

Monthly Progress Report

Of the Office of Inspector General



December 2016

Office of the Inspector General

Oakland Police Department

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INTRODUCTION

The Oakland Police Department recently revised its policy for assigning, managing and ensuring appropriate levels of supervision. The policy acknowledges the challenges related to the consistency of supervision and provides measures of flexibility and quality control. Due to these recent policy revisions and the overall importance quality supervision holds within any model of professional policing, the OIG initiated a review of the management and reporting functions of supervision and supervisor span of control. The findings are detailed in this report.

Also included in this month's report is an inspection of supervisory reviews of Personal Digital Recording Device (PDRD) video to ensure that, as required by policy, supervisors are conducting monthly reviews of their subordinates PDRD video. Video of officer interactions with the community is a valuable tool for the Department, and supervisory reviews of video are essential to assessing performance, identifying training needs, ensuring policy compliance, and report writing consistency.

Our first full year of monthly reporting is now complete. In 2017, in addition to a newly developed scope of work, we will revisit some of our past reviews to evaluate and communicate the statuses of preceding recommendations and progress.

Respectfully submitted,



Christopher C. Bolton
Lieutenant of Police
Office of Inspector General

AUDITS, REVIEWS, and INSPECTIONS

Review of the Span of Control Process

Auditors: Lt. Christopher Bolton, Kristin Burgess-Medeiros, and Rebecca Johnson

Objective:

Evaluate the Oakland Police Department's (OPD) supervisory span of control tracking process in the Bureau of Field Operations.

Overview:

The Department recognizes that the quality and quantity of effective supervision are often directly related to the performance of its personnel. OPD policy defines optimum levels of field supervision as no more than eight officers assigned to one field supervisor who is consistently and formally assigned to the same squad of officers to maintain a persistent awareness of his or her squad's performance. The conditions of permanent and temporary assignments to these positions are governed by policy. Generally, there are three main considerations when evaluating the span of control process: the consistency of primary supervision, the ratio between supervisors and officers, and the means by which temporary supervision is afforded in the absence of a primary supervisor.

Effective span of control requires consistency of supervision, meaning that each squad has a regularly assigned primary sergeant to monitor the police officers' job performance and that the assigned primary sergeant remains the same as much as possible throughout the year. Secondly, effective supervision requires that each assigned primary sergeant have no more than eight assigned police officers in his/her jurisdiction, known as a *1:8 ratio*. Lastly, the process requires that if an assigned primary sergeant is on a short or extended absence, his/her affected squad is provided adequate supervision to monitor the police officers' job performance on a continuous basis during the absence.

A Lieutenant of Police assigned to the Bureau of Field Operations currently conducts weekly audits of the Department's span of control process. The lieutenant alerts the necessary personnel when the consistency of supervision appears to be adversely affected. One of the most important functions of conducting the weekly audits is to detect an assigned primary sergeant on an extended absence for more than four weeks and assign another sergeant, preferably an administrative relief sergeant, to the affected squad as soon as possible, thereby regulating the consistency of supervision.

An OIG review was initiated to evaluate the condition of the Bureau of Field Operations' process.

Policies Referenced:

1. *Departmental General Order A-19, Supervisory Span of Control, effective July 26, 2006*

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2. *Policy 206, Staffing Levels, effective December 9, 2016*

Methodology:

To evaluate the condition of the OPD's span of control process in the Bureau of Field Operations, the Audit Team interviewed appropriate personnel about the process and reviewed applicable documentation.

Observation #1

Weekly audits of the OPD's span of control process have to be conducted to ensure compliance with its objectives.

During an interview with the Bureau of Field Operations (BFO) Lieutenant of Police now assigned auditing and reporting functions, it was determined that the OPD's internal control mechanism for meeting span of control objectives requires weekly audits of the documented supervision provided to 47 squads. The BFO Administrative Lieutenant documents his weekly audits in a Quarterly Span of Control Report, which is helpful for tracking consistent supervision and span of control, and forecasting potential problems resulting from long-term absences. During the interview, the Audit Team was informed that the Lieutenant of Police's position is being eliminated in the Bureau of Field Operations, and it was not known if the weekly audits of the Department's span of control process would continue or to whom the function would be assigned. It should be noted that the weekly audits are critical control mechanisms that ensure consistency of supervision for police officers in field operations and therefore the administrative responsibility should be assigned and maintained by the Department.

