



**AUDIT OF THE USE OF EQUITABLE SHARING REVENUES BY
THE CLEVELAND POLICE DEPARTMENT
CLEVELAND, OHIO**

U.S. Department of Justice
Office of the Inspector General
Audit Division

Audit Report GR-50-11-003
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AUDIT OF THE USE OF EQUITABLE SHARING REVENUES BY THE CLEVELAND POLICE DEPARTMENT CLEVELAND, OHIO

EXECUTIVE SUMMARY

The U.S. Department of Justice (DOJ), Office of the Inspector General, Audit Division, has completed an audit of the use of DOJ equitable sharing revenues by the Cleveland Police Department (Cleveland PD). Equitable sharing revenues represent a share of the proceeds from the forfeiture of assets seized in the course of certain criminal investigations.¹ During the period of January 1, 2009, through December 31, 2009, the Cleveland PD was awarded DOJ equitable sharing revenues totaling \$256,496 to support law enforcement operations.

The objectives of the audit were to assess whether equitably shared cash and property received by the requesting agency were accounted for properly and used for allowable purposes as defined by the applicable regulations and guidelines. We found that the Cleveland PD complied with equitable sharing guidelines with respect to accounting for equitable sharing deposits and adhering to non-supplanting requirements. In addition, the Cleveland PD generally complied with equitable sharing guidelines related to the tracking and use of funds. However, we identified deficiencies in these two areas as they relate to the Cleveland PD's activities associated specifically with equitable sharing funds used for tuition reimbursement. Additionally, we found weaknesses related to reporting. Specifically, we found that the Cleveland PD:

- Did not accurately report interest income or the equitable sharing funds it used to fund tuition reimbursement accounts on its Federal Sharing Agreement and Certification Form.
- In the accounts set up to fund tuition reimbursement accounts for patrolmen and supervisors, commingled DOJ equitable sharing financial activity with equitable sharing activity from the U.S. Department of the Treasury.

¹ The DOJ asset forfeiture program has three primary goals: (1) to punish and deter criminal activity by depriving criminals of property used or acquired through illegal activities; (2) to enhance cooperation among foreign, federal, state, and local law enforcement agencies through equitable sharing of assets recovered through this program; and, as a by-product, (3) to produce revenues to enhance forfeitures and strengthen law enforcement.

- Used equitable sharing funds to reimburse officers for college courses. We questioned some reimbursed courses because they were not law enforcement-related. The equitable sharing guidelines state that equitable sharing funds shall not be used for non-law enforcement classes. As a result we identified questioned costs totaling \$5,971.
- Did not file its Federal Sharing Agreement and Certification Form in a timely manner.

In total, we identified \$5,971 in questioned costs related to the Cleveland PD's management of equitable sharing funds. Our report contains five recommendations that address the weaknesses we identified. Our findings are discussed in greater detail in the Findings and Recommendations section of the report. The audit objectives, scope, and methodology appear in Appendix I.

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INTRODUCTION

The U.S. Department of Justice (DOJ), Office of the Inspector General, Audit Division, has completed an audit of the use of DOJ equitable sharing revenues by the Cleveland Police Department (Cleveland PD).

The audit covered the Cleveland PD's 2009 fiscal year (FY), specifically the period of January 1, 2009, through December 31, 2009. During that period, the Cleveland PD was awarded DOJ equitable sharing revenues totaling \$256,496 to support law enforcement operations.

The objectives of the audit were to assess whether equitably shared cash and property received by the requesting agency were accounted for properly and used for allowable purposes as defined by the applicable regulations and guidelines.

Background

The primary mission of the DOJ Asset Forfeiture Program is to employ asset forfeiture powers in a manner that enhances public safety and security. This is accomplished by removing the proceeds of crime and other assets relied upon by criminals and their associates to perpetuate their criminal activity against our society. Asset forfeiture has the power to disrupt or dismantle criminal organizations that would continue to function if we only convicted and incarcerated specific individuals.

