



City of Albuquerque
Office of Internal Audit
SUBSEQUENT FOLLOW-UP
TASER INTERNATIONAL BODY-WORN
CAMERA PROCUREMENTS
REPORT #19-14-107F
February 27, 2019

INTRODUCTION

The Office of Internal Audit (OIA) performed a subsequent follow-up of Audit No. 14-107, Albuquerque Police Department (APD) – TASER International (TASER) Body-Worn Camera Procurements. The purpose of this follow-up is to report on the progress made by APD in addressing the audit finding that was not fully implemented or resolved in follow-up No. 18-14-107F dated June 27, 2018.

A follow-up is substantially less in scope than an audit. The objective is to report on the status of corrective action in regard to the findings and recommendations that remained “In Process” or “Not Implemented” after the initial follow-up.

The scope was limited to actions taken to address the audit recommendations from the date of the initial follow-up report through February 7, 2019. Subsequent follow-up procedures rely on the department providing the current status and supporting documentation for addressing the recommendation.

BACKGROUND

Albuquerque City Councilor Ken Sanchez (Councilor Sanchez) requested an audit of the APD’s body-worn camera procurement process. Councilor Sanchez stated that it was his understanding that the contract was awarded on a “no-bid” basis and there have been concerns expressed about the relationship between TASER and APD’s top management. Based on these concerns, Councilor Sanchez asked the OIA to “conduct a thorough and detailed audit of the entirety of the procurement process leading up to the signing of the TASER contract.”

The Office of Inspector General (OIG) and New Mexico Office of the State Auditor (OSA) also received requests from members of the City Council. The requests asked the OIG and OSA to investigate the potential conflicts of interest between APD and TASER. In an effort to decrease the burden on APD, personnel from OIA, OIG, and OSA shared information throughout the review process. OIG’s findings were published in a separate report numbered 14-207.

APD’s direct relationship with TASER began in 2007, when the City contracted directly with TASER for the purchase of electronic control devices and ancillary products. Beginning in October 2012, APD performed testing and evaluated TASER’s camera products and services, including the Axon Flex cameras. The products for that testing were supplied by TASER at no cost to APD.

SUMMARY

This report addresses the one outstanding recommendation that was not fully implemented or resolved at the time of the initial follow-up. The original audit report included six recommendations. At the time of the initial follow-up, five recommendations were considered fully implemented or resolved, and one recommendation remained outstanding. The one outstanding recommendation has been fully implemented.

The table below provides a summary of the status of recommendations over time. The status of the recommendations is identified by the symbols in the following legend:



<u>Audit No.</u>	<u>Report Title</u>	<u>Original and Follow-up Report Dates</u>	<u>Recommendations</u>				<u>Total Outstanding</u>
			<u>Total #</u>				
14-107	Taser International Body-Worn Camera Procurements – Albuquerque Police Department	5/5/2015	6				
	18-14-107F – First Follow-up	6/27/2018	6	5	1	0	1
	19-14-107F – Subsequent Follow-up	2/27/2019	6	6	0	0	0

<u>Recommendation</u>	<u>#4</u>
<u>Original Report Recommendation</u>	APD should: <ul style="list-style-type: none"> • Ensure all Departmental staff is informed of the City’s conflict of interest regulations, that: <ul style="list-style-type: none"> ○ Prohibit the acceptance of any gift (meals, food/beverage, travel/airfare), reward, favor or all other gratuities from any vendor, contractor, individual or firm doing business or planning to do business with the City. The CAO should: <ul style="list-style-type: none"> • Consider issuing a stand-alone Code of Conduct document to every City employee emphasizing important policies, including unallowable activities such as acceptance of meals and gifts from vendors. • Create a Citywide conflict of interest reporting form. The form

	<p>should include all applicable citations from State and City regulations and give clear and understandable examples of each regulation. The form should provide space for reporting potential conflicts of interest and be acknowledged and signed by all City personnel, and retained in each employee’s HRD personnel file on an annual basis.</p> <ul style="list-style-type: none"> • Work with DFAS-Purchasing to create and distribute a vendor code of conduct to communicate City policies that apply to vendors, including the prohibition against purchasing meals or other items for the benefit of City employees.
<p>Status as of First Follow-Up</p>	<p>Status Reported by APD as of June 27, 2018: “APD staff is aware of APD SOPs, City Ordinances, City of Albuquerque Personnel Rules and Regulations, City of Albuquerque Administrative instructions concerning conflict of interest.”</p> <p>Status Reported by CAO as of June 27, 2018: “DFAS updated Administrative Instruction 3-4: Vendor City Relations and Responsibilities Related to Vendor Performance. The AI was strengthened to remind vendors of the Ethical Conduct provisions of the City Purchasing Ordinance.</p> <p>“DFAS has revised its on-line Vendor Handbook to include the Ethical Conduct provisions of the City Purchasing Ordinance.</p> <p>“The current City of Albuquerque Personnel Rules and Regulations Section 300 Conditions of Employment does state that as a condition of employment, employees are required to comply with the provisions of the City of Albuquerque Merit Systems Ordinance, Labor Relations Ordinance, Conflict of Interest Ordinance, Personnel Rules and Regulations, Executive Orders and Administrative Orders and all relevant laws, statutes, ordinances, regulations and collective bargaining agreements governing employment with the City of Albuquerque. The Human Resources Department has established a plan to conduct Ethics Training for City employees and will conduct a comprehensive review of personnel rules and regulations and Administrative Instructions and that a “Conflict of Interest Acknowledgement Form” be created for all City of Albuquerque employees to sign annually.”</p>

	<p> In Process</p> <p><i>APD personnel are aware of the City’s conflict of interest regulations.</i></p> <p><i>A plan has been established to conduct ethics training for City employees, and a comprehensive review of personnel rules and regulations will be performed. In addition, a Conflict of Interest Acknowledgement Form for City employees to sign annually will be created. AI No. 3-4 was updated to remind vendors of the Ethical Conduct provisions of the City’s Purchasing Ordinance. The City’s on-line Vendor Handbook has been revised to include the Ethical Conduct provisions of the City’s Purchasing Ordinance.</i></p>
<p>Action Taken Since First Follow-up</p>	<p>“The City of Albuquerque conducted mandatory Ethics & Code of Conduct Training in March, 2018. The training was an on line course conducted by the City of Albuquerque Public Service University.”</p>
<p>Current Status</p>	<p> Fully Implemented</p> <p><i>To address the outstanding component of the recommendation, the City created mandatory Ethics and Code of Conduct training. As a result, required APD personnel have completed the online training through the City’s Public Service University.</i></p>

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