

UNION PARISH DETENTION CENTER



COMPLIANCE AUDIT
ISSUED JUNE 8, 2005

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June 8, 2005

HONORABLE JOHNNY BUCKLEY, PRESIDENT
UNION PARISH POLICE JURY
Farmerville, Louisiana

We have audited certain transactions of the Union Parish Police Jury (Police Jury) in accordance with Title 24 of the Louisiana Revised Statutes. Our audit was performed to determine whether inmates were paid for working excessive hours and performing personal work for detention center staff.

Our audit consisted primarily of inquiries and the examination of selected financial records and other documentation. The scope of our audit was significantly less than that required by *Government Auditing Standards*; therefore, we are not offering an opinion on the Police Jury's financial statements or system of internal control nor assurances as to compliance with laws and regulations.

The accompanying report presents our finding and recommendations as well as management's response. Copies of this report have been delivered to the District Attorney for the Third Judicial District and others as required by state law.

Respectfully submitted,

Steve J. Theriot, CPA
Legislative Auditor

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The Union Parish Detention Center allowed inmates to work an excessive number of hours. Between January 2002 and December 2004 on numerous instances, inmates were paid for substantially over 300 hours per month. Some inmates earned as much as 500 or even 1,200 hours per month. As a result of the excessive hours, the Police Jury's cost of inmate labor increased significantly. In addition, the detention center had no written policies governing eligibility for inmate pay, maximum allowable hours, or the number of different jobs allowed per inmate. Furthermore, many time sheets were not signed by the supervising officer nor did inmate time sheets have sufficient detail to determine when inmates worked. Finally, inmates were allowed to perform repair work on and wash private vehicles belonging to detention center staff.

Background

The Union Parish Detention Center is one of only two prisons in the state owned and operated by a police jury. The detention center is a constituent part of the Police Jury. Its employees are paid by the Police Jury, and its expenses are run through the Police Jury's purchasing system. The detention center's revenue and expenses are reflected in the financial statements of the Police Jury.

Incentive Pay Program

The detention center has a program of incentive pay for inmates. Under the program, inmates receive an hourly rate of pay for work at the detention center, the Policy Jury, other local government agencies, and area community service organizations. The work includes picking up litter, yard work, washing vehicles, et cetera. Inmates are paid a rate of either \$.07 or \$.20 an hour. The inmates are not allowed cash; however, an accounting is kept of money each inmate earned, and the earnings can be used to make purchases at the detention center commissary. Inmates can also transfer funds to individuals or organizations outside the detention center.

The detention center bills outside agencies, such as the Sheriff's Office and the Town of Farmerville, directly for the inmate labor they use. Checks from these agencies are deposited into the detention center's Inmate Banking Account, and the inmates' personal accounts are credited the appropriate amount. These outside agencies are responsible for supervising and preparing time sheets for the inmates. The agencies send the inmate time sheets to the detention center each month.

The detention center maintains a second bank account called the "Inmate Welfare Account." The Inmate Welfare Account is credited with revenue from the prison commissary and telephone access provided to inmates. Inmates who work specific jobs at the detention center are traditionally paid from this account. The payments are deposited into the Inmate Banking Account and credited to the personal accounts of the inmates. Detention center staff supervise the inmates working at the detention center and prepare the monthly inmate time sheets.

Excessive Hours

According to Warden Johnny Sumlin, while there is no written policy, the detention center's general practice is to limit inmates to 40 work hours a week (173 hours per month) for incentive pay. He reserves the right to make exceptions to the practice as necessary. If an inmate receives more than 40 hours a week in incentive pay, the warden may approve it; however, he does not approve an excessive amount of hours. Warden Sumlin also stated he does not authorize over 300 hours of work in a one-month period for any inmate nor does he believe he ever did so.

On numerous instances, inmates received 300 or more hours per month for one or more months. A substantial number of inmates received over 500 hours per month for one or more months, and at least three inmates received over 1,000 hours per month for one or more months. For example, during June 2004, inmate Vincent Tate was paid for 1,258 hours (receiving \$153) on five separate jobs, and during September 2004, inmate Ken Boone was paid for 1,020 hours (receiving \$139) on three separate jobs. These and other examples show an implausible number of hours being earned by inmates since there are only approximately 730 hours in a month. According to Warden Sumlin, he was not aware that excessive numbers of hours were being billed for inmates.

Excessive Costs

The inmates who received the excessive hours typically worked as either front office orderlies or maintenance workers in addition to their other jobs. Warden Sumlin authorized pay increases from \$0.07 to \$0.20 per hour for inmates in these two details. According to Warden Sumlin, he authorized the pay increase after the supervising officer, Lieutenant Adams, stated to him that certain inmates were hard workers and deserved the increase. Granting \$0.20 an hour to these inmates caused pressure on Warden Sumlin to increase the rate of pay for other inmates performing the same jobs. Eventually, all inmates who worked at the detention center as front office orderlies and maintenance workers received \$0.20 per hour.

Inmates who worked these two details--front office orderly and maintenance worker--were traditionally paid from the Inmate Welfare Fund as were all inmates who physically worked at the detention center; therefore, their labor cost was not passed on to another agency. However, after the pay increase, the bills for these inmates' labor were sent to and paid by the police jury. The excessive hours recorded for the inmates and the pay raise caused a dramatic increase in the cost of the incentive program to the Police Jury. For example, between January 2002 and December 2004, the billings to the Police Jury for incentive pay increased from less than \$200 a month to over \$1,400 a month.

