

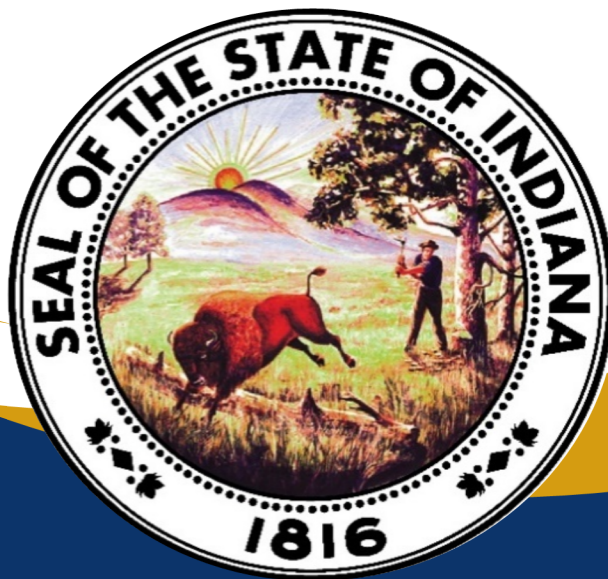
**STATE BOARD OF ACCOUNTS
302 West Washington Street
Room E418
INDIANAPOLIS, INDIANA 46204-2769**

**Paul D. Joyce, CPA
State Examiner**

SPECIAL COMPLIANCE REPORT
OF

CRAWFORD COUNTY SHERIFF'S DEPARTMENT
JAIL COMMISSARY
CRAWFORD COUNTY, INDIANA

January 1, 2023 to December 31, 2023



FILED
01/28/2025

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TO: THE OFFICIALS OF CRAWFORD COUNTY, INDIANA

This is a special compliance report for the Crawford County Sheriff's Department (County Sheriff's Department), for the period January 1, 2023 to December 31, 2023, and is in addition to any other report for the County as required under Indiana Code 5-11-1. All reports pertaining to Crawford County may be found at www.in.gov/sboa/.

We performed procedures to determine compliance with applicable Indiana laws and uniform compliance guidelines established by the Indiana State Board of Accounts and were limited to records associated with the County Sheriff's Department, with a concentration on the Jail Commissary fund. The Results and Comments contained herein describe the identified reportable instances of noncompliance found as a result of these procedures. Our tests were not designed to identify all instances of noncompliance; therefore, noncompliance may exist that is unidentified.

Any Official Response to the Results and Comments, incorporated within this report, was not verified for accuracy.

Paul D. Joyce
Paul D. Joyce, CPA
State Examiner

January 9, 2025

CRAWFORD COUNTY SHERIFF'S DEPARTMENT
JAIL COMMISSARY
RESULTS AND COMMENTS

BACKGROUND

During the regularly scheduled audit of Crawford County (County), the Indiana State Board of Accounts (SBOA) field examiners determined there were some purchases from the Jail Commissary fund (commissary fund) that did not fall under the County Sheriff's discretionary spending authority set forth in Indiana Code 36-8-10-21. These particular disbursements from the commissary fund were approved by Jeff Howell (Howell), County Sheriff. The SBOA auditors determined additional procedures were needed to evaluate disbursements from the fund for the duration of Howell's term beginning January 1, 2023 through December 31, 2023.

As the County Sheriff, Howell oversaw the commissary fund established under Indiana Code 36-8-10-21. All monies received from jail commissary sales are deposited into the fund's bank account. Indiana Code 36-8-10-21(d) (1-8) lists enumerated categories of disbursements that may be made from the commissary fund at the County Sheriff's discretion. All disbursements that fall within the enumerated list of subsection (d)(1-8) are at the discretion of the County Sheriff, without the need for further appropriation or approval from the County fiscal body. However, pursuant to Indiana Code 36-8-10-21(d)(9), any disbursement that does not fall within the categories listed in subsection (d)(1-8) must benefit the County Sheriff's Department and be mutually agreed upon by both the County Sheriff and the County fiscal body.

The following describes noncompliance with the Indiana Code or the *Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana*.

GIFTS PURCHASED USING JAIL COMMISSARY FUNDS

During the period of review, 46 gift cards totaling \$4,342.70 were purchased and given to the County Sheriff's Department employees. Per our inquiry with Howell, he did not get approval from the County Council for these purchases, as required by Indiana Code 36-8-10-21(d)(9).

We examined these disbursements from the commissary fund to determine compliance with Indiana Code 36-8-10-21.

Indiana Code 36-8-10-21 states:

"(a) This section applies to any county that has a jail commissary that sells merchandise to inmates.

(b) A jail commissary fund is established, referred to in this section as 'the fund'. The fund is separate from the general fund, and money in the fund does not revert to the general fund.

(c) The sheriff, or the sheriff's designee, shall deposit all money from commissary sales into the fund, which the sheriff or the sheriff's designee shall keep in a depository designated under [IC 5-13-8](#).

