



# Corrections and Community Supervision

KATHY HOCHUL  
Governor

DANIEL F. MARTUSCELLO III  
Commissioner

September 9, 2024

Scott Heid  
Audit Director  
Office of the State Comptroller  
Division of State Government Accountability  
110 State Street  
Albany, NY 12236-0001

Re: Report – 2023-F-37, Follow up Audit of the “DOCCS Oversight of Transportation Services and Expenses”

Dear Audit Director Heid:

Thank you for the opportunity to respond to the Office of the State Comptroller’s follow up review of its prior audit of “DOCCS Oversight of Transportation Services and Expenses” (Report 2021-S-1). Attached is the Department’s reply to the Final Audit Report 2023-F-37, “Follow up of the Oversight of Transportation Services and Expenses.”

DOCCS would like to acknowledge the time and effort of the OSC auditors that were involved with this follow up audit.

Sincerely,

A handwritten signature in blue ink, appearing to read "DM III", with a long horizontal flourish extending to the right.

Daniel F. Martuscello III  
Commissioner

Attachment



# Corrections and Community Supervision

KATHY HOCHUL  
Governor

DANIEL F. MARTUSCELLO III  
Commissioner

September 9, 2024

Scott Heid  
Audit Manager  
New York State Office of the State Comptroller  
110 State Street  
Albany, NY 12236

Re: Follow up Audit Report - 2023-F-37, Issued July 31, 2024

Dear Mr. Heid:

Thank you for the opportunity to review and comment on the final report (2023-F-37) for your follow up of the audit entitled, "Oversight of Transportation Services and Expenses." We partially agree with the audit findings and have provided responses after each recommendation below.

The Department of Corrections and Community Supervision (DOCCS) has prepared this letter in response to the follow up observations relating to the Follow Up Audit Report 2023-F-37 by the Office of the State Comptroller (OSC).

## **OSC Recommendation (1):**

Implement Department-wide procedures to monitor the Contractor's performance regarding repair and maintenance costs.

Status – Partially Implemented

Agency Action – DOCCS has taken steps to implement agency-wide procedures to monitor the Contractor's performance related to repair and maintenance costs. DOCCS's Vehicle Unit staff now review transactions, focusing on higher-dollar maintenance transactions – particularly those over \$500. However, DOCCS officials stated staffing challenges have compromised their ability to fully monitor Contractor performance. Between July 2022 and October 2023, staffing in DOCCS's Vehicle Unit, which is responsible for monitoring Contractor performance, fell from four employees to one. In October 2023, one of the vacant positions was filled, which officials stated will allow them to increase oversight of the Contractor vehicle repair and maintenance costs. However, as of March 2024, the new employee has not been assigned to monitor Contractor performance due to ongoing training and familiarization with Vehicle Unit duties.

### **DOCCS Response (1):**

We agree with this recommendation. When DOCCS hired staff on 10/12/23, the intent was for this position to take on this task as part of their assigned duties. However, due to necessary changes to our internal processes to enhance monitoring, tracking, reporting to, and coordinating with OGS, for surplus vehicle processing and auctions, and continued vacancies of other unit items, this staff did not have the bandwidth to take on this task. Therefore, it was assigned on an interim basis to the unit's Senior Purchasing Agent. DOCCS has since filled two vacancies in the vehicle/fleet administration unit (12/21/23) and 7/15/24); additionally, it is anticipated for one additional staff person to be hired in the coming weeks. With this staffing structure, DOCCS will be well positioned to implement robust monitoring of the contractor's performance.

### **OSC Recommendation (2):**

Ensure that maintenance documentation is kept in accordance with the Department's standards.

Status – Partially Implemented

Agency Action – DOCCS has taken steps to ensure that maintenance documentation is kept according to its standards. According to DOCCS officials, a new centralized enterprise asset management (EAM) solution has been implemented, which is intended to organize work orders for vehicle maintenance for more effective and productive work on their fleet, while tracking necessary preventive maintenance. However, DOCCS has not used EAM to its full potential. DOCCS's policy directive related to Scheduled Maintenance/Reports specifies that EAM may be used but does not explicitly require its use to track vehicle maintenance. We reviewed records associated with select vehicles and determined that, while the records were generally kept in accordance with DOCCS's documentation standards, there were still instances where Motor Vehicle Control Record logs and Scheduled Maintenance/Reports were not.

### **DOCCS Response (2):**

We partially agree with this recommendation. The contract for the EAM system was completed in August of 2023, a fairly "new" system at the facilities. Implementation has varied in facilities with auto shops depending upon the schedule of completion, training, and staff resources available to implement the different features of EAM. DOCCS Directive #2932, "Use of State-Owned Vehicles," indicates that the mileage, monthly repair cost, and fuel usage for each vehicle assigned to the facility must be entered into the EAM system, to assist with the preventative maintenance of the vehicle. As familiarity with the system increases with staff at the facilities, the expanded use of the system should increase. In addition, Directives indicating EAM may be used will be revised to must be entered into the EAM system as per Directive #2932.

### **OSC Recommendation (3):**

Develop and implement a process to ensure maintenance costs are reasonable and in compliance with Department and State procurement requirements.

