

# OAKLAND POLICE DEPARTMENT

## Office of Inspector General



### AUDIT OF TASK 43 ACADEMY AND IN-SERVICE TRAINING

December 20, 2013

## CITY OF OAKLAND

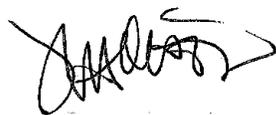
Memorandum

**To:** Chief Sean Whent  
**From:** Lieutenant Michelle Allison  
**Date:** December 20, 2013  
**Subject:** **Audit of In-Service Training**

On January 3, 2013, the Audit and Inspections Unit of the Office of Inspector General conducted an audit of Task 43, Academy and In-Service Training. The purpose of the audit was to determine whether the Oakland Police Department's (OPD) practices and procedures regarding in-service training are in accordance with the established guidelines in the Negotiated Settlement Agreement (NSA) and OPD's Departmental General Order (DGO) B-20, *Departmental Training Program*. Additionally, the intent of the audit was to identify policy and/or practice deficiencies and to propose solutions that will aid in the Department's ability to fully comply with the NSA directives.

To conduct this audit, the audit team coordinated their efforts with the Department's Training Division personnel. The team requested and received members/employees' training records from January 1, 2009 through December 31, 2012 and other necessary documents (i.e. instructor files, course curricula, lesson plans, etc). In addition, the team held a meeting in which the Training commander and staff were interviewed to determine the Department's actual practices. Moreover, the audit team also conferred with other supervisors/commanders, when necessary, to aid in clarifying information and/or audit questions.

There were five main objectives for this audit. First, determine whether OPD has a training plan which insures its sworn police officers, sergeants, and lieutenants and civilian dispatchers and evidence technicians are adequately trained for their respective positions. Second, determine whether professionalism and ethics, critical thinking and problem-solving, conflict resolution, and relationships with the community are included in OPD's in-service training as training topics. Third, determine whether OPD provides sergeants and commanders with mandatory 40 hour in-service supervisory and leadership training. Fourth, determine whether OPD provides all members with 40 hours of in-service training every 18 months. Fifth, determine whether OPD, prior to selecting a member or an employee as an instructor, reviews the applicant's complaint history and ensures that he/she is supportive of the Department's philosophy and values.



Michelle Allison  
Lieutenant of Police  
Office of Inspector General

**OFFICE OF INSPECTOR GENERAL**  
Audit and Inspections Unit



**LEAD AUDITOR**

Ms. Rebecca Johnson

**CONTRIBUTOR**

Ms. Kristin Burgess-Medeiros, Police Program and Performance Auditor  
Ms. Vera Edwards, Police Records Specialist  
Lieutenant Anthony Souza

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## EXECUTIVE SUMMARY

In January 2013, the Audit and Inspections Unit of the Office of Inspector General conducted an audit of Task 43, Academy and In-Service Training. The purpose of the audit was to determine whether the Oakland Police Department's (OPD) practices and procedures regarding in-service training are in accordance with the established guidelines in the Negotiated Settlement Agreement (NSA) and OPD's Departmental General Order (DGO) B-20, *Departmental Training Program*. Additionally, the intent of the audit was to identify policy and/or practice deficiencies and to propose solutions that will aid in the Department's ability to fully comply with the NSA directives.

The Department has established a foundation for ensuring its members/employees receive training. There were only two areas of concern. The first area of concern regards the training provided to newly promoted sergeants and lieutenants. The audit indicated that officers are receiving supervisory accountability and management functions training prior to being promoted to sergeant. However, the audit indicated that the Department is providing officers with only 37 hours of training instead of the required 40 hours. In addition, the audit indicated that lieutenants are not receiving the required POST supervisory accountability and management functions courses within six months of promotion as required.

In closing, to ensure the Department continues to comply with the mandates of Task 43, it should ensure that newly promoted sergeants receive the required 40 hours of training prior to promotion and lieutenants receive the required training within six months of promotion.

## PURPOSE

On January 3, 2013, the Audit and Inspections Unit of the Office of Inspector General conducted an audit of Task 43, Academy and In-Service Training. The purpose of the audit was to determine whether the Oakland Police Department's (OPD) practices and procedures regarding in-service training are in accordance with the established guidelines in the Negotiated Settlement Agreement (NSA) and OPD's Departmental General Order (DGO) B-20, *Departmental Training Program*. Additionally, the intent of the audit was to identify policy and/or practice deficiencies and to propose solutions that will aid in the Department's ability to fully comply with the NSA directives.

## BACKGROUND

There have been numerous audits conducted regarding Task 43, *Academy and In-Service Training*, to determine whether OPD's policies, procedures, and practices for training its members/employees were in compliance with the mandates in the NSA and DGO B-20. A review of the audits indicated that OPD has continually made progress in policy, training, and practice. To date, Task 43.1.1 is the only one of the 13 Tasks regularly assessed by the federal court-appointed Independent Monitor (IM).

### Most Recent IM Audit

The most recent audit, dated July 18, 2013, was conducted by the IM. To determine whether OPD's training plan ensures that its sworn police officers, sergeants, and lieutenants and civilian dispatchers and evidence technicians receive adequate training, the IM reviewed the training records of the aforementioned sworn members and civilian employees. Although the audit indicated that OPD was in compliance with Task 43.1.1 with 96 percent of its member/employees received training appropriate to their respective positions, the Monitor did note one area of concern and a recommendation:

#### Recommendation No. 1

*"Training of the police evidence technicians (PET) is the responsibility of the BFO where they are assigned... We found that three of the five PETs did not receive training adequate for their positions. OPD should assess the training needs of the PETs and develop a plan to provide them the training needed for their work."*

#### Status

According to the Training Division supervisor, the Department's Bureau of Field Operations is coordinating the training for the PETs. The training is schedule for January 6 through January 10, 2014.

