

December 29, 2023

Toks Omishakin, Secretary
California State Transportation Agency
915 Capitol Mall, Suite 350-B
Sacramento, CA 95814

Dear Secretary Toks Omishakin,

In accordance with the State Leadership Accountability Act (Leadership Accountability), the Department of the California Highway Patrol submits this report on the review of our internal control and monitoring systems for the biennial period ending December 31, 2023.

Should you have any questions please contact Mike Alvarez, Executive Chief for the Office of the Commissioner, at (916) 843-3001, MiAlvarez@chp.ca.gov.

GOVERNANCE

Mission and Strategic Plan

The mission of the CHP is to provide the highest level of Safety, Service, and Security. This is accomplished through 4 Strategic Plan goals:

- Protect life and property
- Enhance public trust through superior service
- Invest in our people
- Anticipate public safety and law enforcement trends and provide assistance to allied agencies

To accomplish its mission, the CHP is committed to the following organizational values: respect for others, fairness, ethical practices, and equitable treatment for all. Additionally, CHP employees clearly understand the expectations and commitment to service through the following professional values known as "CHP PRIDE":

- Courage
- Honesty
- Professionalism
- Principles
- Respect
- Integrity
- Dedication
- Esprit de Corps

As a Department in state government within the California State Transportation Agency (CalSTA), the CHP is an organization governed by the California Vehicle Code (CVC) as the primary statutory source, which grants the CHP its administrative and enforcement authorities.

The CVC, beginning with section 2100, outlines the CHP's role within the California state government as well as its fundamental command structure.

Internally, the CHP adheres to well-established policies covering all operational aspects of the Department. The policies consist of 120 General Orders (GOs), 77 Highway Patrol Manuals (HPMs), 9 Highway Patrol Guides (HPGs), 8 Highway Patrol Handbooks (HPHs), as well as numerous Information Bulletins and Management Memorandums. In 2010, the CHP was formally recognized internationally as an accredited law enforcement agency by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA). In 2013, the CALEA awarded accreditation to the CHP Academy. In 2014, the CALEA awarded accreditation to the CHP Communications Centers. In 2016, the Airborne Law Enforcement Association awarded the Public Safety Aviation Accreditation to the CHP Office of Air Operations, and in 2017, the Association of Public Safety Communications Officials International awarded the Project 33, Agency Program Certification, to the CHP public safety communications training program.

The CHP provides a multitude of law enforcement services such as assisting motorists, investigating traffic crashes, and providing security for the Governor, public officers, employees, constitutional officers, state judiciaries, and the general public. Departmental employees perform a wide range of tasks, many of which are readily visible to the public. Some examples of the enforcement services provided by the CHP include speed enforcement, the apprehension of drug and alcohol impaired drivers on highways, combating vehicle theft, conducting driving under the influence checkpoints, and distracted driving enforcement. In addition to enforcement activities, the CHP provides educational programs such as Every 15 Minutes; Occupant Restraint; Impact Teen Drivers; Age Well, Drive Smart; and the Start Smart. Less visible, or often unnoticed, are the selfless efforts of both the CHP uniformed and professional staff in serving their communities, providing assistance and demonstrating empathy for victims of crime and tragedy, and participating in activities to improve the well-being of the individuals and communities they serve.

Control Environment

The CalSTA exercises oversight and guidance on administrative and policy matters, ensuring that the CHP operates efficiently and meets the expectations of CalSTA, the Governor's office, the Legislature, and the taxpayers. The CHP is commanded by the Commissioner, who is appointed by the Governor and confirmed by the State Senate. The CHP Executive Management consists of the Commissioner, Deputy Commissioner, and 2 Assistant Commissioners.

The CHP Headquarters in Sacramento oversees all 9 field Divisions (8 geographic Divisions throughout California and the Protective Services Division) in addition to 4 headquarters support Divisions (Information Management Division; Enforcement and Planning Division; Administrative Services Division; and Personnel and Training Division). Each Division is commanded by a Chief. There are also offices such as the Office of Employee Relations; Office of Inspector General; Office of Special Representative; Office of Community Outreach, Marketing, and Recruitment; Office of Internal Affairs; Office of Risk Management; Office of Legal Affairs; and Office of Equal Employment Opportunity, that report directly to the Office of

the Commissioner, with oversight from the Executive Chief.

