SPECIAL LAW ENFORCEMENT ASSISTANCE FUNDS

AGREED-UPON PROCEDURES
FISCAL YEARS ENDED JUNE 30, 2019 - JUNE 30, 2024

SPECIAL LAW ENFORCEMENT ASSISTANCE FUNDS

REPORT SUMMARY FOR FISCAL YEARS ENDED JUNE 30, 2019-2024

BACKGROUND

The Auditor of Accounts (AOA) performed an Agreed-Upon Procedures engagement on the Delaware Department of Justice's (DOJ) Special Law Enforcement Assistance Funds (SLEAF) for Fiscal Years Ended June 30, 2019 – June 30, 2024. These procedures consisted of:

- Ensuring a complete accounting of all SLEAF funds disbursed for fiscal years 2019 to 2024
- Determining if expenditures were in accordance with Delaware Code, Delaware Budget and Accounting Policy Manual, and SLEAF Guidelines
- Determining if SLEAF expenditures were accurately reflected in First State Financials (FSF)
- Determining if Agencies complied with SLEAF guidelines if their SLEAF funds were not completely expended at the end of their term.

AOA performed this engagement in accordance with 29 Del. C. § 2906(a) and 11 Del. C. § 4114.

KEY INFORMATION AND FINDINGS

The Special Law Enforcement Assistance Fund (SLEAF or the Fund) is a grant fund established so that law enforcement agencies within the State of Delaware can utilize the funds from property and monetary forfeitures for the betterment of the agencies and their communities.

DOJ receives grant applications and is responsible for reviewing and approving requests. Once approved, Agencies will receive the funds and are required to maintain accounting records for each grant and ensuring compliance with DOJ SLEAF spending requirements. If funds are not spent by the end of the fiscal year, Agencies are required to either return the remaining amount of the funds or request an extension to expend all funds.

The Fund is designed to be used to enhance the suppression, investigation and prosecution of criminal activity, promote officer safety, facilitate the training of law-enforcement personnel, further public safety, public education, and community awareness and improve victim services.

KEY INFORMATION AND FINDINGS CONTINUED

AOA tested four SLEAF grant procedures for Fiscal Years 2019–2024.

Procedure 1 found no exceptions, with SLEAF grants successfully reconciled to the State's First State Financial System report DGL011.

Procedure 2 identified two grants where grantee overspent its allocation, and AOA could not determine whether funds were returned based on supporting documentation.

Under Procedure 3, AOA and DOJ did not receive detailed and complete accountings for 23 grants.

Procedure 4 identified 20 grants that had unexpended funds at the end of the term, 18 did not require an extension, two did not provide an extension request or evidence unexpended funds were returned.

State of Delaware
Office of Auditor of Accounts

Working Hard to Protect YOUR Tax Dollars

Special Law Enforcement Assistance Fund Agreed-Upon Procedures

Fiscal Years Ended
June 30, 2019 – June 30, 2024

Lydia E. York
State Auditor

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Abbreviations:

AOA	Office of Auditor of Accounts
AG	Attorney General
Committee	Special Law Enforcement Assistance Fund Committee
DOJ	Department of Justice
BAM	Delaware Budget and Accounting Manual
FSF	First State Financials
FOIA	Freedom of Information Act
FY	Fiscal Year
OMB	Office of Management and Budget
PD	Police Department
SLEAF	Special Law Enforcement Assistance Fund
STATE	State of Delaware

The mission of the Delaware Office of Auditor of Accounts
The Delaware State Auditor serves Delawareans by ensuring accountability in the use of taxpayer dollars to identify fraud, waste, and abuse through independent assessments of financial operations, performance management and statutory compliance of state government and to evaluate economy, efficiency, and effectiveness.

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State of Delaware
Office of Auditor of Accounts

Lydia E. York
State Auditor

Independent Accountants' Report on Applying Agreed-Upon Procedures

Abigail Rodgers
State Prosecutor
Special Law Enforcement Assistance Fund
Delaware Department of Justice
102 W. Water Street
Dover, Delaware 19904

The Office of Auditor of Accounts (AOA) has performed the procedures enumerated on the attachment, the Special Law Enforcement Assistance Fund (SLEAF) for the Fiscal Years Ended June 30, 2019, through June 30, 2024 (FY19-FY24).

