

Monthly Progress Report

Of the Office of Inspector General



February 2017

Office of the Inspector General

Oakland Police Department

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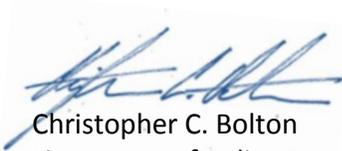
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INTRODUCTION

This month's report contains three separate reviews which cover a wide range of material: an audit of the Oakland Police Department's process for handling confiscated or found currency; a follow-up inspection of recommendations made to the Criminal Investigations Division and Internal Affairs Division within our April 2016 Report; and a review of stop data accuracy, consistency, and quality of articulation since changes were made to OPD's stop data reporting practices last October. As always, the OIG reporting and review process is designed to identify, maintain or improve best police practices in light of the Department's mission, goals and values.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Christopher C. Bolton".

Christopher C. Bolton
Lieutenant of Police
Office of Inspector General

AUDITS, REVIEWS, and INSPECTIONS

Stop Data Intelligence-Led Analysis

Lead Auditor: Officer Aaron Bowie, Office of Inspector General (OIG)

Contributor: Lieutenant Christopher Bolton, OIG

Objective(s):

1. Evaluate whether Oakland Police Department (OPD) police officers are completing stop data forms for vehicle stops, field investigations, and detentions as required by Departmental policy.
2. Determine whether OPD is capturing intelligence-led information using its newly created stop data fields.

Policies Referenced: Departmental General Order M-19, *Prohibitions Regarding Racial Profiling and Other Bias-Based Policing*, effective November 15th, 2004; Report Writing Manuel R-2, *Completing the Stop Data Collection Form*, effective January 15th, 2010; Special Order 9101, *Revised Stop Data Collection Procedures*, effective March 1st, 2013; Special Order 9042, *New Procedures Regarding Stop Data Collection*, effective June 10th, 2010; and Special Order 9043, *Additional of Stop Data Disposition Codes*, effective June 10th, 2010.

Significant Finding(s): The audit indicated that of 252 stop data forms reviewed, 239 (95%) stop data forms were completed correctly. In addition, of the 239 forms completed correctly, the Department was able to capture 39 (16%) intelligence-led police officer initiated stops using its newly created data fields. The category “crime patterns and trends” was the most often cited reason for an intelligence-led stop within the sample data.

Recommendation(s): None

OVERVIEW

An encounter is captured on a stop data form every time a police officer discretionarily initiates a vehicle, walking, or bicycle stop. Audits from the early stages of reporting found that stop data forms were illegible, missing, and/or difficult to locate. To remedy this situation, the Oakland Police Department added a stop data application to its Field Based Reporting (FBR)¹ system in February 2010. On June 11, 2010, Special Order 9042 was issued, directing all officers to enter stop data directly into FBR. Subsequently, the police officers’ use of the application to enter stop data eliminated illegibility errors, missing data, and has greatly aided in the location of forms since completed forms are stored in a centralized location. Additionally, reviews conducted after police officers began entering stop data into FBR determined that the policy is consistently followed and the legal justifications for stops and searches are routinely found to be well documented.

¹ FBR is the software used by police officers to complete their report in their car in the field.

In May 2014, the City of Oakland contracted with Stanford University researchers to assist OPD with collecting and analyzing data on officers' self-initiated stops by race. The researchers completed a statistical analysis of police stops, searches, handcuffing, and arrests in Oakland and presented their findings and recommendations in two reports, [*Strategies for Change and Data for Change.*](#)

As a result of the Stanford reports, OPD created a focus group to help the Department and the Stanford researchers gain critical insight, feedback, and direction from officers on the implementation of the recommendations moving forward. The focus group, still in existence, consists of officers, supervisors, and commanders from various field and investigative assignments. One of the recommendations the focus group worked on implementing was that OPD should "standardize, track, and analyze crime-related communications provided to officers."² In response, the focus group created two new fields to capture intelligence officers felt led to the initiation of many of the stops they made: (1) *Intelligence-Led Stop* and (2) *Intelligence-Led Factors*. These data fields give officers the ability to record instances when information regarding crime (i.e., named or described suspects or suspect vehicles involved in robberies, shootings, stolen vehicles, etc.) is a factor in a decision to make a stop. This data also enables the Department to assess which information sources are being best utilized.³ Additional information on the quantity and quality of intelligence-led information and communication can be found in the March 2016 OIG Monthly Progress Report (*Assessment of Stop Data Compared to Field-Based Communication, Strategy, or Direction*).

