



Performance Review
Sheriff's Office Gun Permit
for the Period
January 1, 2012 to June 30, 2012

Fieldwork Performed by:

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Objective and Scope:

The Luzerne County Controllers Office has reviewed the Luzerne County Sheriff's Office Gun Permit Division for the period January 1, 2012 thru June 30, 2012. The focus of our performance review was to determine if the Sheriff's Office Gun Permit Division had designed and placed into its operation, procedures which maximize efficiency, economy and the effectiveness in the processing of gun permit applications received by members of the general public.

Our performance reviews are tailored to the unique circumstances of each office. We strive to objectively and systematically evaluate, functions, procedures and activities to ensure that functions are executed in the best, most efficient way. Our goals are to achieve the most value for each dollar spent, and make the best use of resources available.

The Sheriff of Luzerne County, a position included in the Division of Judicial Services, is appointed by the County Manager. Responsibilities of the Sheriff are to direct his/her deputies in the performance of their duties which include, but is not limited to the transportation of prisoners, courtroom security, and the issuance of gun permits.

The Luzerne County Controller's Office is authorized by the Home Rule Charter of Luzerne County (Herein after referred to as the Charter) Section 3.08 to conduct fiscal, performance, management, contract, grant, compliance and related audits of any County division, bureau, office, agency, board, commission, elective office, the Judiciary, Office of Court Administration or other administrative office. This review is an internal function, authorized by the Charter therefore the Controller is required to transmit to the Sheriff of Luzerne County, County Council, and the County Manager and post for public inspection in the Controller's Office and on the County website and/or other electronic medium for a period of at least 60 days after it is issued. The Controller will also follow up on any recommendations, to the extent practical, in order to determine if they have been considered and/or implemented by the Sheriff's Office.

Auditors assigned to the engagement are employed by Luzerne County under the Controller's Office and report directly to the elected Controller. The audit staff is considered organizationally independent to conduct and report on the audit.

Methodology and Description:

Include:

- We reviewed and consulted applicable PA laws relating to firearms, Title 18, Section 6109, to be familiarized with licensing requirements.
- We had dialog with Sheriff's Office staff charged with accepting and processing applications for gun permits. Those duties include interacting with the public, answering questions about the process, accepting payments, generating reports,

determining eligibility through the PICS system, issuing the license, processing refunds and sending denial letters.

- We observed the process of issuing gun permits and evaluated the procedures employed to see how we might strengthen accountability, increase efficiency and more effectively fill the needs of the public and the County. The audit team developed a good understanding of the departments' objectives, resources, procedures and operations to be able to identify any areas of risk.
- We surveyed over 3,600 applications to identify if there were any areas of concern which needed to be addressed.
- We traced revenue from approved applications via PICS reports to ACS.

Findings and Observations:

1. We observed that on two occasions gun permit applicants arrived at the office prior to 3:00 pm while other applicants were waiting. The newly arriving applicants were told that the last gun permits for the day had been issued and that the applicants already there, were the last ones for the day. Also that the office closes at 3:00 pm. We acknowledge that the clerk does not have the time allocated to balance the cash drawer, and make a deposit if he is still issuing gun permits after 3:00pm. The general public however, assumes that if the office is open from 8:30 am to 3:00 pm, and that they should be able to get their permit if they arrive before 3:00.
2. Title 18, Section 6109 of the Firearms Act, 5 (h-Fee) (1) In addition to fees described in paragraph (2)(ii) and (3) which designates an additional \$1.00 fee shall be paid to the Firearms License Validation System, the fee for a license to carry a firearm is \$19. This includes all of the following. (i) A renewal notice fee of \$1.50.
3. According to Title 18, Section 6109 of the Firearms Act, 5 (f-Term of License) 2, "At least 60 days prior to the expiration of each license, the issuing sheriff shall send to the licensee an application for renewal of license. As of this writing, we did not receive a definitive response from the sheriff to ascertain the process by which this happens. See #2 and #3 below for our recommendation on expediting and streamlining this obligation.
4. According to Title 18, Section 6109 of the Firearms Act, 5 (g-Grant or denial of license) "If the sheriff refuses to issue a license, the sheriff shall notify the applicant in writing of the refusal and the specific reasons." As of this writing, we did not receive a definitive response from the Sheriff to ascertain the process by which this happens. See # 4 below, for our recommendations on expediting and streamlining this obligation.
5. Separation of duties: We observed that the gun permit clerk accepts payment for permits, and issues those permits, as well. Our understanding is that at the end of the day, the clerk enters payment information into the County financial system.

