



DEFENSE REUTILIZATION AND MARKETING SERVICE
74 WASHINGTON AVENUE NORTH
BATTLE CREEK, MICHIGAN 49037-3092

IN REPLY
REFER TO J412

June 24, 2014

MEMORANDUM FOR THE STATE OF OHIO

SUBJECT: 1033 Program Compliance Review (PCR)

In accordance with the DLA/State of Ohio Memorandum of Agreement dated October 17, 2013, a Program Compliance Review (PCR) was conducted on the State of Ohio 1033 Program Office. Over 70,671 line items of Controlled Property have been transferred to your State, with an Original Acquisition Value of \$39,572,357.11. The PCR was conducted June 9-12, 2014 by DLA Disposition Services J412 Law Enforcement Support Office (LESO) Eastern Team consisting of Mr. Dannel Schneider and Mr. Ron Chavis. DLA Disposition Services is a field activity of DLA and has program management responsibilities for the 1033 Program as delegated by the Office of the Secretary of Defense.

State of Ohio personnel conducted themselves professionally during the conduct of this review. The DLA Disposition Services LESO PCR Team also visited nineteen (19) State of Ohio Law Enforcement Agencies (LEAs) in addition to the detailed review conducted of the State Office. Each LEA was honest and forthright during the conduct of this PCR. The State 1033 Program Office and each of the selected LEAs were motivated, knowledgeable, and enthusiastic about the 1033 Program. Most importantly, the State of Ohio 1033 Program Office received a rating of COMPLIANT for the June 2014 PCR. The next PCR is tentatively scheduled for June 2016.

The full June 2014 PCR Report is attached for your review. We look forward to assisting the State of Ohio in this great and valuable program. Please feel free to contact me with any questions or concerns at Carlos.S.Torres@dla.mil or call (269) 961-4285.

Carlos S. Torres
for CARLOS S. TORRES
Chief, Law Enforcement Support Office
Customer Support

Attachment
I. Program Compliance Review

cc:
Governor, State of Ohio



Date: June 12, 2014

**MEMORANDUM FOR THE STATE OF OHIO
1033 PROGRAM STATE COORDINATOR**

SUBJECT: Program Compliance Review (PCR) Checklist

I. LESO will Verify:

- | | |
|--|-------------|
| *1. Is the State Coordinator (SC) appointed, in writing, by the current Governor of the State? | <i>PASS</i> |
| 1a. Appointment letter effective date: <i>1/26/12</i> | |
| *2. Is the SC appointment letter on-file with the Law Enforcement Support Office (LESO)? | <i>PASS</i> |
| *3. Has the current SC signed the current Defense Logistics Agency (DLA) Memorandum of Agreement (MOA)? | <i>PASS</i> |
| 3a. MOA date: <i>10/17/13</i> | |
| 4. If applicable, are State Points of Contact (SPOCs) appointed, in writing, by the current Governor appointed SC? | <i>YES</i> |
| 4a. Is SPOC appointment letter (s) on-file with the LESO? | <i>YES</i> |
| 5. Has the SC delegated his/her authority to anyone other than a SPOC? | <i>NO</i> |
| 5a. Is delegation of authority letter (s) on-file with the LESO? | <i>NO</i> |

Comments: *No issues to report.***II. Website Knowledge:**

- | | |
|---|------------|
| 1. Appointed personnel performing the duties with the State 1033 Program, are proficient and knowledgeable when utilizing the following DLA websites: | |
| 1a. LESO Website: https://www.leso@dla.mil | <i>YES</i> |
| 1b. FEPMIS Website: https://fam.nwcg.gov/fam-web/ | <i>YES</i> |
| 1c. FEPMIS IBM COGNOS Reports Portal: https://fam.nwcg.gov/crn/cgi-bin/cognos.cgi | <i>YES</i> |
| 1d. AMPS Website: https://amps.dla.mil | <i>YES</i> |
| 1e. RTD Website: https://business.dla.mil/landing/index.jsp | <i>YES</i> |
| 1f. DLA Disposition Services Website: https://www.dispositionservices.dla.mil/index.shtml | <i>YES</i> |

