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**OFFICE OF THE STATE AUDITOR'S REPORT  
ON INFORMATION TECHNOLOGY CONTROLS AT  
THE MASSACHUSETTS PAROLE BOARD**

July 1, 2004 through January 17, 2007

**OFFICIAL AUDIT  
REPORT  
JULY 11, 2007**

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## INTRODUCTION

Chapter 27, Section 4, of the Massachusetts General Laws (MGL) established the Massachusetts Parole Board (Board) within the Executive Office of Public Safety. The Board is comprised of seven full-time members appointed by the Governor, subject to the advice and consent of the Executive Council. The Chairman of the Parole Board is responsible for operations, funds, expenditures, and supervision of parolees, and is the chief spokesperson for the Board. Chapter 27, Section 5, of the MGL stipulates that the Parole Board is responsible for determining which prisoners in the correctional institutions of the Commonwealth, or in jails or houses of correction, may be released on parole. The Board is responsible for the supervision of all persons placed on parole and can assign special conditions in order to address specific parolee needs and improve the opportunity for success under supervision. They also monitor the supervision of parolees in the community and return those parolees to prison who are a risk to the community. The Chairman directs the strategic planning for the Board and sets operational priorities for its 230 employees. The Board is supported by a budget of approximately \$18 million for fiscal year 2007.

The Board's mission is to promote public safety through the responsible reintegration of offenders into the community through supervised conditional release that holds parolees accountable for their behavior and prepares them to be productive citizens. To achieve this goal, the Field Services Division (FSD) promotes public safety through assessment, supervision, treatment, sanctions, and control of offenders placed on parole by the Board. The Chief of Field Services reports directly to the Executive Director of the Parole Board, who in turn reports to the Chairman, and is responsible for the oversight of approximately 120 field parole officers (FPOs) and administrative staff working out of the agency's central office in Natick, eight regional parole offices and reentry centers, and the Warrant and Apprehension Unit in Braintree. The Chief of Field Services manages the FSD with the aid of three deputy chiefs and a supervising parole officer assigned to oversee each regional parole office. As of October 16, 2006 there were 3,267 active parole cases.

The Board's goal of supervision refers to the activities the FPOs should perform to ensure parolees meet their conditions of release orders. The FPO balances treatment and supervision strategies necessary to manage offender risk with the needs and interests of victims and communities. This supervision process consists of a number of critical activities including:

- Accurate and ongoing assessment of offender risk and need.
- Development of effective supervision and treatment plans.
- Use of appropriate sanctions and strategies to minimize risk and maximize the potential for successful outcomes.

To reduce recidivism, FPOs are to continuously assess and evaluate the offenders assigned to them and supervise at a level consistent with the risk of re-offending. Because the FPOs are responsible for monitoring parolees for compliance with the Board's conditions of release, their roles are critical to the success of the Board's objectives. FPOs work with the offender to minimize subsequent relapses and provide the offender with community support and assistance. The Board has implemented policies and procedures that outline the standards each FPO should follow when supervising an offender placed on parole.

Institutional Parole Officers (IPOs) act as an on-site liaison among the Board, the Department of Correction, and local jails to ensure that the Board has all the information it needs. The IPOs provide information about parole policies and procedures to institutional staff and offenders, coordinate the approval of parole release plans, and participate in pre-release programs.

Board personnel establish case files for parolees that are maintained on a computerized offender case management and tracking system known as the State Parole Integrated Records and Information Tracking (SPIRIT) system. The Board uses the SPIRIT application to track potential parolees starting with incarceration, and manage parole eligibility, hearing, revocation, and supervision processes. The SPIRIT system, a three-tiered web-based application based running on a Microsoft SQL Server 2000, became fully functional in September 2005, and replaced the Parole Automated Tracking System (PATS) mainframe-based legacy system implemented in the early 1990s. The SPIRIT application was developed as a web-based, custom-designed, comprehensive, integrated, and automated offender management system. According to Board senior management, the implementation of SPIRIT was required to address the significant limitations and deficiencies of PATS for data collection and reporting, supervisory oversight of case management, and the reassignment of case coverage, due to vacations, illness, or staff vacancies. When SPIRIT was introduced, all PATS data was migrated onto the new system.

The information technology (IT) infrastructure used to support SPIRIT and administrative applications consists of local area networks (LANs) installed at the central office, correctional institutions, and regional offices linking over 290 workstations and notebook tablets to a Windows 2000 network for print and file servers. The primary production data center is located in the greater Boston area. The Board's staff are able to access SPIRIT data files and software directly through the wide area network (WAN) to the Commonwealth's file server containing the SPIRIT database. Through the network, the workstations also provide access to the state's Human Resources Compensation Management System (HR/CMS) and the Massachusetts Management Accounting and Reporting System (MMARS).

Our examination focused on a review of selected internal controls over SPIRIT, specifically physical security and environmental protection controls over IT resources at the Board's production site and

administrative offices, system access security, business continuity planning, and on- and off-site storage of computer-related media. In addition, we performed an assessment of the Board's efforts to effectively supervise parolees and manage collections via the SPIRIT system. .

## **AUDIT SCOPE, OBJECTIVES, AND METHODOLOGY**

### **Audit Scope**

In accordance with Chapter 11, Section 12, of the Massachusetts General Laws, we performed an information technology (IT) general controls examination of IT-related activities at the Massachusetts Parole Board (Board) for the period of July 1, 2004 through January 17, 2007. The audit was conducted from August 8, 2006 through January 17, 2007. Our audit scope included a general control examination of internal controls related to the organization and management of IT activities and operations, including strategic and tactical planning, physical security and environmental protection over the Board IT infrastructure, business continuity planning, and on-site and off-site storage of backup magnetic media. We also performed an evaluation of program change controls, system access security, and inventory controls over IT equipment.

Our audit scope included an examination of the Board's Field Services Division (FSD) case management practices; compliance with relevant Commonwealth laws, administrative rules, and Board policies; and management controls for parolee payment collections. Accordingly, we performed an assessment of the Board's efforts to effectively supervise parolees and manage collections via the State Parole Integrated Records and Information Tracking (SPIRIT) system.

### **Audit Objectives**

Our primary audit objective was to determine whether the Board's IT-related internal control environment, including policies, procedures, practices, and organizational structure, provided reasonable assurance that IT-related control objectives are in place and effect to support the Board's business functions. In this regard, we sought to determine whether adequate controls were in place to provide reasonable assurance that IT resources would be safeguarded, properly accounted for, and available when required.

Our audit objective regarding IT organization and management was to determine whether IT-related roles and responsibilities were clearly defined, points of accountability were established, appropriate organizational controls were in place, and IT-related policies and procedures adequately addressed the areas under review. We also sought to determine whether the Board had implemented IT-related strategic and tactical plans to assist the Board in fulfilling its mission, goals, and objectives and whether the Board had appointed a steering committee to oversee its information technology (IT) group and activities.

We further sought to determine whether adequate physical security controls were in place to provide reasonable assurance that access to the data center and the on-site and off-site media storage areas was

limited to authorized personnel. Moreover, we sought to determine whether sufficient environmental protection was being provided to prevent or detect damage or loss of IT-related equipment and media.

Regarding systems availability, we sought to determine whether adequate business continuity plans were in effect to help ensure that mission-critical and essential systems could be regained within an acceptable period of time should a disaster render processing inoperable or inaccessible. Moreover, we sought to determine whether adequate controls were in place to provide reasonable assurance that appropriate magnetic backup copies of application systems and data files would be available on-site and off-site to support disaster recovery and business continuity planning objectives.

We sought to determine whether adequate controls had been implemented to provide reasonable assurance that only authorized users were granted access to the Board's data files. We sought to determine whether procedures were in place to prevent or detect unauthorized access to automated systems and IT resources, including the Microsoft SQL Server 2000, LAN file servers, workstations, and notebook tablets. In addition, we sought to determine whether the SPIRIT data was sufficiently protected against unauthorized disclosure, change, or deletion.

With regard to inventory control over IT equipment, including notebook tablets, we evaluated whether an annual physical inventory and reconciliation was conducted and whether IT equipment was accurately reflected, accounted for, and properly maintained in the system of record.

We sought to determine whether Board personnel were effectively supervising parolees and managing collections via the SPIRIT system. We performed an assessment of the Board's FSD case management information and data. We tested FSD compliance with parole board orders and other relevant state laws, administrative rules, and division policies. We also performed an assessment of procedures and controls over parole supervision fee collections.

### Audit Methodology

To determine our audit scope and objectives, we initially obtained an understanding of the Board's mission and business objectives. Through pre-audit interviews with managers and staff and reviews of documents, such as descriptions of the Board's organization and operations, we gained an understanding of the primary business functions supported by the automated systems. We documented the significant functions and activities supported by the automated systems and reviewed automated functions related to operations designated as mission-critical by the Board.

Regarding our review of IT organization and management, we interviewed senior management, completed questionnaires, and analyzed and reviewed the organizational structure and reporting lines of the Board's IT Group. We obtained, reviewed, and analyzed relevant IT-related policies and procedures and strategic and tactical plans to determine their adequacy. To determine whether the Board's IT-related job

descriptions and job specifications were up-to-date and reflected current responsibilities and technological expertise requirements, we obtained a current list of the personnel employed by the IT Group, including their duties and job descriptions, and compared the list to the IT Group's organizational chart, each employee's statements concerning their day-to-day IT-related responsibilities, and the technology in use at the time. We inspected the data center in Boston and the central office in Natick, reviewed relevant documents, such as the network configuration, internal control plan, and business continuity plan, and performed selected preliminary audit tests.