And balances daily receipts with permits issued, and prepares the deposit for the Treasurer's Office.

6. We are aware that refunds that had not been processed since February 2012 due to the excessive workload and lack of sufficient time to process these refunds. Also, there were some daily deposits not processed in a timely manner during the months of April and May 2012. Those deposit delays, which ranged from between one week and several weeks, were also attributable to employee understaffing.
7. During our review, we examined approved gun permit applications. Of the 3,600 applications approved, there were approximately 400 that were incomplete in one way or the other. Suffice to say that errors of omission were noted in fields all across the application, from unanswered questions to unsigned applications. Specific examples are available for the Sheriff's review at any time.

Recommendations:

1. The Sheriff's Office could change the hours of operation to account for the time needed to complete tasks at the end of the day by re-defining the end time as, for example: "The last application will be accepted no later than 2:30 pm." This would give the clerk 30 minutes to complete the accepted applications before shutting down and balancing for the day. There may be some days when processing will exceed the 3:00 closing, and others which will end at 2:30. This change in wording will also clarify for the public when one must arrive to expect to receive a gun permit.
2. In accounting terms, this fee (\$1.50 renewal notice fee) collected to fund the issuance of an application to those whose gun permits is about to expire has not been held in an account from which funds could be used for this expense. We recommend that budget and finance establish the account, and transfer funds to it retroactive to January 1, 2012. This money now can be used for the printing and mailing of applications as described in recommendation #3 below. In our opinion it could also finance the printer used, and toner needed for the work. Excess funds in that account could then be transferred to the general fund to offset salaries and/or other expenses.
3. Since the County is responsible for printing the applications used in this process, the Sheriff's office could have applications printed on self-sealer stock, as used by Accounts Payable. If expiring license holders' contact information could be downloaded in spreadsheet format, existing mail merge software could imprint contact mailing information on the mailers. The mailers would then be processed by the folder/sealer, and passed on to the mail room.
4. The PICS system generates these letters, and if the applicant is still present in the Sheriff's Office when the application is denied, we recommend that the letter be generated at that time, and handed to the applicant. To document that the applicant has been advised of the denial, the clerk should have a rubber stamp with "Denied" and a line for the applicants' signature on it. Then stamp the

application and have the applicant sign or initial it. This step would reduce the number of denial letters that needed to be mailed. However, denial letters could be printed on self-sealer stock, and mailed out the same way we propose for the application renewals.

5. We strongly recommend that the clerk who handles the permits should not be the one who prepares the deposit. We propose that a deputy in the Sheriff's Office collect the payment for gun permits, and issue a receipt to the applicant, who then would need to present to the clerk who processes the application. The clerk would write down the receipt number and amount paid on a ledger, then proceed to process the application. At the end of the day, the processor would tally the amounts paid from the ledger, and it could be compared to the amount calculated by the ACS register. Once both agree, the deposit can be prepared and sent to the Treasurer.
6. The gun permit clerk, now not having to dedicate time inputting data and balancing the ACS cash register, would have perhaps a total of 2.5 to 5 hours a week to devote to processing denial letters, and renewal applications. Once the clerk was trained, it would allow the Sheriff's Deputy who now is responsible for these duties, more time for court room security, etc.
7. We recommend that the gun permit clerk visually scan the application prior to issuing the license for omissions and completeness. Also, the application should be scanned for questions answered with a response that would prohibit the applicant from receiving a license.

In a previous audit, our office implemented a change in how refunds for denied gun permits should be submitted. Refunds should be made from two budget lines instead of one. The Sheriff's Office has been submitting two separate payment authorizations for each refund, and this is unnecessary. One request having the account number and amount for each code is sufficient.

