



OFFICE OF INTERNAL AUDIT

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July 20, 2020

Ms. Patricia Coyne-Fague
Director
RI Department of Corrections
40 Howard Avenue
Cranston, RI 02920

Dear Director Coyne-Fague:

The Office of Internal Audit (OIA) has completed its audit of the Rhode Island Department of Corrections (RIDOC) sentence reduction credits business process. The credits include program participation and completion time, industrial time, meritorious time, and behavioral good time. The audit was conducted in conformance with the Institute of Internal Auditors (IIA) International Standards for the Professional Practice of Internal Auditing and by the authority given to the unit as stated in accordance with the Rhode Island General Laws (RIGL) § 35-7.1-1- Establishment of The Office of Internal Audit. The recommendations included herein have been discussed with members of management, and we considered their comments in the preparation of this report.

RIGL §35-7.1-10 (d), entitled *Annual and interim reports*, states, "Within twenty (20) calendar days following the date of issuance of the management response copy of the draft audit report, the head of the department, agency, public body or private entity audited shall respond in writing to each recommendation made in the audit report...." Accordingly, management submitted their response to the audit findings and recommendation on July 15, 2020, and such response is included in this report. Pursuant to this statute, OIA may follow up regarding recommendations included in this report within one year following the date of issuance.

We would like to express our sincere appreciation to the staff of the Department of Corrections for the cooperation and courtesy extended to the members of our team during the course of this audit.

Respectfully yours,

Dorothy Z. Pascale, CPA, CFF
Chief

Cc: Jonathan Womer, Director, Office of Management and Budget
Honorable William J. Conley, Jr., Chairperson, Senate Committee on Finance
Honorable Marvin Abney, Chairperson, House Finance Committee

Audit Executive Summary

Why the Office of Internal Audit (OIA) Did This Review?

The awarding of program, industrial, meritorious and behavioral good time was selected for audit as a result of our annual risk assessment with input from senior management at the department.

The purpose of this engagement is to determine if the processes for award and tracking of sentence reductions operate efficiently and effectively in accordance with applicable laws, rules, and regulations.

Background Information

The Rhode Island Department of Corrections (RIDOC) was established by Rhode Island General Law §42-56 as a department in 1972 and defines the department role as both custodial and rehabilitative.

The RIDOC's rehabilitative services focus on the reintegration of offenders into the community. Programs are designed to lower re-offense rates by providing valuable life skills necessary to become productive members of society. The Office of Rehabilitative Programs and Services and the Educational Unit offers programs and educational classes to inmates at varying levels and disciplines which prepare them for reintegration in their communities.

According to Rhode Island General Laws: §42-56-24, §42-56-26, and §42-56-19, time for early release from prison are earned for good behavior, program participation and completion, industrial work, and meritorious service.

To Strengthen Controls, the Department of Corrections should:

- Implement procedure for detailed review of goodtime recommendations by program instructors.
- Improve data validation controls in the information system to prevent awards for unattended classes.
- Standardize attendance and scoring practices in education and programs prison-wide to streamline review and approval and improve documentation.
- Ensure timely removal of access rights for terminated employees and inactive program instructors.
- Perform periodic management review of user activity.
- Implement a process to reconcile behavioral good time reductions to disciplinary penalties.

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Introduction

In accordance with Rhode Island General Law (RIGL), Rhode Island Department of Corrections (RIDOC) awards sentence reduction credits to inmates for good behavior, program participation, program completion, meritorious, and industrial time.

Specific guidelines apply when awarding good time for sentence reduction as defined by RIGL §42-56-24. An inmate who is not currently serving a sentence as a sex offender or for certain violent crimes¹ is eligible to receive:

- Program participation time of up to 5 days per month, and/or program completion time of up to 30 days for approved programs;
- Behavioral good time of 10 days for each full calendar month they are discipline free; and
- Industrial time of 2 days for working 15 days or more within a calendar month.

Those inmates excluded above are allowed meritorious good time as defined at RIGL §42-56-26. These offenders can earn meritorious good time of up to three days per month for approved programs² with a maximum of 36 days per year.