The CHP's 8 geographic field Divisions oversee 102 Area offices, 36 resident posts, 24 Communications Centers, and 17 Commercial Vehicle Enforcement Facilities (CVEF). Each Area office is commanded by either a captain or lieutenant, and each CVEF is commanded by a lieutenant.

The Executive Management sets the tone of the CHP by demonstrating and ensuring the Department's Mission and Vision are upheld with the highest level of integrity. The CHP's organizational, professional, and ethical values, as well as the standards of conduct are communicated to its employees through departmental policies, duty statements, operating principles, CHP's GOs, and individual commands' Standard Operating Procedures. These standards enforce accountability and are utilized by management as the foundation for evaluating staff adherence to integrity and ethical values. Any CHP staff deviation or noncompliance with the CHP's standards of conduct are investigated by the employee's chain-of-command. The findings are then communicated to the employee, and if deemed necessary, appropriate disciplinary actions are implemented.

To ensure newly promoted and newly assigned employees receive guidance and direction consistent with the CHP's Mission and Vision, the Coaching/Mentoring Program was developed to incorporate instructional elements designed to provide employees at each rank and classification with the greatest opportunity for success. The goals of the Coaching/Mentoring Program include fostering leadership development for mentors by listening to personal and professional challenges of mentees and offering guidance, support, and encouragement to address identified issues. Mentors share critical knowledge and experience to foster teamwork-oriented philosophies in an effort to develop our future leaders while ensuring the continued legacy of the CHP.

In addition to the Coaching/Mentoring Program, the CHP offers numerous training classes to both uniformed and professional staff at all ranks and classifications. CHP uniformed staff are required to attend mandatory training courses annually and quarterly to remain in compliance with both departmental and Commission on Peace Officer Standards and Training (POST) standards. Additionally, the mandatory training classes ensure hiring and training of competent and professional individuals which serves to effectively accomplish the CHP's Mission. Furthermore, the CHP ensures employees assigned to commercial, financial, auditing, information technology, and other positions requiring specialized training receive and successfully complete the necessary training in a timely manner and maintain applicable and requisite certifications. Professional employees at all classifications can expand on and/or develop new skills by attending the classes provided in-house by the CHP or by submitting a request for training provided by external training organizations.

The CHP maintains a Citizens' Advisory Board (CAB) that serves as an advisory body to the Commissioner. Its main objective is to conduct an evaluation and offer insight on departmental policies, procedures, training, reporting, and controls to determine consistency in the demands of public safety, as well as legal, moral, and public expectations. The CAB plays an important role in strengthening community trust in law enforcement by providing neutral, third-party insight, and foster the productive exchange of ideas.

Information and Communication

There are various methods Executive Management utilizes to communicate information internally and externally, dependent upon the type of information to be communicated.

The Commissioner meets monthly with the CalSTA Secretary, along with executives from other entities that report directly to the CalSTA. The CHP's Executive Management communicates daily and discusses ongoing operations, internal controls, and other issues. Top Management meetings, which include Executive Management and all departmental Chiefs, are held monthly, or as needed, to discuss major activities and operations within the CHP. After each Top Management meeting, the CHP conducts the Division All Commander Conference (DACC), which is attended by all Division Chiefs, Assistant Chiefs, and commanders. The DACC is a forum to discuss the actions necessary to mitigate risks and communicate ongoing planning strategies. The information from the DACC will be relayed by each commander to their assigned personnel. Each Division commander has the authority to conduct a DACC on a monthly or quarterly basis. The CHP also has an internal communication medium called a Communications Network (Comm-Net) message, which is used to communicate activities, updates on policies and procedures, as well as emergency and field operations to departmental staff. Department-wide Comm-Net messages are approved by Executive Management, Divisions Chiefs, and/or the appropriate level staff.

Throughout the year, the CHP's Information Security Officer distributes notifications to all CHP employees, informing staff of any information or cyber security threats encountered by the CHP and alerting staff to be aware and cognizant of these threats. All CHP employees are reminded to report any information technology and cyber security issues and concerns to the Information Management Division for investigation and resolution.

