

OAKLAND POLICE DEPARTMENT

Office of Inspector General



AUDIT OF TASK 36

TRANSPORTING DETAINEES AND CITIZENS

April 30, 2010

CITY OF OAKLAND

Memorandum

To: Chief Anthony Batts
From: Captain Benson Fairow, Inspector General
Date: April 30, 2010
Subject: **Transporting Detainees and Citizens Audit**

On January 29, 2010, the Audit and Inspections Unit of the Office of Inspector General initiated an audit of Task 36, Transporting Detainees and Citizens. The purpose of the audit was to determine the Department's compliance with its policy and its progress in maintaining compliance with the requirements of Task 36 as set forth in the Negotiated Settlement Agreement.

To conduct the audit, the audit team reviewed the Computer Aided Dispatch purges for those incidents involving Departmental transports. The audit period for the review was December 15, 2009 to December 31, 2009.

A handwritten signature in black ink, appearing to read 'B.H.F.', with a stylized flourish at the end.

Benson H. Fairow
Captain of Police
Office of Inspector General

OFFICE OF INSPECTOR GENERAL
Audit and Inspections Unit



LEAD AUDITOR
Ms. Dara Wiseman

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EXECUTIVE SUMMARY

On January 29, 2010 the Officer of Inspector General (OIG) initiated an audit of Task 36 Transporting Detainees and Citizens. Task 36 has been disaggregated into two sub-tasks requiring members and employees to log in and out of the radio (also referred to as “Dispatch”) during transports¹, and report six required elements (time, mileage, location, purpose, gender, and member identification)². The audit team reviewed 115 transports during the period of December 15, 2009 through December 31, 2009 and found the Department is 97% in compliance with personnel logging in and out of the radio and 98% with reporting the required elements.

In its last audit, conducted in December 2008, the Independent Monitoring Team (IMT) reported the Department has been successful in achieving compliance with Task 36. This audit conducted by the OIG’s audit team mirrors the positive findings of the IMT. The Department has now maintained compliance with the standards of Task 36 as set forth by the NSA for one year.

¹Task 36.1

²Task 36.2

PURPOSE

On January 29, 2010, the Office of Inspector General (OIG) initiated its second audit of Task 36, Transporting Detainees and Citizens. The purpose of this audit was to determine if the Department is adhering to its policy and has maintained compliance with the requirements of Task 36 as set forth in the Negotiated Settlement Agreement (NSA) and if not, to propose solutions for any deficiencies discovered.

BACKGROUND

There have been four prior audits conducted of detainee transports. The IMT has conducted three audits and the OIG has completed one.

Independent Monitoring Team Audits

The IMT's first audit of Task 36 was completed in April 2005. The IMT determined the Department was not adhering to its policy and not meeting the NSA compliance standards for Task 36.

The IMT's two subsequent audits however determined the Department had made vast improvements in both areas. In its July 2007 audit, while not yet achieving compliance, the Department made substantial progress in its members logging both in and out in 83% of the transports and reporting required elements 85% of the time. In its last audit in December 2008, the IMT reported the Department met the NSA compliance standards for both Tasks 36.1 and 36.2 with 93% and 94% compliance rates, respectively.

Office of Inspector General Audit

The OIG completed its first review of Task 36 in May 2006. The OIG determined 91% of the audited transports showed Department members logged both in and out and 90% reported to dispatch the six required elements³. Both compliance rates illustrate the Department's progressive improvement from its performance during the previous audit conducted by the IMT in April 2005.

NEGOTIATED SETTLEMENT AGREEMENT REQUIREMENTS

Task 36.1

Members and employees log in and out on the radio when transporting a detainee or any other civilian (unless the transport is done by wagon)

³ In May 2006, the compliance requirement rate for Task 36.1 and Task 36.2 was 95%.

