following are a few improvements that could lead to a more user-friendly website:

- **Mobile Functionality**- The agency’s website would be available in a mobile version or have mobile applications.
- **Feedback Options**- A page where users can voluntarily submit feedback about the website or a particular section of the website.
- **RSS Feeds**- RSS stands for “Really Simple Syndication” and allows subscribers to receive regularly updated information (i.e. blog posts, news stories, audio/video, etc.) in a standardized format.

These additions would allow the public to provide comments for improvement and receive current information.

The DMAPS Website Lacks in Transparency and Needs Major Improvement

A website that is transparent will have elements such as email contact information, the location of the agency, the agency's telephone number, as well as public records, the budget and performance measures. A transparent website also allows interaction between the agency and citizens concerning a host of issues relevant to the agency's mission. DMAPS website has some of the core elements that are necessary for a general understanding of the division. The DMAPS website does not contain the department's budget, public records, an organizational chart, or information on how to submit a FOIA request.

The DMAPS website does not contain the department's budget, public records, an organizational chart, or information on how to submit a FOIA request.

Transparency Considerations

The following are a few attributes that could be beneficial to the DMAPS in increasing its transparency:

- **Public Records**- The agency's website should contain applicable public records such as Statutes, Rules and/or Regulations, contracts, audits, grants, and meeting minutes.
- **Budget**- Budget data should be available at the checkbook level, ideally in a searchable database.
- **FOIA Information**- Information on how to submit a FOIA request, ideally with an online submission form.
- **Performance Measures/Outcomes**- A page linked to the homepage explaining the Departments performance measures and outcomes.

The current DMAPS website is user-friendly but lacking in transparency.

Conclusion

The current DMAPS website is user-friendly but lacking in transparency. Website users can find a search tool, a sitemap, and a FAQ section on a functional and readable website. However, users are not provided any links to relevant public records such as contracts, audits, meeting minutes, or grants. The DMAPS website also does not have budget information, an organizational chart, department performance

measures, or information on how to submit a FOIA. Providing website users with this information would greatly improve transparency. **It is the Legislative Auditor’s opinion that in order to increase transparency and public accountability, DMAPS should provide public records on its website.**

Recommendation

2. *The Department of Military Affairs should consider providing access to budgetary information as well as performance measures and outcomes, meeting minutes, contracts, audits, grants, and other public records on its website.*

Appendix A: Transmittal Letter

WEST VIRGINIA LEGISLATURE *Performance Evaluation and Research Division*

Building 1, Room W-314
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0610
(304) 347-4890
(304) 347-4939 FAX



John Sylvia
Director

November 23, 2011

Mr. Joseph Thornton, Cabinet Secretary
West Virginia Department of Military Affairs and Public Safety
1900 Kanawha Blvd., East
Building 1, Room W-400
Charleston, WV 25305

Dear Mr. Thornton:

This is to transmit a draft copy of the Performance Review of the West Virginia Department of Military Affairs and Public Safety. This report is scheduled to be presented during the December 12-14, 2011 interim meetings of the Joint Committee on Government Operations, and Joint Committee on Government Organization. We will inform you of the exact time and location once the information becomes available. It is expected that a representative from your agency be present at the meeting to orally respond to the report and answer any questions the committees may have.

We need to schedule an exit conference to discuss any concerns you may have with the report. We would like to have the meeting on or before December 2, 2011. To schedule an exact time, please contact Michael A. Castle, research analyst, at (304) 347-4904. In addition, we need your written response to the report by noon on December 2, 2011 in order for it to be included in the final report. If your agency intends to distribute additional material to committee members at the meeting, please contact the House Government Organization staff at 340-3192 by Thursday, December 8, 2011 to make arrangements.

We request that your personnel not disclose the report to anyone not affiliated with your agency. Thank you for your cooperation.

Sincerely,

Handwritten signature of John Sylvia in cursive script.
John Sylvia

Enclosure

Joint Committee on Government and Finance

Appendix B: Objective, Scope and Methodology

Objective

This report is part of the Agency Review of the West Virginia Department of Military Affairs and Public Safety (DMAPS) pursuant to the *West Virginia Code* §4-10-8. The objective of this report was to review and evaluate the performance measures submitted to the *Operating Detail* of the Executive Budget Fiscal Year 2011 by agencies within DMAPS. This report also reviews the DMAPS website for user-friendliness and transparency.