We interviewed Board management to discuss internal controls regarding physical security and environmental protection over and within the data center housing the file servers, the business offices where microcomputer workstations are located, and the on-site and off-site storage areas for mission-critical and essential magnetic media storage. In conjunction with our audit, we reviewed written, authorized, and approved policies and procedures for control areas under review. We determined whether the policies and procedures provided management and users sufficient standards and guidelines to describe, review, and comply with regulations and to meet generally accepted control objectives for IT operations and security.

To determine whether adequate controls were in effect to prevent or detect unauthorized access to the selected business offices housing IT resources, we inspected physical access controls, such as the presence of security personnel on duty, locked entrance and exit doors, the presence of a receptionist at the entrance point, intrusion alarms, and whether sign-in/sign-out logs were required for visitors. We reviewed physical access control procedures, such as the lists of staff authorized to access the data center and magnetic key management regarding door locks to the central office's entrance and other restricted areas within the central office. We determined whether the Board maintained incident report logs to record and identify security-related events, such as unauthorized entry attempts, threatening phone calls, or thefts of computer-related equipment.

To determine whether adequate environmental protection controls were in place to properly safeguard automated systems from loss or damage, we checked for the presence of smoke and fire detectors, fire alarms, fire suppression systems (e.g., sprinklers and inert-gas fire suppression systems), an uninterruptible power supply (UPS) and surge protectors for automated systems, and emergency power generators and lighting. We reviewed general housekeeping procedures to determine whether only appropriate office supplies and equipment were placed in the data center or in the vicinity of computer-related equipment. To determine whether proper temperature and humidity controls were in place, we reviewed for the presence of appropriate dedicated air conditioning units in business offices and the data center that houses the file servers. Further, we reviewed control procedures to prevent water damage to automated systems, agency records, and magnetic backup media stored on site.

To assess disaster recovery and business continuity planning, we reviewed the adequacy of formal business continuity plans to resume mission-critical and essential operations in a timely manner should the file servers and the microcomputer workstations be unavailable for an extended period. We interviewed senior management to determine whether the criticality of application systems had been assessed, whether risks and exposures to computer operations had been evaluated, and whether a written business continuity plan was in place and had been periodically reviewed. Further, we reviewed and evaluated procedures in place to resume normal business functions should the file servers or the microcomputer workstations be rendered inoperable or inaccessible.

To determine whether controls were adequate to ensure that data files and software for business applications would be available should the automated systems be rendered inoperable, we interviewed Board management responsible for generating backup copies of magnetic media for administrative work processed at the Board and applications such as SPIRIT residing on the file servers. Further, we reviewed the adequacy of provisions for on-site backup copies of mission-critical and essential magnetic media at the data center. We did not review the Information Technology Division's backup procedures for transactions processed through MMARS and HR/CMS.

With respect to system access security, our audit included a review of access privileges of those employees authorized to access the network and associated microcomputer systems. To determine whether the Board's control practices regarding system access security would prevent unauthorized access to automated systems, we initially sought to obtain policies and procedures regarding system access and data security. We reviewed security practices with senior management responsible for the network and evaluated selected controls to the automated systems.

To determine whether the administration of logon ID and passwords was being properly carried out, we reviewed and evaluated control practices regarding system access security. We reviewed the security procedures with the analyst responsible for access to the file servers and workstations on which the Board's application systems operate. In addition, we reviewed control practices used to assign and grant staff access privileges to the application programs and data files. To determine whether controls in place were adequate to ensure that access privileges to the automated systems were granted only to authorized users, we reviewed and evaluated procedures for authorizing, activating, and deactivating access to application systems and related data files. We reviewed documents recording the granting of authorization to access automated systems and requested and received a current listing of users. To determine whether Board users with active privileges were current employees, we obtained the list of individuals with access privileges to the network and microcomputer workstations and compared all users with active access privileges to the Board's personnel roster of current employees. Further, we determined whether all

employees authorized to access the automated systems were required to change their passwords periodically and, if so, the frequency of the changes.

To determine whether adequate controls were in place and in effect to properly account for the Board's computer equipment, we reviewed inventory control policies and procedures and requested and obtained the Board's inventory system of record for computer equipment dated August 14, 2006. We reviewed the current system of record to determine whether it contained appropriate data fields to identify, describe, and indicate the value, location, and condition of IT-related equipment. We also performed a data analysis on the inventory and made note of any distribution characteristics, duplicate records, unusual data elements, and missing values. To determine whether the system of record for computer equipment for fiscal year 2007 was current, accurate, complete, and valid, we used Audit Command Language (ACL) to select a statistical sample of 108 items out of a total population of 875 items in order to achieve a 98% confidence level. We traced the inventory tags and serial numbers of the hardware items listed on the inventory record to the actual equipment on hand.

To verify the relevance and completeness of the Board's system of record for IT-related equipment, we randomly selected 44 additional computer hardware items in adjacent locations and determined whether they were properly recorded on the Board's inventory record. To determine whether the Board had appropriate control practices in place and in effect to account for and safeguard notebook tablets, we interviewed representatives from the IT Department. Further, we reviewed the control form used by each area regarding their computer equipment loan policies for employees, and requested for review the Board's documented policies and procedures to control the assignment and use of notebook tablets.

To determine whether the Board complied with Commonwealth of Massachusetts regulations for accounting for assets, we reviewed evidence supporting the Board's performance of an annual physical inventory of IT assets. Further, to determine whether the Board complied with Commonwealth of Massachusetts regulations for the disposal of surplus property, we reviewed records and supporting documentation for IT-related equipment disposed of during the audit period, as well as IT-related equipment that the Board plans to request Commonwealth approval to dispose of as surplus. Finally, to determine whether the Board was in compliance with Chapter 647 of the Acts of 1989, regarding reporting requirements for missing or stolen assets, we reviewed incident reports for missing or stolen IT-related equipment for the audit period and verified whether these incidents were reported to the Office of the State Auditor.

To determine whether Board personnel were effectively supervising parolees via the State Parole Integrated Records and Information Tracking (SPIRIT) system, we requested and received data from the Board regarding all parole supervision activity between September 1, 2005 and October 16, 2006. We then extracted the active parolee cases with their associated regional office for an overall population size of

2,181 cases. We reviewed each case file in our samples to assess the effectiveness and compliance with laws, rules, policies, and procedures of the Board. To gain an understanding of the parolee case management process, we spoke with various senior management throughout the Board. We then compared parolee case management requirements as outlined in the Board's policies and procedures manual to the verbal descriptions of actual review processes. To help us examine the nature and extent of supervision, we reviewed a random sample of 354 parolee cases involving offenders who were under the supervision of FPOs at the eight (8) regional parole offices in October 2006. We reviewed case management activities of the sampled cases to test compliance with Board supervision standards. Specifically, we ensured whether parolee supervision reclassifications were completed timely and accurately. We also selected polygraph testing for sexual offenders; drug re-testing for all parolees that tested positive for drugs; and the requirement that parolees pay their required child support for our audit testing; as these measures were identified as effective case management and supervision techniques utilized by the Board.

Offenders granted a Parole release and under parole supervision are assessed a monthly Parole supervision fee as a condition of Parole. To determine whether the Board personnel were effectively managing supervision fee collections via the (SPIRIT) system, we interviewed key Board personnel to gain an understanding of the Board's procedures and controls over supervision fee assessment. We obtained and reviewed applicable sections of the Board's policies and procedures manual. We also reviewed a statistical sample of parolee case files. Specifically, from a population of 2,181 cases we randomly sampled 91 to examine collection data to determine whether offenders were paying their assessed monthly fee as a condition of parole. The sample size provided for a 98 percent confidence level with a precision of plus or minus two percent. We also performed an assessment of management controls to determine whether appropriate supervision fee collection efforts were made for outstanding debts.

Our audit was conducted in accordance with Generally Accepted Government Auditing Standards (GAGAS) issued by the Comptroller General of the United States through the U.S. Government Accountability Office and generally accepted industry practices. Audit criteria used in the audit included management policies and procedures and control guidelines outlined in Control Objectives for Information and Related Technology (CobiT), as issued by the Information Systems Audit and Control Association, July 2000.

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## AUDIT CONCLUSION

Based on our audit at the Massachusetts Parole Board (Board), we found that adequate controls were in place to provide reasonable assurance that information technology (IT) related control objectives would be met with respect to IT organization and management, physical security, environmental protection, on-site and off-site storage of backup copies of magnetic media, system access security, and inventory control over computer equipment. However, the Board needs to more effectively supervise parolees and manage collections via the State Parole Integrated Records and Information Tracking (SPIRIT) system. The Board also needs to strengthen controls to provide reasonable assurance that control objectives regarding system availability and program change controls will be met.

Our audit identified field parole officers (FPOs) supervision and case management practices that need to be improved for the Board to operate with increased effectiveness and efficiency. Our audit revealed that six-month supervision level reassessment for parolees was not being performed, as evidenced by information in the SPIRIT system. We were also unable to locate documentation that FPOs conducted a reassessment of supervision levels for any of the parolee case records we tested for compliance. Our tests also showed that FPOs supervising parolees within the eight regional offices had deficiencies in compliance with Board standards, including polygraph testing for sexual offenders, drug re-testing for all parolees that tested positive for drugs, and requiring parolees to pay child support. We also concluded that supervision fee collection efforts were not being made for outstanding supervision fee debts owed by active and discharged parolees. The Board also has a number of weaknesses related to general computer system controls. Specifically, the Board had inadequate policies and procedures for disaster recovery and program change control. Additionally, some Board policies were not aligned with the SPIRIT system's functionality.