The Department of Justice (DOJ) has agreed to and has acknowledged that the procedures performed are appropriate and meet the intended purpose of Title 29 of the Delaware Code, Chapter 29 Section 2906 and the requirements set forth in 11 Del. C. 4114 and 11 Del. C. 4115. DOJ management is responsible for its compliance and ensuring recipients of the parties specified in this report. Consequently, we make no representations regarding the sufficiency of the procedures enumerated below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the results are in the attachment to this report.

This report may not be suitable for any other purposes. The procedures performed may not address all items of interest to a user of this report and may not meet the needs of all users of this report. Users are responsible for determining whether the procedures performed are appropriate for their purposes.

AOA was engaged by the Department of Justice to perform this Agreed-Upon Procedures engagement to:

- Apply specific procedures to subject matter,
- Issue a written practitioner's report that describes the procedures applied and the practitioner's findings without providing an opinion or conclusion on the subject matter

Our engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States. AOA was not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on each of the State of Delaware fiscal year 2019 - 2024 SLEAF grants. Accordingly, AOA does not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported.

AOA is required to be independent of the Department of Justice and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report, as required by statute, was provided to the Office of the Governor, Office of the Controller General, Office of the Attorney General, Office of Management and Budget, and the Department of Finance. Under 29 Del. C., §10002, this report is a matter of public record, and its distribution is not limited.

Lydia E. York
State Auditor

Dover, Delaware
September 2, 2026

Procedures and Results

The procedures and associated results are as follows:

Procedure 1: Obtain an itemized list of Special Law Enforcement Assistance Fund (SLEAF) grants awarded to all municipalities for the fiscal year(s) under review from the Department of Justice (DOJ). Then, reconcile the itemized list(s) of SLEAF grants awarded to the disbursed funds per the First State Financials' DGL011 reports for the fiscal year(s) under review.

Result 1: The SLEAF grants provided by DOJ reconciled to FSF DGL011 without exception.

Procedure 2: For all SLEAF grants awarded, select a sample of 25% of the grants awarded during each fiscal year(s) under review. Obtain the grant applications from DOJ and confirm the intended use of the requested funds is allowable per Title 11 Chapter 41 of Delaware Code and the SLEAF grant application.

Result 2: AOA selected a random sample of 25% of the grants awarded for FY19 – FY24 as follows:

Fiscal Year Ended June 30,	*Number of Grants Awarded*	*Total of Grants Awarded*	*Sample Selected (25%)*	*Total of Sample Selected*
2019	**72**	**$1,234,475**	**18**	**$191,161**
2020	**37**	**$708,255**	**9**	**$118,864**
2021	**66**	**1,435,861**	**16**	**$285,012**
2022	**54**	**$1,125,882**	**13**	**$265,484**
2023	**64**	**$1,243,409**	**16**	**$506,349**
2024	**64**	**$1,252,547**	**16**	**$392,545**
TOTAL	**357**	**$5,708,429**	**88**	**$1,759,415**

Results

- ***Fiscal Year 2019*** – Of the eighteen (18) samples selected, all receipts amounts and descriptions matched the intended use of funds for eleven (11) of the samples. We noted seven (7) instances where the approved amount exceeded the actual expenditure, resulting in the return of unspent funds to the SLEAF account:
    - Grant 18-045(B) (Milford PD): $1,499.33 balance returned.
    - Grant 19-014 (New Castle County PD): $600.00 balance returned
    - Grant 19-018 (New Castle County PD): $5.39 balance returned
    - Grant 19-049 (New Castle County PD): $47.00 balance returned
    - Grant 19-052 (New Castle County PD): $23.45 balance returned
    - Grant 19-063 (Delaware State Police): $5,577.94 balance returned
    - Grant 19-069 (New Castle County PD): $23.45 balance returned

- ***Fiscal Year 2020*** - Of the nine (9) samples selected all receipts amounts and descriptions matched the intended use of funds for eight (8) of the samples. We noted one (1) instance where the approved amount exceeded the actual expenditure, resulting in the return of unspent funds to the SLEAF account:
    - Grant 19-027 (Middletown PD): $1,792.00 balance returned

- ***Fiscal Year 2021*** - Of the sixteen (16) samples selected all receipts amounts and descriptions matched the intended use of funds for thirteen (13) of the samples. We noted two (2) instances where the approved amount exceeded the actual expenditure, resulting in the return of unspent funds to the SLEAF account; and one (1) instance in which grant expenditures exceeded the allowed amount:
    - Grant 21-017 (New Castle County PD): $0.64 balance returned.
    - Grant 21-045 (Division of Alcohol and Tobacco Enforcement): $132.77 balance returned
    - Grant 21-026 (Newport PD: Was allowed $12,840.95; however, $14,049.54 was spent. It could not be determined whether the total $14,049.54 was returned based on supporting documentation.