All CHP employees are encouraged to report inefficiencies and/or inappropriate activities to the California State Auditor via the whistleblower hotline. Posters are displayed in every command reflecting the contact information for the California State Auditor's whistleblower hotline. Additionally, CHP staff receive an electronic mail notification annually from the CHP's Whistleblower coordinator with an attached brochure providing the information on the Whistleblower Program as required by Government Code Section 8547. For internal reporting, CHP employees have an option to report allegations of inappropriate activities to the CHP's Office of Internal Affairs for further investigation and appropriate action. When information is obtained or uncovered involving inappropriate acts or omissions by an employee, the employee's commander or designee has the responsibility to ensure a complete investigation into the allegations is conducted.

MONITORING

The information included here discusses the entity-wide, continuous process to ensure internal control systems are working as intended. The role of the executive monitoring sponsor includes facilitating and verifying that the Department of the California Highway Patrol monitoring practices are implemented and functioning. The responsibilities as the executive monitoring sponsor(s) have been given to: Sean A. Duryee, Commissioner.

The CHP conducts monthly, or as needed, Top Management meetings, which include

Executive Management and all departmental Chiefs from each Division, to discuss major activities as well as existing and potential internal control issues. The CHP Top Management meeting is used to discuss current and future risks identified within the CHP. Any risk with vulnerabilities is addressed and revisited at future meetings as needed. Depending upon the impact of the risks to the CHP, a task force can be established to evaluate departmental activity and recommend a corrective action plan to mitigate all material risk to Top Management. The task force will be responsible for updating Executive Management on performance and implementation of internal control measures to mitigate the identified risks. The CHP management, at the command level, has the responsibility to assess and analyze the design of controls and its intended purpose to ensure they are effective and perform as expected. Any deviations from policy or weaknesses in internal control measures are expected to be addressed and resolved at the lowest level.

The CHP also maintains numerous headquarters committees that exercise oversight over departmental policy and procedures. These committees include bodies such as, but not limited to: the Department Occupational Safety Board; Merit Award Suggestion Committee; Advisory Committee for Persons with Disabilities; and School Pupil Transportation Advisory Committee.

The OIG conducts internal audits in accordance with the *International Standards for the Professional Practice of Internal Auditing*, in addition to command inspections. Internal audits or inspections are performed to identify deficiencies and provide recommendations. Internal auditors ensure procedures set out in the internal control system are functioning properly. The OIG conducts follow-up audits/inspections to ensure outstanding audit/inspection findings are remediated. A follow-up audit or inspection is typically conducted within 12 months after issuance of the final report. Subsequent to the follow-up review, the OIG issues a follow-up report.

All audit/inspection results and corrective action reports are routed through Executive Management for review and proper monitoring. The monitoring activities of Executive Management are continuous as 4 or more administrative or field Divisions are audited/inspected per year. This includes subordinate commands within the respective Divisions. The OIG submits a final report to Executive Management after all identified issues have been resolved, which closes the audit/inspection. On the rare occasion an issue remains unresolved, Executive Management takes further action to resolve it.

In addition to the audit and inspection activities, Executive Management ensures property inspectors complete property inspections of each command every 2 years to maintain compliance with State Administrative Manual Section 8652, and requires commands to conduct a self-inspection every calendar year. The OIG is responsible for the biennial SLAA enterprise risk assessment, the departmental risk assessment, and smaller risk assessments requested by various programs, offices, and Divisions within the CHP. Additional information on this process is provided in the Risk Assessment Process section of this report.

In addition to the internal auditing and monitoring activities conducted, the CHP is audited by various external control entities throughout the year to ensure the CHP has proper internal controls in place and is in compliance with applicable state laws and regulations. These

external engagements consist of, but are not limited to: financial, information technology, operational, performance, and program audits. After the final report is issued by the external entity and should the final report identify findings, the CHP will draft a response specifying the corrective actions the CHP has taken or will take to correct and resolve the identified findings. Prior to submitting a response to the external entity, the response is routed through the Executive Management and CalSTA, for review and approval. The appropriate command is responsible for implementing the specified corrective actions and resolving the identified findings.

