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PERFORMANCE REVIEW

WEST VIRGINIA STATE POLICE

AUDIT OVERVIEW

The West Virginia State Police Lacks Written Policies Establishing Appropriate Internal Control Over Ammunition Acquisition, Handling, and Security.

The West Virginia State Police Academy Storage Facility for Ammunition Has Improved Since Past Audits.



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CONTENTS

Executive Summary 5

Issue 1: The West Virginia State Police Lacks Written Policies Establishing Appropriate Internal Control Over Ammunition Acquisition, Handling, and Security 7

Issue 2: The West Virginia State Police Academy Storage Facility for Ammunition Has Improved Since Past Audits 19

List of Tables

Table 1: Pre-2000 State Police Operational Policies and Procedures 16

List of Appendices

Appendix A: Transmittal Letters 23

Appendix B: Objective, Scope and Methodology 25

Appendix C: Agency Response 27

EXECUTIVE SUMMARY

Issue 1: The West Virginia State Police Lacks Written Policies Establishing Appropriate Internal Control Over Ammunition Acquisition, Handling, and Security.

- A 1999 Performance Evaluation and Research Division (PERD) report found West Virginia State Police inventory record-keeping practices to be deficient and recommended the State Police begin maintaining records to account for ammunition issued to its officers.
- The State Police maintains records on ammunition inventory, but practices have not been formalized through official policies and procedures.

Issue 2: The West Virginia State Police Academy Storage Facility for Ammunition Has Improved Since Past Audits.

- A 1999 PERD report found the building in which the West Virginia State Police Academy (Academy) stored its ammunition was not secure.
- The Academy now operates a new, rebuilt facility on the site of the old range, which exceeds the recommendations of the 1999 report.

Recommendations

1. *The State Police should develop written policies that require ammunition tracking practices.*
2. *The State Police should develop written policies to formalize basic ammunition load requirements at field offices to encourage consistent practices. The State Police should determine what ammunition levels are appropriate for each field office given variances in size and duties.*
3. *The State Police should update its Ammunition Tracking Log to include all pertinent information, including ammunition lot number.*
4. *The State Police should develop a policy standardizing secure storage for ammunition. Given the relatively small volume of ammunition most detachments store, secure storage conditions need not be elaborate or expensive. However, they should be consistent.*
5. *The State Police should update its policies to restrict the storage of firearms alongside ammunition. Additionally, the agency should define secure storage for firearms.*
6. *The State Police should limit or specify key access to the Academy ammunition storage facility.*

7. *The State Police should standardize ammunition access practices through policy. This includes using policy to clarify who is eligible for access to secure ammunition storage areas.*
8. *The State Police should develop a policy requiring ammunition be acquired through current requisition procedures. Alternatively, the State Police could develop a separate procedure for formally requisitioning ammunition.*
9. *The State Police should review outdated policies and procedures and update them where appropriate.*
10. *The State Police should develop a policy requiring periodic review and update of policies.*
11. *The State Police should continue to maintain and improve the Academy storage facility to ensure proper storage, safety, and security of ammunition.*

PERD's Response to the Agency's Written Response

PERD received the agency's response to the draft copy of the report on December 13, 2019. This can be found in Appendix C. The State Police generally agrees with the recommendations within this audit.

ISSUE 1

The West Virginia State Police Lacks Written Policies Establishing Appropriate Internal Control Over Ammunition Acquisition, Handling, and Security.

Issue Summary

The West Virginia State Police has not developed formal, written policies and procedures pertaining to ammunition acquisition, handling, and security practices. Several federal agencies consider ammunition a sensitive item requiring safeguards to prevent loss, theft, and unauthorized use. The State Police's lack of formalized policies and procedures has created a deficient internal control environment. While the State Police has informal procedures and physical controls over ammunition, formal policies and procedures can further safeguard this sensitive asset.

While the State Police has informal procedures and physical controls over ammunition, formal policies and procedures can further safeguard this sensitive asset.

The State Police Keeps Physical Inventory Records of Ammunition, But This Practice Is Not Explicitly Required by Policy.

This audit was performed as an update of the 1999 Performance Evaluation and Research Division (PERD) report on the condition of State Police ammunition storage, security, and controls at the Academy and detachments throughout the state. The State Police did not conduct regular inventories, maintain an up-to-date inventory of ammunition, or have adequate ammunition security controls at field offices in 1999.

In 1999, PERD found the State Police maintained no permanent records regarding the amount of ammunition the agency has on hand. The State Police did not conduct regular inventories or maintain a current inventory of its ammunition. Records on the time and purpose of ammunition usage were not maintained. Inventories were conducted one to four times per year and their primary purpose was to determine if more ammunition was needed. The 1999 report emphasized the importance of having proper procedures in place to account for ammunition distribution and usage throughout the state.