Our review of IT-related organizational and management controls indicated that the Board had a defined IT organizational structure, an established chain of command, clearly delineated reporting responsibilities, and documented job descriptions for IT staff that reflected current responsibilities. Our review of IT-related planning found that the Board had developed a comprehensive strategic/tactical plan to address IT functions within the agency and across the eight regional parole offices. With respect to the use and the safeguarding of information technology, we determined that formal policies and procedures were in existence, but needed to be strengthened for business continuity and contingency planning and program change control. The absence of sufficiently documented controls increases the risk that desired control practices will not be adequately communicated, administered, or enforced.

Our examination of physical security revealed that controls provided reasonable assurance that the Board's IT resources were safeguarded from unauthorized access. We found that the data center was locked and that a list was maintained of individuals who had facility key access. The Board's data center had full-time security guards on duty 24 hours per day, seven days per week, and the facility was equipped with intrusion alarms. Our examination also disclosed that the data center had restricted keycard access to only approved individuals. In addition, visitors are escorted when accessing the data center to minimize the risk of damage and/or theft of computer equipment. Our review of selected areas housing workstations disclosed that on-site security make periodic rounds nightly to verify that all office doors are locked and secure.

We found that adequate environmental protection, such as smoke detectors and alarms, sprinkler systems, and an emergency power supply, were in place in the building housing the Board to help prevent damage to, or loss of, IT-related resources. Our audit disclosed that the data center was neat and clean, general housekeeping procedures were adequate, and temperature and humidity levels within the room were appropriate. We found that an uninterruptible power system (UPS) was in place to prevent sudden loss of data and that hand-held fire extinguishers were located within the data center. Moreover, evacuation and emergency procedures were documented and posted within the data center. According to management, staff had recently been trained in the use of these emergency procedures.

Our audit indicated that adequate control procedures were in place regarding on-site and off-site storage of backup copies of magnetic media. We determined that the Board had implemented procedures and schedules for generating backup copies of magnetic media and had documented procedures for maintaining descriptions of data files and software that were backed up. Documentation was in place indicating which backup tapes were stored off-site, and logs were maintained demonstrating the authorized schedule for the transport and return of backup copies.

Although on-site and off-site storage of backup media was in place, our review indicated that the level of disaster recovery and business continuity planning needed to be strengthened. Specifically, our audit disclosed that the Board did not have a comprehensive disaster recovery and business continuity plan to provide reasonable assurance that mission-critical and essential data processing operations for the State Parole Integrated Records and Information Tracking (SPIRIT) system could be regained effectively and in a timely manner should a disaster render automated systems inoperable. Although we found that there was a plan from January 2003, the plan had not been updated. We also found that, although a potential alternate processing site had been selected, user area plans had not been established to document the procedures required to regain business operations in the event of a disaster.

Regarding system access security, our audit revealed that the Board had developed and documented appropriate procedures regarding the granting of access privileges to automated systems and activation of logon IDs and passwords. Regarding procedures to deactivate access privileges, we found that formal procedures were in place to deactivate access privileges for users no longer authorized or needing access to the automated systems. For our audit tests of access security, we compared 46 (20%) randomly-selected users to the Board's payroll roster of current employees and confirmed that the users were current employees. We also determined that appropriate control procedures were in place with respect to monitoring user privileges and password administration and the granting of limited access privileges to individuals working in other entities.

Our audit revealed that the Board had appropriate controls in place to provide reasonable assurance that IT equipment would be properly accounted for on the inventory record. Our audit indicated the Board had reconciled its inventory record to its master inventory file and had taken an annual inventory of hardware items. Our audit tests indicated that the Board's IT equipment was locatable, properly tagged, identified, and recorded on the inventory listing. During the course of our audit, nothing came to our attention to indicate that there were weaknesses in inventory control procedures at the Board. Regarding surplus property and equipment, our audit revealed that the Board was aware of the Operational Services Division's (OSD) policy and procedures and was in compliance. We also found that the Board's Internal Control policies included control and reporting requirements set forth in Chapter 647 of the Acts of 1989 and was in compliance.

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## AUDIT RESULTS

### 1. Timely Polygraph Testing For Sex Offenders

The Board could not provide evidence that polygraphs had been performed on 17 of the 105 parolees designated as sex offenders, as mandated by the Board's own regulations. In 1996, the Board implemented the Intensive Parole for Sex Offenders (IPSO) Program to identify offenders in need of enhanced supervision and mandatory sex offender treatment. At the present time, 75 sex offenders are being supervised under the IPSO program. In addition to more intensive supervision, sex offenders are subject to additional parole conditions which target behavior likely to raise the risk of an offender committing a new offense. These requirements include attending community-based sex offender treatment programs and monitoring of behavior with the use of polygraph testing. These tests are critical in measuring offender compliance with the stipulations of parole supervision.

Massachusetts Parole Board Policy 120 PAR 468 outlines specific parolees that are required to participate biannually in polygraph examinations in order to obtain information necessary for risk management and treatment to reduce the sex offenders' denial mechanisms. The polygraph examination must be conducted by a polygrapher trained specifically in the use of the polygraph for the monitoring of sex offenders. To determine whether there are any parole violations, these polygrapher's questions to convicted sex offenders include where they have been, whom they have seen, and if they have visited restricted Internet sites. Parolees are also asked if they committed any new crimes. Data obtained during the polygraph examination provide vital management and compliance feedback to the treatment provider and parole officer. Use of the polygraph helps ensure that parolees fully reveal their sexual histories. This information is essential to the development of effective treatment programs.

Our audit revealed that sex offenders were not being consistently tested within their six-month polygraph examination requirement. Our audit tests revealed that of the 105 parolees designated as sex offenders who were required to take biannual polygraph examinations, 17, or 16%, were overdue for polygraph testing. Further testing revealed that of the 17 sex offenders that had been designated as overdue for polygraph testing, 16 parolees have since received a polygraph examination although some were late by as much as 300 days, and one parolee had not received a polygraph test for over one year. The lack of specific monitoring procedures to ensure that timely polygraph tests are performed could place the general public at risk for certain parolees whose offenses included rape and abuse of a child, child pornography, assault with intent to commit rape, and indecent assault and battery on a child under age 14.

One of the factors that contributed to the Board not performing the required polygraph examinations was that supervisors did not use the SPIRIT system to generate reports that identify all sex offenders that were required to take polygraph tests and parolees that were past their polygraph examination due dates. It was also noted that supervisors were not utilizing the "To Do" notification functionality within SPIRIT to notify the field parole officers (FPOs) when to schedule a parolee's six-month polygraph examination. We found a lack of specific monitoring procedures in place for FPOs to follow in order to ensure that parolees are tested every six months. Other factors included suspension of polygraph testing pending the results of the Board's review of requests for waivers, a lack of availability of polygraphers, and instances where language barriers prevented polygraphers from testing non-English speaking parolees.

**Recommendation:**

Appropriate corrective controls should be in effect to mitigate risks of sex offenders not receiving a polygraph examination every six months. The Board should implement a procedure for the utilization of SPIRIT generated supervisory reports that would identify all parolees required to take a polygraph examination and flag parolees that have missed their polygraph examination due dates. We recommend that supervisors utilize the "To Do" notification functionality within SPIRIT to notify the FPOs to ensure that parolees are scheduled to take their polygraph examinations within the six-month requirement. In instances where a waiver is under review, the Board should enhance documentation of stated control practices for monitoring polygraph tests to include a provision for an approved extension beyond the six-month polygraph requirement and amend the information in the SPIRIT application.

We recommend that the Board evaluate the population of parolees identified as sex offenders and take appropriate action to ensure there are a sufficient number of polygraphers available to conduct polygraph testing within required time frames for the parolee. During its evaluation of the population of sex offenders, the Board should ensure multilingual resources are available to conduct polygraph examinations for non-English speaking parolees.

