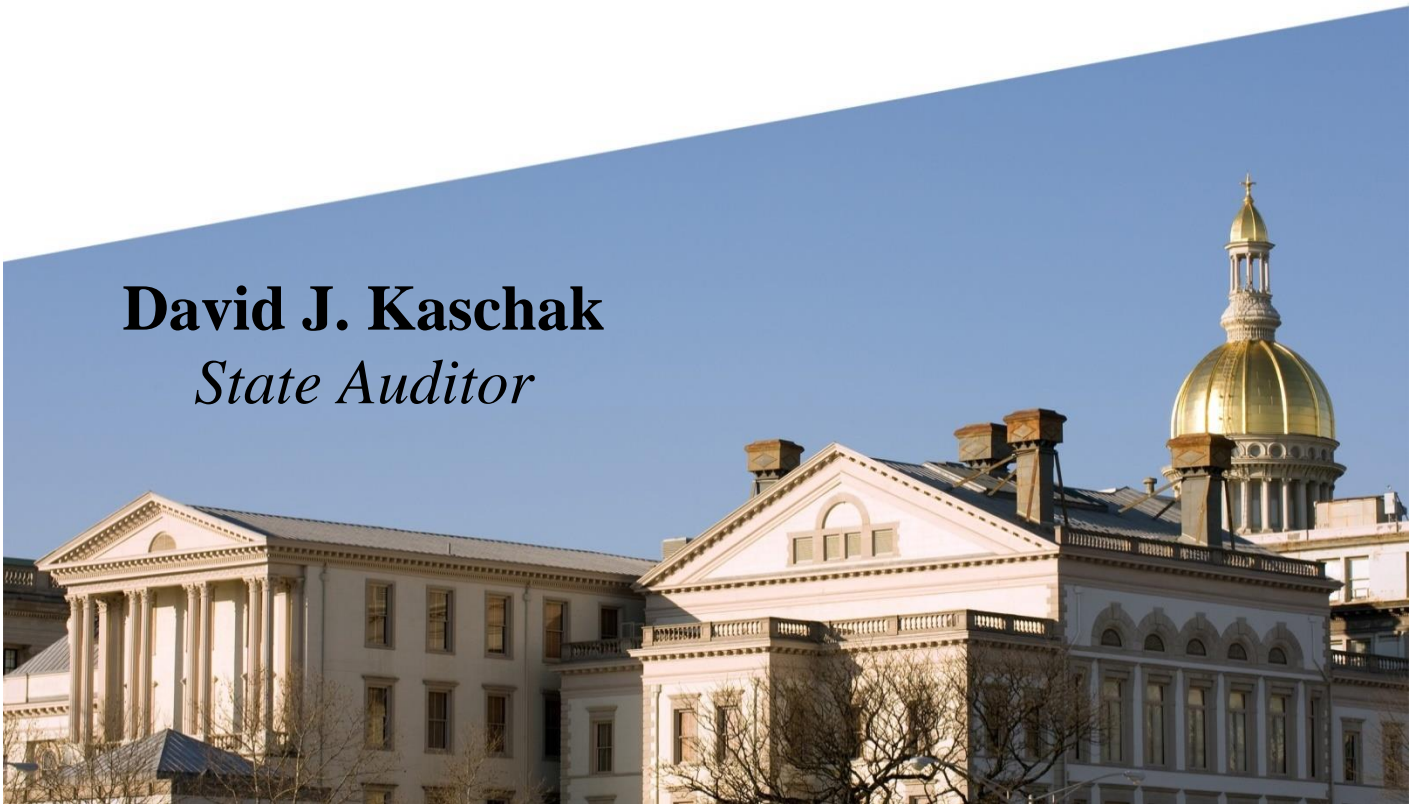


New Jersey Legislature
★ *Office of* LEGISLATIVE SERVICES ★
OFFICE OF THE STATE AUDITOR

Department of Law and Public Safety
Body Armor Replacement Fund

July 1, 2021 to October 6, 2023

David J. Kaschak
State Auditor



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President of the Senate

The Honorable Craig J. Coughlin
Speaker of the General Assembly

Ms. Maureen McMahon
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Office of Legislative Services

Enclosed is our report on the audit of the Department of Law and Public Safety, Body Armor Replacement Fund for the period of July 1, 2021 to October 6, 2023. If you would like a personal briefing, please call me at (609) 847-3470.

A handwritten signature in black ink that reads "David J. Kaschak".

David J. Kaschak
State Auditor
February 6, 2024

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Scope

We have completed an audit of the Body Armor Replacement Fund (fund) for the period July 1, 2021 through October 6, 2023. Our audit included financial activities accounted for in the fund.

The Attorney General has delegated the Director of the Division of Criminal Justice, Department of Law and Public Safety, the responsibility to administer the program and to establish the rules deemed necessary to effectuate the purposes of the fund.

During fiscal years 2022 and 2023, annual expenditures of the fund averaged \$2.58 million and annual revenue averaged \$2.90 million.

Objectives

The objectives of our audit were to determine whether financial transactions were related to the fund, were reasonable, and were recorded properly in the accounting system.

This audit was conducted pursuant to the State Auditor's responsibilities as set forth in Article VII, Section I, Paragraph 6 of the State Constitution and Title 52 of the New Jersey Statutes.

Methodology

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

In preparation for our testing, we studied legislation, the administrative code, and policies related to the fund. Provisions we considered significant were documented, and compliance with those requirements was verified by interview, observation, and through our testing of financial transactions. We also reviewed financial trends and interviewed agency personnel to obtain an understanding of the programs and the internal controls. In order to achieve our objectives, we performed various tests and analyses, as we determined necessary. Additional detail regarding our methodology and work performed can be found in the Appendix.

