

**Mississippi Department of Finance and Administration
Office of Public Information**

REQUEST FOR PUBLIC RECORDS

(Please note that requests for records of other state or local agencies must be directed to those agencies.)

Person Requesting: Daniel Welch

Representing: Public

Street/Mailing Address: MuckRock News DEPT MR27600 411A Highland Ave Somerville, MA 02144

Telephone: 617-299-1832 Date of Request: 01/20/2022

Documents requested: (Please be as clear and concise as possible.): _____

Please see next page for full request.

Review Requested: _____ Personally Inspect: _____ Copy of Material: Yes

Electronic Copy of Material (if available): Yes Email address: 27600-35443816@requests.muckrock.com

Further Instructions: _____

Requestor's Signature:  For Daniel Welch

Please submit this request to one of the following:

By U.S. Mail:

Public Information Officer
Mississippi Department of Finance and Administration
Suite 1301
501 N. West Street
Jackson, MS 39205

By Email:

info@dfa.ms.gov

Note: *Actual costs of gathering, reviewing, and reproducing materials will be the responsibility of the requestor. Pursuant to Section 25-61-7 of the Mississippi Code, these costs must be paid in advance. Payment may be made by certified check, money order, or corporate check payable to the Mississippi Department of Finance and Administration.*

To Whom It May Concern:

Pursuant to Mississippi's Public Records Act, I hereby request the following documents:

Documents included in state Program Compliance Reviews for excess DOD personal property, typically including:

"(a) A review of each selected LEAs LESO Program Files.

(b) A review of the signed State Plan of Operation.

(c) A review of the LEA application and screener(s) letter.

(d) A physical inventory and/or approved custody card verification of LESO Program property at each selected LEA.

(e) A review of property accountability procedures to include the following criteria;

(1) The proper security and storage of assets. (Secure controlled area with limited access).

(2) Asset tracking and sign out procedures in place for LESO assets.

(3) Prior approval of any transfer of high visibility assets.

(4) Reporting of all lost, missing or stolen assets.

(5) Identification of all unused property

(f) A specific review of each selected LEAs files for the following: DD Form 1348-1A for each item currently on inventory, weapons documentation, transfer documents, turn-in documents, inventory adjustment documents, exception to policy letters (if any), approved cannibalization requests (if any) and other pertinent documentation as required."

-- (from "State Plan of Operation Between The State of Connecticut and the Connecticut Law Enforcement Agencies," Section VI - 'Program Compliance Reviews', § A)

For reference, I am attaching a PCR recieved from the State of Connecticut: https://d3gn0r3afghep.cloudfront.net/foia_files/2016/07/20/2016_FOIA

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 7 business days, as the statute requires.

Sincerely,

Daniel Welch



**DEFENSE LOGISTICS AGENCY
DISPOSITION SERVICES
74 WASHINGTON AVENUE NORTH
BATTLE CREEK, MICHIGAN 49037-3092**

Well done
[Signature]
29 MAY 2015
[Signature]

J412

MEMORANDUM FOR THE STATE OF CONNECTICUT

SUBJECT: 1033 Program Compliance Review (PCR)

In accordance with the DLA/State of Connecticut Memorandum of Agreement dated December 18, 2013 a Program Compliance Review (PCR) was conducted on the State of Connecticut 1033 Program Office and received a rating of COMPLIANT.

Over 4,954 line items of Controlled Property have been transferred to your State, with an Original Acquisition Value of \$14,931,828.67. The PCR was conducted March 23-27, 2015 by a DLA Disposition Services J412 Law Enforcement Support Office (LESO) Eastern Team consisting of Mr. David Brackett, and Mr. William Warren. DLA Disposition Services is a field activity of DLA and has program management responsibilities for the 1033 Program as delegated by the Office of the Secretary of Defense.