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## NEGOTIATED SETTLEMENT AGREEMENT REQUIREMENTS

### **Task 43.1**

OPD has a training plan containing the elements required by the NSA (listed in task subparts below) and is implementing this plan in both academy and in-service training

#### **Task 43.1.1**

OPD's training plan ensures that OPD members, dispatchers, and civilian evidence technicians are adequately trained for their respective positions and trains OPD personnel to implement the most contemporary developments in policing

#### **Task 43.1.2**

OPD's training plan includes a review of OPD's training curriculum and incorporates additional emphasis on: ethics and professionalism [using realistic scenario-based training exercise wherever possible (43.2)]; critical thinking and problem-solving; conflict resolution; and relationships with the community

#### **Task 43.1.3**

OPD's training plan establishes criteria and method for: selecting OPD training instructors (in accordance with the elements listed in Task 43.5); training provided to instructors; procedures for evaluating the content and quality of training provided to OPD personnel; and procedures for maintaining training records for OPD personnel

### **Task 43.2**

OPD's training plan includes expansion of professionalism and ethics as a training topic within the recruit academy, in-service training, and in field training, using realistic scenario-based training exercises wherever possible

### **Task 43.3**

All sergeants and commanders receive 40 hours of in-service supervisory and leadership training. This training includes supervisory and command accountability; ethics and professionalism; emphasizes supervisory and management functions and situations; and includes both scenario-based training and case studies

#### **Task 43.3.1**

Officers received this training prior to promotion to sergeant

#### **Task 43.3.2**

Lieutenants receive this training within six months of promotion

### **Task 43.4**

All members receive 40 hours of in-service training every 18 months

#### **Task 43.4.1**

Sergeants receive at least 20 hours of training designed for supervisors every 18 months

#### **Task 43.4.2**

Members at the rank of lieutenant and above receive at least 20 hours of training designed for commanders every 18 months

**Task 43.5**

The complaint history of every in-service or academy training instructor is reviewed prior to appointment. No training instructor is appointed unless the individual is shown to be supportive of the philosophy and values of OPD and does not have a sustained Class I offense within the two years prior to appointment

## OIG COMPLIANCE OVERVIEW

The following pages detail the compliance findings, scope, methodology and recommendations for this audit.

Policy: The Department has a comprehensive policy, which is outlined in DGO B-20, published April 6, 2005.

**In Compliance**

Training: The Department has trained the relevant personnel on the policy.

**In Compliance**

Practice: OPD has a training plan containing the elements required by the NSA (listed in task subparts below) and is implementing this plan in both academy and in-service training (Task 43.1)

Compliance Requirement: Yes/No  
Audit Finding: Yes

OPD's training plan ensures that OPD members, dispatchers, and civilian evidence technicians are adequately trained for their respective positions and trains OPD personnel to implement the most contemporary developments in policing (Task 43.1.1)

Compliance Requirement: Yes/No  
Audit Finding: Yes

OPD's training plan includes a review of OPD's training curriculum and incorporates additional emphasis on: ethics and professionalism [using realistic scenario-based training exercise wherever possible (43.2)]; critical thinking and problem-solving; conflict resolution; and relationships with the community (Task 43.1.2)

Compliance Requirement: Yes/No  
Audit Finding: Yes

OPD's training plan establishes criteria and method for: selecting OPD training instructors (in accordance with the elements listed in Task 43.5); training provided to instructors; procedures for evaluating the content and quality of training provided to OPD personnel; and procedures for maintaining training records for OPD personnel (Task 43.1.3)

Compliance Requirement: Yes/No  
Audit Finding: Yes

OPD's training plan includes expansion of professionalism and ethics as a training topic within the recruit academy, in-service training, and in field training, using realistic scenario-based training exercises wherever possible (Task 43.2)

Compliance Requirement: Yes/No  
Audit Finding: Yes

All sergeants and commanders receive 40 hours of in-service supervisory and leadership training. This training includes supervisory and command accountability; ethics and professionalism; emphasizes supervisory and management functions and situations; and includes both scenario-based training and case studies (Task 43.3)

Compliance Rating: 95%  
Audit Finding: 96%

Officers received this training prior to promotion to sergeant (Task 43.3.1)

Compliance Requirement: 90%  
Audit Finding: Partial Compliance  
(93% of Officers received training,  
but only 37 hours of training)

Lieutenants receive this training within six months of promotion (Task 43.3.2)

Compliance Requirement: 90%  
Audit Finding: 17%

All members receive 40 hours of in-service training every 18 months (Task 43.4)

Compliance Requirement: 95%  
Audit Finding: 96%

Members at the rank of lieutenant and above receive at least 20 hours of training designed for commanders every 18 months (Task 43.4.2)

Compliance Requirement: 95%  
Audit Finding: 100%

The complaint history of every in-service or academy training instructor is reviewed prior to appointment. No training instructor is appointed unless the individual is shown to be supportive of the philosophy and values of OPD and does not have a sustained Class I offense within the two years prior to appointment (Task 43.5)

Compliance Requirement: 95%  
Audit Finding: 100%

## SCOPE AND POPULATION

### Audit Scope

There were five main objectives for this audit. First, determine whether OPD has a training plan which insures its sworn police officers, sergeants, and lieutenants and civilian dispatchers and evidence technicians are adequately trained for their respective positions. Second, determine whether professionalism and ethics, critical thinking and problem-solving, conflict resolution, and relationships with the community are included in OPD's in-service training as training topics. Third, determine whether OPD provides sergeants and commanders with mandatory 40 hour in-service supervisory and leadership training. Fourth, determine whether OPD provides all members with 40 hours of in-service training every 18 months. Fifth, determine whether OPD, prior to selecting a member or an employee as an instructor, reviews the applicant's complaint history and ensures that he/she is supportive of the Department's philosophy and values.

It is important to mention that this audit does NOT include the sections of Task 43 that reference the academy and/or field training officers.