The 1999 report emphasized the importance of having proper procedures in place to account for ammunition distribution and usage throughout the state.

In the course of this audit, PERD conducted field visits to the Academy and four State Police field offices to examine ammunition inventory, storage, and acquisition practices. This group of field offices consisted of one troop headquarters and three detachments. During the 2019 site visits, PERD found the Academy and field offices now maintain records on ammunition inventory. However, these inventory records are maintained independently of each other. Academy staff only maintain inventory for ammunition at the Academy. Field offices maintain records of ammunition inventory separately.

PERD also found the Academy utilized a free inventory software from January 1, 2019 to approximately September 5, 2019. During the course of this audit, it became apparent to the Academy this free software is incapable of meeting the needs of the Academy. As such, the Academy reverted to using paper tracking sheets until a complete software program is purchased. All inventory records at the field offices visited by PERD were maintained on physical documents. Physical ammunition inventory records are maintained on the Ammunition Tracking Log (State Police Form 3) and retained indefinitely.

State Police practices do not appear to be explicitly documented in formal policy. Upon request by PERD, the State Police provided several policies and procedures, including Policy & Procedure 1-12 (Inspections and Audits). Policy & Procedure 1-12 requires use of State Police Form 63 (Detachment and Personnel Inspection Report) to document required biannual staff inspections. Biannual staff inspections involve examination of facilities, detachment files, evidence rooms, and personnel. Although no policy provided by the State Police specifies ammunition inventory procedures, inclusion of ammunition tracking as an inspection item on State Police Form 63 indicates awareness of the need for ammunition inventory standards.

Failing to explicitly include ammunition tracking practices in formal policy can lead to insufficient or inconsistent practices. **The State Police conducts ammunition inventories but formalizing ammunition tracking requirements in policy would ensure practices are standardized throughout the State Police.**

The State Police Has No Formal Policy Pertaining to Inventory Levels.

PERD interviewed Academy officials regarding inventory levels at detachments. According to an Academy official, “It is recommended that each detachment keep a basic load of 200 rounds of 223 caliber ammunition, 100 rounds [of] 9mm ammunition and 50 rounds [of] 12 gauge shotgun ammunition. Each troop works to maintain these ammunition levels.” However, a different Academy official stated, “The load out per detachment differs due to man power [*sic*] at each detachment.” Basic load or load out refers to the standard amount of ammunition issued to field offices. Based on the statements of State Police staff and the documents provided, it is the Legislative Auditor’s understanding that basic load is determined by practice and not formalized policy.

During field visits to detachments, PERD found detachments keep a relatively small amount of ammunition on hand. PERD observed notable departures from the standards reported by Academy officials. One detachment had 350 rounds of .45 caliber ammunition on hand, despite the State Police discontinuing use of .45 caliber firearms. The troop headquarters visited by PERD had significantly more than the

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basic load on hand, with approximately 2,000 9mm duty rounds and 500 rifle rounds on hand, in addition to a few thousand training rounds. **The State Police should formalize its practices to provide clear inventory standards to troop headquarters and detachments to further secure ammunition assets.**

While the State Police does use chemical munitions, none of the field offices visited by PERD keep chemical munitions on hand. A logistics officer interviewed by PERD stated chemical munitions are only issued to Special Response Team leaders. As such, physical security and internal controls for chemical munitions were not examined.

The State Police Maintains Current Inventory Down to the Round, But Inventory Practices Are Informal and Lack Important Details.

According to State Police officials, field offices maintain an up-to-date ammunition inventory through use of State Police Form 3 (Ammunition Tracking Log). As ammunition is removed from or added to a field office's inventory, State Police Form 3 is updated. Consequently, inventory should include all ammunition on hand, down to the exact round for each type of ammunition. The State Police does not commingle different types of ammunition in its tracking records. This practice helps account for all ammunition and avoid inaccuracies that misrepresent the amount of ammunition on hand. Based on the tracking sheets shown to the audit team, the State Police troops inspected all appeared to maintain inventory records despite this practice not being required by policy.

The State Police does not track field ammunition by lot number. A logistics officer interviewed by PERD stated the lot number is only important for sniper ammunition and is therefore not tracked for other ammunition. However, some federal entities track lot numbers for their ammunition. This practice helps agencies respond to ammunition recalls more efficiently and eliminate the safety risks posed by recalled ammunition. **The State Police should consider tracking ammunition by lot number, as it may help protect officers, the agency, and public.**

The State Police Has No Policies Describing Appropriate Storage Conditions for Ammunition.