State of Connecticut personnel conducted themselves professionally during the course of this review. The DLA Disposition Services LESO PCR Team visited nineteen (19) State of Connecticut Law Enforcement Agencies (LEAs) in addition to the detailed review of the State Office. Each LEA was honest and forthright during this PCR. The State 1033 Program Office and each of the selected LEAs were motivated, knowledgeable, and enthusiastic about the 1033 Program. The next PCR is tentatively scheduled for March 2017.

The full March 2015 PCR Report is attached for your review. We look forward to assisting the State of Connecticut with this great and valuable program. Please feel free to contact me with any questions or concerns at Carlos.S.Torres@dla.mil or call (269) 961-4285.

[Signature]
CARLOS S. TORRES
Chief, Law Enforcement Support Office
Customer Support

Attachment:

1. Program Compliance Review

cc:

Governor, State of Connecticut

Date: March 23, 2015

**MEMORANDUM FOR THE STATE OF CONNECTICUT
1033 PROGRAM STATE COORDINATOR**

SUBJECT: Program Compliance Review (PCR) Checklist

I. LESO will Verify:

- | | |
|--|------|
| *1. Is the State Coordinator (SC) appointed, in writing, by the current Governor of the State? | PASS |
| 1a. Appointment letter effective date: 3/1/11 | |
| *2. Is the SC appointment letter on-file with the Law Enforcement Support Office (LESO)? | PASS |
| *3. Has the current SC signed the current Defense Logistics Agency (DLA) Memorandum of Agreement (MOA)? | PASS |
| 3a. MOA date: 12/18/13 | |
| 4. If applicable, are State Points of Contact (SPOCs) appointed, in writing, by the current Governor appointed SC? | YES |
| 4a. Is SPOC appointment letter (s) on-file with the LESO? | YES |
| 5. Has the SC delegated his/her authority to anyone other than a SPOC? | NO |
| 5a. Is delegation of authority letter (s) on-file with the LESO? | NO |

Comments:

The Governor appointed State Coordinator of Connecticut is Major General Thaddeus J. Martin Adjutant General of the Connecticut National Guard. State Points of Contacts are Mr. John Smith and Lieutenant Colonel Mark Tallo via an appointment letter dated July 3, 2014.

II. Website Knowledge:

- | | |
|---|-----|
| 1. Appointed personnel performing the duties with the State 1033 Program, are proficient and knowledgeable when utilizing the following DLA websites: | |
| 1a. LESO Website: https://www.leso@dla.mil | YES |
| 1b. FEPMIS Website: https://fam.nwcg.gov/fam-web/ | YES |
| 1c. FEPMIS IBM COGNOS Reports Portal: https://fam.nwcg.gov/crn/cgi-bin/cognos.cgi | YES |
| 1d. AMPS Website: https://amps.dla.mil | YES |
| 1e. RTD Website: https://business.dla.mil/landing/index.jsp | YES |
| 1f. DLA Disposition Services Website: https://www.dispositionservices.dla.mil/index.shtml | YES |

Comments:

No issues to report.

III. Eligibility Requirements:

- | | |
|--|-----|
| 1. Are Applications for participation submitted by Law Enforcement Agencies (LEA) with arrest and apprehension authority signed by the Chief Executive Official (CEO), then forwarded to the SC? | YES |
| 2. Does the SC and/or SPOC (s) verify that the LEA is authorized to participate in the 1033 Program? | YES |

- | | |
|--|-----|
| 3. Are new Applications for participation and address changes to LEA's forwarded to the LESO for approval? | YES |
| 4. Does the State ensure that LEAs have a training plan in place which covers the use of Tactical Vehicles, Aircraft and Weapons currently on the LEAs property book or prior to any new requisitions? | YES |
| 5. Does the State require the LEA to pay a fee for participation in the program? | YES |
| 5a. If yes, thoroughly explain fee system: | |
| LEA with less than 50 sworn officers - \$250.00 | |
| LEA with 51-100 sworn officers - \$500.00 | |
| LEA with more than 100 sworn officers - \$800.00 | |

Comments:

No issues to report.