Another purpose of the DOJ Asset Forfeiture Program is to deter crime by depriving criminals of the profit and proceeds from illegal activities. A secondary purpose of the program is to enhance cooperation among federal, state, and local law enforcement agencies by sharing federal forfeiture proceeds through the DOJ equitable sharing program. State and local law enforcement agencies may receive equitable sharing revenues by participating directly with DOJ agencies in joint investigations leading to the seizure or forfeiture of property. The amount shared with the state and local law enforcement agencies in joint investigations is based on the degree of the agencies' direct participation in the case. The U.S. Department of the Treasury (Treasury) administers a similar equitable sharing program. Our audit was limited to equitable sharing revenues received through the DOJ equitable sharing program.

Although several DOJ agencies are involved in various aspects of the seizure, forfeiture, and disposition of equitable sharing revenues, the DOJ Criminal Division, Asset Forfeiture and Money Laundering Section (AFMLS), is responsible for issuing policy statements, implementing

governing legislation, and monitoring the use of DOJ equitable sharing funds. Generally, the use of equitable sharing revenues by state and local recipient agencies is limited to law enforcement purposes. However, under certain circumstances, up to 15 percent of equitable sharing revenues may be used for the costs associated with drug abuse treatment, drug and crime prevention education, housing and job skills programs, or other nonprofit community-based programs or activities. This provision requires that all expenditures be made by the law enforcement agency and does not allow for the transfer of cash.

The Cleveland PD is located in Cleveland, Ohio, which is one of the largest cities in the state. The Cleveland PD's law enforcement budgets were \$174,350,550 in FY 2007; \$176,123,960 in FY 2008; and \$177,992,105 in FY 2009.

FINDINGS AND RECOMMENDATIONS

We found that the Cleveland PD complied with equitable sharing guidelines with respect to accounting for equitable sharing deposits and adhering to non-supplanting requirements. In addition, the Cleveland PD generally complied with equitable sharing guidelines related to the tracking and use of funds. However, we identified deficiencies in these two areas as they relate to the Cleveland PD's activities associated specifically with equitable sharing funds used for tuition reimbursement. We identified \$5,971 in questioned costs associated with reimbursements for college courses that were not specifically related to law enforcement, as required by Equitable Sharing guidelines. Additionally, we found that the Cleveland PD commingled a portion of its DOJ equitable sharing funds with Treasury Department equitable sharing funds, did not correctly report its interest income or the equitable sharing funds it used to fund education accounts on its 2009 Federal Sharing Agreement and Certification Form, and filed its 2009 Federal Sharing Agreement and Certification Form late.

Federal Sharing Agreement and Certification Form

The AFMLS requires that any state or local law enforcement agency that receives forfeited cash, property, or proceeds as a result of a federal forfeiture submit a Federal Sharing Agreement and Certification Form. The submission of this form is a prerequisite for the approval of any equitable sharing request. Noncompliance may result in the denial of the agency's sharing request.

The Federal Sharing Agreement and Certification Form must be submitted every year within 60 days after the end of the agency's fiscal year regardless of whether funds were received or maintained during the fiscal year. The agreement must be signed by the head of the law enforcement agency and a designated official of the local governing body. By signing the agreement, the signatories agree to be bound by the statutes and guidelines that regulate the equitable sharing program and certify that the law enforcement agency will comply with these guidelines and statutes.

We tested compliance with the Federal Sharing Agreement and Annual Certification Form requirements to determine if the required form for 2009 was submitted and was complete, accurate, timely, and signed by the appropriate officials. We determined that while the form for FY 2009 was

complete and signed by the appropriate officials, it was submitted more than 5 months late. Additionally, we found that the interest income reported on the form was inaccurate. We determined this occurred because the city of Cleveland, which maintains the accounting records for the Cleveland PD, made errors in the posting of interest income. We found that sometime between January and April 2009 the city recorded in its accounting records the interest income it earned in 2007 and 2008. This interest income should have been posted at the time it was earned and because it was posted in an untimely manner, the accounting records reflected an overstated amount for interest earned. As a result, the interest income reported on the Annual Certification Report for 2009 was incorrect. In addition, we found that, at the time of the audit, no interest income earned in 2009 had been posted to the accounting records.