Task 36.2

The radio report includes: time; mileage; location; purpose of transport; gender of individual being transported; and the identification of the member or employee involved in the transport

OIG COMPLIANCE OVERVIEW

- 36.1 *Members and employees log in and out on the radio when transporting a detainee or any other civilian (unless the transport is done by wagon)*

In Compliance

Compliance Requirement: 90%

Review Finding: 97%

- 36.2 *The radio report includes: time; mileage; location; purpose of transport; gender of individual being transported; and the identification of the member or employee involved in the transport*

In Compliance

Compliance Requirement: 95%

Review Finding: 98%

SCOPE AND POPULATION**Audit Scope**

The scope of the audit was an assessment of radio reports to determine if during transports members log in and out and report to Dispatch both the beginning and ending mileage, location, purpose of transport, gender of person being transported, and the identification of the transporting officer.

Audit Population and Sample

For this audit, transports⁴ of arrestees were reviewed for the period of December 15, 2009 through December 31, 2009. Utilizing the Criminal Records Information Management System (CRIMS) and the Youth and Family Services Division's (YFSD) 24-hour Intake Log the auditor identified adult and juvenile arrests that occurred during the audit period. There were a total of 759 adult arrests during the audit period. A random sample was chosen from the 759 arrests, using a one-tailed test. The one-tailed test required 85 arrests to be reviewed in order to achieve a confidence level of 95% ± 4%.

⁴ This requirement does not pertain to those transports done by patrol wagon. Per Special Order No. 8262, transports made by patrol wagons need not report the required elements of Task 36.

During the audit period, there were 38 juvenile arrests reflected on the YFSD 24-hour Log. Since the juvenile arrest population was relatively low, the entire population was selected for review, less patrol wagon transports and instances in which the juvenile was cited and released. The total number of juvenile arrests for review was determined to be 30. In total, for both adult and juvenile arrests, 115 arrests were reviewed.

METHODOLOGY/ANALYSIS

To determine compliance with Task 36, the audit team reviewed the coinciding radio purge for each arrest to determine if the transporting member complied with the requirements of Task 36.1, members and employees log in and out when transporting. The overall rate of compliance for Task 36.2 was determined by averaging the reporting rates for each required element (time, mileage, location, purpose, gender, and member identification).

Reference Material

Negotiated Settlement Agreement (Revised December 2008)
Department Special Order No.8262, (September 12, 2005)

FINDINGS AND RECOMMENDATIONS

Task 36.1

Members and employees log in and out on the radio when transporting a detainee or any other civilian (unless the transport is done by wagon).

Findings

The Department was in compliance with Task 36.1. Of the 115 arrest transports, 112 (97%) CAD purges recorded transporting members properly logging in and out. The audit team could not identify any particular pattern of non-compliance for the three out of compliance arrest transports.

1. In one incident, the transporting officer logged out after the completion of the transport to the North County jail providing both his/her identification and ending mileage, however there was no log on data recorded on the purge.
2. There was one arrest that occurred during this audit period in which both the transporting and arresting officers' identifications were provided on the corresponding Consolidated Arrest Report; however there was no record of his/her reporting the transport to Dispatch.

3. In one incident the transporting member reported he/she was transporting a juvenile, but did not log out following the transport.

Task 36.2

The radio report includes: time; mileage; location; purpose of transport; gender of individual being transported; and the identification of the member or employee involved in the transport

Findings

The Department was in compliance with Task 36.2. The overall compliance rate at which required elements were included on CAD purges for the 115 transports reviewed was 98%. This rate was determined by taking the average compliance rate of all required elements. The table below provides the compliance rate of each element required by Task 36.2. As with Task 36.1 finding, the audit team could not identify any particular pattern of non-compliance.

Table A: Task 36. 2 Reported Elements

Element	Percentage
Time	99.13%
Mileage	97.39%
Location	97.39%
Gender	98.26%
Purpose	98.26%
Member Identification	99.13%
Average Reporting Rate of Required Elements	98.26%

CONCLUSION

In the past four reviews of Task 36, the Department exemplified its progressive improvement in its performance. This most current audit of Task 36 demonstrates that the Department is complying with its policy and has met and maintained the compliance standards of Task 36 for a year.