(d) The sheriff, or the sheriff's designee, at the sheriff's or the sheriff's designee's discretion and without appropriation by the county fiscal body, may disburse money from the fund for:

- (1) merchandise for resale to inmates through the commissary;
- (2) expenses of operating the commissary, including, but not limited to, facilities and personnel;

CRAWFORD COUNTY SHERIFF'S DEPARTMENT
JAIL COMMISSARY
RESULTS AND COMMENTS
(Continued)

- (3) special training in law enforcement for employees of the sheriff's department;
- (4) equipment installed in the county jail;
- (5) equipment, including vehicles and computers, computer software, communication devices, office machinery and furnishings, cameras and photographic equipment, animals, animal training, holding and feeding equipment and supplies, or attire used by an employee of the sheriff's department in the course of the employee's official duties;
- (6) an activity provided to maintain order and discipline among the inmates of the county jail;
- (7) an activity or program of the sheriff's department intended to reduce or prevent occurrences of criminal activity, including the following:
 - (A) Substance abuse.
 - (B) Child abuse.
 - (C) Domestic violence.
 - (D) Drinking and driving.
 - (E) Juvenile delinquency;
- (8) expenses related to the establishment, operation, or maintenance of the sex and violent offender registry web site under [IC 36-2-13-5.5](#); or
- (9) any other purpose that benefits the sheriff's department that is mutually agreed upon by the county fiscal body and the county sheriff.

Money disbursed from the fund under this subsection must be supplemental or in addition to, rather than a replacement for, regular appropriations made to carry out the purposes listed in subdivisions (1) through (8).

(e) The sheriff shall maintain a record of the fund's receipts and disbursements. The state board of accounts shall prescribe the form for this record. The sheriff shall semiannually provide a copy of this record of receipts and disbursements to the county fiscal body. The semiannual reports are due on July 1 and December 31 of each year."

Funds misappropriated, diverted or unaccounted for through malfeasance, misfeasance, or nonfeasance in office of any official or employee may be the personal obligation of the responsible official or employee. (Accounting and Uniform Compliance Guidelines Manual for Counties of Indiana, Chapter 1)

On December 13, 2024, Howell reimbursed the commissary fund with a personal check in the amount of \$4,342.70 for the gift cards purchased using commissary funds. (See Summary of Charges, page 7)

CRAWFORD COUNTY SHERIFF'S DEPARTMENT
JAIL COMMISSARY
RESULTS AND COMMENTS
(Continued)

INTERNAL CONTROL DEFICIENCIES

During our examination, the SBOA determined there were deficiencies in internal controls which contributed to the wrongful disbursements of the commissary fund.

Per inquiry with Howell, he did not obtain approval from the County fiscal body for any purchase that was outside of his discretionary spending authority prior to the disbursement of commissary funds as required by Indiana Code 36-8-10-21(d)(9).

Howell did provide the County fiscal body with records as required by Indiana Code 36-8-10-21(e).

The Indiana State Board of Accounts (SBOA) is required under IC 5-11-1-27(e) to define the acceptable minimum level of internal control standards. To provide clarifying guidance, the State Examiner compiled the standards contained in the manual, *Uniform Internal Control Standards for Indiana Political Subdivisions*. All political subdivisions subject to examination by SBOA are expected to adhere to these standards. These standards include adequate control activities. According to this manual:

"Control activities are the actions and tools established through policies and procedures that help to detect, prevent, or reduce the identified risks that interfere with the achievement of objectives. Detection activities are designed to identify unfavorable events in a timely manner whereas prevention activities are designed to deter the occurrence of an unfavorable event. Examples of these activities include reconciliations, authorizations, approval processes, performance reviews, and verification processes.

An integral part of the control activity component is segregation of duties. . . .

There is an expectation of segregation of duties. If compensating controls are necessary, documentation should exist to identify both the areas where segregation of duties are not feasible or practical and the compensating controls implemented to mitigate the risk. . . ."

CRAWFORD COUNTY SHERIFF'S DEPARTMENT
JAIL COMMISSARY
EXIT CONFERENCE

The contents of this report were discussed on January 9, 2025, with Jeff Howell, County Sheriff; Hayleigh Cox, County Sheriff's Administrative Assistant; William E. Breeding, County Council member; and Daniel Crecelius, County Commissioner.

CRAWFORD COUNTY SHERIFF'S DEPARTMENT
 JAIL COMMISSARY
 SUMMARY OF CHARGES
 (Due to Malfeasance, Misfeasance, or Nonfeasance)

	Charges	Credits	Balance Due
Jeff Howell, County Sheriff:			
Gifts Purchased Using Jail Commissary Funds, pages 3 and 4	\$ 4,342.70	\$ 4,342.70	\$ -
Totals for Jeff Howell	\$ 4,342.70	\$ 4,342.70	\$ -

This report was forwarded to the Office of the Indiana Attorney General and the local prosecuting attorney.



AFFIDAVIT

STATE OF INDIANA)
Vigo COUNTY)

I, Gina Gambaiani, Field Examiner, being duly sworn on my oath, state that the foregoing report based on the official records of Crawford County, Indiana, for the period from January 1, 2023 to December 31, 2023, is true and correct to the best of my knowledge and belief.

Gina Gambaiani
Field Examiner

Subscribed and sworn to before me this 21 day of January, 2025

Kimberly A. Meeks-Johnson
Notary Public

My Commission Expires: 10-15-32

County of Residence: Vigo