We also found that the Cleveland PD had two education accounts that it funded with equitable sharing receipts. However, the activity from these accounts was not reported on the Federal Sharing Agreement and Certification Form for 2009.

Accounting for Equitable Sharing Receipts

Both *A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies*, dated March 1994, (1994 Equitable Sharing Guide) and the *Guide to Equitable Sharing for State and Local Law Enforcement Agencies*, dated April 2009 (2009 Equitable Sharing Guide), require that all participating state and local law enforcement agencies implement standard accounting procedures to track equitably shared revenues and property.² Additionally, DOJ equitable sharing funds must be accounted for separately from any other funds. We reviewed procedures for reconciling equitable sharing requests against sharing receipts, reconciled the agency's accounting records to DOJ records of equitable sharing funds shared with the agency, and reviewed equitable sharing receipts to determine if the funds were properly accounted for and deposited.

We determined that the Cleveland PD had 25 receipts of equitable sharing funds totaling \$256,496 during FY 2009. We reviewed all 25 receipts, and we found that the Cleveland PD accurately accounted for all equitably shared revenues received during FY 2009.

² The *1994 Equitable Sharing Guide* was updated and a new guide issued in April 2009. We reviewed the Cleveland PD's equitable sharing activities during the entirety of calendar year 2009, and thus both guides are applicable to this audit.

According to the Equitable Sharing Guides, the agency receiving equitable sharing funds is required to maintain separate accounting records for DOJ equitable sharing funds. We found that the Cleveland PD had commingled a portion of its DOJ equitable sharing funds and U.S. Treasury equitable sharing funds in its accounting records and could not separately identify them as DOJ or Treasury monies. Specifically, the Cleveland PD had set up accounts to reimburse officers who took college classes.³ However, the Cleveland PD maintained both DOJ and Treasury equitable sharing funds in these accounts without separately accounting for the different sources of funding.

Use of Equitably Shared Property

Both Equitable Sharing Guides also require that any forfeited tangible property transferred to a state or local agency for official use must be used for law enforcement purposes only. Further, vehicles and other tangible property transferred for official law enforcement use must be used accordingly for at least 2 years. However, if the property becomes unsuitable for such stated purposes before the end of the 2-year period, it may be sold. During FY 2009, the Cleveland PD did not receive any forfeited tangible property.

Use of Equitable Sharing Funds

Generally, both Guides require that the use of equitable sharing funds received by state and local agencies be limited to law enforcement purposes. However, under certain circumstances, up to 15 percent of equitable sharing revenues may be used for the costs associated with nonprofit community-based programs or activities, such as drug abuse treatment, drug and crime prevention education, and housing and job skills programs. Law enforcement agencies can transfer cash to another law enforcement agency.

During FY 2009, the Cleveland PD expended \$575,036 in DOJ equitable sharing revenues. We judgmentally selected and tested 49 transactions, totaling \$443,269, to determine if the expenditures of DOJ equitable sharing funds were allowable and supported by adequate documentation. We determined that in general, transactions were supported by adequate documentation, items were used for law enforcement purposes, and the expenditures were allowable and in accordance with the guidelines.

³ According to an agreement between the Cleveland PD and its employee union, the Cleveland PD set aside 4 percent of its DOJ equitable sharing funds for tuition reimbursement and equally divided those funds into two accounts - one account for supervisors and a separate account for patrolmen.