APPENDIX A
Transport Data

Report Number	Arrest Date	Officer Logged In and Out When Transporting Detainee (36.1)	Radio Report Includes Time (36.2)	Radio Report Includes Mileage (36.2)	Radio Report Includes Location (36.2)	Radio Report Includes Purpose of Transport (36.2)	Radio Report Includes Gender of Transportee(s) (36.2)	Radio Report Includes ID of Member Involved in Transport (36.2)
09-083219	12/16/2009	Y	Y	Y	Y	Y	Y	Y
09-083186	12/16/2009	Y	Y	Y	Y	Y	Y	Y
09-083186	12/16/2009	Y	Y	Y	Y	Y	Y	Y
09-083186	12/16/2009	Y	Y	Y	Y	Y	Y	Y
09-083436	12/17/2009	Y	Y	Y	Y	Y	Y	Y
09-083449	12/18/2009	Y	Y	Y	Y	Y	Y	Y
09-069634	12/18/2009	Y	Y	Y	Y	Y	Y	Y
09-083628	12/18/2009	Y	Y	Y	Y	Y	Y	Y
09-083628	12/18/2009	Y	Y	Y	Y	Y	Y	Y
09-085322	12/19/2009	Y	Y	Y	Y	Y	Y	Y
09-083982	12/20/2009	Y	Y	Y	Y	Y	Y	Y
09-083982	12/20/2009	Y	Y	Y	Y	Y	Y	Y
09-083998	12/20/2009	Y	Y	Y	Y	Y	Y	Y
09-083998	12/20/2009	Y	Y	Y	Y	Y	Y	Y
09-084124	12/21/2009	Y	Y	Y	Y	Y	Y	Y
09-084116	12/21/2009	Y	Y	Y	Y	Y	Y	Y
09-050299	12/21/2009	Y	Y	Y	Y	Y	Y	Y
09-084270	12/21/2009	Y	Y	Y	Y	Y	Y	Y
09-033410	12/22/2009	N	Y	N	N	N	Y	Y
09-084474	12/22/2009	Y	Y	Y	Y	Y	Y	Y

Report Number	Arrest Date	Officer Logged In and Out When Transporting Detainee (36.1)	Radio Report Includes Time (36.2)	Radio Report Includes Mileage (36.2)	Radio Report Includes Location (36.2)	Radio Report Includes Purpose of Transport (36.2)	Radio Report Includes Gender of Transportee(s) (36.2)	Radio Report Includes ID of Member Involved in Transport (36.2)
09-047763	12/23/2009	Y	Y	Y	Y	Y	Y	Y
09-085035	12/26/2009	Y	Y	Y	Y	Y	Y	Y
09-085139	12/26/2009	Y	Y	Y	Y	Y	Y	Y
09-083228	12/27/2009	Y	Y	Y	Y	Y	Y	Y
09-085231	12/27/2009	Y	Y	Y	Y	Y	Y	Y
09-085261	12/28/2009	Y	Y	Y	Y	Y	Y	Y
09-085261	12/28/2009	Y	Y	Y	Y	Y	Y	Y
09-085659	12/30/2009	Y	Y	Y	Y	Y	Y	Y
09-085745	12/30/2009	Y	Y	Y	Y	Y	Y	Y
09-085899	12/31/2009	Y	Y	Y	Y	Y	Y	Y
09-083123	12/16/2009	Y	Y	Y	Y	Y	Y	Y
09-079588	12/16/2009	Y	Y	Y	Y	Y	Y	Y
09-083142	12/16/2009	Y	Y	Y	Y	Y	Y	Y
09-039768	12/16/2009	Y	Y	Y	Y	Y	Y	Y
09-083133	12/16/2009	Y	Y	Y	Y	Y	Y	Y
09-083187	12/17/2009	Y	Y	Y	Y	Y	Y	Y
09-083207	12/17/2009	Y	Y	Y	Y	Y	Y	Y
07-076025	12/17/2009	Y	Y	Y	Y	Y	Y	Y
09-083269	12/17/2009	Y	Y	Y	Y	Y	Y	Y
09-088315	12/17/2009	Y	Y	Y	Y	Y	Y	Y
09-083421	12/17/2009	Y	Y	Y	Y	Y	Y	Y