Observation #2

The system (Telestaff), used to track daily supervision and squad assignments, is difficult to use for tracking the intricacies of daily staff assignment in an efficient manner.

Telestaff is software used by the OPD which maintains daily rosters of its personnel assignments. The system shows each assigned primary sergeant and the police officers assigned to his/her squad. If the primary sergeant is absent, the appropriate watch commander is supposed to ensure the system shows the absence and who is supervising each employee in the squad during the absence.

While attempting to verify the 2016 Third Quarterly Span of Control Report via Telestaff, the auditor found it difficult to determine who supervised a squad in the absence of their assigned primary sergeant in some instances. The difficulty is a result of the Department not having a standard method of entering information regarding the affected squad and the limitations of the software. There is a need to document movement of officers in very detailed ways, and the details are documented through notes in Telestaff. Some documentation is more comprehensive than others, and some notes fields are very long depending on how squads are split up and for which time periods of the shift.

For example, there are times when a sergeant vacancy causes a squad to be split and supervised by various sergeants for the entire shift or portions of their shifts. Recombining squads sometimes results in exceeding the 1:8 ratio of supervisor to officers. The process can be quite complicated and difficult to follow unless the watch commander accurately documents the information in Telestaff via the notes field.

Additionally, Telestaff has a reputation of being slow and burdensome. While conducting this review, Telestaff routinely logged the auditor out of the system, making the review process time-consuming. On several instances, just to review data for one squad, the auditor had to sign in at least three times to capture the information needed. These system issues can contribute to mistakes, less information entered about squad supervision, untimely data entry, and an overall potential avoidance of initial data entry.

Observation #3

Calculating how often the Department exceeds the span of control ratio (1:8) is challenging due to the limitations of the software and the timeliness of data entry.

During the interview with the Lieutenant of Police in the Bureau of Field Operations, the Audit Team was informed that the quarterly span of control report he generates focuses primarily on the percentage of times police officers in field operations had consistent supervision. Although the 1:8 ratio is tracked, due to how the source data is entered and occasional untimely entries by supervisors and commanders, it is difficult for the BFO Administrative Lieutenant to calculate an accurate compliance percentage. Our independent review of a sample of daily details confirmed that the information entered is inconsistent and sometimes difficult to translate for the reasons mentioned above.

Observation #4

The OPD has depleted its pool of administrative relief sergeants.

In practice, when a primary sergeant is absent then his/her position is filled with an assigned administrative relief sergeant or any other sergeant of police available to work the shift. Because compliance is dependent on the availability of additional sergeants, the Audit Team interviewed the Manager of Research and Planning to determine the staffing levels for Sergeants of Police. During the interview, it was determined that the Department has a shortage of administrative relief sergeants due to the constant number of sergeants on leaves of absence. The Manager stated that on average, there are 15 to 20 sergeants on medical leave of absence. Currently, there is only one available administrative relief sergeant because the others have been absorbed in the system due to open positions caused by sergeants being on medical leaves of absence and sergeants being reassigned to work as acting lieutenants. Because there is only one administrative relief sergeant, the Department has to fill additional vacancies with sergeants working overtime and/or reassign sergeants in auxiliary units (i.e., Criminal Investigations Division, Internal Affairs, etc.) to field operations. The Manager also

stated that the Department is aware of the shortage of administrative relief sergeant positions in field operations and is taking steps to mitigate it by moving sergeant positions in other Bureaus to field operations.

Additional Observation

The OPD recently published a revised policy regarding its span of control process.

At the initiation of the review of the span of control process, the OPD's policy (Departmental General Order A-19, Supervisory Span of Control, effective July 26, 2006) was outdated because it did not articulate the Department's current practice and therefore was not referenced during this review. However, effective December 9, 2016, the Department published a new policy, *Policy 206, Staffing Levels*, which more accurately reflects its current practices.

Conclusion

Weekly BFO audits of the span of control process – with sound and consistent measures of tracking and evaluation - are essential to ensure continued compliance.

Secondly, all other things being equal, the critically low number of administrative relief sergeants able to act in the stead of assigned primary sergeants during leaves of absence is likely to affect future compliance.