- ***Fiscal Year 2022*** – Of the thirteen (13) samples selected, all receipt amounts and descriptions matched the intended use of funds for eight (8) of the samples. We noted five (5) instances where the approved amount exceeded the actual expenditure, resulting in the return of unspent funds to the SLEAF account:
    - Grant 22-030 (Wilmington PD): $1,680.00 balance returned.
    - Grant 22-022 (Delaware State Police): $5.00 balance returned
    - Grant 22-012 (New Castle County PD): $0.01 balance returned.

- Grant 22-036 (Delaware State Police): $3,421.68 balance returned
- Grant 22-032 (City of Wilmington PD): $2,998.00 balance returned

- ***Fiscal Year 2023***– Of the sixteen (16) samples selected, all receipt amounts and descriptions matched the intended use of funds for thirteen (13) of the samples. We noted three (3) instances where the approved amount exceeded the actual expenditure, resulting in the return of unspent funds to the SLEAF account:
  - Grant 23-039 (City of Wilmington PD): $30.10 balance returned
  - Grant 23-067 (City of Wilmington PD): $0.72 balance returned
  - Grant 23-068 (City of Wilmington PD): $909.13 balance returned

- ***Fiscal Year 2024 –*** Of the sixteen (16) samples selected all receipt amounts and descriptions matched the intended use of funds for fifteen (15) of the samples. We noted one (1) instance in which grant expenditures exceeded the allowed amount:
  - Grant 24-010 (Fire State Marshall): Was allowed $33,000.00; however, $36,347.08 was spent. It could not be determined whether the total $36,347.08 was returned based on supporting documentation.

Procedure 3: *For* the grants selected for testing (in procedure 2):

a. Confirm that the AOA and DOJ received a detailed and complete accounting of the expended SLEAF grants. (11 Del. C. §4115)

b. Inspect the supporting documentation to confirm the funds were expended for the purpose stated in the grant application and appropriately included on the SLEAF Accounting Voucher. (11 Del. C. §4110)

Result 3:

Fiscal Year Ended	*Sample Size Selected*	*Number of Accountings Received by AOA*	*Number of Accounting Received by DOJ*
2019	18	8	8
2020	9	4	4
2021	16	8	8
2022	13	13	13
2023	16	16	16
2024	16	16	16
Total	88	65	65

Results

- ***Fiscal Year 2019*** - Of the eighteen (18) samples selected, neither AOA, nor DOJ received detailed and complete accounting for ten (10) grants. For the remaining eight (8) samples both DOJ and AOA received all accountings.
- ***Fiscal Year 2020 -*** Of the nine (9) samples selected, neither AOA, nor DOJ received detailed and complete accounting for five (5) grants. For the remaining four (4) samples both DOJ and AOA received all accountings.
- ***Fiscal Year 2021***- Of the sixteen (16) samples selected, neither AOA, nor DOJ received detailed and complete accountings for any of the eight (8) samples selected for testing. For the remaining eight (8) samples both DOJ and AOA received all accountings.
- For **Fiscal Years 2022 – 2024** AOA and DOJ received detailed and complete accountings for all 45 grants samples.

