



DEFENSE REUTILIZATION AND MARKETING SERVICE
74 WASHINGTON AVENUE NORTH
BATTLE CREEK, MICHIGAN 49037-3092

IN REPLY
REFER TO

J413 Law Enforcement Support Office (LESO)

January 31, 2012

MEMORANDUM FOR THE STATE OF NEW JERSEY 1033 PROGRAM STATE
COORDINATOR

SUBJECT: Program Compliance Review (PCR)

I. LESO will verify:

1. Is the State Coordinator appointed, in writing, by the current Governor of the State and is this letter on file?

Yes: Sgt. Nicholas Arbolino was appointed as the 1033 State Coordinator on May 7, 2010 by Governor Chris Christie.

2. Has the current State Coordinator signed the current Defense Logistics Agency (DLA) Memorandum of Agreement (MOA)?

Yes: Sgt. Nicholas Arbolino signed the MOA on June 1, 2010.

3. Are the State Points of Contacts (SPOCs) appointed, in writing, by the current Governor appointed State Coordinator and is this on file?

Yes: The State Coordinator appointed Sgt. Gary Bezilla as State Point of Contact.

4. Has the State Coordinator delegated his/her approval authority to anyone, and if so, is a letter, signed by the State Coordinator, on file naming the individual(s)?

Yes: Approval authority was given to Sgt. Gary Bezilla. Letter in the New Jersey State folder.

II. Website Familiarization

Do designated personnel performing the duties with the State 1033 Program have access to the following websites and can they navigate through them proficiently. (1) Law Enforcement Support Office (LESO) website, (2) LESO Automation (3) DLA Disposition Services? If not, are any provisions being made to provide such training? Note: See table below.



WEBSITE FAMILIARITY	YES	NO
<ul style="list-style-type: none"> LESO website: https://www.dispositionservices.dla.mil/rtd03/leso/index.shtml 	X	
<ul style="list-style-type: none"> LESO Automation: https://www.dispositionservices.dla.mil/leso/SearchEngineWrapper?type=LesoHome 	X	
<ul style="list-style-type: none"> DLA Disposition Services website: http://www.dispositionservices.dla.mil/ 	X	

III. Eligibility Requirements

- Are Application for Participation submitted by Law Enforcement Agencies (LEA) with arrest and apprehension authority signed by the Head of the LEA and by the State Coordinator?

Yes.

IV. Records Management

- Is there a current State Plan of Operation on file?

No. Signature Sheet from the State Plan of Operation on file is dated July 22, 2009 and is not signed by the current State Coordinator.

- Does each LEA have a copy of the State Plan of Operation?

No. There is not a current State Plan of Operation. Suspense date: March 9, 2012.

- Does the State Plan of Operation address the following areas (**See Table**)?

SECTION	YES	NO
a. Purpose		
b. Authority		
c. Terms and Conditions		
-LEA Eligibility Criteria		
-How to Enroll in the State 1033 Program		
-LEA Screener Criteria		
-Identification/Acquisition of Property		
-Transportation of Property		
-Storage of Property		
-Distribution of Property		
-Security of Property		
-Accountability of Property		
-Establish Inactive File		
-Utilization of Property		
-State Compliance Reviews		
-Transfer of Property		
**DEMIL Equipment		
-Disposal of Property		
**DEMIL Equipment		
d. Training		
e. The State of _____ will:		
f. The LEA _____ will:		
g. Termination Criteria		
h. Signatures (Chief of the LEA and State Coordinator)		

V. Property and Inventory Control

1. Are the following accurate accountable records of all Section 1033 property maintained (**See Table**)?

FORMS	YES	NO	N/A
a. DRMS Form 103 with all justifications	X		
b. DD Form 1348 receipt	X		
c. DD Form 1348 turn-in	X		
d. Disposal documentation	X		
e. Transfer documentation	X		
f. Approved Bureau of Alcohol, Tobacco and Firearms (ATF) Form 10s (http://www.atf.gov/forms/pdfs/f532010.pdf) SEE	X		

Definitions for proper form use of registration requirements.			
g. Approved ATF Form 5 (for transfers of weapons) http://www.titleii.com/pdf/010205-Form5.pdf	X		
h. Certificate of Aircraft Registration AC Form 8050-1 http://forms.faa.gov/info_new.asp?form_number=8050-1&open_doc=N	X		
i. Other pertinent paperwork through the LESO (i.e. justification forms, memo for record, etc.)	X		

2. Regarding DEMIL items and items sensitive to theft, are items properly stored in a controlled storage area?

Yes: All LEAs inspected had proper and secure storage areas.

3. Have all reports of missing, lost, stolen, damaged, or destroyed property of Section 1033 been reported to the appropriate local, State and Federal officials and LESO? Note: If the property is DEMIL Coded B, C, D, E, F or G you have (24) Hours for notification. If your property is DEMIL Code A, or Q6 you have within (7) days to report.

No

4. In determining State Coordinator's 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: The current State Point of Contact is a good steward of allocating property.