A nonstatistical sampling approach was used. Our samples were designed to provide conclusions on our audit objectives, as well as internal controls and compliance. Sample populations were sorted, and transactions were judgmentally and randomly selected for testing. Because we used a nonstatistical sampling approach for our tests, we cannot project the results to the respective populations.

Data Reliability

We assessed the reliability of the New Jersey Automated Municipal System data by reconciling the monthly cashbook reports for fiscal year 2023 to the New Jersey Comprehensive Financial System (NJCFS) and interviewing agency officials knowledgeable about the data. We determined that the data was sufficiently reliable for the purposes of this report.

Certain other data in our report were used to provide background information. Data that we used for this purpose were obtained from the best available sources. *Government Auditing Standards* do not require us to complete a data reliability assessment for data used for this purpose.

Conclusions

We found that the financial transactions included in our testing were related to the fund, were reasonable, and were recorded properly in the accounting systems.

Background

The fund was established under N.J.S.A. 52:17B-4.4 in order to make grants to local law enforcement agencies (LEAs), the Division of State Police, the Department of Corrections, the Division of Criminal Justice, the Juvenile Justice Commission, the State Parole Board, and the Administrative Office of the Courts for the purchase of body armor for investigators, law enforcement officers, corrections officers, juvenile corrections officers, parole officers, and probation officers. The Attorney General appointed the Director of the Division of Criminal Justice, Department of Law and Public Safety to administer and oversee the program. The grant program is designed to effectuate a five-year vest replacement cycle to the extent practicable for the participating agencies.

The fund is a non-lapsing revolving fund that is used as a repository for monies provided pursuant to N.J.S.A. 39:5-41(d). The fund is financed through the imposition of a \$1.00 fee on all motor vehicle and traffic violation fines and penalties, as well as on all forfeitures of bail. The State Treasurer annually deposits these monies into the fund, with all funds to be available for the purchase of body armor, exclusive of the allocation of \$75,000 to the Department of Law and Public Safety for administrative expenses of the program and an amount not exceeding \$400,000 to the Department of the Treasury for the operation of the Law Enforcement Officer Crisis Intervention Services Telephone Hotline.

To apply for funds, each agency must submit a completed application online to the Division of Criminal Justice by the deadline date specified in the notice of availability of funds published in the New Jersey Register. A completed application includes the governmental level and type of agency, contact information, eligible officer information, and disclosure of the status of prior body armor fund awards and vests purchased. The applicant's chief executive officer and the governing body's chief financial officer must also certify that the information contained in the application is true to the best of their knowledge and belief and that all grant funds will be used

exclusively for the purpose specified in the grant award. The Division of Criminal Justice relies on the information submitted by agencies to be accurate but may request additional information for planning purposes.

Agencies self-report the number of eligible officers on the applications, which is then used in a formula by the grants unit to determine the amount of the award an agency is eligible to receive. The base grant award is \$500. Additional funds awarded to agencies are determined using a calculation based on the number of officers in an agency. Any unused funds are carried over to the next fiscal year, for up to five years. Applicants are required to maintain their own bookkeeping system, records, invoices, and separate grant files to account for all grant monies received and expended. These records are to be made available to the Division of Criminal Justice upon request.



Appendix

Methodologies to Achieve Audit Objectives

The fund distributed \$1,702,726 and \$2,367,728 in fiscal years 2022 and 2023, respectively, to 528 agencies each year. We randomly selected a sample of ten local LEAs and judgmentally selected a sample of ten college, county, and state LEAs and reviewed their grant applications submitted in both fiscal years 2022 and 2023. The awarded grant funds in our sample totaled \$209,142 in fiscal year 2022 and \$306,841 in fiscal year 2023.

We obtained copies of completed applications from the agencies in our sample for both fiscal years 2022 and 2023 to use as the basis of our testing. The agencies self-report the number of eligible officers on the applications, which is then used in a formula by the grants unit to determine the amount of the award the agency is eligible to receive. We obtained supporting documentation directly from the agencies to confirm the number of eligible officers listed on the application was accurate. We used the officer counts provided on the applications and the formula used by the grants unit to recalculate the amounts awarded to our sample to determine the accuracy of the amounts paid.

To determine whether the grant money awarded to the agencies was spent properly, we requested proof of purchase for the body armor vests purchased in fiscal years 2022 and 2023.

We requested monthly cashbook reports generated by the New Jersey Automated Municipal System to reconcile the money collected through the imposition of the \$1.00 fee on fines on motor vehicle and traffic violation fines and penalties, as well as on all forfeitures of bail. The reconciliation was performed for fiscal year 2023. We reconciled the monthly cashbook reports to the monthly revenue transfers to the fund through NJCFS.





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February 1, 2024

Via E-mail

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Re: Response to Department of Law and Public Safety, Body Armor Replacement Fund

Dear Mr. Klingele,

On behalf of the Office of the Attorney General, I would like to thank you for the opportunity to provide comments to the draft audit report regarding the Department of Law and Public Safety, Body Armor Replacement Fund.

The Department of Law and Public Safety takes pride in the Body Armor Replacement Fund, which provides necessary equipment to law enforcement agencies throughout New Jersey, and helps to support their missions to keep the residents of New Jersey safe. The positive results of this audit are a testament to the hard work and dedication by the employees of the Department of Law and Public Safety.

I would like to thank the auditors for their professionalism and patience throughout the entire audit process. As always, it was a pleasure working with your office.

Please let me know if you have any questions, or require any further information.

Sincerely,

Erin Zippel
Chief Administrative Officer

