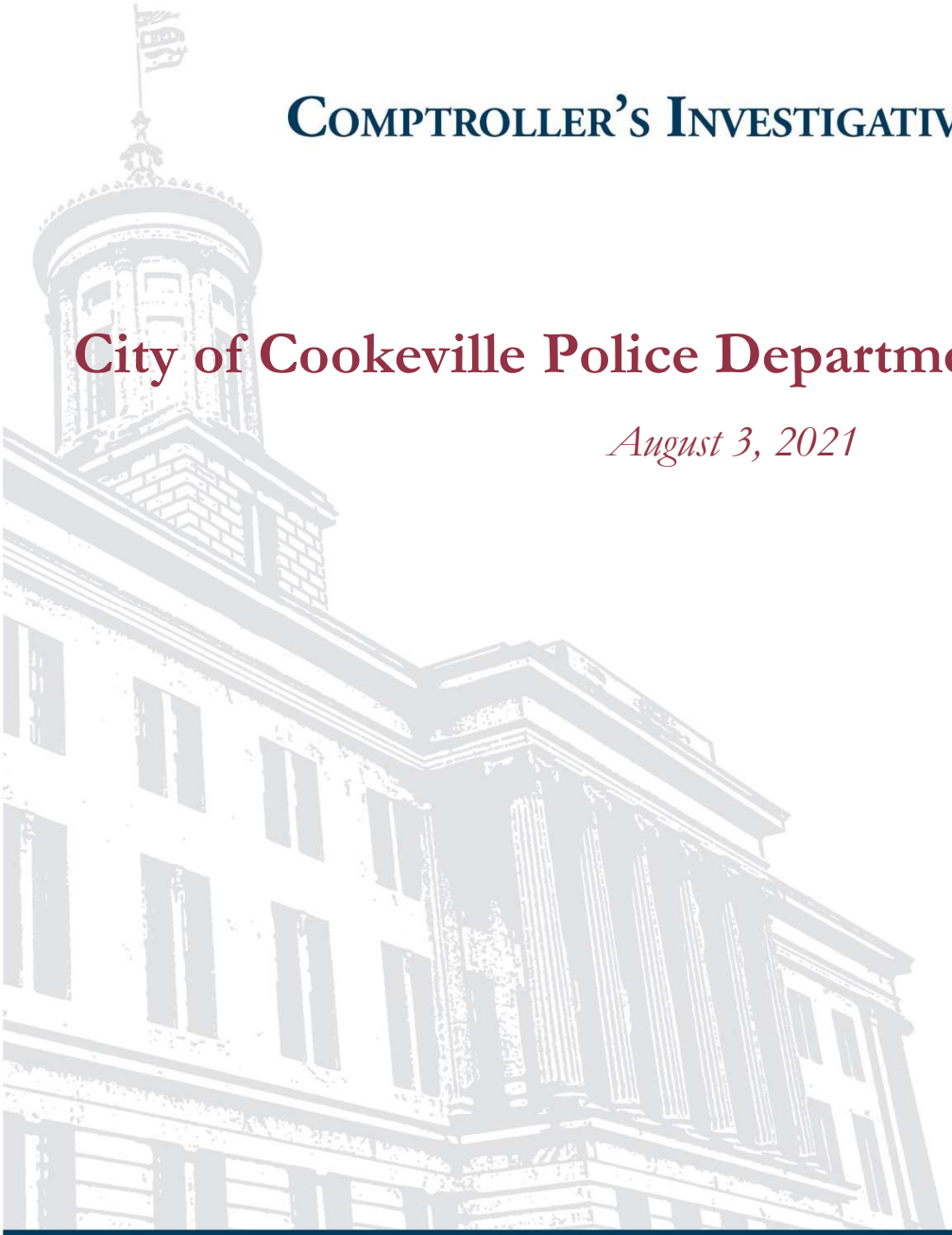

Comptroller's Investigative Report

City of Cookeville Police Department Canine Team

August 3, 2021

Jason E. Mumpower
Comptroller of the Treasury

Division of Investigations

Jason E. Mumpower
Comptroller

August 3, 2021

City of Cookeville
Randy Evans, Police Chief
10 E. Broad Street
Cookeville, TN 38501

Ladies and Gentlemen:

The Office of the Comptroller of the Treasury conducted an investigation of selected records of the City of Cookeville Police Department Canine Team, and the results are presented herein.

Copies of this report are being forwarded to Governor Bill Lee, the State Attorney General, the District Attorney General of the 13th Judicial District, certain state legislators, and various other interested parties. A copy of the report is available for public inspection in our Office and may be viewed at http://www.comptroller.tn.gov/ia/.

Sincerely,

Jason E. Mumpower
Comptroller of the Treasury

JEM/MLC

INVESTIGATIVE REPORT

City of Cookeville Police Department Canine Team

The Office of the Comptroller of the Treasury investigated allegations of malfeasance related to the City of Cookeville Police Department (CPD) canine team. The Comptroller's Office initiated the investigation after receiving allegations of possible irregularities involving a CPD canine trainer. The investigation was limited to selected records for the period February 2018 through November 2020. The results of the investigation were communicated with the Office of the District Attorney General of the 13th Judicial District.

BACKGROUND

The CPD's canine team is comprised of six canines and their handlers. The team's purpose is to support law enforcement officers in the search for evidence, felony and misdemeanor subjects, and lost or missing persons. They are used to search buildings and open areas, search for narcotics, and to obtain search warrants. CPD's canine team is overseen by a coordinator who is responsible for conducting, documenting, and maintaining records of official canine training. The team coordinator has served in this role for ten years. CPD's coordinator also owns a private business training and selling canines for police departments.