5. Are monthly and annual reconciliations of property receipt being conducted (**See Table**)?

RECONCILIATION	YES	NO
MONTHLY - Items entering the Law Enforcement Equipment Database System (LEEDS) from DRMS -Reconciliation conducted online -Validated and certified by State Coordinator -Documentation provided for mismatched items -No un-reconciled items older than 90 days		X
ANNUAL - Items on hand in LEEDS -Reconciliation of the following property: <ul style="list-style-type: none"> • Peacekeepers, APCs, Aircrafts, Night Vision Goggles/Sights, Weapons • DEMIL Code B – Q items • High Dollar Items (\$20,000 and above each) -Are serial numbers or tail numbers provided/available -Validated and certified by State Coordinator -On file -Forwarded to the LESO		X

NOTE: SC is aware of the data integrity in LEEDS, therefore they are not utilizing the RECON function. LESO concurs.

VI. Transitional Distribution Point (TDP) and Customer Reserve Stock (CRS)

1. Is there an authorization document from DLA, on hand, authorizing your State to operate as a CRS?

N/A

2. Are CRS property requests earmarked for a specific LEA identifying them as the end user?

N/A

3. Is there an authorization document from DLA, on hand, authorizing your State to operate as a TDP?

N/A

4. Are TDP property requests earmarked for a specific LEA identifying them as the end user?

N/A

5. Are 1033 assets identified and stored apart from other categories of property such as 1122 and State Agencies for Surplus Property (SASP)?

N/A.

VII. Compliance and Utilization Reviews

1. Is there a State compliance review program in place, and if not, is there a system whereby the State Coordinator validates that LEAs are complying with the terms and conditions of the 1033 program?

No. The State Coordinator has turned the 1033 Program operations over to the SPOC Sgt. Gary Bezilla. Suspense date: March 9, 2012

2. Are periodic physical reviews and spot checks of LEA(s) property being conducted? If yes, provide the name and date of the LEA(s) that received the audit.

No.

3. What steps were taken to resolve cases of noncompliance with the MOA or State Plan of Operation?

Sgt. Bezilla is actively contacting the LEAs in his state in an effort to correct deficiencies that he identified prior to our PCR.

4. Provide all records identifying LEA reconciliation, and compliance review results.

N/A.

VIII. Non-Utilized Property

1. Are current procedures in place for identifying and reporting *serviceable* property when no longer needed?

Yes. LEAs contact the SPOC for disposition instruction.

2. Determine what steps are taken to *minimize* the acquisition of unnecessary property.

The SPOC reviews all request to ensure they are valid prior to approval.

3. Has there been an incident where a LEA has sold property received under the 1033 Program or received 1033 property for the sole purpose of selling it? If yes, provide details and supporting documentation of the outcome (who, what, when, where, how much).

No.

IX. Compliance with the MOA

1. Is all property transferred consistent with requirements of the DLA MOA?

Yes.

2. Does the State provide a written agreement of understanding for liability, property damage and/or workmen's compensation requirements?

No: There is currently no State Plan of Operation on file. Suspense date: March 9, 2012

Conclusion: The compliance review results for the State of New Jersey were found to be NON-COMPLIANT. The State of New Jersey's 1033 Program is in not compliant with the current terms and conditions as set forth in the MOA between DLA and the State.

The overall property accounting portion of the review was UNSATISFACTORY. 100 % of weapons inventoried were present. 26% of line items and 5% of pieces were accounted for.

The PCR Team reviewed the States 1033 files and records with the SPOC. Current documents were easily retrieved. The State's filing system was orderly.

LESO Directs that the following items be corrected no later than March 9, 2012 or be SUSPENDED:

1. That the State shall provide a current State Plan of Operation.
2. That the State shall reconcile all 1033 Property Books.
3. That the State shall provide a Program Compliance Plan.

PCR Inventory Results

Agency	Line Items	Line Items O/H	Pieces	Pieces O/H
New Jersey State Police	40	3	5180	3
Brick Township PD	6	6	19	15
Point Pleasant Beach PD	29	11	125	55
Elizabeth PD	3	2	25	21
Newark PD	3	0	3	0
Essex County Sheriff Office	5	0	5	0
Jersey City PD	10	3	346	171
Total	96	25	5703	265
% Actual O/H	N/A	26%		5%

NOTE: O/H = On-Hand.

PCR Training Results

Agencies	Officers Trained	Site Visit
36	Approx. 71	N/A

(b)(6) Aircraft/Watercraft Lead and (b)(6) Eastern Weapons Lead conducted site visits at the following LEAs:

1. New Jersey State Police
2. Brick Township PD
3. Point Pleasant Beach PD
4. Elizabeth PD
5. Newark PD
6. Essex County Sheriff Office
7. Jersey City PD

(b)(6) would like to thank Sgt. Gary Bezilla for his time, support and cooperation.

As always, we at LESO stand ready to support and serve. If you have any questions or concerns, please feel free to contact us.

(b)(6)

LESO National Aircraft/Watercraft Lead

(b)(6)

LESO Weapons Lead, Eastern United States

Program Compliance Review Conducted: 9 January 2012 –13 January 2012.