Comments: *No issues to report.***III. Eligibility Requirements:**

- | | |
|--|------------|
| 1. Are Applications for participation submitted by Law Enforcement Agencies (LEA) with arrest and apprehension authority signed by the Chief Executive Official (CEO), then forwarded to the SC? | <i>YES</i> |
| 2. Does the SC and/or SPOC (s) verify that the LEA is authorized to participate in the 1033 Program? | <i>YES</i> |
| 3. Are new Applications for participation and address changes to LEA's forwarded to the LESO for approval? | <i>YES</i> |
| 4. Does the State require the LEA to pay a fee for participation in the | <i>NO</i> |

program?

4a. If yes, thoroughly explain fee system:

N/A

Comments: *No issues to report.*

IV. Records Management:

- | | |
|--|----------------|
| *1. Is there a current DLA approved State Plan of Operation (SPO) on file for the State? | <i>PASS</i> |
| 1a. SPO effective date: | <i>4/16/14</i> |
| *2. Does the SC keep a current copy of the SPO, signed by the LEA CEO in each LEA file? | <i>PASS</i> |
| 3. Does each LEA keep a current copy of the SPO, signed by their CEO on file? | <i>YES</i> |
| 4. Does the SPO address the following areas: | |
| 4a. Purpose | <i>YES</i> |
| 4b. Authority | <i>YES</i> |
| 4c. Terms and Conditions: | |
| -LEA Eligibility Criteria | <i>YES</i> |
| -How to enroll in the 1033 Program | <i>YES</i> |
| -LEA Screener Criteria | <i>YES</i> |
| -Identification/Acquisition of Property | <i>YES</i> |
| -Transportation of Property | <i>YES</i> |
| -Storage of Property | <i>YES</i> |
| -Distribution of Property | <i>YES</i> |
| -Security of Property | <i>YES</i> |
| -Accountability of Property | <i>YES</i> |
| -Establish an Inactive File | <i>YES</i> |
| -Utilization of Property | <i>YES</i> |
| -State internal compliance reviews | <i>YES</i> |
| -Transfer of property | <i>YES</i> |
| -Disposal of property | <i>YES</i> |
| -Turn-in of property | <i>YES</i> |
| 4d. DEMIL Property requirements | <i>YES</i> |
| 4e. Training opportunities | <i>YES</i> |
| 4f. State responsibilities in the 1033 Program | <i>YES</i> |
| 4g. LEA responsibilities in the 1033 Program | <i>YES</i> |
| 4h. Suspension and/or Termination Criteria | <i>YES</i> |
| 4i. Signature requirements (i.e. LEA CEO/SC/SPOC) | <i>YES</i> |
| *5. Transfers of high visibility property are approved by the DLA LESO. | <i>PASS</i> |

Comments: *No issues to report.*

V. Records Retention:

1. Are the following documents on-file with the SCs Office and/or LEA?

1a. DLA Form 103s (aka Manual Requisitions) if applicable	YES
1b. DD Form 1348-1A (for all 1033 Program property currently on the LEA inventory).	YES
1c. DLA LESO approvals for Transfers of Aircraft, Vehicles and Weapons.	YES
1d. DD Form 1348-1A for all turn in's.	YES
1e. Approved DD Form 200 for removal of property from record.	YES
1f. FAA Certificate of Aircraft Registration (Form 8050-1)	YES
1g. Approved Exception to policy memorandums (if applicable)	YES

