

CITY OF OAKLAND

Memorandum

To: Office of the Chief of Police
Attn: Chief Anthony Batts
From: Office of Inspector General
Date: August 27, 2010

Re: Task 11 – Summary of Citizen Complaints Provided to OPD Personnel

On August 24, 2010, the Office of Inspector General initiated an audit of Task 11 (Summary of Citizen Complaints Provided to OPD Personnel) of the Negotiated Settlement Agreement (NSA). Task 11 requires that investigators provide members/employees with a brief synopsis of any complaint alleged against them; that the investigators also notifies the members/employees immediate supervisor and commander; and such synopsis are preserved within the investigation file; and upon completion of the IAD investigation the subject member/employee has access to the investigative file.

Internal Affairs Division Policy & Procedures (19 Jan 10) requires notification of a complaint, along with the Complaint Investigation Report (CIR) be forwarded to the subject member/employee as well as his/her immediate supervisor and commander. Department policy also requires all notes and documents related to an internal investigation be maintained in the investigation file.

To assess Task 11 compliance, the auditor examined closed internal investigations resulting in a formal finding (unfounded, exonerated, not sustained and sustained). Specifically, the auditor reviewed a random sample of 53 investigations closed between May 1, 2010 and July 31 2010 to determine if complaint notifications were sent to the subject member/employee and his her immediate supervisor and commander and that the a copy of the synopsis was maintained in the investigative file.

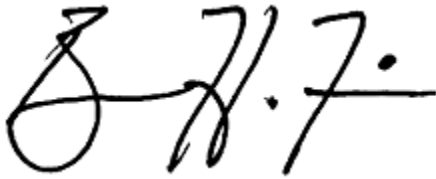
The auditor found only two investigations, each involving multiple subject officers, that did not include complete documentation of notification to all the involved officers and their immediate supervisor(s) or commander(s). Overall, the IAD is doing an excellent job of placing a copy of the complaint notification e-mail in the investigative file.

The auditor also consulted with the IAD commander regarding Task 11.4. There were no cases during the review period, in which subject members/employees were denied access to the investigative file upon completion of the investigation.

The results of the audit are shown in the chart below.

Task	Description	Compliance Standard	Audit Result
Task 11.1	Investigators provide members/employees a brief synopsis of the complaint	85%	(51 of 53) 96%
Task 11.2	The synopsis is preserved within the investigative file	85%	(53 of 53) 100%
Task 11.3	The members/employees immediate supervisor and commander are notified of the complaint	85%	(51 of 53) 96%
Task 11.4	Upon completion of the IAD investigation, the subject member/employee has access to the investigative file	Yes / No	Yes

The auditor determined the Department is maintaining compliance with all of Task 11.



Benson Fairow
Captain of Police
Office of Inspector General

Appendix A – List of Audit Cases

	Case Number	Task 11.1	Task 11.2	Task 11.3
1	09-1938	yes	yes	yes
2	09-1986	yes	yes	yes
3	09-1996	yes	yes	yes
4	09-2026	yes	yes	yes
5	09-2061	yes	yes	yes
6	09-2076	yes	yes	yes
7	09-2095	yes	yes	yes
8	09-2109	yes	yes	yes
9	09-2111	yes	yes	yes
10	09-2114	yes	yes	yes
11	09-2133	yes	yes	yes
12	09-2137	yes	yes	yes
13	08-1220	yes	yes	yes
14	08-1263	yes	yes	yes
15	08-1338	no	yes	no
16	09-0800	yes	yes	yes
17	09-1812	yes	yes	yes
18	09-1827	yes	yes	yes
19	10-0024	yes	yes	yes
20	10-0036	yes	yes	yes
21	10-0047	yes	yes	yes
22	10-0051	yes	yes	yes
23	10-0062	yes	yes	yes
24	10-0072	yes	yes	yes
25	10-0088	yes	yes	yes
26	10-0092	no	yes	no
27	10-0109	yes	yes	yes
28	10-0116	yes	yes	yes
29	10-0118	yes	yes	yes
30	10-0123	yes	yes	yes
31	10-0156	yes	yes	yes
32	10-0163	yes	yes	yes

	Case Number	Task 11.1	Task 11.2	Task 11.3
33	10-0199	yes	yes	yes
34	10-0215	yes	yes	yes
35	10-0224	yes	yes	yes
36	10-0231	yes	yes	yes
37	10-0239	yes	yes	yes
38	10-0255	yes	yes	yes
39	10-0265	yes	yes	yes
40	10-0266	yes	yes	yes
41	10-0275	yes	yes	yes
42	10-0280	yes	yes	yes
43	10-0304	yes	yes	yes
44	10-0305	yes	yes	yes
45	10-0321	yes	yes	yes
46	10-0326	yes	yes	yes
47	10-0362	yes	yes	yes
48	10-0364	yes	yes	yes
49	10-0376	yes	yes	yes
50	10-0379	yes	yes	yes
51	10-0386	yes	yes	yes
52	10-0539	yes	yes	yes
53	10-0713	yes	yes	yes

No	2	0	2
Yes	51	53	51
Total	53	53	53
	96%	100%	96%