**Auditee's Response:**

*In regard to polygraph testing, upon reviewing the findings it was determined that while all mandatory polygraph examinations for sex offenders are being conducted, 16% were late (beyond the Parole Board established 6-month policy requirement).*

*It should be noted that the Polygraph unit is small in nature as there are only three positions statewide for the agency. One of the agency's three polygraph examiners retired during the time period for which this compliance issue was tested, which had a significant impact on the remaining two polygraph examiners. The process to hire a new*

*examiner was lengthy due to civil service hiring requirements. In addition, after a candidate was selected, the new examiner was required to be sent to an accredited 10-week polygraph training program in Maryland, then to Texas for a 2-week sex offender polygraph examination specific training program, and then required extensive on-the-job-training with the existing two polygraph examiners. From hiring to completion, this process took approximately 6-months. As a result, whereas the agency had a 33% reduction (a decrease from 3 to 2 examiners) in its polygraph examination workforce, some examinations were delayed although to the credit of the two pre-existing polygraph examiners, nearly 85% were still conducted within the 6-month agency policy timeframe. It is also important to note that all of these offenders were being monitored by parole officers while they were in the community and being randomly tested for drugs and alcohol, ensuring that the offenders are engaged in appropriate counseling and treatment, and that the offender is maintaining legitimate employment. Since the time of the initial audit, the agency is in full compliance with polygraph examinations and has developed an automated calendar to better track the schedule exams and allow FSU management to ensure compliance.*

*Also, it should be noted that the report indicates the Intensive Parole for Sex Offenders Program includes 75 parolees however most of these individuals (57) were not placed in the IPSO program until September of 2006, one month prior to the end of the audit period. The IPSO programming was expanded as a result of FY07 funding increases however prior to this, the agency only had 18 sex offenders in the program. While all 105 of the parolees reviewed for this audit were subject to polygraph testing, in addition the staffing issue noted above, the agency has been attempting to increase funding to expand the IPSO program statewide to ensure all conditions and requirements are met in a timely and effective manner.*

**Auditor's Reply:**

We are pleased that the Board completed the successful hiring of a new polygraph examiner in order to ensure that sex offenders will be examined within their due dates. The Board's development of an automated calendar to better track the scheduled exams will assist senior management to ensure compliance for mandated polygraphs of convicted sex offenders. The Board should continue to monitor and set up assurance mechanisms for compliance with the timeliness standard. The Board should also ensure multilingual resources are available to conduct polygraph examinations for non-English speaking parolees.

We hope that the Board's continued efforts to seek increased funding in order to expand the statewide IPSO program will help to better monitor sex offenders and thereby strengthen public safety efforts.

**2. Collection of Supervision Fees From Active and Discharged Parolees**

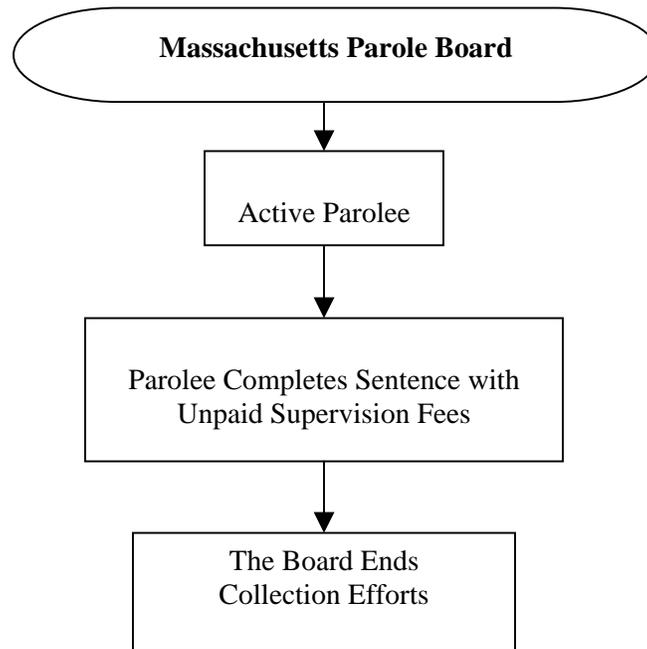
Our test regarding the collection of supervision fees from active and discharged parolees indicated that the Parole Board did not aggressively enforce the collection of supervision fees. Our review

demonstrated that the Board failed to collect over \$700,000 in potential revenue over a period of one year by not continuing debt collection efforts on supervision fees owed by parolees who had completed their sentences.

While parolees are under the Board's supervision, parole officers attempt to collect supervision fees. Any person placed on parole is assessed and required to pay a \$55 per month supervision fee. The supervision fee is to be used by the Board to defray costs. A partial or full waiver of fees may be granted for hardships such as low income, disability, or excessive medical bills. Based on documentation provided by the parolee, the FPO can file a supervision fee waiver to update the SPIRIT System. The Board works with the Department of Correction to receive and process payments by individuals on parole. According to an arrangement started in 2003, parolees send their payments to the DOC, where they are automatically processed and related data is processed through the SPIRIT system.

Our audit determined that a monthly average of 2,036 parolees owed supervision fees for the period from November 30, 2005 through November 30, 2006. In addition, for the period reviewed during the audit, only \$600,000 of \$1,344,000 in parolee fees (44%) was collected. Our audit tests determined that field parole officers did not make collection efforts for outstanding supervision fees from 49 of 88 parolees tested (55%). The Massachusetts Parole Board, Parole Supervision fees, 120 PAR 434, Section 434.01, requires any person placed on parole to contribute up to a \$55 per month parole supervision fee as a condition of Parole based on ability to pay. In these 49 cases, the field parole officer had determined that the parolee had the ability to pay and assessed them a supervision fee. 120 PAR 434, Section 434.08, states that "Failure to make payment of the Parole Supervision Fee will result in case conference and a graduated scale of sanctions up to and including revocation." In addition, the Board's policy states that "A first failure to make payment as required will result in case conference.... a second failure to make payment will result in case conference and, at a minimum, the parolee being placed on curfew and/or community service, and a third failure to make payment of the parole supervision fee will result in case conference and the initiation of the revocation process. Our audit tests also indicated that the 49 parolees identified were between three and 24 months late in their supervision fee payment. In addition, we were unable to locate evidence of collection efforts, case conferences, community service designations, or parole revocations. Although parolees are legally liable for these debts, the Board senior management we interviewed said they do not send parolees to prison solely for non-payment.

The Board should be collecting unpaid supervision fees from parolees who have completed their sentences. We estimate that during the period reviewed from November 30, 2005 through November 30, 2006, the Board ended its collection efforts for at least 1,150 parolees who completed their sentences, resulting in the potential loss of over \$700,000 in revenue as shown in Exhibit A.

**Exhibit A**

Additionally, regulations allow agencies to request the Office of the State Comptroller (OSC) to assist in the collection of their debts. The OSC has promulgated regulations pursuant to the collection of debt by state agencies in 815 Code of Massachusetts Regulations (CMR) 9.00 that “provides both for interdepartmental assistance from the Office of the Comptroller to intercept State payments due to debtors and for procurement and contract management of contingent fee contracts for debt collection services.” In fiscal year 2006, we estimate the Board will stop collection efforts on approximately \$700,000 in unpaid supervision fees from discharged parolees. However, 815 CMR 9.07 (8) states “Neither the Department nor the Collection Agency has authority to Write-Off bad debts. Bad debts must be referred directly to the Office of the Comptroller for Write-Off by the Department.” The Board should send discharged parolees’ debts to the OSC to generate additional monies for the State.

**Recommendation:**

The Parole Board’s senior management should ensure that all field parole officers (FPOs) follow the Board’s supervision fee policy and take the necessary steps to enforce supervision fee collections. We recommend that senior management ensure FPOs’ compliance with the policy through periodic supervisory review of case files. We also recommend that the Board enter into a written agreement with the OSC transferring these debts for collection. Currently, the Board does not have an agreement with

the OSC. The Board should also notify parolees in writing that their debts will be sent for collection. Lastly, the Board should compile and transfer discharged parolees' unpaid supervision fee data to the OSC for collection.

**Auditee's Response:**

*In regard to parole supervision fee payment compliance, the audit findings show that 55% of parolees are not in compliance with their statutorily mandated supervision fee payment (which was \$55 a month but increased to \$80 a month on 12/21/06 pursuant to recent legislation).*

*Supervision fee payments were established by statute in July of 2003. Since that time, the agency has developed policies and procedures to address this new supervision requirement and ensure that parolees are in compliance however there have been many challenges. For example, upon exiting jail or prison, most parolees struggle with securing and maintaining full-time employment and the barriers associated with obtaining a job are daunting. The agency has taken steps over the past few years, incorporated within the Regional Reentry Center Initiative, in working with parolees in trying to secure employment. These efforts have included partnerships and joint ventures with local career centers and Workforce Investment Boards throughout the Commonwealth, the state's Division of Career Services, providing parole staff with access to employment databases (such as MOSES) and coordinating ex-offender job fairs with employers across the state. The Board is aware that public safety is significantly enhanced when a parolee is employed and has worked earnestly to improve the rate of employment for this population.*

*In regard to parolees who are deemed eligible to pay a supervision fee yet who fail to pay, the agency has not returned any individual for payment failure (alone) since this fee was established in 2003, yet the office has made efforts to secure payment of fees by these parolees and has not ignored the non-payment. The Parole Board's primary mission and statutory obligation is to assist parolees in reintegrating back into the community. While the agency does make efforts to enforce the supervision fee requirement for those deemed eligible to pay, the option of returning a parolee to custody for failure to pay is in contrast to the agency's fundamental mission and responsibilities of reentry. Also, recognizing the cost of incarceration is over \$120 a day and the agency's violation due process proceedings, although expedited takes several days and in some cases (were an alleged violation is found) months, the cost of reincarceration to recoup \$55 (or \$80 as of 12/21/06) violates fiscal prudence, reintegration standards and common sense. Parole officers do remind parolees of their obligations to pay supervision fees as part of living a responsible lifestyle.*

*Another facet that affects this issue is in recognizing that the average length of supervision for a parolee is approximately 4 ½ months. When a parolee is initially released into the community, the mandatory employment requirement is waived to facilitate the initial transition and allow the individual to focus on addressing their respective criminogenic issues (substance abuse treatment, support systems, etc.) first. This, factored with the time frames associated with securing employment, receiving one's*

*first paycheck, addressing primary fiscal needs in combination with the short term of supervision, make the enforcement of supervision fee compliance challenging and time restrictive.*

*The agency fully supports responsible reintegration of offenders and will continue to make efforts to ensure that parolees who are able to pay supervision fees make good on their obligation, including enhanced communication with the Child Support Enforcement Unit of the Department of Revenue. In fact it should be noted that in the four months after reviewing the audit findings (January – April 2007) payment transactions increased by 13% from the previous six month average as a result of increased enforcement of this condition.*

*In addition, the agency will be utilizing the auditor's recommendation and develop a process with the Office of the State Comptroller to improve the collection attempts beyond the term of supervision.*

**Auditor's Reply:**

We recognize the many challenges facing the Board in the collection of supervision fees from parolees. However, in the cases we reviewed where parolees were not in compliance with the payment of supervision fees, the field parole officer had determined that the parolee had the ability to pay and assessed them a supervision fee. In addition to being made to understand that there are consequences for their prior actions, parolees who are integrated back into society should be mandated to comply with the established laws, standards and guidelines associated with their parole. While realizing your primary mission of integrating parolees back into society, the collection of supervision fees requires the Board to monitor and evaluate whether the supervision fees are properly aged, collection processes are formally adhered to, and the reasons for default or collection loss write-offs are fully documented. As noted by the Board, increased enforcement of supervision fees has already resulted in a 13% increase in collections. The Board should continue to monitor and set up assurance mechanisms for compliance with established standards.