Recommendation(s):

Although past reviews have consistently found aspects of supervisorial span of control in compliance with policy, the Office of Inspector General (OIG) identified two potential control weaknesses that could cause future noncompliance with policy objectives. The two recommendations made in this review were subsequently shared with the Department prior to publication. The Department received these concerns and communicated their agreement with both.

- 1. Ensure the auditing function remains in practice and is incorporated in the span of control policy or find another accountability mechanism to ensure span of control objectives are met. The goal of this process should ensure consistently tracked and communicated evaluations of the consistency of supervision as well as exceeded spans of control.**

The Department advised OIG that the BFO auditing function will be reassigned to a BFO Sergeant of Police and that the auditing function is recognized as, and will remain, a critical function of compliance. OIG agreed to meet with the BFO Sergeant and assist in devising a better method of tracking span of control, including how and when a squad exceeds the ratio of 1:8 and the root causes of vacancies, errors, and indeterminate shift notes.

2. Increase the number of available administrative relief sergeants and/or the consistency and availability of assigned primary sergeants.

The recommendation pertaining to the desired availability of primary and administrative relief sergeants was shared. The Department advised OIG that considerable effort has already made to address the need to improve the consistency of BFO field supervision:

- A new sergeant's promotional list is planned for February 2017 to help fill the seven current Sergeant of Police openings.
- The results of a Department position control review conducted by OPD Research and Planning was shared with OIG. This review process identified and moved sergeant positions from administrative positions to supervisory positions in the field.
- Promotional eligibility lists are now in effect for a shorter period of time; this allows for more frequent promotional testing in the event a list becomes exhausted.

Although there is no further response needed from the Department at this time, OIG will follow-up in January 2017 to determine the effects of these changes.

Additionally, although this review did not set out to evaluate Telestaff and its function as the Department's primary scheduling system, there is no shortage of complaints about the ease or efficiency of its use. The Department may benefit from exploring alternative scheduling software. In the absence of new software, standardizing and improving the use of the current system would make the tracking and auditing of span of control more manageable.

Inspection of Supervisors' Review of PDRD Recordings

Auditor: Officer Aaron Bowie, Office of Inspector General

Objective:

Evaluate whether the Oakland Police Department's (OPD) supervisors are conducting random reviews of the Portable Digital Recording Device (PDRD) recordings for each of their subordinates on a monthly basis.

Overview:

On November 7th, 2016, the Compliance Unit of the Office of Inspector General (OIG) initiated an inspection to determine whether the Oakland Police Department's supervisors are conducting required reviews of the Portable Digital Recording Device (PDRD – also known as 'body-worn cameras) recordings for each of their subordinates on a monthly basis. The PDRD is a device that captures audio and video footage used by police officers to provide documentary evidence for criminal investigations, civil litigations, and allegations of officer misconduct. Departmental General Order I-15.1, *Portable Video Management System*, governs their use, requires a monthly supervisory review of each subordinate's footage. The purpose of the inspection was to ensure compliance with the supervisory review.

The Department has described the benefits of PDRD use as significant: greater transparency, increased community trust, and reductions in personnel complaints and uses of force when the technology is used and evaluated as designed. Since implementation in 2010, OPD has reduced citizen complaints by approximately 50 percent and uses of force by 74 percent.¹

Every uniformed Oakland Police Department (OPD) officer assigned to operational field duties is now issued a PDRD. Among other scenarios, officers are required to record all contacts with community members when the contact is initiated to confirm or dispel involvement in criminal activity, to evaluate or assess cause for psychiatric detention, when pursuing a vehicle, serving a warrant, and conducting a search of a person or property. Supervisors are required to conduct a random review of at least one PDRD recording for each of their subordinates on a monthly basis. The selected recordings are required to be viewed in their entirety and are at least 10 minutes in length. These reviews are completed in order to assess performance, training needs, policy compliance, and report writing consistency.

Policy Referenced:

Departmental General Order I-15.1, Portable Video Management System, effective July 16, 2015

Significant Finding(s):

The review determined significant compliance with Department policy. Overall, the audit indicated that of the 78 employee PDRD profiles reviewed in the VieVu system application, all of them had a supervisor review of their PDRD videos in the month of October 2016. However, for four percent of the officers reviewed, documentation of the supervisory review was not in the VieVu system and had to be located elsewhere.