However, we identified an issue related to the Cleveland PD's aforementioned practice of using equitable sharing funds to reimburse employees for college coursework. According to the Equitable Sharing Guide, equitable sharing funds can be used for law enforcement training that is intended to result in further seizures and forfeitures. Further, the training of law enforcement support personnel is permitted in any area that is necessary to perform official law enforcement duties.

We found that in FY 2009 the Cleveland PD expended \$35,385 in equitable sharing funds to reimburse its employees for courses taken at local colleges and universities. Of this total amount, we initially identified \$9,961 in equitable sharing funds used to reimburse officers for classes not related to law enforcement activities. A listing of these courses and their associated costs is found in the following table.

**Initial List of Non-Law Enforcement-Related
Classes Paid for by the Cleveland PD
Using Equitable Sharing Funds**

Class⁴	Amount
Principles of Economics I	1,632.00
English 1020	241.62
English 1010	241.62
Psychology of Motivation	1,320.00
Business Strategies	322.16
Principles of Economics II	2,176.00
Foundation Quantitative Literacy	230.00
Principles of Microeconomics	322.16
Beginning Algebra	322.16
Contemporary Urban Studies	1,350.00
Religion 2050	241.62
CHN 201	1,320.00
Office Management	241.62
Total	\$9,960.96

Source: Cleveland Police Department records

According to documentation provided to support these expenditures, the Cleveland PD approved these courses because the officers were working towards college degrees. In previous correspondence with the OIG, the AFMLS advised that equitable sharing funds may not be used for general tuition reimbursement, but may be used to pay tuition for law enforcement courses.

⁴ At the time of our audit, the Cleveland PD was unable to provide us with the full title of one course, "CHN 201."

Based on the Cleveland PD's response to the draft report, we requested and were provided additional documentation to support the Cleveland PD's justification for using equitable sharing funds to pay for some of the classes that we initially questioned. Based on our additional review, we determined that Psychology of Motivation (\$1,320), Contemporary Urban Studies (\$1,350), and CHN 201 (a Chinese language course costing \$1,320) were allowable. After deducting the costs associated with these courses, we are questioning as unallowable a total of \$5,971 used for non-law enforcement college courses.

Supplanting

Pursuant to both the 1994 and 2009 Equitable Sharing Guides, equitable sharing revenues must be used to increase or supplement the resources of the receiving state or local law enforcement agency. Equitably shared funds shall not be used to replace or supplant the resources of the recipient. To test whether equitable sharing funds were used to supplement rather than supplant local funding, we interviewed a local official and reviewed the agency's local budgets for FYs 2007, 2008, and 2009.

Based on the results of our interview and our review of the city of Cleveland's budget documents, we did not find any indications that the Cleveland PD was using equitable sharing funds to supplant local funding. Overall funding for the Cleveland PD increased from \$174.3 million in FY 2007 to \$177.9 million in FY 2009.

Views of Responsible Officials

We discussed the results of our review with Cleveland PD officials throughout the audit and at a formal exit conference. Their input on specific issues has been included in the appropriate sections of the report.

Recommendations

We recommend that the Criminal Division:

1. Direct the Cleveland PD to establish procedures to ensure that Equitable Sharing Agreements and Certifications are filed in a timely manner.
2. Ensure that the Cleveland PD accurately records and reports interest income and other activity.

3. Direct the Cleveland PD to file a corrected Equitable Sharing Agreement and Certification Report for 2009.
4. Direct the Cleveland PD to separately account for DOJ and Treasury equitable sharing funds and correct the DOJ accounting records for equitable sharing in order to accurately support the financial activity reported on the 2009 Equitable Sharing Agreement and Certification report.
5. Require that the Cleveland PD remedy the \$5,971 in questioned costs related to non-law enforcement-related college courses taken by Cleveland PD personnel.