Report Number	Arrest Date	Officer Logged In and Out When Transporting Detainee (36.1)	Radio Report Includes Time (36.2)	Radio Report Includes Mileage (36.2)	Radio Report Includes Location (36.2)	Radio Report Includes Purpose of Transport (36.2)	Radio Report Includes Gender of Transportee(s) (36.2)	Radio Report Includes ID of Member Involved in Transport (36.2)
09-083448	12/18/2009	Y	Y	Y	Y	Y	Y	Y
09-083597	12/18/2009	Y	Y	Y	Y	Y	Y	Y
09-044055	12/18/2009	Y	Y	Y	Y	Y	Y	Y
09-083648	12/19/2009	Y	Y	Y	Y	Y	Y	Y
09-083617	12/19/2009	Y	Y	Y	Y	Y	Y	Y
09-083712	12/19/2009	N	Y	N	Y	Y	Y	Y
09-083750	12/19/2009	Y	Y	Y	Y	Y	Y	Y
09-016418	12/19/2009	Y	Y	Y	Y	Y	Y	Y
09-060645	12/20/2009	Y	Y	Y	Y	Y	Y	Y
09-083881	12/20/2009	Y	Y	Y	Y	Y	Y	Y
09-083716	12/20/2009	Y	Y	Y	Y	Y	Y	Y
09-083734	12/20/2009	Y	Y	Y	Y	Y	Y	Y
09-083942	12/20/2009	Y	Y	Y	Y	Y	Y	Y
09-083955	12/20/2009	Y	Y	Y	Y	Y	Y	Y
09-084016	12/20/2009	Y	Y	Y	Y	Y	Y	Y
09-084046	12/21/2009	Y	Y	Y	Y	Y	Y	Y
09-084040	12/21/2009	Y	Y	Y	Y	Y	Y	Y
09-084133	12/21/2009	Y	Y	Y	Y	Y	Y	Y
09-084098	12/21/2009	Y	Y	Y	Y	Y	Y	Y
09-084254	12/21/2009	Y	Y	Y	Y	Y	Y	Y
09-084257	12/22/2009	Y	Y	Y	Y	Y	Y	Y

Report Number	Arrest Date	Officer Logged In and Out When Transporting Detainee (36.1)	Radio Report Includes Time (36.2)	Radio Report Includes Mileage (36.2)	Radio Report Includes Location (36.2)	Radio Report Includes Purpose of Transport (36.2)	Radio Report Includes Gender of Transportee(s) (36.2)	Radio Report Includes ID of Member Involved in Transport (36.2)
09-084300	12/22/2009	Y	Y	Y	Y	Y	Y	Y
09-084322	12/22/2009	Y	Y	Y	Y	Y	Y	Y
09-084274	12/22/2009	Y	Y	Y	Y	Y	Y	Y
09-084386	12/22/2009	Y	Y	Y	Y	Y	Y	Y
08-042246	12/22/2009	Y	Y	Y	Y	Y	Y	Y
09-084487	12/23/2009	Y	Y	Y	Y	Y	Y	Y
09-084501	12/22/2009	Y	Y	Y	Y	Y	Y	Y
09-084675	12/23/2009	Y	Y	Y	Y	Y	Y	Y
09-084727	12/24/2009	Y	Y	Y	Y	Y	Y	Y
09-084798	12/24/2009	Y	Y	Y	Y	Y	Y	Y
09-084848	12/25/2009	Y	Y	Y	Y	Y	Y	Y
09-084893	12/25/2009	Y	Y	Y	Y	Y	Y	Y
09-084898	12/25/2009	Y	Y	Y	Y	Y	Y	Y
09-084939	12/25/2009	Y	Y	Y	Y	Y	Y	Y
09-084970	12/25/2009	Y	Y	Y	Y	Y	Y	Y
09-084982	12/26/2009	Y	Y	Y	Y	Y	Y	Y
09-085016	12/26/2009	Y	Y	Y	Y	Y	Y	Y
09-085070	12/26/2009	Y	Y	Y	Y	Y	Y	Y
09-085150	12/27/2009	Y	Y	Y	Y	Y	Y	Y
09-085103	12/27/2009	Y	Y	Y	Y	Y	Y	Y
09-085155	12/27/2009	Y	Y	Y	Y	Y	Y	Y