Recommendations and Management's Responses

Ensure Performance in Programs and Education is Adequately Recorded, Tracked, and Approved

The RIDOC standard operating procedure governs the awarding of program and education credit under the authority of state law. The policy provides for subjective awarding of program time by instructors based upon the inmate's engagement and success in class. Specifically, the policy states:

The actual award credit granted to an inmate is based upon his/her level of participation in and completion of a class. It is analogous to a grade awarded at the discretion of the provider, subject to the approval of the program manager, and the Assistant Director of Rehabilitative Services.

In order to establish a basis for each participant's award and ensure fair and equitable scoring of all inmates, it is necessary for instructors to maintain conclusive documentation of inmate performance in class and satisfaction of all criteria requisite to the award.

To ensure that these criteria are met, RIDOC procedures for program awards require endorsements by three parties:

- Program instructors document attendance and input recommended awards into the information system.
- The RIDOC Program Manager performs a detailed review of the awards applicable to the programs and individuals under their supervision and approves the monthly batch of awards.

¹ A person serving a sentence of a violation of §§ 11-5-1 (where the specified felony is murder), 11-23-1, 11-26-1.4, 11-37-4, 11-37-6, 11-37-8, 11-37-8.1, 11-37-8.3, or 11-9-1.3 shall not be eligible to earn time off their term or terms of incarceration.

² Based on discussions with Department of Administration (DOA) and Department of Corrections (DOC) legal department, the historical interpretation of the statute RIGL §42-56-24 granting time for program participation to inmates excluded from §42-56-26 was relied upon.

- The RIDOC Assistant Director reviews all aggregated monthly awards and approves the awards.

Program instructors make award recommendations through an online information system, including recording overall class scores and attendance. Documentation of attendance and participation are recorded on paper; attendance records, evaluation, and participation documentations are maintained by program instructors.

The OIA selected a sample of 60 award transactions from the information system to evaluate the adequacy of the supporting documentation. For nine samples, no documentation was available for review. Of the remaining 51 records:

- 35 attendance sheets did not correspond to the recorded attendance records.
- 33 instructor-approved awards did not meet eligibility criteria.
- 17 awards were not submitted by instructors by the deadline established by RIDOC policy.
 - 8 of these 17 were more than 30 days late.
- 48 did not have documented evaluation records³ supporting the inmate's class participation score.

RIDOC does not have a uniform, entity-wide procedure in place for the processing, maintaining, and tracking attendance and evaluation records; nor does it have standardized forms for documenting scoring and attendance. Furthermore, controls over award approvals do not function as designed. For each of the 60 selected samples, the program manager review was not present. RIDOC acknowledged that no program manager review has taken place for program awards.

The approval by the program manager is critical to the authorization structure since the program manager would have detailed knowledge of class structure, objectives, and programmatic outcomes. These individuals would be in direct communication with inmates and instructors and be the most informed person to perform an assessment of the accuracy of the programmatic awards.

Recommendations:

1. Create standard operating procedures applicable to all facilities and instructors. Consider standardized attendance and evaluation forms for all instructors and correctional facilities and a requirement for inmate signatures on attendance sheets.
2. Delegate the responsibilities for detailed review of program awards to appropriate staff; train staff to perform award approvals in accordance with RIDOC Policy.
3. Implement data validation controls in the IT system to address program award recommendations which do not meet eligibility criteria.

Management's Responses:

The above OIA recommendations stress that performance in inmate programs must be adequately recorded, tracked and approved. Additional emphasis of the report includes implementation of data validation controls in RIDOC's data systems to address eligibility criteria of program award recommendations. These recommendations are not lost on this Department. However, due to the out-of-date computer systems upon

³ Evaluation records received were standardized test scores for inmates who complete a General Education Development (GED) certification. No evaluation of class performance, participation, or any other scoring metrics were provided.

which most of these processes are performed, and the lack of funds to purchase a new one, most of these recommendations are nearly impossible to implement. Additionally, RIDOC does not have the required staff to perform the detailed review of either systems or program documentation. (RIDOC Program Manager as referred to in current SOP).