OBJECTIVES, SCOPE, AND 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 that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The objectives of the audit were to assess whether equitably shared cash and property received by the requesting agency were accounted for properly and used for allowable purposes as defined by the applicable regulations and guidelines. We tested compliance with what we considered to be the most important conditions of the DOJ equitable sharing program. We reviewed laws, regulations, and guidelines governing the accounting for and use of DOJ equitable sharing receipts, including:

- *A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies*, dated March 1994;
- *Addendum to A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies*, dated March 1998; and
- *Guide to Equitable Sharing for State and Local Law Enforcement Agencies*, dated April 2009.

Unless otherwise stated in our report, the criteria we audit against are contained in these documents.

Scope and Methodology

Our audit concentrated on, but was not limited to, equitable sharing receipts received by the Cleveland PD from January 1, 2009, through December 31, 2009. We performed audit work mainly at Cleveland PD headquarters located in Cleveland, Ohio. We interviewed Cleveland PD officials and examined records of federal asset forfeiture revenues and expenditures of DOJ equitable sharing revenues and property received by the Cleveland PD.

During FY 2008, there were 25 receipts totaling \$256,496, and we tested all of them. During FY 2009, there were 80 disbursements totaling \$575,036. We selected 49 disbursements, totaling \$443,269, for testing.

Judgmental sampling design was applied to obtain broad exposure to numerous facets of the disbursements reviewed, such as dollar amounts and cost categories. This non-statistical sample design does not allow projection of the test results to all disbursements.

We relied on computer-generated data contained in the DOJ Consolidated Asset Tracking System (CATS) for determining equitably shared revenues and property awarded to the Cleveland PD during the audit period. We did not establish the reliability of the data contained in the CATS system as a whole. However, when the data used is viewed in context with other available evidence, we believe the opinions, conclusions, and recommendations included in this report are valid.

In planning and performing our audit, we considered internal controls established and used by the Cleveland PD over DOJ equitable sharing receipts to accomplish our audit objectives. We did not assess the reliability of the Cleveland PD financial management system or internal controls of that system or otherwise assess internal controls and compliance with laws and regulations for the city of Cleveland as a whole.

Our audit included an evaluation of the Cleveland PD, a unit of the city of Cleveland, which was included in a citywide audit conducted by The Auditor of State's Office. The results of this audit were reported in the Single Audit Report that accompanied the Comprehensive Annual Financial Report for the year ended December 31, 2008. The Single Audit Report was prepared under the provisions of Office of Management and Budget Circular A-133. We reviewed the independent auditor's assessment, which disclosed no control weaknesses or significant noncompliance issues related specifically to the Cleveland PD.

SCHEDULE OF DOLLAR-RELATED FINDINGS

<u>QUESTIONED COSTS</u>	<u>AMOUNT</u>	<u>PAGE</u>
Unallowable Expenditures	5,971	7
TOTAL QUESTIONED COSTS	\$5,971	
TOTAL DOLLAR-RELATED FINDINGS	\$5,971	

Questioned Costs are expenditures that do not comply with legal, regulatory, or contractual requirements, or are not supported by adequate documentation at the time of the audit, or are unnecessary or unreasonable. Questioned costs may be remedied by offset, waiver, recovery of funds, or the provision of supporting documentation.

AUDITEE RESPONSE



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Safety
Division of Police
Michael McGrath, Chief
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April 20, 2011

Carol S. Taraszka
Regional Audit Manager
U.S. Department of Justice
Office of the Inspector General
Chicago Regional Audit Office
500 West Madison Street, Suite 1121
Chicago, Illinois 60661

Dear Ms. Taraszka:

The Cleveland Division of Police (CPD) has reviewed the draft audit report on the Use of Equitable Sharing Funds involving our Division for the year 2009. The audit concluded that CPD substantively complied with the equitable sharing revenue reporting. However, some weaknesses were identified. The Division has analyzed the weaknesses and offers the following response and/or appeals.