IV. Records Management:

- | | |
|--|---------|
| *1. Is there a current DLA approved State Plan of Operation (SPO) on file for the State? | PASS |
| 1a. SPO effective date: | 4/15/14 |
| *2. Does the SC keep a current copy of the SPO, signed by the LEA CEO in each LEA file? | PASS |
| 3. Does each LEA keep a current copy of the SPO, signed by their CEO on file? | YES |
| 4. Does the SPO address the following areas: | |
| 4a. Purpose | YES |
| 4b. Authority | YES |
| 4c. Terms and Conditions: | |
| -LEA Eligibility Criteria | YES |
| -How to enroll in the 1033 Program | YES |
| -LEA Screener Criteria | YES |
| -Identification/Acquisition of Property | YES |
| -Transportation of Property | YES |
| -Storage of Property | YES |
| -Distribution of Property | YES |
| -Security of Property | YES |
| -Accountability of Property | YES |
| -Establish an Inactive File | YES |
| -Utilization of Property | YES |
| -State internal compliance reviews | YES |
| -Transfer of property | YES |
| -Disposal of property | YES |
| -Turn-in of property | YES |
| 4d. DEMIL Property requirements | YES |
| 4e. Training opportunities | YES |
| 4f. State responsibilities in the 1033 Program | YES |
| 4g. LEA responsibilities in the 1033 Program | YES |
| 4h. Suspension and/or Termination Criteria | YES |
| 4i. Signature requirements (i.e. LEA CEO/SC/SPOC) | YES |
| *5. Transfers of high visibility property are approved by the DLA LESO. | PASS |

Comments: *No issues to report.*

V. Records Retention:

1. Are the following documents on-file with the SCs Office and/or LEA?
 - 1a. DLA Form 103s (aka Manual Requisitions) if applicable *YES*
 - 1b. DD Form 1348-1A (for all 1033 Program property currently on the LEA inventory). *YES*
 - 1c. DLA LESO approvals for Transfers of Aircraft, Vehicles and Weapons. *YES*
 - 1d. DD Form 1348-1A for all turn in's. *YES*
 - 1e. Approved DD Form 200 for removal of property from record. *YES*
 - 1f. FAA Certificate of Aircraft Registration (Form 8050-1) *YES*
 - 1g. Approved Exception to policy memorandums (if applicable) *N/A*

Comments: *No issues to report.*

VI. Property and Inventory Control:

1. Is 1033 Program property properly stored in a controlled storage area with limited access? *YES*
2. Have all reports of missing, lost, stolen, damaged or destroyed 1033 Program property been reported to the appropriate SCs Office? *YES*
3. Have all reports of missing, lost, stolen, damaged or destroyed 1033 Program property been reported to the appropriate Local/State/Federal Officials and the LESO? Note: If the property is DEMIL Coded B, C, D, E, F, G or Q you have (24) Hours for notification. If your property is DEMIL Code A, you have within (7) days to report. *YES*
4. In determining SCs recommendation for approval of LEA request, is consideration given to the needs and resources of its LEAs (i.e. size of LEA, mission requirement and like property on hand)? NOTE: LESO personnel must conduct a random search of records. *YES*
5. Are annual reconciliations of property receipts being conducted? *YES*
6. Has the State submitted the previous Fiscal Year's certified inventory to the LESO? *YES*
- *7. Are photographs and serial numbers to include; Side and Data Plates provided to the LESO for Aircraft, Watercraft and Tactical Vehicles and other Controlled Property? *PASS*
- *8. Are photographs of Weapons serial numbers provided to the LESO? *PASS*

Comments: *No issues to report.*

VII. Transitional Distribution Point (TDP):

- *1. Is there an authorization document from DLA, on hand, authorizing your State to operate as a TDP? *N/A*
2. Are TDP property requests earmarked for a specific LEA identifying them as the end user? *N/A*

