
PENNSYLVANIA DEPARTMENT OF THE AUDITOR GENERAL



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News for Immediate Release

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Auditor General DeFoor Releases Washington County Clerk of Courts Audit, Urges Changes to County's Alternative Sentencing Program *Sentencing practices short-changed state by more than \$500,000*

PITTSBURGH – Auditor General Timothy L. DeFoor today released an audit of the Washington County Clerk of Courts office that found the county's use of an alternate sentencing program effectively short-changed the state \$513,178 in fines and penalties between 2016 and 2019 – and the practice is ongoing.

"I understand the value of alternative sentencing programs but they must operate within the law," DeFoor said. "Certain types of convictions carry fines and penalties that provide needed funding for victims' services, domestic violence programs and law enforcement training."

The audit found that some defendants can avoid paying fines, costs, fees and surcharges by agreeing to perform community service or receiving credit for time served. There were 3,420 such case adjustments during the audit period, representing more than \$1.5 million in fines, costs, fees and surcharges left uncollected. Of that total, \$513,178 should have been paid to the state.

Under state law, only a judge has the authority to change a sentence – but only in certain types of cases and only after a hearing is held to determine a defendant's ability to pay.

"The use of the alternative sentencing program should be reviewed to ensure that it does not contradict what is required by state law," DeFoor said. "We also recommend that that valid justification is documented when the alternative sentencing program is used."

The audit also contained seven other findings, including confirmation of the Washington County Controller's 2019 audit that uncovered more than \$97,000 in misappropriated funds from the clerk's office. After pleading guilty to theft charges in October 2020, the former clerk of courts was sentenced to seven years of probation and ordered to pay restitution.

"I applaud the current clerk of courts, Brenda Davis, for implementing new internal controls to ensure that all payments are properly recorded, deposited and remitted," DeFoor said. "Having strong internal controls in place helps to greatly reduce the risk of fraud."

Review the [Washington County Clerk of Courts audit report](#) and learn more about the Department of the Auditor General online at www.PaAuditor.gov.

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