RIDOC's Inmate Facility Tracking System (INFACTS) records management system is used by the Records and Identification Unit to record the accurate and proper identification of every inmate committed to and released from the custody of the Adult Correctional Institution (ACI). Among other things this Unit is also responsible for maintaining and updating all inmate records pertaining to inmate discipline, program participation time, and sentence calculation. Based on those tasks release dates are set and inmate discharge slips are created.

The RIDOC Transition from Prison to Community Data System (TPCDS) is the program case management system used by RIDOC Counselors to track programmatic progress of inmates while incarcerated. Various rehabilitative program and assessment data such as the LSI-R, program enrollment and participation, and program waiting lists are contained in this system. TPCDS contains data submitted by teachers and program providers with respect to program participation and completion sentenced reduction credits which is ultimately sent to INFACTS for sentence calculation.

The critical impetus for a new integrated case management system is documented in this report. The purpose of the audit was to determine if the processes for award and tracking of sentence reductions operate efficiently and effectively in accordance with applicable laws, rules, and regulations. The critical nature of this process being accurate is an inmate climate issue regarding time not awarded as well as the inherent danger of an erroneous early release.

A modern offender case management system will automate business processes and drive efficiency. At its core an offender case management system merges all offender demographic and historical data found across system modules into one centralized, single electronic record that follows the offender from intake to release, and through community supervision.

With reference to the recommendations of this audit report an ideal system should have the following abilities:

- Sentence calculation (with precise credits and losses) customized with agency specific and statutory requirements
- Operation of offender program planning and assignments based on assessments
- Management of inmate programs including course attributes, enrollment, attendance, and completion and participation awards
- Tracking and management of program providers and volunteers including applications and approvals, management of services and activities, violations and terminations
- Preparation of release documentation with circumstances and conditions of release details.

The current legacy system is 20+ years old using Oracle-background and a PowerBuilder 12.0 front-end. This is old technology. The system has been enhanced over the years and "band-aided" to meet the needs of the Department. There are functionalities/features that RIDOC would like to have but the current technology does not allow for them to be programmed and implemented without modernization. A web-based system with newer technologies would allow for more functionality, allow easier customization and stability while improving ease of use for both RIDOC staff and those at other agencies. Ideally, the new system would combine INFACTS

(Inmate Facility Tracking System) and TPCDS (Transition from Prison to Community) and integrate them with the newly built Probation and Parole case tracking system.

To remedy the deficiencies currently present with the disparate INFACIS and TPCDS systems and its limited connections to the community corrections systems, RIDOC has proposed to build a new integrated offender case management system. This system will additionally become one with the new Probation and Parole case management system which is currently in the final stages of implementation. Ideally this project will also incorporate two (2) new FTE's one to develop and/or refine QC data entry procedures and analysis tools to ensure consistent quality throughout the data entry process. The second FTE will be dedicated to the quality control of the inmate program participation credits (RIDOC Program Manager as referred to in current SOP).

RIDOC has presented a proposal to OMB for this project and staff. That proposal is currently under consideration.

Responsible Party:

Assistant Director of Administration

Anticipated Completion Date:

Provided that funding is awarded the following timeline will be implemented:

October 2020 - Hire Consultant to document current INFACIS, TPCDS and P&P systems and design new system and connections. Hire (1) FTE – Data entry Quality Control (QC) and Quality Assurance (QA) - Chief, Data Operation (Pay Grade 33) to participate in process. Hire (1) FTE – Quality control of the inmate program participation credits - Principal Planner (Pay Grade 31).

November 2020 – March 2021 - Document current INFACIS/TPCDS systems and design new integrated system

April 2021 - Issue RFI and begin drafting RFP

May 2021 - Review Response to RFI, refine RFP, Issue RFP

June 2021 - Review RFP

July 2021 - Review RFP and select vendor for new system

August 2021 - October 2022- Implementation, to include data conversion, training, testing

[Improve Process to Monitor and Revoke IT Access Rights](#)

The State of Rhode Island Division of Information Technology (DoIT) statewide policy requires minimum security capabilities in all software in use by state agencies. Specifically, the policy requires:

- Authorization of all system users;
- Identification and authentication each time a system is accessed; and
- Audit trails which document user actions in the system.