The CHP has implemented and documented the ongoing monitoring processes as outlined in the monitoring requirements of California Government Code Sections 13400-13407. These processes include reviews, evaluations, and improvements to the CHP's systems of controls and monitoring.

RISK ASSESSMENT PROCESS

The following personnel were involved in the Department of the California Highway Patrol risk assessment process: executive management, middle management, front line management, and staff.

The following methods were used to identify risks: brainstorming meetings, employee engagement surveys, ongoing monitoring activities, audit/review results, other/prior risk assessments, external stakeholders, questionnaires, consideration of potential fraud, performance metrics, and other.

The following criteria were used to rank risks: likelihood of occurrence, potential impact to mission/goals/objectives, timing of potential event, potential impact of remediation efforts, tolerance level for the type of risk, and other.

In 2023, a risk assessment survey was disseminated to all departmental Chiefs, Assistant Chiefs, and commanders. The questionnaire consisted of 4 questions, which asked the respondent to comment on areas of concern specific to their command, as well as the CHP overall. Due to the CHP's operations changing and evolving over time, the respondents were also requested to identify any policies or procedures that would help improve departmental efficiency. The results from the risk assessment survey were compiled, prioritized based on the number of times each topic areas of risks were identified by the respondents, and compared with the current Audits and Inspections Plan results and current law enforcement liability trends identified across the nation. Each topic area in the risk assessment survey was then evaluated based on prior occurrence in the CHP, its severity on the CHP operations and stakeholder's interests, and the likelihood of recurrence in the future. A summary of the results was then reviewed and evaluated by Executive Management for suitable risk prioritization and final approval. In addition, the Executive Management had an opportunity to add and/or rank any risks not identified by the survey.

The information received from this risk assessment process is utilized to establish a 2-year plan, in accordance with the *International Standards for the Professional Practice of Internal Auditing*, Section 2010. The CHP's 2024-2025 Audits and Inspections Plan will serve as the ongoing control medium to evaluate and mitigate identified risks. The CHP's Audits and

Inspections Plan is approved by the Commissioner.

RISKS AND CONTROLS

Risk: Develop a Re-designed Strategic Plan, With a Focus on Improving Public Safety and Saving Lives

The CHP's 2020 – 2024 Strategic Plan serves as a guiding framework for the CHP to accomplish its mission of providing the highest level of Safety, Service, and Security, through daily devotion to the CHP's professional and organizational values. By leveraging the departmental strategic planning initiatives, the CHP is committed to expanding its law enforcement responsibilities to provide California's communities with education, enforcement, and support to reduce fatalities and serious injuries on our roadways.

The CHP is leaving the specific strategies to each Division to provide flexibility. Leaving the strategies open-ended for Divisions and commands will allow new ideas and strategies to come to the surface and result in a greater level of command and employee accountability to meet specific goals and objectives. By redesigning the Strategic Plan, potential negative impacts and risks to the CHP will be reduced, as there will be more flexibility and accountability for each Division and command.

Control: Update the Strategic Plan to Strengthen and Advance the CHP's Goals and Objectives

The Commissioner outlined his priorities and expectations by revisiting and updating the departmental goals and objectives. The Special Projects Section is the Office of Primary Interest for updating the Strategic Plan and is working collaboratively with the Enforcement and Planning Division and Executive Management. The CHP plans to incorporate an equity component into the new Strategic Plan, as directed in Governor Newsom's Executive Order N-16-22. It is anticipated the project will also be discussed at the next CHP Citizens' Advisory Board meeting scheduled for the second quarter of 2024, to obtain external feedback from a wide array of community representatives.

Once the 2025 – 2029 Strategic Plan is approved, finalized, and published, the Commissioner will provide direction to all departmental staff; to include policy updates, distribution of printed brochures and a statewide video message. Once the new plan is in place, the cost to the CHP will be the printing of associated brochures and posters. Ultimately, an updated Strategic Plan will further enhance the CHP's ability to fulfill our mission of providing the highest level of Safety, Service, and Security to the people of California.

