

# OAKLAND POLICE DEPARTMENT

## Oleoresin Capsicum and Checkout Procedures /Task 27 Audit Report

Project No.: E2014OPDT27OCLP

Project Manager: Randy Khatami, CFE, CFS, CLEA, CRMA



**FINAL**

## Table of Contents

### Audit Report

• Purpose	1
• Background	1
• Prior Audits	1
• Reference Material	1
• Audit Period and Population	2
• Audit Steps	2
• Detailed Findings	2
• Objective No. 1 – Reconciliation of the Property and Evidence Unit’s Small OC Sign Out Logs	2
• Objective No. 2 – Reconciliation of the Property and Evidence Unit’s Large OC Sign Out Logs	3
• Objective No. 3 – Computerized Small and Large OC Logs	4
• Objective No. 4 – Distribution of OC Reports	4
• Objective No. 5 – Use of Force Reports involved OC	4
• Recommendations/Action Taken	5

**Oleoresin Capsicum Log and Checkout Procedures Audit/Task #27**  
**Audit Report**  
**Project No. E2014OPDT27OCLP**  
**Conducted by**  
**ELITE PERFORMANCE ASSESSMENT CONSULTANTS, LLC**  
**FOR**  
**OAKLAND POLICE DEPARTMENT**

**Date:** June 30, 2014

**PURPOSE**

This audit is being conducted in order to assess compliance of the Oakland Police Department (OPD) adherence to established policies and procedures, and Task 27 Oleoresin Capsicum (OC) Log and Checkout Procedures of the Negotiated Settlement Agreement between Delphine Allen, et al. (Plaintiff) and the City of Oakland, et al (Defendant) (NSA).

**BACKGROUND**

On January 22, 2003, the OPD was placed under a NSA, which was updated on February 4, 2004. The NSA's Task 27 requires that OPD:

- *Keep a log of all Oleoresin Capsicum (OC) canisters checked out by OPD personnel (Task 27.1).*
- *Have two distinct requirements. First, it requires OPD to maintain its OC log in an electronic format. Secondly, it requires that OPD regularly prepare and distribute accurate reports regarding OC control and tracking (Task 27.2).*

**PRIOR AUDITS**

This is the first audit conducted by Elite Performance Assessment Consultants, LLC (EPAC), a contracted external audit firm. The OPD have conducted several reviews and assessments to determine compliance with Task 27.

**REFERENCE MATERIAL**

The reference material utilized during this audit includes:

- The Property and Evidence Unit's Small OC Sign Out Logs;

- The Property and Evidence Unit's Large OC Sign Out Logs;
- Use of Force Reports involving OC Spray;
- Department General Order C-8, Oleoresin Capsicum (December 29, 2006); and,
- Negotiated Settlement Agreement, Task 27.

### **AUDIT PERIOD AND POPULATION**

The audit scope was all small and large OC canisters logged out from January 2013 through December 2013. During this time period there were 110 small OC canisters logged out and 27 large OC canisters logged out.

### **AUDIT STEPS**

The EPAC staff used U. S. Government Auditing Standards as guidance when conducting this audit engagement.

### **DETAILED FINDINGS**

#### **Objective No. 1 – Reconciliation of the Property and Evidence Unit's Small OC Sign Out Logs**

##### **Criteria**

Department General Order C-8, Oleoresin Capsicum (December 29, 2006) which incorporates the requirements for Task 27 require OPD to keep a log of all OC canisters checked out by OPD personnel.

##### **Audit Procedures**

The Department met the standard for this objective if all the **Small** OC canisters were logged according to Task 27. The log must reflect the following:

- Date
- Officer's Name
- Officer's Serial Number
- New OC Serial Number
- Reason Replaced

- Report Number (If applicable)
- Old OC Returned (If applicable)
- Old OC Serial Number (If applicable)
- Old Code
- Letter Required (If applicable)
- Supervisor's Name
- PPS Serial Number

### **Findings**

Each of the 110 Small OC canisters (100%) was logged by the Property and Evidence Unit (PEU) personnel (Compliant).

### **Objective No. 2 — Reconciliation of the Property and Evidence Unit's Large OC Sign Out Logs**

#### **Criteria**

Department General Order C-8, Oleoresin Capsicum (December 29, 2006) which incorporates the requirements for Task 27 require OPD to keep a log of all OC canisters checked out by OPD personnel.

#### **Audit Procedures**

The Department met the standard for this objective if all the **Large** OC canisters were logged according to Task 27. The log must reflect the following:

- Date
- Officer's Name
- Officer's Serial Number
- New OC Serial Number
- Reason Replaced
- Report Number (If applicable)
- Old OC Returned (If applicable)
- Old OC Serial Number (If applicable)
- Old Code
- Letter Required (If applicable)
- Supervisor's Name
- PSS Serial Number

## **Findings**

Each of the 27 Large OC canisters (100%) was logged by the PEU personnel (Compliant).

### **Objective No. 3 – Computerized Small and Large OC Logs**

#### **Criteria**

Task 27.2 requires OPD to maintain its OC log in an electronic format. While the OC sign out log completed by officers and PEU personnel is hand-written, the PEU supervisor subsequently enters this data into a computerized database from which monthly reports are generated.

#### **Audit Procedure**

The Department met the standard for this objective if the hand written logs reconciled with the computerized database used by the PEU.

## **Findings**

All (100%) of the Small and Large OC canisters reflected on the log were reflected in the computerized database (Compliant).

### **Objective No. 4 - Distribution of OC Reports**

#### **Criteria**

Task 27.2 requires OPD to review and distribute monthly reports, and documentation regarding OC usage.

#### **Audit Procedure**

The Department met the standard for this objective if monthly reports regarding OC are reviewed and distributed.

## **Findings**

In addition to the electronic format and hand written logs completed by the PEU personnel, supervisors can monitor the use of OC and OC checkouts using the Internal Personnel Assessment System (IPAS) (Compliant).

### **Objective No. 5 – Use of Force Reports involving OC**

#### **Criteria**

Department Policy requires Officers to replace their OC canisters after a use of force incident.

**Audit Procedure**

The Department met the standard for this objective if the officers replaced their OC canisters after a use of force incident.

**Findings**

According to OPD, there was no use of force incidents involving OC during the audit time period (January 2013 through December 2013).

**RECOMMENDATIONS/ACTIONS TAKEN**

None.