### Audit Population and Stratification

Task 43 consists of 13 subtasks, and 12 of them were audited: 43.1, 43.1.1, 43.1.2, 43.1.3, 43.2, 43.3, 43.3.1, 43.3.2, 43.4, 43.4.1, 43.4.2, and 43.5. There were various audit populations:

#### Task 43.1

The population for determining whether OPD has a training plan containing the elements required by the NSA and for determining whether OPD is implementing this plan in in-service training consisted of the Department's training plan.

#### Tasks 43.1.1, 43.3, and 43.4

The population for determining whether OPD's training plan ensures that its sworn members and civilian dispatchers and evidence technicians are adequately trained for their respective positions consisted of a Department-wide list of members/employees received from OPD's Department of Human Resources Management. The list was sorted by job classification and the names of members and employees who were subject to receive in-service training based upon their job classification were selected for the audit population. The selected job classifications included the names of one chief, one assistant chief, two deputy chiefs, 10 captains, 20 lieutenants, 96 sergeants, 402 officers, 59 civilian dispatchers,<sup>1</sup> and 12 civilian evidence technicians. Consequently, the audit population consisted of a total of 630 members/employees Training Management System (TMS) records.

#### Tasks 43.1.2 and 43.2

The population for determining whether OPD's training plan includes a review of OPD's training curriculum and incorporates additional emphasis on ethics and professionalism; critical thinking and problem-solving; conflict resolution; and relationships with the

<sup>1</sup> The "dispatcher" category is composed of 55 police communications dispatchers, 1 police communications operator, and three police communications supervisors.

community consisted of the curricula and lesson plans for in-service training provided to police officers, sergeants, and lieutenants.

**Tasks 43.1.3 and 43.5**

The population for determining whether the mandates below were met consisted of OPD's training plan and documentation in its 49 instructor files:

- Criteria and method for selecting training instructors
- Adequate training provided to instructors
- Procedures for evaluating the content and quality of training provided to OPD personnel
- Procedures for maintaining training records for OPD personnel
- Complaint history of every training instructor was reviewed prior to appointment, ensuring each instructor did not have a sustained Class I offense within two years prior to appointment
- Each instructor was supportive of the philosophy and values of OPD

**Tasks 43.3.1 and 43.3.2**

The population for determining whether officers and sergeants received 40 hours of supervisory and leadership training prior to their respective promotions to sergeants and lieutenants consisted of the list of sergeants and lieutenants promoted from January 1, 2012 through December 31, 2012.

**Task 43.4.1**

The population for determining whether sergeants receive at least 20 hours of training designed for supervisors every 18 months consisted of the TMS records of 96 sergeants.

**Task 43.4.2**

The population for determining whether members at the rank of lieutenant and above receive at least 20 hours of training designed for commanders every 18 months consisted of the TMS records of 34 commanders (one chief, one assistant chief, two deputy chiefs, 10 captains, and 20 lieutenants).

**Identification of the Random Sample**

To conduct this audit, there were two random samplings used:

Tasks 43.1.1, 43.3, and 43.4

To audit Tasks 43.1.1, 43.3, 43.4, a stratified random sample was taken from the population of members/employees' TMS records. Using a one-tailed test, a random sample of 83 members/employees TMS records was chosen to achieve a 95 percent confidence level (with a +/-4 percent error rate) that OPD is ensuring its sworn members and civilian dispatchers and evidence technicians are adequately trained for their respective positions. The sample consisted of the following number of members/employees:

Job Classification	Number in Population	Number Audited to Achieve 95% Confidence Level
Commander	34	5 <sup>2</sup>
Sergeant	96	13 <sup>3</sup>
Police Officer	402	55
Dispatcher	59	8
Evidence Technician	12	2
Total	603	83

Tasks 43.1.3 and 43.5

To audit Tasks 43.1.3 and 43.5, a random sample was taken from the population of training instructor files. Using a one-tailed test, a random sample of 33 training instructor files was chosen to achieve a 95 percent confidence level (with a +/-4 percent error rate) that OPD has met the following mandates: (1) criteria and method for selecting training instructors; (2) adequate training provided to its instructors; (3) procedures for evaluating the content and quality of training provided to OPD personnel; (4) procedures for maintaining training for OPD personnel; (5) review complaint history of every training instructor prior to appointment, ensuring each instructor did not have a sustained Class I offense within two years prior to appointment; and (6) ensure each instructor is supportive of the philosophy and values of OPD. The sample consisted of the following number of training instructor files:

Files	Number in Population	Number Audited to Achieve 95% Confidence Level
Training Instructor	49	33

**METHODOLOGY/ANALYSIS**

In this audit, 12 of the 13 subtasks of Task 43 were audited. To minimize confusion regarding the compliance of each subtask, the methodology and analysis of each subtask is placed in the *Practices, Findings, and Recommendations* section, entitled *Audit Steps*.

**Reference Material**

The documents and systems below were used to evaluate the correct procedures for OPD’s personnel practices regarding performance appraisals:

1. *Departmental Training Program*, DGO B-20, effective April 6, 2005.
2. Figueroa, Paul Captain; Guttormson, Mary Acting Lieutenant; and Hubbard, Bryan Sergeant. Interview by Kristin Burgess and Rebecca Johnson. 24 January 2013.
3. Figueroa, Paul Captain. *Status of Needs Assessment for the Oakland Police Department*. Interoffice Memorandum. 30 October 2012.
4. Internal Personnel Assessment System (iPAS)
5. Negotiated Settlement Agreement
6. Personnel Database (PDB)
7. Research Randomizer ([www.researchrandomizer.org](http://www.researchrandomizer.org))

<sup>2</sup> The five randomly selected commander TMS records will be used to audit Task 43.4.2.

<sup>3</sup> The 13 randomly selected sergeant TMS records will be used to audit Task 43.4.1.

## PRACTICES, FINDINGS, AND RECOMMENDATIONS

### Task 43.1

OPD has a training plan containing the elements required by the NSA (listed in task subparts below) and is implementing this plan in both academy and in-service training

### Audit Steps

To determine whether OPD has a training plan containing the elements required by the NSA (listed in task subparts below) and is implementing this plan in its in-service training, the audit team reviewed DGO B-20, the in-service curricula, the in-service lesson plans, and interviewed the Training Section commander and supporting staff.