Recommendations:

- 1. Establish procedures to ensure that Equitable Sharing Agreements and Certifications are filed in a timely manner:**

Response: The Division of Police will establish procedures to ensure that reports are filed in a timely manner by analyzing and addressing issues quarterly related to reconciling the final report.

- 2. Ensure that the Cleveland Division of Police accurately records and reports interest income and other activity.**

Response: The Cleveland Division of Police will ensure that interest reports will be accurately reported by setting up separate interest reports for the Justice Department and the Treasury Department.

- 3. Direct the Cleveland Division of Police to file a corrected Equitable Sharing Agreement and Certification Report for 2009.**

Response: The Cleveland Division of Police will file a corrected report after receiving a final determination for recommendation #5.

- 4. Direct the Cleveland Division of Police to separately account for DOJ and Treasury equitable sharing funds and correct the DOJ accounting records for equitable sharing in order to accurately support the financial activity reported on the 2009 Equitable Sharing Agreement and Certification report.**

Response: The Cleveland Division of Police will create two new accounts in Treasury for the two different labor unions and will reconcile the accounting records once the accounts are established.

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5. Require that the Cleveland Division of Police remedy the \$9,961.00 in unallowable costs related to non-law enforcement-related college courses taken by CPD personnel.

Response: In our own review of the reimbursed classes, we find that several classes have a direct benefit and correlation to the performance of an officer's official duties. For example: a police officer's ability to sharply communicate thoughts and recount events in writing is an absolutely essential core policing skill. The skills necessary to effect the proper use of force pales in comparison to the skills necessary to articulate the justification of the application of that force. It is because of the intense scrutiny that police officers' written reports receive that we encourage any coursework that hones an officer's reading and writing skills. The English Courses that were reimbursed were classes in the study of and practices in principles of good writing with emphasis on reading comprehension and analytical writing. Other classes that were reimbursed that on their face appear to be non-law enforcement related were Chinese language classes. The police supervisor who took these classes works in a district where the majority of our Chinese population resides in Cleveland. Learning their language and culture only enhances the Division of Police's ability to interact with a culture that is hesitant to call the police due to culture barriers. In fact, we cite this as an example (as part of a separate DOJ inquiry) as proof of our efforts to increase our accessibility to Limited English Proficiency (LEP) persons. A final example is the reimbursement of a class entitled Office Management. A supervisor who is in charge of an office attended this class. Managing an office and its staff, managing work flow, dealing with human resource dynamics are an integral part of the daily duties of any supervisor tasked with running an office. In addition, classes such as Contemporary Urban Issues and Psychology of Motivation fall well within career related guidelines, as we believe that such classes support our central mission of understanding and relating to our core constituency and creating a work force that can carry out that mission.

Regarding other classes that were reimbursed, members take these classes in preparation for future specialized assignments such as Financial Crimes. While a History course on Scandinavian rulers is not law enforcement related, another course on the History of Civil Rights in the US very well should be. The same can be said for certain Sociology classes. Also, as we maintain a full time Police Academy, we want to encourage our current and future instructors to take Education related college courses. While it would be easier to simply adhere to bright line rules on what constitutes a law enforcement related class, we wish to maintain the flexibility necessary to create and maintain the best and brightest officers that we can.

As our only intent in approving these classes was to adhere to our goal of continually improving our workforce; the Cleveland Division of Police requests a waiver for reimbursing the costs of the classes in question. The classes were approved in good faith based on the highest ideals of policing and service to our community.

Be that as it may, CPD stands ready to review and revise our General Police Order concerning tuition reimbursement as necessary. The Cleveland Division of Police wants to thank you for your assistance and guidance. We strive for continual improvement and we look forward to working with you to make us an even better organization.