Going forward, because of the \$1.50 renewal fee and the need to track that separately, there will be three lines on one authorization. The Controller's Office will supply a sample refund payment authorization as soon as the accounts are set-up. This will certainly simplify the refund process.

Responses:

The following are responses to the Findings and Observations indicated in the review report. It should be noted the review covers a six month period during which two separate Sheriff's Administrations were responsible for operations of periods of three months. Additionally the three month period covering the present administration was during the relocation of the Gun Permit operation from the Annex Building to the Main Courthouse. During the move process we received a transferred employee and had difficulty getting access to ACS for that employee, and setting up ACS to the new location.

Subsequent to the relocation of the Gun Permit operation, our department has engaged in the relocation of all Sheriff's Department services and offices to the

Courthouse. The move has allowed the Sheriff's Department to centralize personnel and resources to improve customer service and accessibility.

1. The clerk assigned full time to the Gun Permit process is scheduled to work a 6.5 hour work shift as per his Collective Bargaining Agreement. The scheduled work hours of the clerk are Monday, Tuesday, Thursday, and Friday 8:30am to 3:30pm. Wednesday hours are 10:30am to 5:30pm. We feel the work hours assigned best cover the needs of the operation and provide adequate time for administrative duties.

Additionally signs have been posted that indicate applicants must be signed up for application processing 30 minutes prior to the indicated close time. It should be noted that there is no way to anticipate the volume of applicants that will arrive on any given day, and operational responses are taken accordingly.

2. The indicated break down of applicable fees is correct.

3. This finding is incorrect. A Sheriff's Deputy explained the computerized program to the Controller's Office staff that contains a specific field with renewal information that is utilized to generate the renewal notices.

4. This finding is incorrect. During a meeting with the Controller's Office staff on May 14, 2012 the process was explained to the Controller. The computerized system contains fields which contain denial information from both the Pa. Criminal Background Check denials, and Sheriff generated denials. The information contained in these files is used to generate the denial letters to denied applicants. A Sheriff's Deputy is assigned to this function, and she sends one certified mailing and one regular mailing to the denied applicant.

5. This finding is incorrect. At the end of the day, the clerk or Deputy assigned does enter the payment information into the county financial system and balances the daily receipts with permits issued. A Deputy then reviews the receipts to ensure accuracy, and prepares the deposit for the Treasurers' Office.

6. I am unable to account for the month of February 2012 as the department was under control of the prior administration. During the months of March, April, May 2012 was the period of relocation of the Gun Permit operation which resulted in system and access problems associated with the ACS financial system. It appears that with the exception of period system failures the process is currently operational.

7. The finding does demonstrate an issue relating to staffing and cross-training of employees in various aspects of the operation. We have been, and continue to cross-train employees to cover assignments due to call offs, vacations or other missed days. Our intent is to continue to work in conjunction with other departments to consolidate operations in an effort to improve the efficiency of operations, and free up personnel to better cover staffing needs.

The Sheriff's Department has been working towards the overall improvement of operations with respect to the county's financial situation, and the needs of the Courts and general public. As you should be aware the Sheriff's Department has been called upon to meet the ever growing needs associated with an increase in criminal activity, and the tasks of an increased volume related to the civil division.

In 2012 the Sheriff's Department lost 3 full time Deputy positions (due to workers comp. issues, non replacement etc.) and 9 per diem Deputy positions which placed a greater workload on the remaining force.

Although we would also appreciate the value of additional personnel assigned to the Gun Permit operation, the current financial situation prohibits our department from the luxury of what would be considered full staffing.

As always the Sheriff's Department looks forward to working with all county offices to achieve the goals of the county administration, and to provide the best possible service to the public.

Auditors Note: The Controllers Office requested an exit interview with the Sheriff and County Manager to discuss the findings of the Controllers Office, as well as the responses by the Luzerne County Sheriff and there was no response to our request, therefore the audit is being submitted without an exit interview.

Submitted September 27, 2012 via Electronic File and Inter-Departmental Mail to the following :

County Manager
County Controller
County Council