Furthermore, statewide policies require that agencies maintain Access Control Lists (ACLs)⁴ and establish a procedure to identify and remove users who no longer require access. Together, this creates a system of internal controls which limits access to appropriate staff access and governs those allowed to edit and change information.

At the date of test work, 934 user accounts were identified in the RIDOC information system used for tracking sentence time. The OIA performed analytical procedures to compare all state employees to active users to ensure appropriate access rights. The OIA found:

- 343 are current state employees;
- 90 are terminated state employees with active user status; and
- 4 of these terminated employees logged into the system after their termination date.

System audit logs show that three of these individuals accessed records and made changes to those records. However, due to the age of the system, the information in the audit logs do not contain details about specific fields, only that a record was accessed and updated.

The remaining 501 user accounts could not be matched to specific state personnel. The unmatched accounts belong to external users which are primarily comprised of program providers, vendors, educators and third-party administrators who were granted access to the information system. The OIA was unable to assess the appropriateness of these remaining accounts because RIDOC does not maintain a listing of active program instructors and third-party users.

RIDOC does not have procedures in place to maintain (ACLs) and terminate user access rights timely. The organization relies upon a system control which locks user accounts after a period of 90 days of inactivity. Without effective user access controls, RIDOC lacks assurance regarding system access and data integrity, which are relied upon for program operations.

Recommendations:

4. Terminate access for all users who no longer require system access.
5. Review and verify all records accessed by terminated users.
6. Maintain access control logs for all authorized system users.
7. Improve process for communicating end-user terminations to IT administrators so that access rights can be removed timely.

Management's Responses:

All of these tasks are doable with the current IT systems. An SOP will be created by RIDOC with assistance from DoIT.

Responsible Party:

Assistant Director of Administration

Anticipated Completion Date:

⁴ Access control lists are a register of users who have been granted access to a system and the types of access they are granted.

August 30, 2020

Improve Process for Loss of Behavioral Good Time

RIGL §42-56-24 states in pertinent part:

... For every day a prisoner shall be shut up or otherwise disciplined for bad conduct ... there shall be deducted one day from the time he or she shall have gained for good conduct ...

The information system used for tracking behavioral good time balances automatically grants all inmates eligible for behavioral sentence reduction the full award amount on a monthly basis. It is incumbent upon manual intervention by RIDOC staff to edit the award balances on a regular basis to ensure penalties are applied.

The OIA performed test work to verify that behavioral good time awards were appropriately reduced in proportion to disciplinary penalties. A sample of 25 behavioral infractions were selected and behavioral good time balances for the period following the infraction were recalculated to confirm the accuracy of the ending balance.

The OIA found exceptions for nine out of the 25 test samples. The total variance amount for the nine exceptions was 125 award days improperly retained by inmates. RIDOC did not provide an explanation for the identified variances.

Recommendations:

8. Improve process for monitoring and timely updating behavioral good time balances when behavioral infractions occur.
9. Implement a process to reconcile monthly disciplinary actions with behavioral good time reductions.

Management's Responses:

Please refer to response for #1, 2, and 3 herein.

Responsible Party:

Assistant Director for Administration

Anticipated Completion Date:

Please refer to #1, 2 and 3 herein.

Objective and Scope

The OIA conducted an audit of the RIDOC inmate sentence reduction credits. The purpose of this engagement is to determine if operations at the RIDOC are being administered efficiently and effectively in accordance with applicable laws, rules, and regulations; and if adequate controls are in place to ensure awards are following proper protocol and regulations. The scope of the audit focused on the sentence reduction credits procedures and processes during fiscal year 2019.

Methodology

As part of our audit work, we gained an understanding of the processes to award sentence reduction credits to an inmate. To address our audit objective, we performed the following:

- Interviewed personnel, including financial and administrative staff;
- Researched Rhode Island General Laws and agency rules and regulations;
- Reviewed user access;
- Documented processes for awarding sentence reductions to inmates;
- Reviewed documentation supporting 60 program awards including attendance and scoring sheets;
- Reviewed 25 behavioral good time infractions for compliance with disciplinary rules related to behavioral good time;
- Reviewed 25 awards for industrial time and work release; and
- Performed analytical procedures for award data to verify system validation controls.