3. Is 1033 property identified and stored separate from other categories of property such as 1122 and State Agencies for Surplus Property (SASP)? N/A
4. Does the SC and/or SPOC understand that transfers of 1033 Program property from the TDP to LEAs within his/her State still need to be processed via the LESO prior to physical movement of property? N/A
- Comments: *The State of Connecticut does not currently operate as a Transitional Distribution Point (TDP).*

VIII. Compliance and Utilization Reviews:

- *1. Does the State Coordinator ensure an internal PCR is performed for at least 5% of LEAs that have a property book from the DLA LESO Program on an annual basis? PASS

2. LEAs visited during the State Level 1033 Compliance Review:

- | | |
|--|------------------------------------|
| 1. Suffield Police Department | 11. East Hampton Police Department |
| 2. Windsor Locks Police Department | 12. Plainville Police Department |
| 3. Branford Police Department | 13. Burlington Police Department |
| 4. Yale Police Department | 14. East Haddam Police Department |
| 5. Middletown Police Department | 15. Portland Police Department |
| 6. University of Connecticut Police Department | 16. Guilford Police Department |
| 7. Beacon Falls Police Department | 17. Putnam Police Department |
| 8. Wolcott Police Department | 18. Coventry Police Department |
| 9. Ledyard Police Department | 19. Southington Police Department |
| 10. Middletown Police Department | 20. Hamden Police Department |

3. Does the SC follow through with LEAs to rectify cases on non-compliance found on State Level PCRs? YES
4. Does the SC provide documentation to the DLA LESO in cases of non-compliant LEAs? YES
5. What steps are taken to resolve cases of non-compliance to the terms and conditions of the 1033 Program?

If an LEA is found non-compliant, the State Coordinators office gives the LEA a deadline to allow them to fix the issue. If the LEA doesn't comply with the deadline then the State Coordinators office suspends the LEA for 30 days. If the LEA doesn't fix the issue then the State Coordinators office moves to terminate the LEA.

Comments:

No issues to report.

IX. Non-Utilized 1033 Program Property:

1. Are current procedures in place for LEAs to identify and report serviceable property when no longer needed? YES
2. What steps does the SC take to ensure LEAs do not requisition unnecessary or excessive amounts of property?

The Connecticut State Coordinators Office verifies that requisitions and justifications are appropriate for the number of officers and the current amount of similar property on a LEAs property book prior to approving requests for additional property.

3. What steps does the SC take to ensure 1033 Program controlled property is not sold?
The Connecticut State Coordinators Office performs internal compliance reviews throughout the entire State, to ensure that 1033 Program controlled property is not sold or being mismanaged.

3a. What steps does the SC take to document the authorized sale of DEMIL Q (with Integrity Code of 6) after 1 year from receipt to an authorized buyer who has an approved TSC assessment and an End Use Certificate (EUC), DLA Form 1822)?

The State of Connecticut State Coordinators office informed the LESO PCR Team that they will not approve request to sell DEMIL Q/with (integrity code of 6) property.

4. Has there been an incident, since the last conducted PCR, where an LEA has sold controlled property received under the 1033 Program or received 1033 Program property for the sole purpose of selling it? NO

4a. If yes, provide detail and supporting documentation of the outcome (who, what, when, where, how much).

N/A

Comments:

No issues to report.

