



HASKELL COUNTY SHERIFF'S OFFICE

Investigative Audit Report

May 4, 2022

Cindy Byrd, CPA
State Auditor & Inspector

Haskell County Sheriff's Office
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TO THE HONORABLE CHUCK SULLIVAN DISTRICT ATTORNEY, DISTRICT 18

Presented herein is the investigative audit report of the Haskell County Sheriff's Office. 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.

This report is addressed to, and is for the information and use of, the District Attorney as provided by statute. This report is also a public document pursuant to the Oklahoma Open Records Act, in accordance with 51 O.S. §§ 24A.1, *et seq.*

Sincerely,

A handwritten signature in blue ink that reads "Cindy Byrd".

CINDY BYRD, CPA
OKLAHOMA STATE AUDITOR & INSPECTOR



Haskell County Sheriff's Office

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Why We Performed This Audit

While performing an internal examination of records, the Haskell County Sheriff's Office noted multiple cash bonds that were unaccounted for from 2013 to 2019. Based on this discovery, the Sheriff's office requested District Attorney Chuck Sullivan to call for an investigative audit.

In accordance with 74 O.S. § 212(H), District Attorney Chuck Sullivan requested the State Auditor & Inspector's Office (SA&I) perform an investigative audit of the Haskell County Sheriff's Office Cash Bond Account.

Finding

Between July 2016 and August 2019, Monica (Mona) Ellison, then Administrative Assistant and Financial Deputy of the Haskell County Sheriff's Office, misappropriated 56 cash bond transactions totaling more than \$25,000.

Background and Objective

Background

The Haskell County Sheriff (Sheriff) is the principal law enforcement officer of the county and is responsible for the oversight of the Haskell County Jail.¹ The county jail houses inmates arrested by various law enforcement officers across the county.

Arrestees booked into the county jail can be released through the payment of a cash bond, securing of a bail or appearance bond, or on their own recognizance.² The Sheriff's Office is responsible for receiving and depositing cash bonds which are required to secure an inmate's release.³

¹ 19 O.S. § 513

² Arrestees are also, on occasion, released through court order or medical release.

³ Cash bonds may also be paid to the court clerk.

Upon collection of a cash bond, a receipt should be issued. The funds collected should then be remitted to the County Treasurer and deposited into the *Official Depository Account* as directed by 19 O.S. § 682 which states in part:

It shall be the duty of each and every county officer, county board, county commission and all members and employees of either thereof, to deposit daily in the official depository...all monies, [emphasis added] checks, drafts, orders, vouchers, funds, rentals, penalties, costs, proceeds of sale of property, fees, fines, forfeitures and public charges of every kind received or collected by virtue or under color of office...

Once funds are deposited, vouchers are to be issued to remit the cash bonds to the Haskell County Court Clerk, or to the arresting agency⁴ to be applied to the inmate's court case costs.

Ellison's primary responsibility was managing the collection of cash bonds and other miscellaneous fees.⁵ Ellison resigned from her position in August 2019. SA&I conducted an interview with Ellison to discuss the concerns covered in this report. She was unable to provide an explanation for the undeposited funds and obtained legal counsel subsequent to our interview.

Objective

Our objective was to determine whether cash bonds were properly receipted and deposited in accordance with state statute and if any public funds were diverted from their intended purpose.

Details on What We Found

A comprehensive analysis was performed on cash bond transactions to determine if any cash bond funds were misappropriated. The Sheriff's Office collected \$112,705 in cash bonds between July 1, 2016 and August 31, 2019. During that same period, only \$87,436 in cash bonds was deposited resulting in a misappropriation of funds totaling \$25,269.

Ellison was the employee primarily responsible for the collection and deposit of cash bonds received by the Sheriff's Office. She was responsible for all phases of the cash bond process including collection, receipting, posting, depositing, and reconciling. Ellison was also responsible for removing and processing virtually all funds from the HCSO⁶ safe. As shown in the "HCSO SAFE LOG," monies removed from the safe were signed out by Officer 515, which was the officer number assigned to Ellison.

HCSO SAFE LOG					
AMOUNT	BK #	INMATE CASH	CASH BOND	OFFICER IN	OFFICER OUT
53 ⁰⁰	133856	Yes	No	Boston	515
73 ⁰⁰	133856	No	Newton	Boston	515
612 ⁷⁶	133857	YES	No	Robinson	515
425 ⁰⁰	133858	NO	ROBTN	Robinson	515
100 ⁰⁰	133861	NO	ROBTN	Robinson	515
119 ⁰⁰	133863	NO	ROBTN	547	515

⁴ Local municipalities or jurisdictions served by the Haskell County Jail.