Comments: *No issues to report.*

VI. Property and Inventory Control:

1. Is 1033 Program property properly stored in a controlled storage area with limited access?	YES
2. Have all reports of missing, lost, stolen, damaged or destroyed 1033 Program property been reported to the appropriate SCs Office?	YES
3. Have all reports of missing, lost, stolen, damaged or destroyed 1033 Program property been reported to the appropriate Local/State/Federal Officials and the LESO? Note: If the property is DEMIL Coded B, C, D, E, F, G or Q3 you have (24) Hours for notification. If your property is DEMIL Code A, or Q (with an Integrity Code of 6) you have within (7) days to report.	YES
4. In determining SCs recommendation for approval of LEA request, is consideration given to the needs and resources of its LEAs (i.e. size of LEA, mission requirement and like property on hand)? NOTE: LESO personnel must conduct a random search of records.	YES
5. Are annual reconciliations of property receipts being conducted?	YES
6. Has the State submitted the previous Fiscal Year's certified inventory to the LESO?	YES
*7. Are photographs and serial numbers to include; Front, Side and Data Plates provided to the LESO for Aircraft, Watercraft and Tactical Vehicles and other Controlled Property?	PASS
*8. Are photographs of Weapons serial numbers provided to the LESO?	PASS

Comments: *No issues to report.*

VII. Transitional Distribution Point (TDP):

*1. Is there an authorization document from DLA, on hand, authorizing	N/A
---	-----

your State to operate as a TDP?

2. Are TDP property requests earmarked for a specific LEA identifying them as the end user? *N/A*

3. Is 1033 property identified and stored separate from other categories of property such as 1122 and State Agencies for Surplus Property (SASP)? *N/A*

4. Does the SC and/or SPOC understand that transfers of 1033 Program property from the TDP to LEAs within his/her State still need to be processed via the LESO prior to physical movement of property? *N/A*

Comments: *The State of Ohio is not designated a TDP.*

VIII. Compliance and Utilization Reviews:

*1. Is there a State-level 1033 Program Compliance Review process in-place, which ensures that 5% of State LEAs are inspected within the 2-year reporting period since the last PCR? *PASS*

2. LEAs visited during the State Level 1033 Compliance Review:

- | | |
|--|---|
| 1. <i>Baltimore Police Department</i> | 11. <i>Millersport Police Department</i> |
| 2. <i>Blendon Township Police Department</i> | 12. <i>Murray City Police Department</i> |
| 3. <i>Buchtel Police Department</i> | 13. <i>Perry County Sheriff's Office</i> |
| 4. <i>Clark County Sheriff's Office</i> | 14. <i>Sharon Township Police Department</i> |
| 5. <i>Clay Center</i> | 15. <i>Shawnee Hills Police Department</i> |
| 6. <i>Clay Township Police Department</i> | 16. <i>South Zanesville Police Department</i> |
| 7. <i>Fairfield Medical Center Police Department</i> | 17. <i>Springfield Police Department</i> |
| 8. <i>Frazeysburg Plice Department</i> | 18. <i>Thornville Police Department</i> |
| 9. <i>Genoa Police Department</i> | 19. <i>Walbridge Police Department</i> |
| 10. <i>Lake Township Police Department</i> | |

3. Does the SC follow through with LEAs to rectify cases on non-compliance found on State Level PCRs? *YES*

4. Does the SC provide documentation to the DLA LESO in cases of non-compliant LEAs? *YES*

5. What steps are taken to resolve cases of non-compliance to the terms and conditions of the 1033 Program?

State Coordinator will hold the LEA accountable to the State Plan of Operation that was signed by the Chief Executive Official and consider termination if non-compliant.

Comments: *No issues to report.*

IX. Non-Utilized 1033 Program Property:

1. Are current procedures in place for LEAs to identify and report serviceable property when no longer needed? *YES*

2. What steps does the SC take to ensure LEAs do not requisition unnecessary or excessive amounts of property?

State Coordinator/SPOC verifies each RTD requisition and makes sure that the property and number of Officers, at the Law Enforcement Agencies are accurate. The SC/SPOC makes sure that each LEA understands the State Plan of Operation and follows the

guidelines.

