

STATE OF MINNESOTA

Office of the State Auditor



Rebecca Otto
State Auditor

BROWN LYON REDWOOD RENVILLE
DRUG TASK FORCE
NEW ULM, MINNESOTA

AGREED-UPON PROCEDURES

November 2, 2016

Description of the Office of the State Auditor

The mission of the Office of the State Auditor is to oversee local government finances for Minnesota taxpayers by helping to ensure financial integrity and accountability in local governmental financial activities.

Through financial, compliance, and special audits, the State Auditor oversees and ensures that local government funds are used for the purposes intended by law and that local governments hold themselves to the highest standards of financial accountability.

The State Auditor performs approximately 150 financial and compliance audits per year and has oversight responsibilities for over 3,300 local units of government throughout the state. The office currently maintains five divisions:

Audit Practice - conducts financial and legal compliance audits of local governments;

Government Information - collects and analyzes financial information for cities, towns, counties, and special districts;

Legal/Special Investigations - provides legal analysis and counsel to the Office and responds to outside inquiries about Minnesota local government law; as well as investigates allegations of misfeasance, malfeasance, and nonfeasance in local government;

Pension - monitors investment, financial, and actuarial reporting for approximately 700 public pension funds; and

Tax Increment Financing - promotes compliance and accountability in local governments' use of tax increment financing through financial and compliance audits.

The State Auditor serves on the State Executive Council, State Board of Investment, Land Exchange Board, Public Employees Retirement Association Board, Minnesota Housing Finance Agency, and the Rural Finance Authority Board.

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**Audit Practice Division
Office of the State Auditor
State of Minnesota**

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INDEPENDENT AUDITOR'S REPORT ON APPLYING AGREED-UPON PROCEDURES

Ms. Kristin Lail, Program Administrator
Minnesota Department of Public Safety

Brown Lyon Redwood Renville Drug Task Force
Oversight Committee

We have performed the procedures enumerated below, which were agreed to by the Minnesota Department of Public Safety and the Brown Lyon Redwood Renville Drug Task Force, solely to assist you in determining that the Brown Lyon Redwood Renville Drug Task Force has appropriate practices implemented to ensure assets are adequately safeguarded and controlled and the chain of custody for seized property is documented and provides for adequate security and accountability from intake to disposition. These procedures were applied to the records of the Brown Lyon Redwood Renville Drug Task Force originating with confidential/buy fund activity during the 12-month period ending December 31, 2015. The Brown Lyon Redwood Renville Drug Task Force's management is responsible for the records of the Task Force. This engagement to apply agreed-upon procedures was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is solely the responsibility of the Minnesota Department of Public Safety and the Brown Lyon Redwood Renville Drug Task Force. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

1. Procedure

Determine that the use of confidential/buy funds is adequately documented on expense reports.

Findings

We obtained a list of all confidential/buy fund transactions for the 12-month period ending December 31, 2015. We selected four transactions, which included activity for property storage locations used by the Task Force at the City of Marshall Police Department, the Redwood County Sheriff's Office, and the Renville County Sheriff's

Office, concentrating on funds used for a buy/bust; investigator purchase of illegal drugs, contraband, or other evidence of criminal activity; and payments made directly to informants for drugs, as these activities would be the most likely to also involve seized property. We reviewed the expense reports for the selected transactions. All items tested were adequately documented.

2. Procedure

Determine that adequate documentation exists to support the chain of custody for seized property, including a detailed inventory of property seized before being secured in storage, proper accounting of currency seized, and clear identification of storage location and inventory number.

Findings

The case files associated with the confidential/buy fund transactions selected for testing were identified. We reviewed all the seized property from the initial buy and any related search warrants associated with each case. This consisted of a total of four buys and two search warrants. We traced the documentation of the activity for each seized item from the point of seizure to its inventory barcode number to its current location. One of the two cases reviewed for the City of Marshall Police Department had an item that did not clearly identify the storage location in the property system.

The case tested for the Redwood County property room was a case that originated in Brown County. Since Brown County did not have an agent assigned to the Task Force, a Redwood County agent processed the case and used the Redwood County property room for storing the evidence. At that time, Redwood County was unable to enter the Brown County case information into the property system. Thus, although the case file was accurate, the initial buy and items seized during the search warrant did not have a clear identification of storage location or inventory number in the Redwood County property system. Redwood County has since resolved this issue for Brown County cases during 2016.

Adequate documentation supported the chain of custody for the remaining seized items tested.

3. Procedure

Determine that controls at property storage locations meet best practice standards.

Findings

We were escorted by the evidence custodians through the City of Marshall Police Department property room, the Redwood County Sheriff's Office property room, which is the main location used by the Task Force, and the Renville County Sheriff's Office property room. We reviewed the controls in place considering such things as physical

access, controlled security, and property and custody tracking records. It is the practice of the City of Marshall Police Department to document approval for the destruction of guns and drugs, but not other items. When any item is to be destroyed, approval needs to be obtained and documented prior to destruction. In addition, the practice of the Renville County Sheriff's Office does not include keeping a record to track access to the property storage area. A record should exist to track all access to the property storage area, including name, date, time, and reason. Other controls noted for property storage met best practice standards.

4. Procedure

Determine that property exists in storage or was properly disposed of.

Findings

For all of the seized property items associated with the four cases selected for testing, we verified that the item was located in storage where it was noted in the tracking system, appropriately returned to the owner, or properly disposed of, as applicable. The necessary approvals and documentation were reviewed to verify the proper treatment. For the Redwood County property room case, the destruction of the initial buy items was not properly documented. The form used did not list the time, location, or method of destruction. The search warrant items for this case did not have any documentation or approval for their destruction. For the Renville County property room case, the destruction of the items was not properly documented. A property transfer request form is used instead, which does not list the time, location, or method of destruction. No other exceptions were noted.

5. Procedure

Determine that forfeitures were properly reported to the Office of the State Auditor.

Findings

For the seized property items associated with the four cases selected for testing, we verified that the item was properly determined to be a forfeiture or not by the Task Force. The case reviewed for Renville County included a vehicle and a weapon that were subject to administrative forfeiture. We verified the Notice of Seizure and Intent to Forfeit Property Notice form was properly completed in a timely manner. The case has not yet been closed and, therefore, the information has not yet been reported to the Office of the State Auditor's Government Information Division. No exceptions were noted for the items tested.

* * * * *

We were not engaged to, and did not, conduct an audit, the objective of which would be the expression of an opinion on the accounting records. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Minnesota Department of Public Safety and the Brown Lyon Redwood Renville Drug Task Force and is not intended to be, and should not be, used by anyone other than those specified parties.

/s/Rebecca Otto

REBECCA OTTO
STATE AUDITOR

/s/Greg Hierlinger

GREG HIERLINGER, CPA
DEPUTY STATE AUDITOR

November 2, 2016