Status – Implemented

Agency Action – DOCCS has developed and implemented a more centralized process to ensure maintenance costs are reasonable and in compliance with its own and State procurement requirements. Under this more centralized process, the Vehicle Unit approves purchases of goods and services related to vehicle maintenance on an ad hoc basis. Previously, these types of purchases were reviewed by the business offices at each correctional facility making the purchase. According to DOCCS officials, these changes have increased efficiency and consistency related to their vehicle maintenance approval process.

**DOCCS Response (3):**

We agree with this recommendation and are appreciative of the audit team's acknowledgement of our efforts in this regard.

**OSC Recommendation (4):**

Ensure that the Department employees use the most cost-effective method for fuel purchases, when practical.

Status – Partially Implemented

Agency Action – DOCCS has taken steps to update its policy by adding language specifically directing employees to fuel State vehicles at correctional facilities – the most cost-effective method for fuel purchases – when practical. However, the updates have not yet been finalized and implemented. The updates to the policy would direct employees to specifically consider fueling at correctional facilities, where feasible. As noted in our initial report, fueling at a facility is generally more cost-effective than at a commercial station. DOCCS requires all employees to review the policy on fuel purchases as part of their annual training requirements. However, since the updated policy hasn't been implemented, DOCCS employees are still following the policy currently in place.

**DOCCS Response (4):**

We agree with this recommendation. The revision to DOCCS applicable policy statement, Directive #2932, "Use of State-Owned Vehicles," is in process to be published and distributed across the agency.

**OSC Recommendation (5):**

Take steps to improve the accessibility, usability, accuracy, and completeness of Fuelmaster data by the Department.

Status – Not Implemented

Agency Action – DOCCS has not taken steps to improve the accessibility, usability, accuracy, and completeness of Fuelmaster data. While DOCCS hasn't formally assessed the feasibility of implementing new infrastructure to accommodate access to a common database for better accessibility and usability, officials noted challenges to a centralized system, including existing connectivity constraints at correctional facilities and the costs necessary to overcome those constraints. As a result, Fuelmaster is still a stand-alone local system within correctional facilities, and monthly monitoring is conducted locally and not at the statewide level.

We also note that, during our follow-up, DOCCS officials cited an incident from October 2023, where personnel at one facility identified a difference of about 39 gallons between Fuelmaster data and the fuel meter. Ultimately, DOCCS officials determined that the Fuelmaster data was inaccurate. This example is further evidence of the need for improvements to data accuracy.

**DOCCS Response (5):**

We disagree with this recommendation. DOCCS believes the current system of local monitoring of the Fuelmaster system provides reasonable assurance that adequate controls are in place to safeguard State purchased fuel, and as such does not believe an investment of State resources to conduct a feasibility assessment or develop any potential new data systems is necessary. As DOCCS explained to the audit team, the 39-gallon example that is cited as a discrepancy could be explained by contacting local officials and we were able to confirm the amount of fuel used for the month in question.

**OSC Recommendation (6):**

Ensure License Event Notification Service (LENS) notifications are communicated to all correctional facilities and all appropriate personnel within the Department.

Status – Implemented

Agency Action – DOCCS instituted procedures to ensure LENS notifications are communicated to all correctional facilities and all appropriate personnel within DOCCS. In September 2022, DOCCS introduced a monthly LENS notification reporting mechanism to assist personnel in complying with DOCCS’s policy directive on use of State-owned vehicles. According to DOCCS officials, the monthly LENS reports allow them to better detect employees with license restrictions and restrict those employees’ use of State-owned vehicles or take other administrative action, when necessary.

**DOCCS Response (6):**

We agree with this recommendation and are appreciative of the audit team’s acknowledgement of our efforts in this regard.

**OSC Recommendation (7):**

Monitor correctional facilities’ vehicle logs and inmate transportation logs to ensure records are complete and accurate and in accordance with Department procedures.

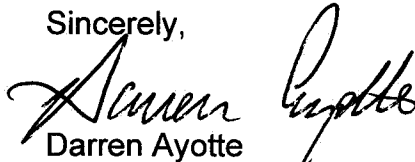
Status – Partially Implemented

Agency Action – DOCCS has taken steps to monitor vehicle logs to ensure records are complete and accurate and in accordance with DOCCS procedures. DOCCS officials acknowledged that there was a temporary gap in monitoring vehicle mileage logs due to staff vacancies. DOCCS has since reassigned the task of monitoring mileage logs and provided evidence of quarterly monitoring of those logs. However, DOCCS has not been monitoring inmate transportation logs due to staffing challenges. Officials stated that monitoring of these logs will be implemented when a vacant position is filled.

**DOCCS Response (7):**

We agree with this recommendation. As noted in our response to recommendation one above, DOCCS has filled two vacancies in the vehicle/fleet administration unit (12/21/23) and 7/15/24) and anticipate one additional staff to be hired in the coming weeks. With this staffing structure, DOCCS will be well positioned to implement more robust monitoring of these logs.

Sincerely,



Darren Ayotte

Deputy Commissioner for Administrative Services

CC: Daniel F. Martuscello III, Commissioner  
Jaifa Collado, Executive Deputy Commissioner  
Osbourne A. Mckay, Deputy Commissioner, Correctional Industries,  
Compliance Standards, and Diversity  
Jason Golub, Deputy Commissioner and Counsel  
Melissa Coolidge, Associate Commissioner/Chief of Staff  
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