Scope

The scope of this review was the time frame projected in the Executive Budget for Fiscal Year 2011.

Methodology

This report contains information submitted to the *Operating Detail* of the Executive Budget Fiscal Year 2011 as well as information in *West Virginia Code* and on the DMAPS website. Agency performance measures were submitted to the *Executive Budget* and reviewed against statutory requirements established by *West Virginia Code* for each agency. Performance Evaluation and Research Division (PERD) staff members then determined the relevance of agency-submitted performance measures. PERD staff also reviewed the DMAPS website for user-friendliness and transparency. This review complies with the Generally Accepted Government Auditing Standards (GAGAS) as set forth by the United States Comptroller General.

Appendix C: Website Criteria Checklist and Points System

Website Criteria Checklist and Points System			
Department of Military Affairs and Public Safety			
Criteria	Description	Total Points Possible	Total Agency Points
User Friendly:	The ease of navigation from page to page along with the usefulness of the website.	18	11
		Points Possible	Agency Points
Search Tool	The website should contain a search box (1), preferably on every page (1).	2 points	2 points
Help Link	There should be a link that allows users to access a FAQ section (1) and agency contact information (1) on a single page. The link’s text does not have to contain the word help, but it should contain language that clearly indicates that the user can find assistance by clicking the link (i.e. “How do I...”, “Questions?” or “Need assistance?”)	2 points	2 points
Foreign language accessibility	A link to translate all webpages into languages other than English.	1 point	0 points
Content Readability	The website should be written on a 6 th -7 th grade reading level. The Flesch-Kincaid Test is widely used by Federal and State agencies to measure readability.	No points assigned, see narrative	Yes
Site Functionality	The website should use sans serif fonts (1), the website should include buttons to include font size (1), and resizing of text should not distort site graphics or text (1).	3 points	3 points
Site Map	A list of pages contained in a website that can be accessed by web crawlers and users. The Site Map acts as an index of the entire website and a link to the department’s entire site should be located on the bottom of every page.	1 point	1 point
Mobile Functionality	The agency’s website is available in a mobile version (1) and/or the agency has created mobile applications (apps) (1).	2 points	0 points
Navigation	Every page should be linked to the agency’s homepage (1) and should have a navigation bar at the top of every page (1).	2 points	2 points
FAQ Section	A page that lists the agency’s most frequent asked questions and responses.	1 point	1 point
Feedback Options	A page where users can voluntarily submit feedback about the website or particular section of the website.	1 point	0 points
Online survey/poll	A short survey that pops up and requests users to evaluate the website.	1 point	0 points
Social Media Links	The website should contain buttons that allow users to post an agency’s content to social media pages such as Facebook and Twitter.	1 point	0 points

RSS Feeds	RSS stands for “Really Simple Syndication” and allows subscribers to receive regularly updated work (i.e. blog posts, news stories, audio/video, etc.) in a standardized format. All agency websites should have a RSS link on their websites.	1 point	0 points
Criteria	Description	Total Points Possible	Total Agency Points
Transparency:	A website which promotes accountability and provides information for citizens about what the agency is doing. It encourages public participation while also utilizing tools and methods to collaborate across all levels of government.	32	11
		Points Possible	Agency Points
Email	General website contact.	1 point	0 points
Physical Address	General address of stage agency.	1 point	1 point
Phone Number	Correct phone number of state agency.	1 point	1 point
Location of Agency Headquarters	The agency’s contact page should include an embedded map that shows the agency’s location.	1 point	0 points
Administrative officials	Names (1) and contact information (1) of administrative officials.	2 points	2 points
Administrator(s) biography	A biography explaining the administrator(s) professional qualifications and experience.	1 points	1 point
Privacy policy	A clear explanation of the agency/state’s online privacy policy.	1 points	0 points
Public Records	The website should contain all applicable public records relating to the agency’s function. If the website contains more than one of the following criteria the agency will receive two points: <ul style="list-style-type: none"> • Statutes • Rules and/or regulations • Contracts • Permits/licenses • Audits • Violations/disciplinary actions • Meeting Minutes • Grants 	2 points	0 points
Complaint form	A specific page that contains a form to file a complaint (1), preferably an online form (1).	2 points	0 points
Budget	Budget data is available (1) at the checkbook level (1), ideally in a searchable database (1).	3 points	0 points
Mission statement	The agency’s mission statement should be located on the homepage.	1 points	1 point
Calendar of events	Information on events, meetings, etc. (1) ideally imbedded using a calendar program (1).	2 points	0 points
e-Publications	Agency publications should be online (1) and downloadable (1).	2 points	2 points