State Police ammunition storage practices were inconsistent and not guided by official policies. The State Police provided no policy describing what conditions are considered secure for ammunition. Although all ammunition storage areas PERD inspected were secured by lock, staff found no policy specifying what containers and lock types are considered secure and found no clear standard for the security of ammunition.

The troop headquarters visited by PERD had significantly more than the basic load on hand, with approximately 2,000 9mm duty rounds and 500 rifle rounds on hand, in addition to a few thousand training rounds.

State Police ammunition storage practices were inconsistent and not guided by official policies.

Storage practices for ammunition differed across the State Police field offices visited by PERD. At all field offices visited by PERD, ammunition containers were secured by lock and key only. The containers used at each field office differed. The troop headquarters visited by PERD maintained ammunition in a locked cage within a locked storage room. There was limited access to the storage room and further limited access to the cage within it. The ammunition storage containers at the detachments were not as secure. Ammunition at these locations was secured by a padlock on a vertical metal file cabinet drawer, a locked closet door, and a locked metal storage cabinet. One detachment stores firearms in the closet where ammunition is stored. Pictured below are the storage conditions PERD found during visits to field offices.

Storage practices for ammunition differed across the State Police field offices visited by PERD.



Interior and exterior of a cabinet storing ammunition at Detachment 1



Interior and exterior of a closet storing ammunition and firearms at Detachment 2



Ammunition cage at troop headquarters



File cabinet storing ammunition at Detachment 3

State Police Form 63 asks if the ammunition storage area is secure, but neither the form nor Policy & Procedure 1-12 describe what conditions are considered secure. However, State Police Form 63 includes a follow-up question that asks what type of lock is used. Additionally, State Police Form 63 indicates an awareness of the varying ways detachments secure ammunition, as it asks for the inspecting officer to document what type of storage is used for ammunition and what type of lock is used to secure it. The listed storage types include a metal cabinet, closet, safe, or other. The type of locks listed include a doorknob, cabinet key, hasp and lock, or other. Without official and explicit guidance on ammunition security practices, different practices develop and persist.

While storage conditions need not be precisely the same across detachments, practices should be guided by policy to ensure some degree of consistency and level of security exist. **The State Police should formalize security practices and develop new standards where appropriate. The State Police should also update its policy to restrict the storage of firearms alongside ammunition and move firearms stored in this manner to another secure location.** Separate storage for firearms and ammunition is preferred at federal agencies such as the Internal Revenue Service Criminal Investigation and the U.S. Department of Health and Human Services Office of Inspector General. Specifying storage requirements through policy may encourage consistency in behavior and compliance with standard practices and help further safeguard ammunition.

While storage conditions need not be precisely the same across detachments, practices should be guided by policy to ensure some degree of consistency and level of security exist.

The State Police Lacks Formal Procedures Outlining Ammunition Access Practices.

Ammunition access practices vary between detachments, troop headquarters, and the Academy. No policy specifies who qualifies for access to ammunition. Practices for who can access ammunition storage areas are determined by historical institutional practice and not written policy.

Based on statements made during interviews, the Legislative Auditor understands the Academy limits access to the ammunition bunker but allows non-Academy State Police staff to access the facility. For example, a logistics officer assigned to a troop headquarters stated he had a key to access the storage facility at the Academy. **PERD recommends the State Police limit or specify ammunition bunker access to improve ammunition security.**

Practices for who can access ammunition storage areas are determined by historical institutional practice and not written policy.

Based on statements made by detachment personnel during interviews, the Legislative Auditor understands practices for securing keys to ammunition storage areas varied at the field offices visited by PERD. At the troop headquarters visited by PERD, the logistics officer, captain, and executive officer all hold keys to the locked cage

in which ammunition is kept. At two of the detachments, the only key to the ammunition storage area was kept locked in the evidence room. Supervisors at these detachments hold keys to the evidence room and were able to access the key to the ammunition storage area. Following an interview with PERD, supervisors at one detachment decided they would no longer store the key to the ammunition storage closet in the evidence room, but instead place it in the sergeants' office. At another detachment, the detachment commander holds both keys to the ammunition storage area and keeps them on his person. **The State Police should standardize the storage location of keys to its ammunition storage areas.**

Limited access to ammunition is an important aspect of the overall control system of federal law enforcement agencies, such as: the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Marshals Service. Limiting access to appropriate personnel helps safeguard sensitive assets such as ammunition from loss, theft, or unauthorized use. **Consequently, the State Police should develop written policies to formalize its practices of limited ammunition access.**

Limiting access to appropriate personnel helps safeguard sensitive assets such as ammunition from loss, theft, or unauthorized use. Consequently, the State Police should develop written policies to formalize its practices of limited ammunition access.