3. What steps does the SC take to ensure 1033 Program controlled property is not sold? *State Coordinator and State Point of Contacts make sure that each LEA is following their State Plan of Operation and monitoring all transactions RTD/FEPMIS. Random no notice site visits are made as well.*

4. Has there been an incident, since the last conducted PCR, where an LEA has sold controlled property received under the 1033 Program or received 1033 Program property for the sole purpose of selling it? *YES*

4a. If yes, provide detail and supporting documentation of the outcome (who, what, when, where, how much).

Columbus Police Department was found to be under investigation and an internal investigation was conducted by (FBI/DCIS).

Comments: *No issues to report.*

X. Compliance to DLA MOA:

1. Is all property transferred consistent with requirements of the DLA MOA? *YES*

2. Is the SCs Office aware that they must ensure that the LEA maintains adequate insurance to cover damages or injuries to persons or property relating to the use of the property? (Self-insurance by the State/LEA is acceptable) *YES*

3. Is the SCs Office aware that property available under the MOA is for the current use of authorized program participants; it will not be requested nor issued for speculative use? *YES*

4. Is the SCs Office aware that property will not be obtained for the purpose of sale, lease, loan rent, exchange, barter, to secure a loan, or to otherwise supplement normal LEA or State/Local governmental entity budgets? *YES*

5. Is the SCs Office aware that any transportation, repair, maintenance, insurance, disposal or other expenses associated with the excess Department of Defense (DOD) personal property is the sole responsibility of the State/LEA? *YES*

6. Is the SCs Office aware that all property obtained under the MOA must be placed into use within one (1) year of receipt and utilized for a minimum of one (1) year, unless the condition of the property renders it unusable? *YES*

7. Is the SCs Office aware approval of any variation to the above standard for property no longer needed by an LEA must be approved by the LESO through the SCs Office? *YES*

8. Is the SCs Office aware that the DOD has authorized the transfer and use of excess DoD property to the State/LEA and as such reserves the right to recall any and all property issued at the state or LEA expense? *YES*

9. Is the SCs Office aware that after one year from receipt, that excess DEMIL A & Q (with Integrity Code of 6) property will transfer title to the State/LEA? *YES*

10. Is the SCs Office aware of the requirement (when applicable) of the LEA to complete and submit the ATF Form 5, Application for Tax Exempt Transfer and Registration of Firearm? *YES*

11. Is the SCs Office aware of the requirement (when applicable) of the LEA to complete and submit the ATF E-Form 10, Application for registration of Firearms acquired by Certain Government Entities? YES

12. Is the SCs Office aware that to the extent permitted by law, the SC/LEA shall indemnify and hold the U.S. Government harmless from any and all actions, claims, debts, demands, judgments, liabilities, cost, and attorney's fees arising out of, claimed on account of, or in any manner predicated upon loss of or damage to property and injuries, illness or disabilities to or death of any and all persons whatsoever, including members of the general public, or to the property of any legal or political entity including states, local and interstate bodies, in any manner caused by or contributed to by the State/LEA, its agents, servants, employees, or any person subject to its control while in, upon or about the sale site and/or the site on which the property is located, or while the property is in the possession of, used by or subject to the control of the State/LEA, its agents, servants, or employees after the property has been removed from U.S. Government control. The U.S. Government assumes no liability for damages or injuries to any person(s) or property arising from the use of the property. YES

Comments: *No issues to report.*

XI. Conclusion:

The Program Compliance Review for the State of OHIO has been completed. The DLA LESO has found the State to be COMPLIANT with the current terms and conditions as set forth in the DLA to State MOA.

XII. Areas of Concern and/or Recommendation:

Due to the volume of the total number of weapons the Ohio State Highway Patrol (OSHP) has on their inventory the LESO PCR Team highly recommends and concurs with the new OSHP Rifle Accountability Policy that the agency has put in place stating that "Each time a rifle changes hands or is otherwise removed from or secured at the post, it MUST be signed in/out on the log". The log MUST state: weapon type, weapon serial number, date/time weapon was checked out, printed name and signature of Officer that has physical custody of that weapon.