X. Compliance to DLA MOA:

- | | |
|--|-----|
| 1. Is all property transferred consistent with requirements of the DLA MOA? | YES |
| 2. Is the SCs Office aware that they must ensure that the LEA maintains adequate insurance to cover damages or injuries to persons or property relating to the use of the property? (Self-insurance by the State/LEA is acceptable) | YES |
| 3. Is the SCs Office aware that property available under the MOA is for the current use of authorized program participants; it will not be requested nor issued for speculative use? | YES |
| 4. Is the SCs Office aware that property will not be obtained for the purpose of sale, lease, loan rent, exchange, barter, to secure a loan, or to otherwise supplement normal LEA or State/Local governmental entity budgets? | YES |
| 5. Is the SCs Office aware that any transportation, repair, maintenance, insurance, disposal or other expenses associated with the excess Department of Defense (DOD) personal property is the sole responsibility of the State/LEA? | YES |
| 6. Is the SCs Office aware that all property obtained under the MOA must be placed into use within one (1) year of receipt and utilized for a minimum of one (1) year, unless the condition of the property renders it unusable? | YES |
| 7. Is the SCs Office aware approval of any variation to the above standard for property no longer needed by an LEA must be approved by the LESO through the SCs Office? | YES |
| 8. Is the SCs Office aware that the DOD has authorized the transfer and use of excess DoD property to the State/LEA and as such reserves the right to recall any and all property issued at the state or LEA expense? | YES |

- | | |
|--|-----|
| 9. Is the SCs Office aware that after one year from receipt, excess DEMIL A property will transfer title to the State/LEA? | YES |
| 10. Is the SCs Office aware that after one year from receipt, excess DEMIL Q (with Integrity Code of 6) becomes eligible to be sold to an authorized buyer who has an approved TSC assessment and an End Use Certificate (EUC), DLA Form 1822? | YES |
| 11. Is the SCs Office aware of the requirement (when applicable) of the LEA to complete and submit the ATF Form 5, Application for Tax Exempt Transfer and Registration of Firearm? | YES |
| 12. Is the SCs Office aware of the requirement (when applicable) of the LEA to complete and submit the ATF E-Form 10, Application for registration of Firearms acquired by Certain Government Entities? | YES |
| 13. Is the SCs Office aware that to the extent permitted by law, the SC/LEA shall indemnify and hold the U.S. Government harmless from any and all actions, claims, debts, demands, judgments, liabilities, cost, and attorney's fees arising out of, claimed on account of, or in any manner predicated upon loss of or damage to property and injuries, illness or disabilities to or death of any and all persons whatsoever, including members of the general public, or to the property of any legal or political entity including states, local and interstate bodies, in any manner caused by or contributed to by the State/LEA, its agents, servants, employees, or any person subject to its control while in, upon or about the sale site and/or the site on which the property is located, or while the property is in the possession of, used by or subject to the control of the State/LEA, its agents, servants, or employees after the property has been removed from U.S. Government control. The U.S. Government assumes no liability for damages or injuries to any person(s) or property arising from the use of the property. | YES |
| 14. Is the SCs Office aware of the MOA addendum dated 7 November, 2014 into the State Plan of Operation (SPO), requiring the State and LEAs to adhere to the following program changes: | YES |
| a. With all requests for Tactical Vehicles, Aircraft and Weapons, the State and/or LEAs must certify that they have a training plan which covers the use of the requested equipment. Requests without this documentation will not be approved. | YES |
| b. The Demilitarization Code of "Q" with Integrity Code of "6" has been considered to be Commerce Control List items (cannot be exported) and is considered controlled property by the Department of Defense and DLA. This replaces any language of the current MOA that refers to property with a DEMIL code of Q6. | YES |

Comments: *No issues to report.*

XI. Conclusion:

The Program Compliance Review for the State of CONNECTICUT has been completed. The DLA LESO has found the State to be COMPLIANT with the current terms and conditions as set forth in the DLA to State

MOA. On Tuesday, March 24th, 2015 the DLA Disposition Services Director Mr. Michael Cannon met with State Coordinator Major General Thaddeus J. Martin Adjutant General of the National Guard to discuss the 1033 Program.

XII. Areas of Concern and/or Recommendation:

The PCR team recommends that the Connecticut State Coordinators Office continue to encourage 1033 program participation and property book management to the States LEA's through use of the FEPMIS, AMPS, and RTD websites.