The State Police Has Requisition Forms and Informal Ammunition Requisition Procedures, But Lacks Policies Mandating Their Use For Ammunition Acquisition.

Based on statements made by members of the State Police during interviews, the Legislative Auditor understands ammunition acquisition processes vary between and within organizational levels in the State Police. No written policy regarding ammunition acquisition practices at field offices was supplied to PERD. The Academy supplied PERD with its standard operating procedure for ammunition, which is as follows:

- *Projected yearly ammunition request sent to HQ for WVSP [West Virginia State Police].*
- *Projected yearly ammunition request sent to academy logistics for entry level classes.*
- *Ordered ammunition received at WVSP Procurement and processed for pickup.*
- *Ammunition delivered from Procurement to WVSPA [West Virginia State Police Academy] Range.*
- *Ammunition is unloaded and counted into the WVSPA Range Ammo Bunker inventory.*
- *Ammunition usage is tracked by class title and deducted from inventory as used.*

Based on statements made by members of the State Police during interviews, the Legislative Auditor understands ammunition acquisition processes vary between and within organizational levels in the State Police.

- *Ammunition is stored in an OSHA [Occupational Safety and Health Administration] approved bunker built specifically for ammunition storage and equipped with security and fire alarm system and double locking doors.*
- *Limited key access to ammunition bunker.*

This list is the entirety of the Academy standard operating procedure for ammunition the State Police provided to PERD. This document lacks important details and does not establish appropriate internal controls. This document outlines the basic process of acquiring, storing, and issuing ammunition, but does not describe processes in sufficient detail.

During an interview with PERD, a troop logistics officer stated troop headquarters acquire ammunition from the State Police storage facility at the Academy. The logistics officer at the troop headquarters visited by PERD stated he has a key to the storage facility at the Academy and signs out ammunition in his own name for troop usage. This logistics officer notifies the Academy in advance of his visit by phone call or email. This logistics officer also stated logistics officers at other troops acquire ammunition from the Academy through the Academy Range Officer and not through direct access to the Academy ammunition supply. No formal policies or procedures outlining this practice were provided or discussed.

According to a troop logistics officer, detachments within his troop acquire ammunition either through their troop logistics officer or the Academy. This process is not determined by a written procedure but is common practice developed through the experiences of staff. Detachment sergeants are responsible for making requests for ammunition at the field offices visited by PERD. During site visits, PERD found the detachments visited during this audit generally followed this process, acquiring ammunition through logistics officers, captains, or the Academy. However, PERD found one field office uses State Police Form 11B (Detachment Requisition Form) to requisition ammunition and to maintain records of ammunition acquisition. This form documents the quantity of ammunition requested and the quantity issued. Ammunition received in this manner is processed alongside other requisitions. The detachment commander who utilized this process stated he knew of no written policies requiring this practice, although it is his standard practice. Based on statements made by State Police officials during interviews, the Legislative Auditor understands current acquisition practices are not codified but determined by common institutional practices and the experience of staff.

At all the field offices visited by PERD, troopers request ammunition from their supervisor. The supervisor fills the request from stored ammunition or obtains the ammunition needed from troop headquarters or the Academy. These requests are made verbally or by

According to a troop logistics officer, detachments within his troop acquire ammunition either through their troop logistics officer or the Academy. This process is not determined by a written procedure but is common practice developed through the experiences of staff.

Based on statements made by State Police officials during interviews, the Legislative Auditor understands current acquisition practices are not codified but determined by common institutional practices and the experience of staff.

email. The supervisors at these detachments retrieve the ammunition and records who the rounds were issued to, who issued the rounds, for what reason the rounds were issued, and the date. At the troop headquarters visited by PERD, the logistics officer is responsible for maintaining inventory and records. At the detachments visited by PERD, the sergeants who serve as supervisors have this responsibility. One detachment sergeant stated troopers who request ammunition are not required to complete any paperwork but must communicate a valid reason for their ammunition request to their supervisor. Supervisors record ammunition issued to troopers on the Ammunition Tracking Log.