Risk: Evaluate Alternative Motorcycle Helmets Having the Potential of Increasing Officer Safety

The CHP requires the exclusive use of the three-quarter open face helmet, providing coverage for a motorcycle rider's ears and the back of the head. While a three-quarter open face helmet provides comparable head protection to a full-face helmet, it offers limited coverage

for the face. The rider may experience discomfort or injury from insects, dust, rocks, road debris, or the impact of the wind on the face and eyes. The utilization of a modular helmet may contribute to a reduction in claims related to facial and eye injuries, as well as incidents of skin cancer. The integration of modular helmets into law enforcement has evolved gradually over time, and their adoption can potentially decrease rider injuries. This is attributed to the ability to protect the rider's face when the helmet is worn in the down/closed position. In addition to this potential financial benefit, minimizing injuries among our motorcycle enforcement riders will help to mitigate the staffing shortages experienced statewide. This, in turn, enables a greater number of employees to concentrate on providing safety, service, and security for the visitors and residents of California.

Control: Assessment of Modular Helmets as Potential Replacements for Three-Quarter Open Face Helmets

Modular helmets, which are designed to provide the rider extra/optional protection when the chin bar and face shield are utilized in the down/closed position, will be evaluated by the CHP in the near future. Once the helmets are deployed, the evaluation process will span 12 weeks from initiation to completion. Eight employees from the field have been chosen to participate in the evaluation process and will be wearing modular helmets in various sizes. Additionally, 2 members of the CHP Academy Motorcycle Training Unit will also participate in the evaluation.

Risk: Evaluate an External Vest Carrier for Uniformed Personnel, With the Potential of Reducing Injuries and Illnesses

The current duty belt utilized by our law enforcement personnel carries significant weight imposing stress on the spine and hips. This issue is significant among our law enforcement personnel, as lower back injuries have been a persistent cause of both short-term and long-term disabilities. Continued use of the current duty belt will hinder our personnel's ability to actively participate in patrol duties, thus exacerbating staffing shortages across the state. Replacing the duty belt with a practical alternative can potentially reduce the number of injury and disability claims by our law enforcement personnel.

Control: Evaluation of External Vest as Potential Alternatives for the Duty Belt

The CHP Commissioner has approved a 6-month statewide wear test of the external vest carrier with the accompanying base layer uniform shirt and suspenders beginning January 2024. The officers selected to evaluate the external vest carrier will provide monthly feedback to assess the quality, comfort, functionality, durability, and appearance of the external vest. At the conclusion of the test period, a decision will be made regarding the statewide implementation of the external vest carrier as an optional uniform item.

The evaluation will include approximately 206 subjects, with 2 participants selected from each of the 103 Area offices. Mitigating the frequency of injury leave will play a crucial role in addressing the staffing shortages experienced by commands in the state. An increase in the number of officers actively patrolling on the road supports our strategic goal of protecting life and property and will ultimately contribute to the CHP's objective of

reducing the mileage death rate on California roads.

Risk: Evaluate the Need to Realign Division Boundaries, With the Potential of Improving Service to the Public

During the confirmation hearing in 2023, the CHP Commissioner received inquiries about the extended response times of investigative teams in various areas of the state. In response, the CHP Assistant Commissioner, Field (ACF), is assessing a possible realignment of divisional boundaries aimed at enhancing service delivery.

Control: Evaluation of Division Boundaries

For the state's best interest, the CHP Executive Management is evaluating the realignment of the Division boundaries affecting some commands to enhance service delivery (e.g. Temecula Area, Indio Area, San Geronio Pass Area, Blythe Area, Rainbow CVEF, Desert Hills CVEF, Black Rock Platform Scales, and possibly Thermal Air Operations). The CHP Executive Management will solicit feedback from the affected Divisions and commands during the evaluation whether to implement a realignment or not.

CONCLUSION

The Department of the California Highway Patrol strives to reduce the risks inherent in our work and accepts the responsibility to continuously improve by addressing newly recognized risks and revising risk mitigation strategies as appropriate. I certify our internal control and monitoring systems are adequate to identify and address current and potential risks facing the organization.

Sean A. Duryee, Commissioner

CC: California Legislature [Senate, Assembly]
California State Auditor
California State Library
California State Controller
Director of California Department of Finance
Secretary of California Government Operations Agency