Incentive Pay Program Control Weaknesses

The detention center had no written policy on the amount of jobs an inmate may perform. According to Warden Sumlin, the practice has been to allow inmates one job. However, during our review, we noted many instances where inmates were paid for three, four, or even five different jobs during a given month. The hours supposedly worked by inmates were recorded on

separate time sheets for each job. In some instances, multiple supervisors signed off on the different time sheets. On many occasions the total hours recorded by an inmate during his multiple jobs exceeded the total number of hours in a month.

Lieutenant Adams was the supervising officer who in many instances approved inmate time sheets totaling excessive numbers of hours. We attempted to speak with Lieutenant Adams about the time sheets; however, under advice of legal counsel, he refused our request for an interview.

The assistant business manager at the detention center, Angela Dismuke, received all inmate time sheets, including those from outside agencies as well as those from the detention center. Ms. Dismuke used the hours recorded on these time sheets to prepare and send invoices to the various agencies that employed inmates. Current detention center practice is that inmates receive a separate time sheet for each job they work. No policy requires each inmate to have a single time sheet with all hours worked that month. The practice of creating separate time sheets for each job an inmate works makes it difficult to effectively monitor inmate hours and detect excessive numbers of hours.

Inmate time sheets on many instances had insufficient detail to verify the days and hours per day inmates worked. For example, a time sheet indicated an inmate worked as a shoe shiner during May. The time sheet detail contained the name of the inmate that worked the detail and total number of hours worked during the month. From the detail given, it is impossible to determine whether hours earned for one job conflict with hours earned in other jobs. In addition, many time sheets were not signed by the supervising officer. Supervisory signatures on time sheets are essential to ensure accountability for hours worked.

Although the detention center has some written policies for the inmate incentive program for key issues such as eligibility for incentive pay, maximum work hours, working multiple jobs, supervisory responsibilities, time sheet documentation, and granting pay increases, there were no written policy guidelines. The lack of written policies contributed significantly to the practice of allowing inmates to earn excessive numbers of hours and management's failure to detect this situation in the ordinary course of business.

Inmates Performed Personal Work for Staff

According to Warden Sumlin, it was the practice of the detention center in the past to allow inmates to work on the private vehicles of detention center staff. The repairs were only performed in "emergency situations" where safety was an issue. The practice also allowed inmates to wash vehicles belonging to detention center staff. The warden approved all repair work and washing of private vehicles. According to Warden Sumlin, both practices have been discontinued.

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The Union Parish Detention Center and the Union Parish Police Jury should adopt the following recommendations for inmate labor charged to the Police Jury:

1. Develop a written policy governing the maximum allowable hours for inmates working in the incentive program. The policy should be documented and communicated to supervisors of incentive program inmates. Time sheets should be reviewed for compliance with the policy prior to submission. All exceptions to this policy should be approved by the warden and documented in writing.
2. Discontinue the practice of recording inmate time for each separate job on a separate time sheet. This practice enables inmates to earn excessive numbers of hours without it being noticeable on any particular time sheet. Each inmate should have only one time sheet which identifies all hours earned and all jobs worked in that particular pay period. The time sheet should be prepared by detention center supervisory personnel. The supervisor should be responsible for recording inmate time worked at the detention center as well as offsite on these time sheets.
3. Require all supervisors to record the days worked, the number of hours worked, and the specific jobs worked on each time sheet. During our review, we noted numerous instances where insufficient detail was recorded on the time sheets to determine the hours inmates actually worked. We also noted many time sheets were not signed. Time sheets should not be processed without supervisory signatures.
4. Discontinue the practice of allowing inmates to perform personal work for detention center employees. During our review, Warden Sumlin informed us that some inmates did perform personal work for detention center employees. The work included repairs and washing of private vehicles.

With respect to time collections for inmate labor from other agencies and organizations, we recommend the detention center and Police Jury review its current practices and ensure that adequate controls exist.

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The Union Parish Detention Center is one of only two police jury-owned prisons in the state. The detention center is a constituent part of the Union Parish Police Jury and its revenues and expenses are reflected in the financial statements of the Police Jury. The warden is responsible for the day-to-day operation of the detention center. A five-member board of commissioners manages the detention center.

The legislative auditor received allegations of inmates working excessive hours and performing work for employees at the detention center. The procedures performed during this audit consisted of (1) interviewing employees of the detention center and (2) examining time sheets and other selected documents and records of the detention center.

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Management's Response

JOHNNY BUCKLEY
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Dear Mr. Theriot:

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I have reviewed the draft report on your compliance audit of the Union Parish Police Jury. Included in this draft report were recommendations for both the Union Parish Police Jury and the Union Parish Detention Center pertaining to inmate labor being charged to the police jury. I agree with the recommendations and we have already taken one step to ensure that adequate controls will exist in the future. Since the completion of your audit, we have hired a business manager to oversee all fiscal matters of the Union Parish Detention Center. His duties will include reviewing our current practices to ensure that your recommendations are being met.

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If you have any other questions, please contact me.

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Sincerely,



Johnny Buckley, President

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