Some State Police ammunition record-keeping practices are partially in line with the practices of the Bureau of Alcohol, Tobacco, Firearms and Explosives. For example, PERD found the Bureau of Alcohol, Tobacco, Firearms and Explosives policy requires an ammunition record be used to record all acquired and issued ammunition. Based on the examples of ammunition records shown to PERD, the State Police appears to maintain records of ammunition issued, but this practice should be formalized to ensure all pertinent information is recorded and retained. Furthermore, having troopers fill out forms to request ammunition or accept receipt helps ensure all ammunition removed from storage is issued as recorded in the log. **The State Police should develop written policies and procedures to formalize ammunition acquisition practices and increase accountability.**

The State Police Has Limited Policies Pertaining to Ammunition and Many Policies Are Outdated.

In the course of this audit, PERD requested a copy of all State Police Operational Policies and Procedures. The State Police provided a copy of the table of contents and four policies upon request by PERD. The policies supplied covered inspection practices, weapons training and qualifications, supply and accounting, and detachment file keeping practices. These policies were used to evaluate the State Police's internal control system for ammunition acquisition, handing, and security and to contextualize State Police practices.

Upon examining the documents provided by the State Police, PERD found few requirements pertaining to ammunition. These requirements principally referred to the amount of ammunition issued to State Police officers and the type of ammunition to be used. There were descriptions of the requisition process and retention of requisition documents, but these documents did not mention ammunition. **Additionally, the policies describing requisitions have not been updated since 1986.**

To determine the scope of outdated State Police policies, PERD reviewed the table of contents for State Police Operational Policies

One detachment sergeant stated troopers who request ammunition are not required to complete any paperwork but must communicate a valid reason for their ammunition request to their supervisor.

Based on the examples of ammunition records shown to PERD, the State Police appears to maintain records of ammunition issued, but this practice should be formalized to ensure all pertinent information is recorded and retained.

Upon examining the documents provided by the State Police, PERD found few requirements pertaining to ammunition.

and Procedures and found 27 policies and procedures that have not been updated since 2000, out of approximately 134 total policies and procedures. Some of these outdated policies pertain to issues of critical importance to the State Police's mission. Table 1 below lists policies that have not been updated since 2000.

Table 1
Pre-2000 State Police Operational Policies and Procedures

	Policy or Procedure	Date Updated
1	Detachment Files	08/01/86
2	State Police Retired Members Assoc Scholarship Program	09/01/89
3	Statutory Violation	09/15/86
4	Correspondence, Telegrams, Telephone	08/01/86
5	Supply and Accounting	08/01/86
6	Exit Interview	08/01/86
7	Applicant Background Investigations	06/15/98
8	Fair Labor Standards Act Exempt Reclassification	08/01/85
9	Release of Information	03/16/92
10	Media Relations	03/16/92
11	News Media Identification Cards	03/16/92
12	Communications	08/01/86
13	Criminal Investigation	08/01/86
14	Unclaimed Stolen Property	08/15/98
15	Raids, Searches and Seizures	08/01/86
16	Court Disposition Reporting	06/20/87
17	Criminal Identification Bureau	08/01/86
18	Criminal Identification Bureau - Records Division	08/01/86
19	Uniform Crime Reports	08/01/86
20	Witness in Court by Member	08/01/86
21	Disabled Motorist	08/01/86
22	Traffic Research and Safety Division	08/01/86
23	Drug Detection Canine Team	09/01/89
24	Disasters (Air, Rail, Flood, Explosion, Etc.)	08/01/86
25	Riots - Unlawful Assemblages	08/01/86
26	Prisoner Transportation	08/01/86
27	Fugitives	08/01/86

To determine the scope of outdated State Police policies, PERD reviewed the table of contents for State Police Operational Policies and Procedures and found 27 policies and procedures that have not been updated since 2000, out of approximately 134 total policies and procedures.

Source: State Police Operational Policy and Procedures, Table of Contents

The State Police has many outdated policies that do not necessarily reflect current practices. For example, the media relations policy last updated in 1992 cannot account for changes such as the development of social media. The State Police maintains social media accounts, demonstrating practices have evolved even where written policies have not. **The State Police should update its policies and procedures to reflect current practices.**

PERD did not review all policies listed in the table above but given the changes in law enforcement practices and standards since 2000, it is likely many of these policies need reviewed and updated. Outdated policies and procedures may not address contemporary problems, which could potentially lead to noncompliance or inconsistent and inappropriate behavior. **Therefore, PERD recommends the State Police review outdated policies and procedures and update them where appropriate. The State Police should also develop a policy requiring periodic review and update of policies.**

Conclusion

While current agency practices may be sufficient for distributing ammunition throughout the state current policies do not produce adequate internal controls for a sensitive asset such as ammunition. Several State Police practices help safeguard ammunition, but these practices are not reflected in official policies. The State Police should formalize and update current practices through written policy to ensure compliance, consistency, and improve ammunition security.