### Finding

The Department is in compliance with this task. The audit indicated that Departmental General Order B-20 is primarily used as the Department's training plan. The plan includes the following directives:

- The Department's members must have a minimum of 40 hours of in-service training every 18 months
- 40 hours of training that includes supervisory accountability and management functions for its sergeants and lieutenants and the same training is to be provided to newly promoted sergeants and lieutenants
- Procedures for unit commanders/managers to provide training in specialized units
- A selection process for in-service and academy instructors
- Procedures for evaluating the content and quality provided to OPD personnel
- Procedures for maintaining training records for OPD personnel

Although the Department is in compliance with this task, it should be noted that the Department's plan does not include a description of why particular training is chosen for any given year for its members/employees. In addition, the plan does not articulate how it achieves diminishing or eliminating real issues within the Department and between the Department and the community. For example, the auditor reviewed the Continuing Professional Training (CPT) curriculum for police officers. The table reflects the courses taught:

Police Officers' CPT 2011-2012

DAY	COURSE	HOURS
Monday	<i>Arrest and Control (Jail)</i>	6.0
	Origin and History of the NSA	1.0
	Animal Control Handling	2.5
Tuesday	Customer Service/Ethics/Interpersonal Communications	5.0
	iPAS Review	1.0
	Preliminary Investigations	2.0
	Legislative Update	2.0
Wednesday	<i>Force Options/Firearms</i>	11.0
Thursday	<i>Driving</i>	6.0
	Chase and Contain	4.0

Although the *italicized* courses are mandated by POST, without a narrative, the courses taught do not reflect the Department's vision or the issues the Department is trying to eliminate or diminish. A review of the course lesson plans indicates that it is not apparent why the Department chose to train its officers about the Origin and History of the NSA<sup>4</sup>, Animal Control Handling, iPAS Review, Preliminary Investigations, and Legislative Update. It is not clear whether there was an increase in calls regarding animals. It is unclear whether the Department's officers are having issues understanding the NSA. It is unclear whether the Department's officers need remedial training in preliminary investigations because sergeants, commanders, etc. would like the officers to conduct better preliminary investigations.

The audit also indicated that the Department's training plan, DGO B-20, does not directly articulate the training needs of its civilian dispatchers and police evidence technicians. The Departmental General Order has a section called "Specialized Training." In this section, it states that unit commanders/managers are responsible for assessing the need for specialized training for their assigned personnel. Although this section references "specialized training," it does not articulate what the Department considers specialized training and what units are responsible for providing the specialized training. It does not directly state that dispatchers and police evidence technicians require specialized training. The policy requires the reader to know which members/employees require specialized training.

Moreover, the Specialized Training section in DGO B-20 also reads, in part:

, "...Specialized unit-level training may be accomplished with utilizing the resources of the Training Division but must comply with the following provisions:

- A lesson plan shall be submitted to the Training Division commander prior to any actual training in accordance with the provisions of Part IV, B, 1, of this order.
- The Training Division commander shall review the course content to ensure that there are no conflicts with Departmental policy, with applicable POST and/or STC<sup>5</sup> or with current statute."

The auditor requested from the Training Division Supervisor the curricula for the Department's dispatchers and police evidence technicians and was advised that the Training Division does not receive them. A review of the Department's policy indicated that the policy can be interpreted as there is no requirement for unit commanders/managers to provide the Training Division Commander with a copy of their respective lesson plans unless the units plan to utilize the resources of the Training Division. Nevertheless, the Training Division is the Department's recognized hub for ensuring all members/employees receive appropriate training for their respective positions. If the Training Division does not receive lesson plans from the Department's units that require "specialized training," the Training Division personnel have no way of knowing whether the members/employees of these units are receiving appropriate training. Additionally, the Training Division personnel cannot evaluate the type of training being offered to the members/employees who need specialized training.

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<sup>4</sup> NSA denotes Negotiated Settlement Agreement

<sup>5</sup> Standards and Training for Corrections

The audit team reviewed a copy of the Department's training assessment report; which is an interoffice memorandum entitled *Status of Needs Assessment for the Oakland Police Department*, dated October 30, 2012. The audit of the report indicated that the assessment is very general in that it gathers responses from the various members and employees who work at OPD, but it is not job specific. The assessment does not drill down to member/employee specific job assignments/duties to enable the Department to realize which members/employees need a particular type of training. For example, one of the questions is, "What areas do you believe are the greatest training needs for the Department?" The responses are: use of force and use of force reporting; tactics and firearms; policy updates; handling complaints, etc. Because a Department-wide survey was conducted to attain said responses, it is not evident which specific members/employees need said training. For example, the reader is unable to determine the type of training needed for civilian dispatchers and police evidence technicians. In cases where specific units or documents were evaluated, the reader cannot determine whether OPD's supervisory members/employees need the training or the non-supervisory members/employees requested the training. It is not evident that based upon the responses received, whether specific members/employees received said training as a result of the responses. It should be noted that the creation of the assessment report is a valuable tool for determining the needs of the Department.

**Recommendations**

1. The Department should enhance its training plan by including why particular training is chosen for any given year for its members/employees. In addition, the plan should articulate whether the training provided to members/employees is directed at diminishing or eliminating real issues within the Department and between the Department and the community. The Department should consider changing its written training assessment memo to a written training plan by including the type of training that will be offered to specific members/employees in the upcoming fiscal year(s).
2. To ensure all training needs at OPD are known, the Department should interview its members and employees about their training needs, allowing the Department to determine how to best utilize its limited resources in selecting groups to train each fiscal year.
3. The Department should determine which specific members/employees need to be monitored to ensure they receive specialized training. Once these members/employees are identified, the Department should ensure that its policy, DGO B-20, reflects this information and the wording in the policy is changed to ensure the identified units forward their respective work plans to the Training Division. This will allow the Training Division personnel to evaluate the lesson plans and to ensure the members/employees receive the training.

