

STATUTORY REPORT

**DISTRICT ATTORNEY
DISTRICT 13
PROPERTY FORFEITURE FUND**

For the period July 1, 2007 through June 30, 2009



*Independently serving the citizens of
Oklahoma by promoting the
accountability and fiscal integrity of
governmental funds.*



Oklahoma State
Auditor & Inspector
Gary A. Jones, CPA, CFE

**EDDIE WYANT, DISTRICT ATTORNEY
DISTRICT 13
STATUTORY REPORT
PROPERTY FORFEITURE FUND
FOR THE PERIOD OF JULY 1, 2007 THROUGH JUNE 30, 2009**

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Oklahoma State Auditor & Inspector

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February 2, 2012

Eddie Wyant, District Attorney
District 13
Delaware County Courthouse
P.O. Box 550
Jay, Oklahoma 74346

Transmitted herewith is the statutory report for the District Attorney of District 13, Delaware and Ottawa Counties, Oklahoma (the District) for the period of July 1, 2007 through June 30, 2009.

A report of this type is critical in nature; however, we do not intend to imply that there were not commendable features in the present accounting and operating procedures of the District.

The goal of the State Auditor and Inspector is to promote accountability and fiscal integrity in state and local government. Maintaining our independence as we provide this service to the taxpayers of Oklahoma is of utmost importance.

We wish to take this opportunity to express our appreciation for the assistance and cooperation extended to our office during our engagement.

Sincerely,

A handwritten signature in blue ink, reading 'Gary A. Jones', with a long horizontal flourish extending to the right.

GARY A. JONES, CPA, CFE
OKLAHOMA STATE AUDITOR & INSPECTOR

**EDDIE WYANT, DISTRICT ATTORNEY
DISTRICT 13
STATUTORY REPORT
FOR THE PERIOD OF JULY 1, 2007 THROUGH JUNE 30, 2009**

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**EDDIE WYANT, DISTRICT ATTORNEY
DISTRICT 13
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INTRODUCTORY INFORMATION

Most district attorneys in the state have a Property Forfeiture Fund. The fund is not subject to fiscal year limitations and is to be used for enforcement of controlled dangerous substance laws, drug abuse prevention and education, and is maintained by the District Attorney to be used at his or her discretion for those purposes. The revenues for said fund come from the proceeds of forfeited assets.

Any cash, vehicles, real property, or other assets used in the commission of or acquired as a result of a crime as described in the Uniform Controlled Dangerous Substances Act is presumed to be forfeitable.

Asset forfeiture is an effective law enforcement tool used by local district attorneys to deprive criminals of their ill-gotten gains by seizing the proceeds of criminal activity and property used to facilitate crime. The proceeds of seized, forfeited assets make a substantial contribution to the investigation and prosecution of drug related offenses.



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Statutory Report

Eddie Wyant, District Attorney
District 13
Delaware County Courthouse
P.O. Box 550
Jay, Oklahoma 74346

For the purpose of complying with 74 O.S. § 212.E and 63 O.S. § 2-506, we have performed the following procedures as they relate to the records of the Property Forfeiture Fund for the period of July 1, 2007 through June 30, 2009.

- Examine a group of receipts and deposit slips for propriety.
- Determine that the District Attorney maintains a true and accurate inventory of all property seized in accordance with 63 O.S. § 2-506.K.
- Review sale documentation for selected cases to determine whether forfeited assets were sold after due notice at public auction to the highest bidder in accordance with 63 O.S. §§ 2-506 and 2-508.
- Review the distribution of proceeds of the sale for selected cases to determine the distribution was in accordance with court orders pursuant to 63 O.S. §§ 2-506.K and 2-508.
- Test expenditures to determine they are supported by approved claims, invoices, and independent verification that goods or services paid for were received.
- Determine if the District Attorney prepared and submitted an annual report to the Board of County Commissioners showing the total deposits, total expenditures, beginning and ending balances in accordance with 63 O.S. § 2-506.L.3.
- Determine if the District Attorney reconciles the balance with the County Treasurer.

Our engagement was limited to the procedures performed above and was less in scope than an audit performed in accordance with accounting standards generally accepted in the United States of America. Accordingly, we do not express an opinion on any financial statements of the County.

Based on our procedures performed, we have presented our findings in the accompanying schedule.

This report is intended for the information and use of the District Attorney and the County Officials. However, this report is a matter of public record and its distribution is not limited.

A handwritten signature in blue ink, appearing to read "Gary A. Jones".

GARY A. JONES, CPA, CFE
OKLAHOMA STATE AUDITOR & INSPECTOR

June 24, 2010

**EDDIE WYANT, DISTRICT ATTORNEY
DISTRICT 13
STATUTORY REPORT
FOR THE PERIOD OF JULY 1, 2007 THROUGH JUNE 30, 2009**

SCHEDULE OF FINDINGS AND RESPONSES

Finding 2008/2009-1 – Segregation of Duties

Criteria: Accountability and stewardship are overall goals in evaluating management's accounting of funds. To help ensure a proper accounting of funds, the duties of receiving, issuing and signing vouchers, and reconciling funds should be separated.

Condition: Based on inquiries of District Attorney personnel, it was noted in Delaware and Ottawa Counties the duties of receiving goods and services, issuing vouchers, signing vouchers, and monthly reconciliations of funds should be separated.

Effect: These conditions could result in unrecorded transactions, misstated financial reports, undetected errors, or misappropriation of assets.

Recommendation: OSAI recommends management be aware of these conditions and realize that concentration of duties and responsibilities in a limited number of individuals is not desired from a control point of view. The most effective controls lie in management's knowledge of the office operations and a periodic review of operations.

We further recommend that management designate a receiving officer to provide independent verification that goods and/or services were received in the office and are a valid expenditure of the office.

Management Response: A designated receiving officer will be added in each County. The duties of issuing vouchers and reconciliation have been separated since September 15, 2011.



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