**3. Oversight For Parolees Required To Pay Child Support**

Although the Massachusetts Parole Board made compliance with child support orders a condition of parole, we determined that as of November 2006, only 3% of parolees that had child support orders were current with their payments. As a result, we found that 550 parolees had over \$13.7 million in uncollected and arrearage child support cases. We also determined that none of the parolees tested, some with over \$100,000 in past-due child support obligations, had their parole revoked as a condition of their non-payment.

Massachusetts General Laws, Chapter 127, Section 130, states, “In every [parole] case, such terms and conditions shall include payment of any child support due under a support order ...including payment toward any arrearage of support that accrues or has accrued.” In order to comply with this law, the Board included the enforcement of child support orders as a general condition of parole. This general condition of parole states “If a court ordered you to pay child support and you do not, this is a violation of your parole and, under MGL Chapter 127 Section 130; the Board may revoke your parole.” The general condition continues by stating “The Parole Board cannot change the amount the court has ordered you to pay or excuse you from paying it.” Additionally, the Board instituted a Child Support Order (CSO) special condition. In addition to the general conditions of parole, the Board may impose special conditions that they determine necessary for the reintegration of the parolee into the community and public safety. This special condition requires a parolee to comply with paying any child support as ordered by a court or an administrative agency of competent jurisdiction.

In order to assist the Board in monitoring the compliance of parolees regarding child support orders, the Board provides the Child Support Enforcement Division of the Department of Revenue (DOR/CSE) with a data set once a month with a list of all active parolees. The DOR/CSE matches the monthly list of parolees submitted by the Board with the child support enforcement system to determine any matches where a parolee has a past due child support obligation. The main purpose of this monthly listing is to provide information to FPOs about which parolees are not current with their child support orders. Senior management indicated that this information should be disseminated back to each regional parole office and the parolees’ associated FPO. Parolees identified by DOR/CSE as being in violation of their child support order are to have this information documented within their SPIRIT system running record. Our audit determined that FPOs are responsible for supervising and monitoring parolees to ensure they are complying with child support orders as a general condition of parole. However, we were unable to locate documentation outlining this process as well as what specific procedures the FPOs were required to follow regarding parolees where past-due support is owed.

Our analysis of the November 2006 data match with the DOR/CSE revealed that a total of 566 parolees, approximately 25% of the active parolee population, were matched to 685 child support orders. We determined that of the 566 parolees, 463 had 529 open child support cases totaling \$135,960 owed per month for child support payments, or an average of 1.14 cases per parolee. The average amount due monthly per parolee is approximately \$294, while 20% of the parolees owe more than \$450 per month. We also determined that 103 of the 566 parolees were associated with 156 closed child support cases, with total arrearages of more than \$3.9 million in child support owed by active parolees.

As previously noted, only 3% of parolees that had child support orders were current with their payments, and the remaining 97%, or 550 parolees with child support orders, had over \$13.7 million in uncollected or overdue payments. Of these parolees, we selected a judgmental sample of 20 parolees, each of whom had past due support exceeding \$100,000. Of the 20 parolees sampled, whose past due support cumulatively totaled \$2.5 million, none were either sanctioned or had their parole revoked as a result of noncompliance of payment. Our review of a statistical sample of 50 additional parolees, achieving a 95% confidence level, disclosed that none had an incident or violation report prepared or included within the SPIRIT system running record. Incident or violation reports are necessary to alert the Board's senior management that child support payments are not being made, and to enable the Board to take appropriate action. We also determined that of the 50 parolees tested, 25, or 50%, were employed and had average earnings of about \$5,096 while on parole.

Field parole officers (FPOs) are not placing emphasis on the child support financial obligations of the parolee. This lack of emphasis on child support obligations could result in children not receiving restitution and the courts being unable to take necessary action.

**Recommendation:**

We recommend that the IPOs make the Board aware of a parolee's child support obligations in order that they may take this into consideration when initiating conditions of parole. We further recommend that senior management develop specific policies and procedures for FPOs to enforce parolees' payment of child support. Policies should include procedures to ensure that DOR's monthly listing of parolees delinquent in their child support obligations is disseminated back to each regional parole office and the parolee's associated FPO. The FPO should use the monthly listing to actively review the parolee's payment of child support. We recommend that the Board consider including child support obligations in the appropriate screen of the SPIRIT system. We also recommend that the Board take appropriate action with regard to parolees who are in violation of their child support obligations, including sanctions, incident or violation reports, and, if warranted, revocation of parole.

**Auditee's Response:**

*In regard to ensuring that Department of Revenue child support payments are being made, the audit findings revealed that there were minimal entries in SPIRIT by FPOs related to parolees' child support obligation(s). Although the Parole Board's main function is public safety related, it does recognize the fact that increased communication with the Department of Revenue could enhance the Commonwealth's overall goal of collecting child support arrearages.*

*Operationally, the Parole Board is notified about parolee child support obligations by receiving a monthly spreadsheet from the Department of Revenue's Child Support Enforcement division. The spreadsheet is then distributed to the regional offices and parole supervisors to identify their respective caseloads and notify the supervising FPO accordingly. The FPO is responsible for communicating this obligation to the parolee. As noted previously with supervision fees, the dilemma for the agency in regard to what steps to take if the parolee is in arrears is challenging. The agency is not mandated by statute, regulation or policy to return the parolee to custody, and in fact this course of action is rarely utilized.*

*Since these audit findings were provided, the agency has created an automated running record 'drop-down' field in SPIRIT so that FPOs can easily record their contact with parolees in regard to their respective child support obligation(s), and the Field Services management team can subsequently monitor these activities. Since the development of this new field, there have been nearly 100 child support entries in less than two months. In addition, as stated earlier, SPIRIT is not all-inclusive of all community supervision activities, and while the agency has not had an opportunity to assess this, FPOs do continue to maintain daily diaries and until recently they were mandated to include this entry in the system. This should enhance the Department of Revenue's ability to collect payments from the parolees.*

*And lastly, the recently promulgated Graduated Sanctions policy ... includes failure to pay child support within the matrix and within the guidelines relative to enforcement and possible sanctions. The agency promulgated this policy on November 1, 2006. This project had been in development since 2004 and was implemented after the period of time examined by the audit. This new policy, founded on nationally accepted evidence based practices, is designed to provide a standardized and validated response to a variety of technical parole violations, including failure to pay child support.*

**Auditor's Reply:**

We commend the initial correction actions taken by the Board to ensure that parolees are aware of their child support obligations. We also believe that the modifications made to the SPIRIT system will help FPOs better monitor and evaluate parolee child support payments as well as noting any delinquencies. The Board's establishment of a Graduated Sanctions policy should enhance the Board's ability to take appropriate action with regard to parolees who are in violation of their child support obligations. Increased child support payments by parolees can help reduce the Commonwealth's expenditures for the child's welfare and well being.

**4. Follow-up Drug Tests For Parolees**

The Board could not provide evidence that 26 parolees that initially tested positive for drugs were re-tested within 30 days as mandated by the Board's regulations. The Board's ability to meet its mission to minimize public risk and hold parolees accountable for their behavior could be limited by FPOs not completing all of the offender supervision requirements. The Board's policies and procedures require

that FPOs responsible for supervising offenders on parole perform a variety of monitoring activities, which vary (to some extent) in frequency and type depending on the offender's classification. We reviewed SPIRIT data and offender case files to determine whether FPOs are meeting the Board's offender supervision standards for drug re-testing. According to Board policy the computerized SPIRIT system is the primary repository for interactions between the FPO and the offender. Our review of SPIRIT indicated that FPOs did not always meet the required supervision standards for drug re-testing.