XIII. Areas of Praise:

The PCR Team would like to thank the State Coordinator (Mr. Jeffery Shadburn) and the State Point of Contacts (Mr. Craig Batzer and Ms. Karen Martin) for having all of the 1033 Program files in order for the PCR Team to review. We would also like to thank the Ohio (SPOC) Mr. Craig Batzer for the long hours of travel and the formal introductions to each Law Enforcement Agency Chief Executive Official.

LEAs visited during the DLA LESO PCR:

1. *Akron Police Department*
2. *Allen County Sheriff Department*
3. *Department of Natural Resources*
4. *Franklin County Sheriff's Office*
5. *North Canton Police Department*

6. State Highway Patrol
7. Summit County Sheriff's Office

XIV. PCR Inventory Results:

STATE OF OHIO 1033 PROGRAM PROPERTY						
	STATE TOTALS	*REQUIRED SAMPLE SIZE	TOTAL REVIEWED DURING PCR		TOTAL ON-HAND	% ACCURACY
			*ITEMS PHYSICALLY INVENTORIED	*ITEMS REVIEWED VIA APPROVED CUSTODY CARD		
WEAPONS	6377	1552	364	1188	1552	100%
AIRCRAFT	1	0	0	0	0	100%
WATERCRAFT	0	0	0	0	0	100%
TACTICAL VEHICLES	202	18	18	0	18	100%
GENERAL PROPERTY	64091	3200	2809	391	3200	100%
TOTALS	70671	4770	3191	1579	4770	100%
**OVERALL STATE INVENTORY ACCURACY RATE (%):					100%	

* The DLA LESO PCR Team is required to physically inventory or obtain a copy of an acceptable custody card for 100% of the 1033 Program Weapons, Aircraft, Watercraft, Tactical Vehicles and other controlled property as listed in the record of property, for each LEA that has been selected for review during the PCR. The LEA must provide the DLA LESO PCR Team a copy of any custody card (s) used, at the time of the site visit, and must maintain the custody card (s) on-file as part of substantiating records. An acceptable version of a custody card must contain the following elements: 1) LEA name, 2) Name of individual responsible for physical custody of item, 3) Item nomenclature (Name), 4) Serial number of item (if applicable), 5) QTY of item (if more than one), 6) Printed name of individual responsible for physical custody of item 7) Signature of individual responsible for physical custody of the item and 8) Date.

**Overall State Inventory Accuracy Rate (%) is determined by adding required Weapons (A), Aircraft (B), Watercraft (C), Tactical Vehicles (D) and General Property (E) at LEAs selected for review during the PCR, and dividing by the actual # of the property that was physically inventoried (X) or verified via an approved custody card (Y) during the course of the PCR

$\frac{A + B + C + D + E}{(X + Y)}$	= Overall State Inventory Accuracy Rate (%)
-------------------------------------	---

XV. PCR Training provided to the State: N/A

PCR Training Date:

# of Agencies Trained	# of Officers Trained	# of SC/SPOC trained	# of DLA Disposition Services
-----------------------	-----------------------	----------------------	-------------------------------


Version, May 2014

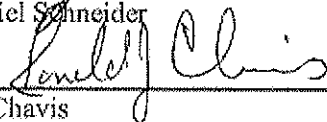
Page 7

			Field Representatives Trained
2	2	1	0

Thank you for the professionalism and support shown to us during our visit. As always, we at the LESO stand ready to support and serve. If you have any questions or concerns, please feel free to contact us at 1-800-532-9946 or via email at DLADISPOSITIONSERVICESLESO@dla.mil.

XVI. PCR Team:

X 
 Daniel Schneider

X 
 Ron Chavis

Dates of PCR: 6/9/14 to 6/12/14

Item Type - LESO Agency File

Agency Number : 0765
Document Date : 6/24/2014
Form Number : 1033CORR
Description : 1033 PROGRAM CORRESPONDENCE
Batch Number :
CM7_ITEM_ID :