Sincerely,



Michael McGrath, Chief
Division of Police

cc: U.S. Department of Justice, Criminal Division
Martin L. Flask, Director, Public Safety
File

**OFFICE OF THE INSPECTOR GENERAL
ANALYSIS AND SUMMARY OF ACTIONS
NECESSARY TO RESOLVE REPORT**

The Department of Justice Office of the Inspector General (OIG) provided a draft of this audit report to the Criminal Division and the Cleveland Police Department. We incorporated the Cleveland Police Department's response as Appendix III of this final report. However, the audit recommendations are unresolved because the Criminal Division declined to provide comments on the draft report. The following provides the OIG analysis of the Cleveland Police Department's response and a summary of actions necessary to resolve each report recommendation.

Recommendation Number

1. **Unresolved.** The Cleveland Police Department concurred with our recommendation to ensure that Equitable Sharing Agreements and Certifications are filed in a timely manner.

However, this recommendation is unresolved because the Criminal Division did not respond to the draft report. This recommendation can be resolved once the OIG and the Criminal Division reach agreement on corrective action planned to address the recommendation.

2. **Unresolved.** The Cleveland Police Department concurred with our recommendation to ensure that it accurately records and reports interest income and other activity.

However, this recommendation is unresolved because the Criminal Division did not respond to the draft report. This recommendation can be resolved once the OIG and the Criminal Division reach agreement on corrective action planned to address the recommendation.

3. **Unresolved.** The Cleveland Police Department concurred with our recommendation to file a corrected Equitable Sharing Agreement and Certification Report for 2009.

However, this recommendation is unresolved because the Criminal Division did not respond to the draft report. This recommendation can be resolved once the OIG and the Criminal Division reach agreement on corrective action planned to address the recommendation.

4. **Unresolved.** The Cleveland Police Department concurred with our recommendation to separately account for DOJ and Treasury Department equitable sharing funds and correct the DOJ accounting records for equitable sharing in order to accurately support the financial activity reported on the 2009 Equitable Sharing Agreement and Certification Form. The Cleveland Police Department stated that it will create two new accounts for the two different labor unions and will reconcile the accounting records once the accounts are established.

However, this recommendation is unresolved because the Criminal Division did not respond to the draft report. This recommendation can be resolved once the OIG and the Criminal Division reach agreement on corrective action planned to address the recommendation.

5. **Unresolved.** The Cleveland Police Department addressed our recommendation to remedy the questioned costs associated with reimbursement to officers for college courses that we identified as unallowable because they did not appear to be law-enforcement related, as required by the guidelines governing the equitable sharing program. The Cleveland Police Department asserted that several of the questioned classes have a direct benefit to the performance of an officer's official duties.

As noted in our report, we questioned certain classes because they did not appear to be law enforcement-related. Equitable sharing guidelines state that funds can be used for the training of officers in any area that is necessary to perform official law enforcement duties. The guidelines go on to say that priority should be given to providing training in areas such as asset forfeiture, ethics, due process, and use of computers and other equipment in support of law enforcement duties. We continue to believe that courses such as Economics, Algebra, and Office Management do not represent areas necessary to perform law enforcement duties.

However, based on the Cleveland PD's response, we requested and were provided additional documentation relating to this issue. Based upon this documentation and an additional review of the classes questioned, we have revised our list of questioned costs related to reimbursement for non-law enforcement-related classes and updated the body of the report to reflect the additional work performed. The revised list of questioned classes can be found in the following table.

**Revised List of Non-Law Enforcement-
Related Classes Paid for by Cleveland PD
Equitable Sharing Funds**

Class	Amount
Principles of Economics I	1,632.00
English 1020	241.62
English 1010	241.62
Business Strategies	322.16
Principles of Economics II	2,176.00
Foundation Quantitative Literacy	230.00
Principles of Microeconomics	322.16
Beginning Algebra	322.16
Religion 2050	241.62
Office Management	241.62
Total	\$5,970.96

This recommendation is unresolved because the Criminal Division did not respond to the draft report. This recommendation can be resolved once the OIG and the Criminal Division reach agreement on corrective action planned to address the recommendation.