Report Number	Arrest Date	Officer Logged In and Out When Transporting Detainee (36.1)	Radio Report Includes Time (36.2)	Radio Report Includes Mileage (36.2)	Radio Report Includes Location (36.2)	Radio Report Includes Purpose of Transport (36.2)	Radio Report Includes Gender of Transportee(s) (36.2)	Radio Report Includes ID of Member Involved in Transport (36.2)
09-085167	12/27/2009	Y	Y	Y	Y	Y	Y	Y
09-085046	12/28/2009	Y	Y	Y	Y	Y	Y	Y
09-085315	12/28/2009	Y	Y	Y	Y	Y	Y	Y
09-085338	12/28/2009	Y	Y	Y	Y	Y	Y	Y
09-085368	12/28/2009	Y	Y	Y	Y	Y	Y	Y
09-085322	12/29/2009	N	Y	Y	N	Y	N	Y
09-085556	12/29/2009	Y	Y	Y	Y	Y	Y	Y
09-085562	12/29/2009	Y	Y	Y	Y	Y	Y	Y
09-085595	12/29/2009	Y	Y	Y	Y	Y	Y	Y
09-085690	12/30/2009	Y	Y	Y	Y	Y	Y	Y
09-085756	12/30/2009	Y	Y	Y	Y	Y	Y	Y
08-062586	12/30/2009	Y	Y	Y	Y	Y	Y	Y
09-085715	12/30/2009	Y	Y	Y	Y	Y	Y	Y
09-085719	12/30/2009	N	N	N	N	N	N	N
09-085799	12/30/2009	Y	Y	Y	Y	Y	Y	Y
09-085860	12/31/2009	Y	Y	Y	Y	Y	Y	Y
09-084475	12/23/2009	Y	Y	Y	Y	Y	Y	Y
09-085555	12/29/2009	Y	Y	Y	Y	Y	Y	Y
09-084880	12/25/2009	Y	Y	Y	Y	Y	Y	Y
09-083269	12/17/2009	Y	Y	Y	Y	Y	Y	Y
09-085756	12/30/2009	Y	Y	Y	Y	Y	Y	Y

Report Number	Arrest Date	Officer Logged In and Out When Transporting Detainee (36.1)	Radio Report Includes Time (36.2)	Radio Report Includes Mileage (36.2)	Radio Report Includes Location (36.2)	Radio Report Includes Purpose of Transport (36.2)	Radio Report Includes Gender of Transportee(s) (36.2)	Radio Report Includes ID of Member Involved in Transport (36.2)
09-083340	12/17/2009	Y	Y	Y	Y	Y	Y	Y
09-082978	12/16/2009	Y	Y	Y	Y	Y	Y	Y
09-085144	12/27/2009	Y	Y	Y	Y	Y	Y	Y
09-084339	12/22/2009	Y	Y	Y	Y	Y	Y	Y
09-084045	12/25/2009	Y	Y	Y	Y	Y	Y	Y
09-085675	12/30/2009	Y	Y	Y	Y	Y	Y	Y
09-084446	12/22/2009	Y	Y	Y	Y	Y	Y	Y
09-084057	12/21/2009	Y	Y	Y	Y	Y	Y	Y
09-084235	12/22/2009	Y	Y	Y	Y	Y	Y	Y
09-085103	12/27/2009	Y	Y	Y	Y	Y	Y	Y
09-084033	12/21/2009	Y	Y	Y	Y	Y	Y	Y
	YES	111	114	112	112	113	113	114
	NO	4	1	3	3	2	2	1
	UTD	0	0	0	0	0	0	0
	TOTAL TRANSPORTS	115	115	115	115	115	115	115
	COMPLIANCE	96.52%	99.13%	97.39%	97.39%	98.26%	98.26%	99.13%