While current agency practices may be sufficient for distributing ammunition throughout the state current policies do not produce adequate internal controls for a sensitive asset such as ammunition.

Recommendations

1. *The State Police should develop written policies that require ammunition tracking practices.*
2. *The State Police should develop written policies to formalize basic ammunition load requirements at field offices to encourage consistent practices. The State Police should determine what ammunition levels are appropriate for each field office given variances in size and duties.*
3. *The State Police should update its Ammunition Tracking Log to include all pertinent information, including ammunition lot number.*

4. *The State Police should develop a policy standardizing secure storage for ammunition. Given the relatively small volume of ammunition most detachments store, secure storage conditions need not be elaborate or expensive. However, they should be consistent.*
5. *The State Police should update its policies to restrict the storage of firearms alongside ammunition. Additionally, the agency should define secure storage for firearms.*
6. *The State Police should limit or specify key access to the Academy ammunition storage facility.*
7. *The State Police should standardize ammunition access practices through policy. This includes using policy to clarify who is eligible for access to secure ammunition storage areas.*
8. *The State Police should develop a policy requiring ammunition be acquired through current requisition procedures. Alternatively, the State Police could develop a separate procedure for formally requisitioning ammunition.*
9. *The State Police should review outdated policies and procedures and update them where appropriate.*
10. *The State Police should develop a policy requiring periodic review and update of policies.*

ISSUE 2

The West Virginia State Police Academy Storage Facility for Ammunition Has Improved Since Past Audits.

Issue Summary

A 1999 PERD report examined the condition of the State Police facility for ammunition storage at the Academy. The ammunition storage building was not secure. The facility had only standard doors and locks, no security alarm, and no sprinkler systems. Furthermore, the ammunition storage room had single pane windows without bars. At times, weapons were also stored in the same room as ammunition and chemical munitions. While only three individuals held keys to the ammunition storage building, the Academy kept no record of who entered the building or what was removed from the building.

The State Police addressed some concerns in response to the 1999 report and have constructed a new facility since that time. The 1999 report recommended improvements such as installing bars on the windows and changing the entrance of the storage building. The Academy now operates a new, rebuilt facility on the site of the old range. This facility includes a classroom, tower, target storage room, and weapons maintenance and storage area. These improvements allow staff to conduct classroom instruction, administrative duties, and weapons maintenance simultaneously on site in separate areas. According to Academy officials, chemical munitions and firearms are no longer stored in the same room as ammunition.

The State Police addressed some concerns in response to the 1999 report and have constructed a new facility since that time.

The Building in Which Ammunition Is Stored Has Safeguards Against Fire and Theft.

The 1999 PERD report identified the need to improve the security of the Academy ammunition storage facility to protect troopers and citizens. The State Police improved ammunition storage security and safety at the Academy by replacing the old storage building with a new facility. The construction of this facility exceeds the 1999 report's recommendations for improvements. The pictures below document the state of the facility in 1999 and 2019.

These improvements allow staff to conduct classroom instruction, administrative duties, and weapons maintenance simultaneously on site in separate areas.



1999 Storage Facility and Range



2019 Training Facility and Range

The ammunition storage facility utilized during the 1999 report lacked safeguards against fire and theft. This facility had no security alarm until the State Police response to the 1999 audit and no sprinkler system. According to Academy officials, the new training facility has a functional fire and security alarm. The facility possesses double locking doors, electric cut off, and a sprinkler system. During an interview, Academy staff stated the storage building is built to OSHA standards. Additionally, the facility is also equipped with video capable security cameras, which cover all areas of access. Academy staff also stated the separate building for storing ammunition is built to withstand explosions, and there is limited key access to the ammunition bunker.



1999 interior of the ammunition storage room



2019 interior of the ammunition room from the entrance

Firearms and Chemical Munitions Are No Longer Stored in the Same Room as Ammunition at the Academy.

The 1999 PERD report also found the State Police stored ammunition within 15 feet of chemical munitions without an appropriate fire partition, which was unallowable under the National Fire Prevention Association's (NFPA) Explosive Materials Code. This portion of the NFPA Code mandated small arms ammunition be separated from materials classified as flammable liquids by a distance of 15 feet or a fire

partition with fire resistance of at least one hour. The U.S. Department of Transportation considered the chemical munitions stored in the facility flammable liquids, placing the State Police in violation of the NFPA Explosive Materials Code.



1999 Chemical Munitions stored with small arms ammunition

The State Police has markedly improved the security of ammunition at the Academy, improving safety conditions for cadets, troopers, and nearby residents.