The testing for drugs occurs when there are special conditions mandating testing, or a parole officer has a reasonable suspicion that the parolee is or may be using drugs or alcohol, or the parolee is in possession of or has been arrested for drugs or drug paraphernalia, or is involved in an alcohol-related crime. The other instance when testing will occur is if it is determined that the parolee is part of a graduated sanction or substance abuse treatment program which may have special conditions for reduction in supervision, or a termination of sentence is contemplated. Graduated sanctions are a range of sanctions and interventions that are applied using a risk assessment score, the severity of the violation and other mitigating factors to determine appropriate parole responses to violations. These tests are critical to ensure compliance with special conditions of parole, and enhance public safety through the responsible reintegration of parolees to the community. In addition, the Massachusetts Parole Board, Chapter 600 Case Management Supervision, Section 605 Screening Test Procedures states "Any parolee who tests positive will be re-tested within 30 days unless a Warrant for Temporary Custody is issued as a result of the positive test."

Using the offender information in SPIRIT, we selected a random sample of 78 parolees that tested positive for drugs during the period October 16, 2005 through October 16, 2006. Using the Board's policies and procedures for "Case Management and Supervision," effective June 11, 1997, we determined whether the FPO performed the contact requirement for drug re-testing. Our audit tests revealed that of the 78 parolees that tested positive for drugs, 26, or 33%, were not re-tested within the 30-day requirement. Details regarding the 26 parolees without the required drug retesting included:

- One offender was to be re-tested prior to his supervision expiring, but the test was not done.
- One offender was required to have a drug screen re-test, however; he failed to report for two separate drug re-tests scheduled for August and September of 2006.
- An offender whose supervision expired in September 2006 was required to have a drug re-test, however; there is no record of any drug re-test in the SPIRIT system during the 6-month period prior to his supervision expiring.
- The location of one offender who required a drug re-test was unknown at the time the re-test was required. There is not any indication in SPIRIT that the drug screen test was performed at a later date.

Supervision of parolees in the community is an essential function of the Parole Board. In turn, adequate supervision increases the likelihood that the offenders will not violate the law or the terms of their parole. The Board must ensure that mandated drug re-tests are conducted and policies and procedures for the frequency of re-testing are followed.

**Recommendation:**

Board senior management should work with Field Parole Officers to develop corrective actions to ensure that officers meet appropriate supervision standards for drug re-tests. The Board should review and approve the corrective actions developed, establish a timetable for these corrective actions to be completed, and assign specific responsibility for ensuring that corrective actions are implemented and that the staff's continued compliance with the supervision standards is maintained.

We recommend that the Board automate the drug re-testing requirement within the SPIRIT system for parolees that fail a previous drug test. Automating activities, such as drug re-testing and generating daily tasks for FPOs, will enable the Board to create consistent processes that can be monitored and adjusted based on performance. We recommend that senior management track cases eligible for drug-retesting using a monthly eligibility report that would identify the total number of parolees requiring drug-retesting from the total number of all parolees that had failed a previous drug test. Using a metric that would trend whether FPOs are enforcing drug re-tests as a supervision tool, senior management would be able to better monitor FPO compliance with drug re-testing parolees as outlined in the Board's standards.

**Auditee's Response:**

*In regard to substance abuse retests, the audit finding indicated that for parolees who tested positive for drug use, 26% (21 out of the sample of 78 cases) failed to have a retest within the 30-day period as required by policy. Upon reviewing these finding in detail, it was noted that 76% (16 out of the 21) of those whose retest was late, had tested positive for THC on the initial drug screen. Knowing that a valid and reliable retest for THC should **not** be taken within 30-days of a positive drug screen, the established practice of the FSU was to administer the retest after 30-days. Therefore, recognizing this, the agency is now updating the policy to require a retest for THC to be conducted within 45-days of a positive result.*

*In addition, the agency noted that in some situations the retests were delayed as a result of a transfer of cases between parole officers. Therefore, the agency included in its updated policy a requirement that a drug test be conducted within 2-weeks for all parolees when assuming a new caseload.*

*Since these audit findings were identified, the agency has created an automated substance abuse retest 'to do' (every SPIRIT user receives daily 'to dos' for scheduled events and required tasks) whenever a positive drug screen is detected. These 'to-dos' are scheduled and dictated based on the modified policy time requirements.*

*Also, as previously noted, the agency promulgated a Graduated Sanctions policy on November 1, 2006. This project had been in development since 2004 and was implemented after the period of time examined by the audit. This new policy, founded on evidence based practices, is designed to provide standardized, validated and timely responses to drug use which are now tracked in SPIRIT.*

*While this new statewide initiative has just been launched, we are hopeful that this new policy and practice will result in better use of resources, more timely and appropriate responses to violations, enhanced community supervision and improved public safety.*

**Auditor's Reply:**

We recognize that the change in Board policy from a 30-day retest to a 45-day retest will improve the validity and reliability of retesting for parolees that had tested positive for THC. However, it should be noted that a number of parolees that had tested positive for THC were either tested beyond the 45-day time frame or in some cases had never been retested. We also believe that the modifications made to the Spirit system will help FPOs better monitor and evaluate parolee drug re-tests. The Board's establishment of a Graduated Sanctions policy should enhance the Board's ability to take appropriate action with regard to parolees who are in violation of their conditions of a parole regarding substance abuse. This ongoing screening of parolees through substance abuse retest must be continuously monitored and evaluated to ensure compliance with an individual's conditions of parole.

**5. Supervision Reassessments For Parolees**

We determined that not all field parole officers (FPOs) were not in compliance with Board policy regarding reassessing supervision levels for parolees. Failure to perform, document, and retain supervision level reassessments for parolees increases the likelihood that public safety could be put at risk.

Board policy establishes monthly supervision standards and case management practices designed to provide public safety and rehabilitate parolees. We determined that a Parolee's initial supervision level is to be based on the FPOs assessments of the parolee's needs and risks. When a parolee does not have a supervision level assessment FPOs are unable to create supervision strategies and determine the most appropriate frequency of contacts. Adequate parolee supervision is critical for the FPOs to accomplish their goals. Board policy also requires FPOs to reassess each parolee they supervise every six months to

determine whether the parolee's behavior merits a change in supervision level. FPOs use this reassessment to determine when parolee behaviors warrant increases or decreases in supervision level.

Our audit tests revealed that none of the 29 parolees tested had their supervision level within SPIRIT reassessed. In addition, we found no documentation within parolee case files to support that FPOs had conducted the six month reassessment for any of the 29 cases reviewed. Our audit found that FPOs failed to complete reassessments 100% of the time. Senior management informed us reassessment was often not done because all parolees were being designated as "high" for the entire duration for their parole. Senior management also indicated that reassessment was not done for a variety of reasons, including the nature of the offender's crime (e.g., sex offense), violations of parole, or new charges being brought against the parolee. However, these reasons do not exclude conducting a supervision reassessment under Board policy.

FPOs not conducting the semiannual reassessment may be overseeing parolees at an inappropriate supervision level. Supervising parolees at a higher supervision level than necessary results in an inefficient allocation of FPO time and efforts, while supervising parolees at too low a supervision level could compromise public safety.

Recommendation:

We recommend that Board management examine the costs and benefits of its current supervision reassessment requirement and confirm that FPOs understand expectations regarding this policy. Board management should determine whether there are instances where reassessment is unnecessary and clearly outline those circumstances in policy to prevent FPOs from engaging in needless case management activity. Furthermore, we recommend that the Board ensure FPO compliance with the policy through periodic supervisory review of case files.

Auditee's Response:

*In regard to supervision level data entries, while SPIRIT does have a field for supervision level, the fields were not being utilized. FPOs do conduct supervision level assessments when the parolee has his/her first interview (which is required within 24-hours of release from custody) and follow that level. However, these assessments had not been entered into SPIRIT. This situation has been addressed and over the next few months the agency expects all current cases to be updated and all future cases to be entered at the initial interview. In fact the auditors did note in the informal close-out meeting that they did see that there was recent activity in entering these fields.*

*In addition, over the past two years the agency has been working with an outside vendor ... on developing and implementing an automated and validated risk assessment tool. It is*

*anticipated that this new tool will factor into determining appropriate supervision levels assessed for parolees and therefore this initiative must be coordinated in a logical and complimentary manner with this issue, and the agency policy and IT system need to be modified accordingly.*

*Basing supervision levels on validated instruments is a recent nationwide trend in parole supervision. In fact in the recent U.S. Department of Justice, National Institute of Corrections, 'Topics in Community Corrections' annual 2006 publication, a section is designated to standardizing supervision based on assessments. This paradigm shift also includes re-assessment of supervision levels as well.*

*In regard to the audit finding relative to supervision level reclassifications, as noted above, this practice is currently not being entered, however, steps have been developed to ensure this is now done, but again, as noted above, this effort must be coordinated in line with the risk assessment project underway.*

**Auditor's Reply:**

We acknowledge the Board's initial efforts regarding the assessment of supervision levels for parolees. However, FPOs not conducting the semiannual reassessment may be overseeing parolees at an inappropriate supervision level. Supervising parolees at a higher supervision level than necessary results in an inefficient allocation of FPO time and efforts, while supervising parolees at too low a supervision level could compromise public safety. The Board should complete their automated and validated risk assessment project to aid in determining initial and subsequent supervision levels for parolees.

**6. Program Change Control Procedures**

Our audit determined that the Massachusetts Parole Board (Board) does not have a formal policy for program change control procedures. Not following formal change management procedures increases the risk of unauthorized changes to production data, inadequate monitoring or removal of changes to production data, and inadequate documentation for future system enhancements.