RESULTS OF INVESTIGATION

1. THE CPD CANINE TEAM COORDINATOR USED CITY FACILITIES TO KENNEL AND TRAIN CANINES AND INSTRUCT THEIR HANDLERS FOR HIS PERSONAL BUSINESS

Investigators determined that the CPD canine team coordinator used city facilities to kennel and train dogs he kept for sale to other law enforcement agencies. He also used city facilities to instruct the canine handlers whose agencies purchased canines from his personal business. The CPD's coordinator acknowledged he kenneled and trained his dogs at the CPD canine facility. Additionally, the coordinator, along with other CPD employees and canine handlers from other law enforcement agencies who purchased canines from the coordinator, indicated that the

coordinator used the CPD canine facility and other city facilities to conduct his personal business activities.

The coordinator identified two personally owned canines in the CPD kennels when investigators initially visited. During this visit, investigators observed a canine handler from an out-of-state law enforcement agency training at the facility; however, this handler's canine was not purchased from the CPD's coordinator's personal business. Additionally, the coordinator and multiple CPD employees told investigators that various agencies often participated in CPD's routine canine training activities. The CPD Chief told investigators that CPD, without cost, assisted any agency that requested training, and multiple agencies sent their canines to train with CPD.

The coordinator, along with other CPD employees and canine handlers from other law enforcement agencies who purchased canines from the coordinator's personal business, told investigators that the coordinator personally paid an outside canine trainer to assist with some canine handler courses. This outside canine trainer assisted by instructing handlers whose canines were purchased from the coordinator's personal business. However, these training courses occurred in tandem with the coordinator training CPD's canine handlers.

Investigators spoke with officials and canine handlers from two separate out-of-state law enforcement agencies. Each of these agencies purchased two canines from the coordinator's personal business, and their respective handlers traveled to Cookeville for training, at least some of which occurred at city facilities. The handlers from each of these agencies indicated that they trained alongside CPD officers.

CPD's facilities are for the benefit of the City of Cookeville. CPD employees should not be allowed to kennel and train personally owned canines on city property. At a minimum, kenneling and training personally owned canines on city property produces potential liability for the city and creates the appearance of improper personal benefit.

2. THE CPD CANINE TEAM COORDINATOR USED A CITY EMAIL ACCOUNT FOR HIS PERSONAL BUSINESS

CPD's canine team coordinator used his city email account to conduct personal business. During a review of canine purchase documentation provided by the out-of-state law enforcement agencies mentioned previously, investigators noted that the coordinator used his city email account to communicate with the agencies and to transmit documents related to the sale of canines from his personal business. Additionally, investigators noted that the coordinator included his city email account in his contact information for his personal business.

CPD *General Order 20-3.7 Duties of Users* states in part, "E-mail accounts may be authorized by the Chief of Police based on job assignment for job related purposes." CPD officials should ensure that city email accounts are used for job related purposes.

3. CPD AND CITY OF COOKEVILLE OFFICIALS FAILED TO DOCUMENT A TRANSACTION BETWEEN THE CITY AND THE CPD CANINE TEAM COORDINATOR'S PERSONAL BUSINESS

CPD and City of Cookeville officials failed to document the trade of a canine between the department and the coordinator. CPD, upon the recommendation of the coordinator, traded a city-owned canine to the coordinator for a canine that he owned and had acquired to sell through his personal business to an out-of-state law enforcement agency. According to the CPD Chief and the coordinator, this trade was initiated due to the suitability of the canines for each respective agency. The canine CPD obtained via this trade is currently in service for CPD. The coordinator sold through his personal business the former CPD canine that he obtained via this trade to an out-of-state law enforcement agency. The CPD Chief sought and obtained approval for the trade from Cookeville's City Manager. The CPD Chief and the City Manager both told investigators that the City Manager approved the trade, but neither had documentation of the approval.

According to Cookeville's Assistant Finance Director, police canines are considered for accounting purposes to be police equipment and are not capitalized as assets. Investigators noted that the City of Cookeville paid amounts ranging from $3,850 to $6,900 each for the last five canines purchased for CPD. Additionally, the city paid for outside training for two of these canines, increasing the total cost for these two canines to $11,000 each. Based on documentation supporting the city's original purchase of the traded CPD canine for $4,900, the cost of the canine does not meet equipment capitalization thresholds (allowing canines to be recorded as assets in the financial records) as explained by the Assistant Finance Director.

CPD and City of Cookeville officials should ensure that any trade of police canines, whether to an employee or to another agency, is approved and adequately documented.

INTERNAL CONTROL DEFICIENCY

Our investigation revealed the following deficiency in internal control that contributed to the coordinator's creation of an apparent conflict of interest:

Deficiency: CPD has not adopted a policy prohibiting personal use of departmental facilities

CPD officials have not adopted a policy prohibiting personal use of departmental facilities. CPD's canine team coordinator acknowledged using city-owned facilities to kennel and train personally owned canines and to train their handlers for his personal business.

CPD facilities are for the benefit of the City of Cookeville, and CPD employees should not be allowed to use city property for personal benefit. CPD General Order 13-1, entitled *Property Management*, pertains to the proper use and care of departmental issued equipment but does not address facility use.

CPD officials and officers hold a position of public trust and therefore must strive to hold themselves and their employees to the highest standards and should not engage in any action, whether specifically prohibited by statute, regulation, or policy, which might result in or create the appearance of impropriety, private gain, preferential treatment, or impeding government efficiency. CPD officials should strictly prohibit employees or others from using city facilities to kennel or train personally owned canines or to perform other personal work.

CPD officials indicated that they have corrected or intend to correct this deficiency.