**Task 43.1.1**

OPD's training plan ensures that OPD members, dispatchers, and civilian evidence technicians are adequately trained for their respective positions and trains OPD personnel to implement the most contemporary developments in policing

**Audit Steps for Task 43.1.1**Police Officers, Sergeants, and Commanders<sup>6</sup>

To determine whether OPD trains its police officers, sergeants, and commanders to implement the most contemporary developments in policing, the audit team reviewed the CPT curricula for sergeants and police officers and the Command Retreat curricula for commanders in addition to each member's respective TMS record to ensure there is documentation to support that the officers received training that included the POST required perishable skills outlined below:

According to POST, the perishable skills training shall consist of a minimum of 12 hours in each two-year period. Of the total 12 hours required, a minimum of 4 hours of each of the three following topical areas shall be completed:

- Arrest and control
- Driver Training/Awareness or Driving Simulator
- Tactical Firearms or Force Options Simulator

In addition POST, requires the following training:

- Communications training, either tactical or interpersonal, shall consist of a minimum of 2 hours in each two-year period.

**Finding**

The Department is in compliance with this task.

Police Officers

The auditor reviewed the TMS records of 42<sup>7</sup> police officers, and 41 (98.4%) of the TMS records documented that the respective officers received the required training in 2011. There was one (2%) TMS record in which there was only 30 hours of documented CPT training. In addition, the auditor reviewed the TMS records to determine whether the same officers received CPT in the previous 18 months. There were 47<sup>8</sup> applicable TMS records reviewed. All (100%) TMS records documented that the respective officers received the required training in 2010.

Sergeants

The auditor reviewed the TMS records of 11<sup>9</sup> sergeants, and ten (91%) of the TMS records documented that the respective sergeants received the required training in 2012. There was one (9%) TMS record in which there was only 34 hours of documented CPT training. In addition, the auditor reviewed the TMS records to determine whether the same sergeants received CPT in the previous 18 months. There were 9<sup>10</sup> applicable TMS

<sup>6</sup> Commanders: 1 Chief of Police, 1 Deputy Chief, and 3 lieutenants

<sup>7</sup> The auditor started with 55 officers, 3 were removed from the sample because they were part of the Monitor's audit and an additional 2 were removed because they were new hires; 1 was removed because of lay off; and an additional 6 were removed due to medical leave.

<sup>8</sup> The auditor started with 55 officers, 3 were removed from the sample because they were part of the Monitor's audit, an additional 3 were removed due to lay offs, 1 was removed due to medical leave; and 1 was removed since newly hired in January 2012.

<sup>9</sup> The auditor started with 13 sergeants, 2 were removed from the sample because they were not promoted to sergeant until January 2012.

<sup>10</sup> The auditor started with 13 sergeants, 4 were removed from the sample because they were not promoted to sergeant until 2012.

records reviewed. The audit indicated that all nine (100%) TMS records documented that the respective officers received the required training in 2010.

### Commanders

The auditor reviewed the TMS records of 5 commanders for the years 2012 and 2011 and all (100%) received the required training.

### **Recommendation(s)**

4. The Department should ensure that its method of accounting for each member's training includes documenting the names and serial numbers of members who miss training for various reasons (i.e., leave, retirement, termination, etc.). In addition, the Department should ensure this information is reviewed via the chain of command up to the Chief of Police to ensure transparency and adequate accountability.

### **Audit Steps**

#### Civilian Dispatchers

To determine whether OPD trains its civilian dispatchers to implement the most contemporary developments in policing, the audit team sought to review the course curricula/lesson plans for dispatchers in addition to reviewing each dispatcher's respective TMS record to ensure their training includes the POST recommended topics as delineated on POST's website, Section D, Training Procedures Commission Procedure D-2, entitled Continuing Professional Training and Perishable Skills.

### **Findings**

The Department is in compliance with this task. The audit indicated that uniform training is not provided to the Department's dispatchers and therefore there are not documented lesson plans/curricula. In a conversation with a Communications supervisor who is responsible for ensuring the dispatchers receive 24 hours of training every 18 months, it was determined that the Department provides its civilian dispatchers with job-related training. However, since it is impossible for a group of dispatchers to be off the phone at one time, each dispatcher receives his/her training according to what courses are being offered on the web; or based upon on-site training being offered; or whether he/she has permission to attend off-site training. Hence, it is difficult to provide the same training to all dispatchers in a one-year period. Subsequently, there are not any lesson plans/curricula.

Moreover, as stated in Subtask 43.1, the auditor requested from the Training Division Supervisor the curricula for the Department's dispatchers and police evidence technicians and was advised that the Training Division does not receive them. A review of the Department's policy indicated that the policy can be interpreted as there is no requirement for unit commanders/managers to provide the Training Division Commander with a copy of their respective lesson plans unless the units plan to utilize the resources of the Training Division. Nevertheless, the Training Division is the Department's recognized hub for ensuring all members/employees receive appropriate training for their respective positions. If the Training Division does not receive lesson plans from the Department's units that require "specialized training," the Training Division personnel have no way of knowing whether the members/employees of these units are receiving appropriate training. Additionally, the Training Division personnel cannot evaluate the type of training being offered to the members/employees who need specialized training.

Lastly, the audit indicated that the Department's training plan does not specify the courses taught to dispatchers and the reasons for teaching the dispatchers said courses. The auditor reviewed the TMS records of seven<sup>11</sup> dispatchers to determine whether they received the required 24 hours of POST training every 18 months. All dispatchers received training. However, the auditor is unable to determine whether the entries are correct since Communications does not have uniform training and maintains each employee's training on the individual roster(s) of the course(s). In addition, it is difficult to determine where the 18 month period begins and ends according to Communications since the training is not uniform and, in some cases, spread throughout the year. Therefore, the auditor gave the Department credit for having the required training as long as any two years added up to 24 hours or more.