Program change control procedures are meant to ensure changes are made in a controlled environment to protect system software integrity. System software modifications should be authorized and properly tested for adequate system parameters to prevent unauthorized changes to applications or data and to prevent malfunctions during processing runs. Further, documentation is important to ensure personnel making future changes will understand all aspects of previous changes. According to the Commonwealth's Information Technology Division, agencies should have a standard procedure for identifying, selecting, installing, and modifying system software to meet operational needs. Additionally, a written standard should exist for testing new versions, products, and changes to system software before implementation.

The SPIRIT system used by the Board is not adequately documented. The IT Group has supplemented the system received from the contractor with in-house adaptations, which were not all documented before implementation. Significant time constraints created an environment where implementing the SPIRIT system was perceived as more important than the documenting of systems and system modifications. Because many of the in-house adaptations and modifications made to the system are understood by a single IT staff member, it is possible that several features of the system could not be maintained if this IT staff member left the Board.

**Recommendation:**

We recommend that the Board adopt formal policies and procedures for software development and change control procedures to help ensure that only authorized, tested, and documented modifications are implemented. The program change control process should ensure that whenever system changes are implemented, the associated documentation and procedures are updated accordingly.

**Auditee's Response:**

*As noted by the auditors, formal Version Control was not deemed critical at the time that SPIRIT was being implemented. As with most new enterprise systems, implementation of such systems presents many challenges and unknowns and at that time one of the unknowns was the extent of changes that would be made by Parole IT staff.*

*Having the benefit of time and the auditor's input, the Parole IT department is currently implementing formal Source Change Control Software via the product ComponentSoftware RCS (CS-RCS). This software is expected to provide version control as well as documentation of any changes in a formal practice.*

**Auditor's Reply:**

We commend the action of the Board to ensure any future program change controls will be properly tested for adequate system parameters to prevent unauthorized changes to applications or data and to prevent malfunctions during processing runs by implementing a Source Change Control Software application for its mission critical SPIRIT application. Efforts should be made to document any previous program changes to ensure that any in-house adaptations and modifications made to the system were in compliance with newly established Parole Board standard procedures.

**7. Business Continuity Plan**

We determined that the Board did not have an up-to-date and tested disaster recovery and business continuity plan to provide for the timely restoration of mission-critical and essential

business functions should systems be rendered inoperable or inaccessible. The primary document relating to business continuity planning available from the Board was a plan developed in calendar year 2000 and last modified in 2003. The outdated plan only references the Board's Parole Automated Tracking System (PATS) legacy system while failing to make note of the current mission critical SPIRIT system anywhere within the plan. In addition, the Board's current plan doesn't describe the steps staff would need to take to recover from a disaster, and senior management has not made arrangements for off-site processing, nor have they addressed important telecommunication and security matters that might arise. Finally, the Board's staff has not been trained in appropriate up-to-date emergency procedures.

Continuity planning enables an organization to minimize the loss of communications and important computer operations during an emergency. As agencies become increasingly dependent upon IT processing capability in all areas of their operations, the ability to quickly and effectively recover from adverse conditions becomes essential. This is especially true for an agency with important public safety responsibilities such as the Parole Board, where management of offenders is highly computerized. Good continuity planning can significantly increase the probability of surviving a major disaster.

Over the years many different terms have been used for planning for recovery from computer outages, such as "disaster recovery," "contingency planning," and "business continuity planning." All have a slightly different focus, with business continuity planning the most encompassing. Business continuity planning addresses an organization's ability to continue functioning when normal operations are disrupted. By necessity, it includes planning for contingencies and planning for disaster recovery, and is focused on the information system functions that are the most necessary to continued agency operations. Control Objectives for Information and Related Technology (CobiT) standards indicate that an organization has implemented a sound business continuity strategy when management:

- Develops a written continuity plan that is in line with the organization's objectives.
- Reviews and updates the plan periodically.
- Tests the plan and periodically updates it based on the test results.
- Conducts periodic staff training on carrying out the plan.
- Establishes adequate off-site storage for critical backup tapes.
- Identifies alternatives for backup processing sites and replacement computers.
- Contracts for offsite hardware and processing facilities in advance of an emergency.
- Develops alternative processing procedures for user departments to implement until processing can be restored.

The continuity plan itself should:

- Contain an inventory of the most critical hardware, software, and supplies.
- Discuss the most likely types of disasters and describe various levels of disaster.
- Specify detailed steps to take to recover services, including assigning specific roles and responsibilities to specific staff members.
- Detail how to operate the critical computer programs.

Senior management has implemented some sound practices. A well-developed system for backing up critical data, including offsite storage of backup tapes, is in place. The Board also has developed alternative procedures for users to follow when computer services are unavailable, although the procedures aren't written. However, the Board's business continuity strategy and plan do not meet many of the identified CobiT standards. Shortcomings in the Board's contingency plans could result in a significant delay in resumption of normal operations after a disaster.

We found the Board has not conducted a risk analysis to assess possible disaster scenarios or threats. During continuity planning, senior management must identify types of disasters that are most likely to occur so that they can identify appropriate preparations in the disaster recovery plan. For example, officials may decide that a likely disaster would be a hurricane. They would begin the planning process by identifying the potential impact of a severe hurricane hitting the agency offices or other facilities, and necessary steps to recover operations. The risk assessment portion of the continuity plan would identify various scenarios.

The existing continuity plan doesn't assign roles and responsibilities to specific staff, and is limited in the recovery instructions provided. Once risks have been assessed, action plans must be developed to enumerate specific steps staff would need to take to react to each likely type of disaster. These steps are recorded in the disaster recovery plan. For the plan to be effective, the plan should detail assigned tasks and responsibilities to specific staff. Documentation of these steps and assignments form the core of the disaster recovery plan. Few people can react efficiently in an emergency. However, if staff has planned well, they won't have to think about what to do when an emergency occurs, they would just follow the directions in the plan.

The Board has not made any arrangements for offsite processing for its critical computer programs. The Board's critical computer programs reside on the Board's mid-range computer (A mid-range computer is similar to a mainframe computer, only smaller) at MITC. Senior management told us that if there was an emergency, they would call the computer manufacturer and ask to borrow a replacement computer. Senior management in charge of disaster recovery told us that many organizations take the same approach, but when a disaster occurs find that manufacturers don't have large computers sitting idle and available for immediate use. The Board needs to develop formal agreements with a company that

specializes in providing computing facilities during emergencies. Board officials told us they have begun gathering information on making arrangements for an alternative offsite processing facility.

The current plan does not address telecommunications and security issues that would arise if processing had to take place at a site other than the Board's data center. A great deal of confidential information is transmitted over the Board's network when data is sent from the notebook tablets and workstations, as well as from the agency's central office in Natick and the eight regional parole offices and reentry centers, to the data center at MITC. If something happened to the data center at MITC, it is likely that the Board would have to establish a network connection from another site. However, no planning has been done to think about how to secure transmission from the notebook tablets, central office, or the eight regional parole offices and reentry centers to a computer in a new location. In addition, the Board has not trained for staff in what to do in an emergency. This is crucial because emergencies are chaotic by definition. A good plan assigns specific responsibilities to specific staff people. Without training, when an emergency occurs staff can be disorganized, thus taking much longer to recover processing.

**Recommendation:**

To ensure that the Board reacts optimally in the event of a disaster, the Board should modify its business continuity planning to include the following:

- Updating the plan from the Board's PATS legacy system to the current mission critical SPIRIT system.
- A risk analysis that assess various disaster scenarios.
- An expanded disaster recovery plan that addresses the most likely disasters that might befall the Department.

This plan should assign roles and responsibilities to specific staff, and present specific steps for the staff to follow in recovering computer operations. The plan should also address the telecommunications and security issues that would arise if the Board had to conduct computer operations off site. In addition, arrangements should be made with a vendor or contractor for the use of a computer suitable for operating the Board's critical computer programs and applications during emergencies, and the staff should be trained in how to use the plan in the event of an emergency.

**Auditee's Response:**

*The Parole IT department concurs that our Business Continuity Plan needs to be updated and will seek to update the plan with modifications that are within the scope of Parole's*

*resources. Several steps have already been implemented, such as shipping an electronic backup of our database from Parole's server at CHSB (Chelsea) to Parole's Central office (Natick).*

*With respect to a comprehensive 'worst-case' scenario, Parole IT does not have the budgeted resources to duplicate the physical resources of ITD/CHSB that Parole is dependent upon at the MITC facility in Chelsea.*

**Auditor's Reply:**

We are pleased that the Board is in the initial process of developing and updating a viable business continuity strategy. Once a plan is fully developed and adopted, it should be reviewed and updated annually, or whenever there are significant changes to processing requirements, risks, or changes to the Board's IT infrastructure. The business continuity planning framework needs to also address testing, user reviews and sign-offs, and the development and approval of user area plans. Although the Board has stated that it does not have the budgeted resources for a "worst-case" scenario, the Board should evaluate and determine the risks associated with the loss of IT processing of the SPIRIT data at MITC.