Agency Organizational Chart	A narrative describing the agency organization (1), preferably in a pictorial representation such as a hierarchy/organizational chart (1).	2 points	1 point, no chart
Graphic capabilities	Allows users to access relevant graphics such as maps, diagrams, etc.	1 point	0 points
Audio/video features	Allows users to access and download relevant audio and video content.	1 point	0 points
FOIA information	Information on how to submit a FOIA request (1), ideally with an online submission form (1).	2 points	0 points
Performance measures/outcomes	A page linked to the homepage explaining the agencies performance measures and outcomes.	1 point	0 points
Agency history	The agency's website should include a page explaining how the agency was created, what it has done, and how, if applicable, has its mission changed over time.	1 point	0 points
Website updates	The website should have a website update status on screen (1) and ideally for every page (1).	2 points	0 points
Job Postings/links to Personnel Division website	The agency should have a section on homepage for open job postings (1) and a link to the application page Personnel Division (1).	2 points	1 point

Appendix D: Agency Response



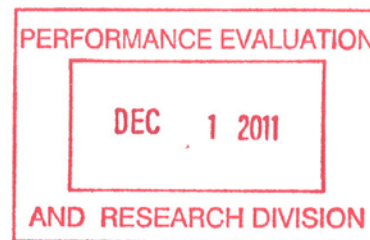
State of West Virginia
OFFICE OF THE SECRETARY
DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY
1900 Kanawha Blvd., E.
Charleston, West Virginia 25305
Telephone: (304) 558-2930
Facsimile: (304) 558-6221

EARL RAY TOMBLIN
GOVERNOR

JOSEPH C. THORNTON
CABINET SECRETARY

30 November 2011

Mr. John Sylvania, Director
Legislative Auditor's Office
Performance Evaluation and Research Division
Building 1, Room W314
1900 Kanawha Boulevard, East
Charleston, WV 25305



RE: WVDMAPS Response to Legislative Auditor's Performance Review Report

Dear Mr. Sylvania:

Please accept this letter as an official response by the West Virginia Department of Military Affairs and Public Safety (DMAPS) to your draft report dated 23 November 2011.

Although there were only two issues raised, we looked at each one separately. The first relates to performance measures and you conclude we reported relevant measures but not the most important ones. The second issue addresses our website and notes its user-friendly status, but reports a lack of transparency.

We have also reviewed the report in its entirety and concur with a number of the recommendations. This is to advise you that we intend to closely evaluate all suggestions made by your report and, in consultation with the divisions you've highlighted, analyze the ability to implement more accurate performance measures and website improvements to comply with the spirit of your review.

Additionally, it is important to note in more than your footnote, the Division of Veterans Affairs is no longer under the umbrella of DMAPS. The new Department of Veterans Assistance established 1 July 2011 absorbed all the responsibility and functions conducted by the former Division and it would be inappropriate for DMAPS to comment on how another Department may view your report. Accordingly we suggest you contact them directly for their input.

Finally, as always, if you require additional information, please do not hesitate to contact us.

Sincerely,

Joseph C. Thornton
Joseph C. Thornton
Cabinet Secretary *by mefm*



WEST VIRGINIA LEGISLATIVE AUDITOR

PERFORMANCE EVALUATION & RESEARCH DIVISION

Building 1, Room W-314, State Capitol Complex, Charleston, West Virginia 25305

telephone: 1-304-347-4890 | www.legis.state.wv.us/Joint/PERD/perd.cfm | fax: 1-304-347-4939