Procedure 4: For SLEAF funds that were not expended or returned by the end of Fiscal Year, determine if the agency obtained written authorization of an extension of up to 120 days from DOJ. If there was no extension of the grant, inspect DOJ's cash receipts to confirm the repayment of unused funds. (11 Del. C. §4114(a))

Results

- ***Fiscal Year 2019* -** Of the eighteen (18) grants randomly selected in the previous procedures, seven (7) grants were identified as having unexpended funds at the end of fiscal year 2019. Of those seven unexpended grants, all returned the unexpended funds and did not require an extension.
- ***Fiscal Year 2020*** Of the nine (9) grants randomly selected in the previous procedures, one (1) grant was identified as having unexpended funds at the end of fiscal year 2020.
- ***Fiscal Year 2021*** Of the sixteen (16) grants randomly selected in the previous procedures, three (3) grants were identified as having unexpended funds at the end of fiscal year 2021. Of those three (3) unexpended grants:
  - Two (2) returned the unexpended funds and did not require an extension;
  - One (1) did not provide evidence of an extension request or evidence that the unexpended funds were returned.
- ***Fiscal Year 2022 –*** Of the thirteen (13) grants randomly selected in the previous procedures, five (5) grants were identified as having unexpended funds at the end of fiscal year 2022. Of the five (5) unexpended grants, all provided evidence of returned funds and did not require an extension.
- ***Fiscal Year 2023 –*** Of the sixteen (16) grants randomly selected in the previous procedures, three (3) grants were identified as having unexpended funds at the end of fiscal year 2023. Three (3) grants provided evidence of returned funds and did not require an extension.
- ***Fiscal Year 2024 –*** Of the sixteen (16) grants randomly selected in the previous procedures, one (1) was identified as having unexpended funds at the end of fiscal year 2024. AOA could not determine if an extension was approved or if the funds were returned based on supporting documentation.

Appendix: Background

SLEAF is a grant fund established by the General Assembly to provide funds to enhance the suppression, investigation, and prosecution of criminal activity; promote officer safety; facilitate the training of law-enforcement personnel; further public safety; public education, and community awareness; and improve victim services. SLEAF is funded by money and/or the proceeds obtained from the sale or disposition of any property which is forfeited to the State by the court determination that the property was 1) used for criminal purposes or 2) obtained as fruits of a criminal enterprise.

Grant Application and Authorization Process

Grantees must make a written application reviewed by the committee and authorized by the Attorney General (AG), Director of the Office of Management and Budget, and the Controller General. The application must include

- Amount of funds requested
- Anticipated purpose for which such funds are requested
- Amount of any and all funds received by the requesting agency from SLEAF during the previous 5 fiscal years.
- The name of the agency requesting funds and the name of the individual in the agency will be responsible for keeping accurate records as to the use of the funds.

Under Delaware Code, The Committee is required to meet quarterly and is comprised of 8 members:

1. The State Prosecutor, Committee Chair
2. The Chief-Law Enforcement Officer of the Delaware State Police
3. The Chief-Law Enforcement Officer of the New Castle County Police Department
4. The Chief-Law Enforcement Officer of the Wilmington City Police Department
5. The Chief-Law Enforcement Officer of the Dover City Police Department
6. An at large Representative of law enforcement agencies in New Castle County
7. An at large Representative of law enforcement agencies in Kent County
8. An at large Representative of law enforcement agencies in Sussex County

The SLEAF grant application provides additional guidelines for the use of funding. Generally, SLEAF funds are not to be used for the payment of wages, overtime, or normal operation expenses associated with the operation of law enforcement. Normal operational expenses are those items that are ordinarily reflected in the agency's operating budget, including, but not limited to, uniforms, polices vehicles, building maintenance, and repair and capital improvements to police facilities, except for those that directly enhance officer safety, prisoner safety and evidence integrity. Excluding technological upgrades, equipment necessary to replace existing equipment or expand force size are deemed to be normal operating expenses and are unallowable. In addition, SLEAF fund are not to be used to fund "buy" money for drug operations.

Expenditure and Reporting Requirements

Agencies receiving SLEAF are required to maintain accounting records for each grant received which includes the AG's Confidential Funds Accounting Voucher and all detailed receipts. The Voucher includes the name of the recipient agency, receipt/check number, date, approved grant amount, total funds expended, total funds returned, summary of funds spent, and signature of the agency's specified grant administrator certifying the information.

The agency must expend the SLEAF grant in full no later than the end of the fiscal year (June 30). If the agency does not expend the fund by year-end, the agency can submit a written extension to the AG for up to 120 days; otherwise, the agency must return the unused funds.

Each agency is required to submit a detailed and complete accounting of the disbursement for all funds from the prior fiscal year to the AG and to AOA on or before July 15th of each year. The AG and AOA are required to review and maintain the accounting records.

11 Del. C. 4110
11 Del. C. 4112
11 Del. C. 4113 (b)