Chemical munitions are no longer stored in the same room as small arms ammunition, improving safety conditions. Chemical ammunition is now stored in a separate building on the campus of the Academy. Firearms are also stored away from ammunition at the Academy, further improving security. Reconfiguring storage practices improved safety conditions at the Academy.

Conclusion

The State Police has markedly improved the security of ammunition at the Academy, improving safety conditions for cadets, troopers, and nearby residents. The State Police has exceeded the recommendations put forth in the 1999 PERD report.

Recommendation

- 11. The State Police should continue to maintain and improve the Academy storage facility to ensure proper storage, safety, and security of ammunition.*

Appendix A Transmittal Letter

WEST VIRGINIA LEGISLATURE *Performance Evaluation and Research Division*

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John Sylvia
Director

December 4, 2019

Jeff S. Sandy, Cabinet Secretary
Department of Military Affairs and Public Safety
1900 Kanawha Blvd., E.
Building 1, Room W-400
Charleston, WV 25305

Dear Secretary Sandy:

This is to transmit a draft copy of the update of the 1999 Performance Evaluation and Research Division review of the State Police. This report is tentatively scheduled to be presented during the January interim meetings of the Joint Committee on Government Operations, and the 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 committee members may have during or after the meeting.

We would like to schedule an exit conference to discuss any concerns you may have with the report. We would like to have the meeting on December 9, 2019. In addition, we need your written response by noon on Friday, December 13, 2019 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 304-340-3192 by Monday, January 6, 2019 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,

A handwritten signature in blue ink that reads "John Sylvia".

John Sylvia

Joint Committee on Government and Finance

Appendix B

Objective, Scope and Methodology

The Performance Evaluation and Research Division (PERD) within the Office of the Legislative Auditor conducted this performance review of the West Virginia State Police as part of a follow-up to the 1999 PERD review of State Police ammunition storage, policies, and procedures, as requested by the Legislative Auditor. The purpose of the State Police is to provide statewide enforcement of criminal and traffic law and protection to citizens.

Objective

The objective of this audit is to determine if 2019 State Police ammunition storage facilities, policies, and procedures have improved since 1999 and if the agency sufficiently manages, stores, and accounts for ammunition resources.

Scope

The scope of this review consisted of the State Police's 2019 ammunition storage facilities, practices, policies, and procedures. This includes ammunition storage and management at the State Police Academy and field locations. The scope encompassed all policies and forms relevant to ammunition practices and management.

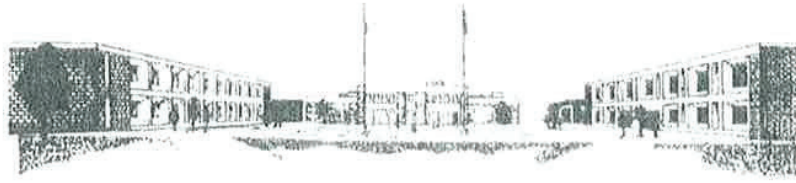
Methodology

PERD gathered and analyzed several sources of information and conducted audit procedures to assess the sufficiency and appropriateness of the information used as audit evidence. The information gathered and audit procedures are described below.

Testimonial evidence gathered for this review through interviews with the State Police's staff or other agencies was confirmed by written statements and in some cases by corroborating evidence. Physical evidence was obtained through photographing storage conditions during site visits to the State Police Academy and four field offices. PERD interviewed State Police officers responsible for ammunition management, including detachment commanders and sergeants, Academy staff, and a logistics officer, to gain insight into current ammunition practices and policy. PERD also communicated with the State Police's Legal Division, a Planning Officer, and an officer within the Professional Standards Section to obtain additional insight into State Police's policies and procedures. PERD also reviewed audits of federal agencies pertaining to ammunition storage and inventory practices and procedures. PERD reviewed the 1999 PERD State Police ammunition audit to determine any improvements since 1999.

We conducted this performance audit in accordance with generally accepted government auditing standards. 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.

Appendix C Agency Response



*West Virginia State Police Training Academy
135 Academy Drive
Dunbar, West Virginia 25064*

*Colonel Jan Cahill
Superintendent*

December 10, 2019

PERFORMANCE EVALUATION

DEC 11 2019

Michael Midkiff
Research Manager
West Virginia Legislature
Performance Evaluation and Research Division

AND RESEARCH DIVISION

RE: Ammunition Audit Report Response

Sir:

The purpose of this correspondence is to offer a response to the update of the 1999 Performance Evaluation and Research Division (PERD) review of the West Virginia State Police as it relates to ammunition acquisition, handling and security. At the direction of the Superintendent, I have included our responses below to recommendations made in the executive summary portion of the report. Reference is made to more specific issues noted in the body of the report, as needed. Each recommendation is listed with our response following in bold italics.