### GLOSSARY OF ACRONYMS and TERMS

| <b>Term</b>          | <b>Definition</b>   |
|----------------------|---|
| Board                | Massachusetts Parole Board.   |
| Case Conference      | A conference between the supervising parole officer and the parole supervisor. The supervising parole officer and the parole supervisor will discuss the parolee's behavior, parole adjustment and any non-compliance with parole conditions.   |
| Conditions of Parole | The Parole Board can impose special conditions for an offender approved for release on parole such as treatment/programming conditions, residency in a halfway house and drug testing. Parole Officers can add any justifiable condition to the Board's requirements with the approval of their supervisor. Parole Officers cannot rescind any condition placed on the offender by the Parole Board without the Board's approval. |
| Data Set             | A collection of data.   |
| DOC                  | Department of Correction.   |
| Felony               | An offense punishable by more than one year of incarceration.   |
| FPO                  | Abbreviation for Field Parole Officer. The Field Parole Officer is the staff person from the Board who will be supervising the offender while the offender is on parole.  |
| FSD                  | Field Services Division.  |
| Graduated Sanction   | A range of sanctions and interventions that are applied using a risk assessment score, the severity of the violation and other mitigating factors to determine appropriate parole responses to violations.  |
| Mission              | The agency's main purpose or the reason the agency was established.   |
| Offender             | Parolee.  |
| Parole Board         | A board made up of 7 members who are authorized by statute to grant paroles.  |
| Parolee Report       | A report prepared by the Parole Board that includes the prisoner's current offense, prior criminal history, conduct in prison, age, programs successfully completed while in prison, and past or present mental health.   |
| Revocation           | A sanctioning mechanism whereby a technical violation of the conditions of parole is punishable by re-imprisonment.   |

**GLOSSARY OF ACRONYMS and TERMS**

| <b>Term</b>       | <b>Definition</b>  |
|-------------------|--|
| Restitution       | Payments, generally monetary, made by an offender to a victim or victim's family to compensate for harm caused to the victim. The payments are often allocated from wages earned either while in prison or in post-release employment.   |
| Risk Assessment   | The instrument used to determine the risk posed by the parolee to re-offend by assigning numerical weights to specific static factors.   |
| Risk Management   | Case management of an offender that minimizes the risk to the public by addressing the risk areas of a particular offender. This may include supervision, special conditions, treatment, or any combination of these.  |
| Sanction          | An action taken by the Parole Board, parole supervisors and/or parole officers in response to a possible parole violation or parole violations. Sanctions are corrective responses that are based on controlling parolee behavior, therefore fostering positive compliance with parole conditions.   |
| Sex Offender      | Offenders who have been sentenced for committing a sexual offense, have a past conviction for an offense involving sexually deviant behavior, have displayed sexually deviant behavior in the commission of any offense, or have admitted committing sexually deviant behavior. Sex offenders require a higher degree of supervision than other offenders.   |
| Special Condition | Condition imposed by the Parole Board based on the parolee's criminal history, mental health and substance abuse issues, and other risk factors. Special conditions may include drug testing, electronic monitoring, a curfew, mandatory counseling, sex offender counseling, and polygraph exams.   |
| SPIRIT            | The Massachusetts Parole Board's Information Technology system for case management. SPIRIT is defined as: State Parole Integrated Records and Information Tracking System.   |
| Supervision Fee   | Offenders granted a Parole release and under supervision in the Commonwealth of Massachusetts are assessed a monthly Parole supervision fee as a condition of Parole. The Board believes that this policy provides for a system that imparts a level of fiscal responsibility to the parolee population, and ensures that they are invested in maintaining the ongoing resources of Parole supervision and decreasing the burden of their supervision on the community at large. |



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### **AUDITEE RESPONSE - RESPONDENT OVERVIEW**

At the outset of this response, the Massachusetts Parole Board would like to thank the State Auditor's Office for the thorough and timely evaluation of the data integrity of the agency's information technology environment. In reviewing the audit of the agency's information technology system, it should be made clear, as is noted in the Auditor's report, that the new case management system, "SPIRIT" (State Parole Integrated Record Information Tracking System) went live on August 9, 2005. Prior to this date, the Parole Board was utilizing an antiquated computer system that lacked an ability to effectively track or manage clients electronically.

The focus of the audit, which was to analyze and interpret information gathered from the information technology system, further supports the work that the Agency has done to improve our IT system and overall operations over the past five years. Prior to its implementation, the Agency recognized that in order to effectively proceed, it was of utmost importance to have trained parole officers proficient in basic computer skills. With this in mind, Parole expended countless hours and resources toward staff training. This effort was complicated in part due to the fact that many staff members had little to no formal computer training and the Agency had recently undergone fiscal receivership and a significant lay-off of staff. Fiscal deficiencies resulted in the loss of staff, consolidation of administrative functions, and, critical to the building of an automated information system, loss of a central office lease. Despite many operational weaknesses and challenges, the Parole Board focused its efforts towards addressing its IT needs, policy deficiencies as well as training issues.

With this backdrop in mind, the Agency's IT system has been operational for approximately 1-year during the time period the audit was conducted. By no means is this fact an attempt to question the

findings of the audit but rather to put them into perspective and provide an understanding of the challenges faced by the Parole Board over the past few years. In fact, the onsite audit proved to be a very useful for the agency in identifying, developing and updating policies and procedures to improve operational effectiveness.

### **Information Technology Environment**

Prior to the implementation of SPIRIT, the agency was using a mainframe based COBOL system. This antiquated system was limited in use and capability and less than a third of agency staff had access and/or data input responsibilities. Prior to the implementation of SPIRIT, community supervision case management ('running records') were not tracked electronically but rather by hand through case notes in the files located at regional offices (in Mattapan, Quincy, Brockton, Framingham, New Bedford, Worcester, Lawrence and Springfield). Therefore, Field Parole Officers had no exposure or responsibility to use the old system. The new system however was developed so that Field Parole Officers (FPOs) case management running records and specific activities would be maintained in SPIRIT. This significant operational change required training prior to implementation and which continues to this day. The learning curve for the agency in using the new application has been vast and there are still many areas that need to be enhanced. As with any new database, the agency has made modifications to SPIRIT since its initial implementation to better utilize the system and maximize officers' efficiency and effectiveness. In this regard, the agency has made great strides in managing this complex organizational change and anticipates that this will result in improved operations and subsequently, improved public safety.

However, although the agency has been seeking to develop an organizational culture acceptance that data entry into the system is an essential function, recognizing the vastness and challenges of statewide daily operations (which includes data entry efforts affected by system connectivity speed vs. client face-to-face interaction needs) at 9 regional offices, including the warrant unit, 35 correctional institutions and the central office, the agency continues to try to successfully manage the delicate balance of these issues without compromising successful practices and core mission while at the same time improving operational efficiency.

The agency recognizes that not every activity is entered into SPIRIT. While SPIRIT is an up to date IT system and an exceptional tool for the agency, it is not inclusive of all community supervision facets of field case management, victim services or institutional hearings.

In regard to community supervision, Field Parole Officers still maintain daily diaries and documentation in the field and onsite at regional offices that are not in SPIRIT but are referenced and utilized when reviewing case management. Field diaries for example are essential for FPOs to record activities and events as they actually occur in the field so they can enter relevant data at a later date in a secure environment and/or where they can get wireless coverage. Also, diaries are used for working notes and references that may or may not get entered into SPIRIT. Certainly all primary activities and information has been identified as required fields (such as substance abuse testing, home and work addresses, contacts with parolees, etc) but the agency is aware that SPIRIT is not all inclusive and has limitations.

For example, the agency is trying to balance the FPO functions between supervision entry requirements with their actual supervision responsibilities and interactions with parolees in the community, which is essential for public safety. Knowing that four out of five parolees either successfully discharge from supervision or remain in the community without incident, the agency is aware that its primary mission of successful offender reintegration can not be compromised and all efforts must be analyzed, developed and implemented to both maximize and improve performance outcomes agency-wide.

For example, the agency has recently distributed scanners to all regional offices to provide for the capacity to upload significant documents as needed. However, whereas SPIRIT's application does have limited memory space and is still a new system, the agency is still reviewing and assessing data fields, employee training needs and data entry compliance to determine how best to utilize this new tool.

What should be noted is that the new SPIRIT system now provides a much greater ability for the agency to identify and review community supervision activity. For example, in 2006, (based on information in SPIRIT) there were over 101,009 contacts with parolees, over 51,881 visits and 17,280 home and work plan investigations. These are just a few of the most basic supervision activities the agency is now able to track, evaluate and assess, and need to be put into perspective when reviewing the findings from this report.

### **Management Infrastructure**

Historically, due to limited funding, the agency's management infrastructure has been hindered in its ability to evaluate operations in a comprehensive and systemic manner. Over the past few years, through budget increases, the agency has been able to add a few mid level managers to address this issue. However, this is still an area that needs attention.

For example, the Field Services division (responsible for the daily supervision of parolees in the community) currently has one director and three deputies responsible for statewide supervision, evaluation, and accountability of over 100 staff and 8,000 parolees a year. However, two of these deputies were only added within the past year. While the efforts of the Field Services management team have been and continue to be commendable, the ever increasing mandates and responsibilities of community supervision hinders their ability to address all issues. The agency is seeking to strengthen this area over the next few years.

### **CONCLUSION**

In addition to the corrective action noted above for each specific issue, as a result of the audit, the agency has posted and is in the process of hiring a Compliance Officer. The agency recognizes the significance of having a full time employee designated to ensuring that policies and procedures are complied with and reviewed in a timely manner.

As noted previously, the Parole Board would like to thank the Auditor for assisting in evaluating the agency's new information technology environment and data integrity analysis. This process has allowed the agency to assess its current environment and operations in a manner that will benefit offender reentry efforts and public safety. The agency would welcome a follow-up review at some time in the near future to demonstrate the procedural changes and updates.