### **Recommendation**

5. The Department should ensure that Communications produces a report documenting each employee's training to ensure transparency and accountability. The report should include the employee's name, the course taken, the date, and the number of hours for each 18 month period.
6. In addition, the Department should ensure Communications produces a report documenting the names of employees who were unable to complete their respective training for various reasons. The reason(s) [i.e. leave, retirement, termination, etc.] for not attending the required training should also be noted.

### **Audit Steps**

#### Civilian Evidence Technicians

To determine whether OPD trains its civilian evidence technicians to implement the most contemporary developments in policing, the audit team sought to review the course curricula/lesson plans for evidence technicians in addition to the respective TMS record for each evidence technician to ensure the training he/she received is related to forensic science and/or field evidence technicians.

### **Findings**

Compliance for this group is deferred at this time. Because the Monitor noted it in its audit, dated July 18, 2013, the need for the Department's PET's to receive adequate training, the auditor reviewed the records of two police evidence technicians and the audit indicated that that neither technician received training related to forensic science and/or field evidence technicians. In addition, the auditor inquired about the status of the PET training, and according to the Training Division Supervisor, the Department's Bureau of Field Operations is coordinating the training for the PETs. The training is schedule for January 6 through January 10, 2014.

Moreover, as stated in Subtask 43.1, the auditor requested from the Training Division Supervisor the curricula for the Department's dispatchers and police evidence technicians and was advised that the Training Division does not receive them. A review of the Department's policy indicated that the policy can be interpreted as there is no requirement for unit commanders/managers to provide the Training Division Commander

<sup>11</sup> There were 8 dispatcher TMS records chosen and one was eliminated due to being part of the Monitor's audit.

with a copy of their respective lesson plans unless the units plan to utilize the resources of the Training Division. Nevertheless, the Training Division is the Department's recognized hub for ensuring all members/employees receive appropriate training for their respective positions. If the Training Division does not receive lesson plans from the Department's units that require "specialized training," the Training Division personnel have no way of knowing whether the members/employees of these units are receiving appropriate training. Additionally, the Training Division personnel cannot evaluate the type of training being offered to the members/employees who need specialized training.

Based upon the Department's awareness that the PET's are in need of training and said training is scheduled for January 2014, the audit team deferred compliance for this group.

**Recommendation(s)**

7. The Department should ensure that forensic science and/or field evidence technician training is part of the curriculum.
8. The Department should ensure that the lesson plans for police evidence technicians are forwarded to the Training Division.

**Task 43.1.2**

OPD's training plan includes a review of OPD's training curriculum and incorporates additional emphasis on: ethics and professionalism [using realistic scenario-based training exercise wherever possible (43.2)]; critical thinking and problem-solving; conflict resolution; and relationships with the community

**Audit Steps**

To determine whether OPD's training plan includes a review of its training curriculum and incorporates additional emphasis on: ethics and professionalism [using realistic scenario-based training exercise wherever possible (43.2)]; critical thinking and problem-solving; conflict resolution; and relationships with the community, the audit team reviewed DGO B-20, the in-service curricula, the in-service lesson plans and interviewed the Training Section commander and supporting staff.

**Finding**

A review of the in-service curricula/lesson plans indicated that the Department continues to meet the requirements above.

**Task 43.1.3**

OPD's training plan establishes criteria and method for: selecting OPD training instructors (in accordance with the elements listed in Task 43.5); training provided to instructors; procedures for evaluating the content and quality of training provided to OPD personnel; and procedures for maintaining training records for OPD personnel

**Audit Steps**

For this subtask, the audit steps are incorporated in the "Finding" section due to the various criteria audited.

**Finding**

The Department is in compliance with this task. The audit indicated that the Department has established criteria and method for selecting training instructors. However, the auditor was unable to assess, with a 95 percent confidence level, whether the Department is following the selection process since the majority of the Department's instructors are "grandfathered in" as instructors and are, therefore, exempt from the selection criteria established by the NSA and Departmental General Order B-20. There were 33 instructor files reviewed to determine how each respective instructor was selected. Of the 33 files reviewed, 29 (88%) of the files included documentation in which the Training Section Commander, to comply with the NSA, allowed respective instructors to continue teaching since they became instructors prior to or close to the implementation of the selection process delineated in DGO B-20. It should be noted that in all instances it was documented that each instructor's iPAS profile was reviewed to ensure there were not any issues that would prohibit the instructor from teaching.

Although the auditor is unable to confidently assess whether the Department is selecting its instructors according to the NSA directives and according to the process outlined in DGO B-20, the auditor noted only one area of concern upon reviewing the remaining four files. DGO B-20 states that candidates selected to continue the selection process shall "observe a primary instructor teach one class session of the specific subject matter the candidate is applying for;" however, the auditor was unable to determine whether this step was being executed.

**Procedures for Maintaining Training Records for OPD**

The audit indicated that the Department uses a Training Management System (TMS) to maintain training records for its members/employees who attend the required training.

**Recommendation(s)**

9. The Department should ensure that when selecting an instructor, its practice is consistent with its policy.
10. The Department should ensure that each step of its selection process of its instructors is transparent and documented in each respective instructor file.
11. To ensure accountability and adequate supervision, the Department should create a report that lists members/employees who did not receive required training (i.e., CPT, PET, etc.). The reason (i.e., medical leave, termination, etc.) for the member/employee's non-attendance should be included.

**Task 43.2**

OPD's training plan includes expansion of professionalism and ethics as a training topic within the recruit academy, in-service training, and in field training, using realistic scenario-based training exercises wherever possible

**Audit Steps**

To determine whether OPD's training plan includes a review of its training curriculum and incorporates additional emphasis on: ethics and professionalism [using realistic scenario-based training exercise wherever possible (43.2)]; critical thinking and problem-solving; conflict resolution; and relationships with the community, the audit

team reviewed DGO B-20, the in-service curricula, the in-service lesson plans and interviewed the Training Section commander and supporting staff.