Methodology:

To conduct the audit, the auditor reviewed *Departmental General Order I-15.1, Portable Video Management System, effective July 16, 2015*, to determine OPD's policy and procedures regarding its sergeants' responsibility to conduct random reviews of PDRD recordings for each of their subordinates on a monthly basis. Secondly, the auditor reviewed a sample of PDRD profiles in the VieVu application system for employees with a job classification of police officer with primarily field based responsibilities and who were assigned a PDRD. The field based assignments included Patrol, Motor Unit, Ceasefire Unit, Crime Reduction Team, Community Resource Officer, and Foot Patrol Unit. All officers in a field based assignment are issued PDRD's. There are 610 personnel in the Department that are currently issued PDRD's.

The auditor sought to determine whether there was documentation in the VieVu system to indicate that each employee's supervisor audited one or more of his or her PDRD videos in the month of October 2016, in accordance with Departmental policy. In instances in which the auditor could not find documentation in VieVu notating the audit of one or more PDRD videos,

¹ [City of Oakland Agenda Report](#), March 4, 2016

the auditor additionally reviewed the PAS² system to determine whether the supervisor notated a completed audit.

The compliance rate was determined after reviewing the employees' respective VieVu profiles for the month of October 2016. If a supervisor noted in the PDRD system comments section any wording that indicated that a video was selected as a random review for that particular month, then that video for the month was considered in compliance with the Department's policy and procedures.

Population and Random Sample

Using OPD's personnel roster, members and employees were sorted by job classification. Only employees with a job classification of police officer within a field based assignment were selected for the population. There were 419 officers in the population. Therefore, a random sample of 78 officers' PDRD profiles in VieVu was selected for the inspection, at a 95 percent degree of confidence level using a one-tail test. All of the 78 officers were issued functioning PDRD's and were provided training. There were a total of 656 officers in the personal roster. A total of 237 officers were removed because of their primary assignment outside of patrol field assignments, leaving 419 for the total population.

Findings

The audit indicated that 100% of the officers selected had a supervisory review of their PDRD footage in the month of October 2016. Of the 78 employee PDRD profiles reviewed in the VieVu application system, 96% of them included documentation of the review in the VieVu system, consistent with Departmental policy. Documentation of the supervisory review was found in PAS for the remaining four percent of officers reviewed, which is not consistent with policy.

Departmental General Order I-15.1, *Portable Video Management System*, Section IV, Subsection D, states, in part,

“...[A]ll supervisors shall conduct a random review of at least one PDRD recording for each of their subordinates on a monthly basis. The selected recordings shall be viewed in their entirety and shall have a minimum length of ten (10) minutes...”

Section V, Subsection B, states,

“Authorized personnel viewing any video file shall document the reason for access in the "Comments" field of each video file viewed. The entry shall be made either prior to viewing the video or immediately after viewing the video.”

² PAS is OPD's personnel assessment system in which sergeants use to make notations about employee performances, recognizing's, trainings, audits, and etc. PAS is a pro-active non-disciplinary, early identification and intervention program designed to identify and positively influence conduct, correct performance-related problems and recognize exemplary performance.

There were 78 employee PDRD profiles reviewed in the VieVu system, and 75 (96%) instances in which there was documentation to indicate that the employees' respective supervisors audited one or more of their PDRD videos in the month of October 2016. There were 3 (4%) instances of reviews that were not notated in the VieVu application system, but found to be notated in the PAS system. The VieVu application system has a system administrator function, which allows you to be able to track the activities in the system by user profile. The auditor was able to match up the three instances, and corroborate that a supervisor review was conducted. The auditor confirmed the video in VieVu utilizing the file number, ensuring that it was a minimum of ten minutes, and met all the requirements. The 78 videos reviewed averaged 18 minutes and 40 seconds.

For the three instances where documentation of the supervisory review was noted in PAS rather than VieVu, the auditor reviewed an additional sample of PDRD profiles in the VieVu application system of the supervisors' random PDRD monthly audits. The reviews were conducted for the months of July, August, and September 2016. The auditor noticed that the supervisors were consistently documenting reviews in the VieVu system during those months as required by policy. The auditor did not observe any patterns or area of concern.

NEXT MONTH'S PLANNED REVIEWS

The reviews scheduled for January 2017 are:

1. Management Level Liaison, Follow-up Review
2. Criminal Investigations of Department Personnel, Follow-up Review
3. DMV Notifications, Follow-up Review