Executive Summary

Issue 1: The West Virginia State Police Lacks Written Policies Establishing Appropriate Internal Control Over Ammunition Acquisition, Handling, and Security.

- A 1999 PERD report found West Virginia State Police inventory record-keeping practices to be deficient and recommended the State Police begin maintaining records to account for ammunition issued to its officers.
- The State Police maintain records on ammunition inventory, but practices have not been formalized through official policies and procedures.

Issue 2: The West Virginia State Police Academy Storage Facility for Ammunition Has Improved Since Past Audits.

- A 1999 PERD report found the building in which the West Virginia State Police Academy (Academy) stored its ammunition was not secure.
- The Academy now operates a new, rebuilt facility on the site of the old range, which exceeds the recommendations of the 1999 report.

Mr. Michael Midkiff
Re: Ammunition Audit Report Response
Page 2, continued

Recommendations

1. The State Police should develop written policies that require ammunition tracking practices. ***While procedures are in place to track ammunition receiving/expenditure, we acknowledge the lack of formal policy to mandate such. We will develop relevant policy.***
2. The State Police should develop written policies to formalize basic ammunition load requirements at field offices to encourage consistent practices. The State Police should determine what ammunition levels are appropriate for each field office given variances in size and duties. ***Ammunition needs are relative to the amount of manpower of the detachment. We will development procedures to establish consistency in the manner in which ammunition is distributed and that distribution is documented. The .45 caliber ammunition addressed in the report is being recalled through troop logistics officers.***
3. The State Police should update its Ammunition Tracking Log to include all pertinent information, including ammunition lot number. ***Adding additional information to the ammunition tracking log and academy inventory to better identify and track the ammunition can be accomplished.***
4. The State Police should develop a policy standardizing secure storage for ammunition. Given the relatively small volume of ammunition most detachments store, secure storage conditions need not be elaborate or expensive. However, they should be consistent. ***Design and layout of our detachments vary across the state. Mandating one method of storage may not be feasible; however, policy can be developed that includes acceptable options.***
5. The State Police should update its policies to restrict the storage of firearms alongside ammunition. Additionally, the agency should define secure storage for firearms. ***While it is already common practice to ensure firearms and ammunition are not stored in close proximity, policy will be developed to ensure compliance.***
6. The State Police should limit or specify key access to the Academy ammunition storage facility. ***While key access is limited, procedures can be developed to specifically state who may be a key holder. The logistics officer identified in the report as having a key to the Academy ammunition bunker is also an adjunct firearms instructor for the Academy. Other logistics officers do not have key access.***
7. The State Police should standardize ammunition access practices through policy. This includes using policy to clarify who is eligible for access to secure ammunition storage areas. ***Policy will be developed. In developing policy, it will be important to balance ammunition security with the ability for troopers to access the ammunition, should it become necessary.***
8. The State Police should develop a policy requiring ammunition be acquired through current requisition procedures. Alternatively, the State Police could develop a separate procedure for formally requisitioning ammunition. ***Current written requisition processes will be utilized until an electronic version can be developed.***

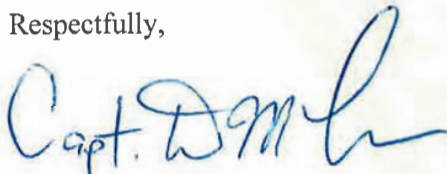
Mr. Michael Midkiff
Re: Ammunition Audit Report Response
Page 3, continued

9. The State Police should review outdated policies and procedures and update them where appropriate. *While some policies stand the test of time, we acknowledge the need to periodically review all policies to ensure that they are effective, efficient and meeting the needs of the agency and the citizens it serves. A policy and procedures review process is currently in progress.*

10. The State Police should develop a policy requiring periodic review and update of policies. *As stated in the previous response, while some policies stand the test of time, we acknowledge the need to periodically review all policies to ensure that they are effective and efficient. A policy and procedures review process is currently in progress.*

11. The State Police should continue to maintain and improve the Academy storage facility to ensure proper storage, safety, and security of ammunition. *While the West Virginia State Police is proud of the improvements that have been made since the 1999 report, we will always strive to be better. We will continue to make the security of all assets under our control a priority. We will take the recommendations set forth in this report and implement procedures to further improve our efforts in this endeavor.*

Respectfully,



Captain David M. Lee
Director of Training
West Virginia State Police Academy



WEST VIRGINIA LEGISLATIVE AUDITOR

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