**Finding**

A review of the in-service curricula/lesson plans indicated that the Department continues to meet the requirements above.

**Task 43.3**

All sergeants and commanders receive 40 hours of in-service supervisory and leadership training. This training includes supervisory and command accountability; ethics and professionalism; emphasizes supervisory and management functions and situations; and includes both scenario-based training and case studies

**Audit Steps**

OPD's published standard for this task in DGO B-20 reads as follows:

“All members shall receive a minimum of 40 hours of in-service training every 18 months.

Sergeants and commanders shall receive training specific to their rank classification for at least 20 of the 40 hours.

All mandatory in-service training (i.e. Advanced Officer School, Supervisory/Command course) shall include instruction in professionalism and ethics utilizing curricula that employ realistic scenario-based training exercise.

All training courses for supervisors and commanders shall include both scenario-based training and case studies.”

(DGO B-20.X.A-C, pg. 14 of 16)

To determine whether all sergeants and commanders receive 40 hours of in-service supervisory and leadership training, the audit team reviewed the Department's 40 hour in-service training curricula for sergeants and commanders. In addition, the audit team reviewed the respective lesson plans/course descriptions to determine whether the training included:

- Supervisory and command accountability
- Ethics and professionalism
- Supervisory and management functions and situations
- Scenario-based training and case studies

Lastly, the audit reviewed the sergeants/commanders TMS records to ensure there was documentation to support that the aforementioned training was received.

**Finding**

The Department is in compliance with this task and has a 96% compliance rating.

Sergeants

The auditor reviewed the TMS records of 11 sergeants, and ten (91%) of the TMS records documented that the respective sergeants received the required training in 2012. There was one (9%) TMS record in which there was only 34 hours of documented CPT training. In addition, the auditor reviewed the TMS records to determine whether the same sergeants received CPT in the previous 18 months. There were 9 applicable TMS records reviewed. The audit indicated that all nine (100%) TMS records documented that the respective sergeants received the required training in 2011.

The auditor reviewed the TMS records of 5 commanders for the years 2012 and 2011 and all (100%) received the required training.

Commanders

To comply with this task, the audit indicated that lieutenants attend various job-related courses such as Commander/Manager Role in Budget Development, Use of Force Report Writing, Crowd Management Planning and Preparation, Commander//Manager Leadership Retreat, Command Retreat (i.e. racial profiling, case law, role of the incident commander, etc.) In addition, they attended various POST-certified courses such as Management Course Modules A, B, and C and Critical Incident Response for supervisors/ managers.

The audit also indicated that the Chief and Deputy Chief attended 16-40 hour management training on more than one occasion in addition to taking courses such as Command Retreat courses, crowd management planning and preparation, Role of the Police chief, commander/manager leadership retreat, etc.

**Task 43.3.1**

Officers received this training prior to promotion to sergeant

**Audit Steps**

OPD's published standard for this task in DGO B-20 reads as follows:

“Prior to promotion to a new position, supervisors shall attend a minimum 40-hour training course to include instruction on the following topics:

- Supervisory accountability; and
- Management functions.”

(DGO B-20.X.D, pg. 14 of 16)

To determine whether officers received the training, listed below, prior to being promoted to sergeants, the audit team reviewed the list of officers promoted to sergeants in 2012 to determine their respective promotion dates. Subsequently, the audit team, using the TMS records, compared the documented dates each prospective sergeant attended the 40-hour training to the documented date he/she was promoted to sergeant to determine whether said training was taken prior to promotion. In addition, the audit team reviewed the respective lesson plans/course descriptions to determine whether the information/situations are included supervisory accountability and management functions.

**Finding**

The Department is in partial compliance with this task. It is in compliance with ensuring officers receive supervisory accountability and management functions training. However, it is not in compliance with ensuring the training is 40 hours. There were 13 officers promoted to sergeant in 2012. There were 12 (93%) instances in which it was documented on the respective officers' TMS records that they did complete the training prior to promotion. However, there was one (7%) TMS record in which there was not any documentation that the respective officer attended said training. Moreover, it should be noted that the audit indicated that there was documentation to substantiate that 11 officers received 37 hours of said training and one officer received 27 hours of said training. A review of the curriculum for the Sergeants Transitional Courses indicated that the training is only for 37 hours and not 40 hours.

**Recommendation(s)**

12. The Department should ensure every officer being promoted to sergeant receives 40 hours of training.

**Task 43.3.2**

Lieutenants receive this training within six months of promotion

**Audit Steps**

OPD's published standard for this task in DGO B-20 reads as follows:

“Within six months of promotion, commanders shall attend a minimum 40-hour training course to include instruction on the following topics:

- Supervisory accountability; and
- Management functions.”

(DGO B-20.X.D, pg. 14 of 16)

To determine whether lieutenants received the training listed above within six months of promotion, the audit team reviewed the list of members promoted to lieutenants in 2012 to determine their respective promotion dates. Subsequently, the audit team, using the POST records, compared the documented dates each prospective lieutenant attended the 40-hour training to the documented date he/she was promoted to lieutenant to determine whether said training was taken within six months of promotion. In addition, the audit team reviewed the respective lesson plans/course descriptions to determine whether the information/situations included supervisory accountability and management functions.

**Finding**

The Department is not in compliance with this task. There were six members promoted to lieutenant in 2012. The audit indicated that only one (17%) lieutenant received the required training within the six month period after being promoted. Of the remaining five lieutenants, the audit indicated that one (17%) who was promoted in December 2012 still has not received the required training, and the remaining four all received training outside the six month period. Two (33%) of the four lieutenants received the required training approximately eight months after being promoted. One (17%) of the four lieutenants received the required training approximately 10 months after being promoted. And lastly, one (17%) of the four lieutenants received the required training approximately

one year after being promoted. The auditor was unable to locate any documentation to substantiate why some of the lieutenants received the required training later than the six month requirement.