⁵ Sheriff Service fees, fingerprinting fees, Department of Corrections fees, fees from cities and towns for holding prisoners, commissary profits, and fees from the Haskell County Court Clerk.

⁶ Haskell County Sheriff's Office

Below are two detailed examples of what was found.

Example 1

Receipt No. 1007 was issued on March 2, 2018, for a cash bond payment totaling \$5,000. The "HCSO Safe Log" showed the cash bond payment of \$5,000 was removed from the jail safe on March 5, 2018, by Officer 515.

HCSO SAFE LOG							
INMATE	AMOUNT	BK #	INMATE CASH	CASH BOND	OFFICER IN	OFFICER OUT	DATE OUT
Jose R [REDACTED]	5,000.00	20180540	—	(yes)	BARTON	515	3/5/18

A deposit ticket was prepared and signed by Ellison on March 15, 2018.⁷ The deposit ticket indicated that only \$2,000 of the \$5,000 bond for arrestee "Jose R" was deposited into the Official Depository Account. The \$3,000 difference between what was received (\$5,000) and what was deposited (\$2,000) is a \$3,000 misappropriation of funds.

S.E.O.I. Form 195
Mid-West Printing

OFFICIAL DEPOSITORY TICKET

STATE OF OKLAHOMA, }
COUNTY OF HASKELL } ss.

To The County Treasurer: Ticket No. 1155

The within list of checks and cash is to cover receipts of my office for the 15th day of March, 2018.

By Theresa Ellison Sheriff
By Ellison Deputy

<u>20181130ND</u>				
[REDACTED]	<u>HC BOND</u>		<u>2500.00</u>	
<u>Jose R</u>	<u>HC BOND</u>		<u>2000.00</u>	

Example 2

Receipt No. 836 was issued on October 4, 2018, by Ellison, showing receipt of a cash bond in the amount of \$834 collected on behalf of a prisoner jailed for the Town of McCurtain. No cash bond sheet could be located for this arrestee, the amount was not included on the HCSO Safe Log, and the amount could not be located as deposited on any Official Depository Ticket.⁸ The bond amount, received by Ellison but never deposited, resulted in a misappropriation of \$834.

⁷ When cash bonds are removed from the jail safe, they are held in a front office safe until deposited by Ellison. Access to this safe was limited to Ellison and the Sheriff. The failure to deposit daily is addressed below in "Other Issues."

⁸ Deposit Tickets were reviewed through August 2019.

DESCRIPTION	AMOUNT
CASH BOND	834.00

RECEIPT
CASH BOND

№ 0836

HASKELL COUNTY SHERIFF'S OFFICE
STATE OF OKLAHOMA

Stigler, Oklahoma Dec 4 2018

Received of [Redacted] \$ 834.00 Dollars

Purpose: Mr. McCain's Cash Bond [Redacted]

MANUEL BALLARD, SHERIFF By [Redacted] Deputy

Final Comments

Several factors contributed to the loss of cash bond revenue, the number one factor being the lack of a segregation of duties. A segregation of duties between the receipting, depositing, and vouchering of cash bonds was virtually non-existent which led to an increased risk for misappropriation of funds. Some specific issues noted included:

1. Receipts were not issued for all cash bonds received.
Receipts should have been issued for all funds collected, regardless of the source, and should have been reconciled to deposits daily.
2. Monies received were not deposited daily.
All funds should have been deposited daily as required by statute.
3. The Offender Data Information System (ODIS) indicated several Haskell County arrestees were released via bail bonds or the payment of fines. However, the arrestees were actually released after payment of cash bonds, confirming that cash bonds collected were not properly recorded and accounted for in ODIS.
Information entered into the ODIS system should accurately reflect the payment of a cash bond amount and the correct payment method resulting in a prisoner's release.
4. Cash bonds were not paid to the court clerk in a timely manner.
Bonds should be remitted to the court clerk or the appropriate entity immediately after deposits have cleared.

DISCLAIMER *In this report, there may be references to state statutes and legal authorities which appear to be potentially relevant to the issues reviewed by the State Auditor & Inspector's Office. This Office has no jurisdiction, authority, purpose, or intent by the issuance of this report to determine the guilt, innocence, culpability, or liability, if any, of any person or entity for any act, omission, or transaction reviewed. Such determinations are within the exclusive jurisdiction of regulatory, law enforcement, prosecutorial, and/or judicial authorities designated by law.*

O·K·L·A·H·O·M·A
S·A·I
STATE AUDITOR & INSPECTOR



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