XIII. Areas of Praise:

The PCR Team wishes to acknowledge the tremendous preparation, organization and communication efforts of the Connecticut State Point of Contacts, Mr. John Smith and Lieutenant Colonel Mark Tallo. The PCR Team fully understands what was necessary of Mr. Smith and Lieutenant Colonel Tallo to ensure the selected LEAs were prepared for the PCR site visits. Mr. Smith and Lieutenant Colonel Tallo continue to show great interest and enthusiasm in regards to 1033 Program participation and 1033 Program growth within the State of Connecticut.

XIV. LEAs visited during the DLA LESO PCR:

- | | |
|--|--|
| 1. <i>Bristol Police Department</i> | 11. <i>Prospect State Trooper</i> |
| 2. <i>Coventry Police Department</i> | 12. <i>Southington Police Department</i> |
| 3. <i>Connecticut State Police Aviation</i> | 13. <i>University of Connecticut Police Department</i> |
| 4. <i>Connecticut State Police Meriden</i> | 14. <i>Watertown Police Department</i> |
| 5. <i>East Hampton Police Department</i> | 15. <i>Wethersfield Police Department</i> |
| 6. <i>Eastern Connecticut University Police Department</i> | 16. <i>Woodbridge Police Department</i> |
| 7. <i>Middletown Police Department</i> | 17. <i>Willimantic Police Department</i> |
| 8. <i>North Branford Police Department</i> | 18. <i>Wolcott Police Department</i> |
| 9. <i>Orange Police Department</i> | 19. <i>Yale University Police Department</i> |
| 10. <i>Plainville Police Department</i> | |

XV. PCR Inventory Results:

STATE OF CONNECTICUT 1033 PROGRAM PROPERTY						
	STATE TOTALS	*REQUIRED SAMPLE SIZE	TOTAL REVIEWED DURING PCR		TOTAL ON-HAND	% ACCURACY
WEAPONS	1,042	333	*ITEMS PHYSICALLY INVENTORIED	*ITEMS REVIEWED VIA APPROVED CUSTODY CARD	333	100%
			333	0		
AIRCRAFT	5	2	*ITEMS PHYSICALLY INVENTORIED	*ITEMS REVIEWED VIA APPROVED CUSTODY CARD	2	100%
			2	0		
WATERCRAFT	0	0	*ITEMS PHYSICALLY INVENTORIED	*ITEMS REVIEWED VIA APPROVED CUSTODY CARD	0	N/A
			0	0		
TACTICAL VEHICLES	59	10	*ITEMS PHYSICALLY INVENTORIED	*ITEMS REVIEWED VIA APPROVED CUSTODY CARD	10	100%
			10	0		

applicable), 5) QTY of item (if more than one), 6) Printed name of individual responsible for physical custody of item 7) Signature of individual responsible for physical custody of the item and 8) Date.

****Overall State Inventory Accuracy Rate (%)** is determined by adding required Weapons (A), Aircraft (B), Watercraft (C), Tactical Vehicles (D) and General Property (E) at LEAs selected for review during the PCR, and dividing by the actual # of the property that was physically inventoried (X) or verified via an approved custody card (Y) during the course of the PCR

$\frac{A + B + C + D + E}{(X + Y)}$	= Overall State Inventory Accuracy Rate (%)
-------------------------------------	---

XVI. PCR Training provided to the State: N/A

PCR Training Date:

<u># of Agencies Trained</u>	<u># of Officers Trained</u>	<u># of SC/SPOC trained</u>	<u># of DLA Disposition Services Field Representatives Trained</u>
N/A	N/A	N/A	N/A

Thank you for the professionalism and support shown to us during our visit. As always, we at the LESO stand ready to support and serve. If you have any questions or concerns, please feel free to contact us at 1-800-532-9946 or via email at: <https://www.leso@dla.mil>.

XVII. PCR Team:

X

David Brackett

X

Will Warren

Dates of PCR:

3/23/15

to 3/27/15