**Recommendation(s)**

13. To minimize risk, the Department should ensure promoted lieutenants receive the required training within six months of being promoted. In cases where the training cannot be done prior to the six month due date, the Department should ensure there is documentation to substantiate why the newly promoted lieutenants do not have the required training and its impact, if any, on the Department.

**Task 43.4**

All members receive 40 hours of in-service training every 18 months

**Audit Steps**

OPD's published standard for this task in DGO B-20 reads as follows:

“All members receive a minimum of 40 hours of in-service training every 18 months.”

(DGO B-20.X.A, pg. 14 of 16)

**Finding**

The Department is in compliance with this task, and has a 96% compliance rating.

**Police Officers**

The auditor reviewed the TMS records of 42 police officers, and 41 (98%) of the TMS records documented that the respective officers received the required training in 2011. There was one (2%) TMS record in which there was only 30 hours of documented CPT training. In addition, the auditor reviewed the TMS records to determine whether the same officers received CPT in the previous 18 months. There were 47 applicable TMS records reviewed. All (100%) TMS records documented that the respective officers received the required training in 2010.

**Sergeants**

The auditor reviewed the TMS records of 11 sergeants, and ten (91%) of the TMS records documented that the respective sergeants received the required training in 2012. There was one (9%) TMS record in which there was only 34 hours of documented CPT training. In addition, the auditor reviewed the TMS records to determine whether the same sergeants received CPT in the previous 18 months. There were 9<sup>12</sup> applicable TMS records reviewed. The audit indicated that all nine (100%) TMS records documented that the respective sergeants received the required training in 2011.

**Commanders**

The auditor reviewed the TMS records of 5 commanders for the years 2012 and 2011 and all (100%) received the required training.

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<sup>12</sup> The auditor started with 13 sergeants, 4 were removed from the sample because they were not promoted to sergeant until 2012.

**Task 43.4.2**

Members at the rank of lieutenant and above receive at least 20 hours of training designed for commanders every 18 months

**Finding**

The auditor reviewed the TMS records of 5 commanders for the years 2012 and 2011 and all (100%) received the required training.

**Task 43.5**

The complaint history of every in-service or academy training instructor is reviewed prior to appointment. No training instructor is appointed unless the individual is shown to be supportive of the philosophy and values of OPD and does not have a sustained Class I offense within the two years prior to appointment.

**Audit Steps**

OPD's published standard for this task in DGO B-20 reads as follows:

“The candidate’s immediate supervisor shall prepare and submit a personnel evaluation matrix and recommendation on his/her subordinate to the Training Division commander prior to his/her interview. The matrix shall minimally include information on the following (within the last three years):

- Sick leave usage;
- Disciplinary history;
- Traffic collisions;
- Uses of force;
- Citizen complaints;
- Commendations and awards;
- Report review notices and case evaluation reports; and
- Assignment and rank history.

The areas on which the candidate shall be evaluated include but are not limited to:

- Professionalism;
- Educational background;
- Law enforcement experience;
- Subject matter expertise; and
- Disciplinary history.”

(DGO B-20.IV.A4-A5, pgs. 4 and 5 of 16)

To determine whether the complaint history of each training instructor is reviewed prior to appointment and that he/she does not have a sustained Class I offense within two years prior to his/her appointment, the audit team reviewed each training file and sought

supporting documentation that indicated that the candidate's immediate supervisor prepared and submitted a personnel evaluation matrix and recommendation on his/her subordinate to the Training Division commander prior to his/her interview.

To determine whether each instructor is shown to be supportive of the philosophy and values of OPD, the audit team reviewed each training file and sought supporting documentation that indicated that the training instructor was appointed upon his/her ability to show that he/she supports OPD's philosophy and values.

### **Finding**

The Department is in compliance with this task and has a 100 percent compliance rating. As stated in subtask 43.1.3, the audit indicated that the Department has established criteria and method for selecting training instructors. However, the auditor was unable to assess, with a 95 percent confidence level, whether the Department is following the selection process since the majority of the Department's instructors are "grandfathered in" as instructors and are, therefore, exempt from the selection criteria established by the NSA and Departmental General Order B-20. There were 33 instructor files reviewed to determine how each respective instructor was selected. Of the 33 files reviewed, 29 (88%) of the files included documentation in which the instructors were "grandfathered in" since they became instructors prior to or close to the implementation of the selection process delineated in DGO B-20. It should be noted that in all instances it was documented that each instructor's iPAS profile was reviewed to ensure there were not any issues that would prohibit the instructor from teaching.

Although the auditor is unable to confidently assess whether the Department is selecting its instructors according to the NSA directives and according to the process outlined in DGO B-20, the audit of the remaining four instructor files suggests that either the respective candidate's supervisor or a Training Division supervisor is submitting a personnel matrix for review.

Upon review of all the instructor files, the audit indicated that the Department's method of ensuring each training instructor was appointed upon his/her ability to show that he/she supports OPD's philosophy and values is supported by each candidate signing a form entitled Academy Instructor Code of Conduct. The form includes language that articulates the instructor's acceptance of the Department's training philosophy/values. For example, the form states, in part, "...A member who becomes an Instructor must commit to a philosophy of training. The Instructor must realize that training is the first priority and evaluation is secondary..." In addition, the form provides philosophy requirements for recruit training, and it articulates the instructor/police officer trainee relationship and the impact of violations of the academy instructor code of conduct.

### **Other Observations**

#### **Competition**

In reviewing the eight instructor files, there was not any documentation to support that the instructor candidates competed for the position. The documentation did indicate that whoever submitted a memo to become an instructor was also selected to be an instructor.

**Unable to Determine Which Course(s) Each Instructor Teaches**

In reviewing the 33 instructor files, the auditor was unable to determine what course(s) each instructor actually teaches and when he/she actually taught the course(s). The lesson plan(s)/course outline(s) were not present in the files.

**Annual Rating Training Department Gives Instructor**

In reviewing the 33 instructor files, the auditor was unable to determine how the Training Division commander annually rated the instructor's performance.