On October 11, 2016, OPD revised its stop data forms to include the two additional intelligence-led data fields as a justification for an enforcement stop. Now, the information that police officers are required to collect for vehicle stops, field investigations, and detentions include, but are not limited to, the following categories:

- Race;
- Gender;
- Reason for encounter;
- Type of search (i.e., cursory, probation, probable cause, etc.) conducted, if applicable;
- Intelligence-led stop, if applicable
- Intelligence-led factor, if applicable
- Officer's assignment;
- Whether the subject was handcuffed or not;
- Whether evidence was recovered, and if so, its disposition;
- Conclusion of the encounter (i.e., arrest, citation, or no action taken); and;
- A narrative articulating the justification of the enforcement actions.

² Eberhardt, J. L. (2016). *Strategies for Change: Research Initiatives and Recommendations to Improve Police-Community Relations in Oakland, Calif.* Stanford University, And SPARQ: Social Psychological Answers to Real-World Questions, pg. 41.

³ Intelligence-Led Stops: Data Collection Proposal (OPD PowerDMS)

To evaluate whether OPD is completing its revised stop data forms for vehicle stops, field investigations, and detentions as required by Departmental policy, the Compliance Unit of the Office of Inspector General (OIG) initiated an inspection on January 10, 2017.

METHODOLOGY

To conduct the audit, the auditor reviewed the Department's policies and procedures regarding stop data.

Random Sample

Using the Department's Forensic Logic application, a program in which police officers' stop data information is stored, the auditor randomly selected 252 stops over a three month period, October 11, 2016 to January 19, 2017.

FINDINGS

Departmental General Order *M-19, Prohibitions Regarding Racial Profiling and Other Bias-Based Policing, effective November 15th, 2004*, Section VII, Subsection A and B, states, in part:

“... [P]ursuant to Department Report Writing Manual R-2, members shall complete a Stop Data Collection Form for every vehicle, walking, and bicycle stop conducted during their shift. Members shall also complete a Stop-Data Collection Form for every consent search conducted. Members shall submit completed Stop-Data Collection forms to their assigned supervisor...”

In addition, a PowerPoint presentation entitled *Field Interview & Stop Data Report: Field Based Reporting Upgrade*, dated October 2016, states, in part:

“...An intelligence-led stop is one where officers possess knowledge which can be linked to an articulable source, leading to the initiation of a stop. The intelligence-led factor (source) may be very specific, such as a named person, or information about a recent crime trend or pattern tied to a specific location or area. An officer's knowledge and intent at the time the stop is initiated is important in determining whether the stop is intelligence-led or an enforcement stop. There are eight different intelligence-led factors:

- **Daily Bulletin** – May also include intelligence sent via email from investigators normally contained in the Daily Bulletin.
- **Communications Order** – Intelligence from a communications order or crime broadcast.
- **Civilian Notification** – Intelligence from a citizen via email, phone, or other means of communication such as the drug hotline.
- **Law Enforcement Notification** – Intelligence received from a law enforcement agency. This could be the Most Wanted Person list from Intel, a Trak flyer, Wanted Person flyer, Northern California Regional Intelligence Center bulletin, etc.

- **Recent Crime Trends and Patterns** – “Recent” differentiates this factor from general or anecdotal knowledge about crime trends and patterns. A recent crime trend might involve a sudden spike of a specific type of crime in a specific area of the city.
- **Weekly Priorities** – Intelligence from Area Weekly Priorities.
- **Investigative Follow-Up** – Intelligence from investigative leads and follow-up linking the person stopped for a crime or the suspect(s).
- **Other** – The officer should provide a description in the narrative...”

The auditor reviewed 252 stop data forms, and the audit indicated that 239 (95%) forms were completed correctly. However, there were 13 (5%) forms that were not completed correctly because of the following reasons:

Reason	Number
Recovery Disposition Not Articulated	4
Disposition of Evidence Not Noted	3
Using Wrong Stop Type	1
False Recovery	1
Using Wrong Encounter Type	2
Using Wrong Search Type	2
Total	13

Of the 239 forms completed correctly, the Department captured 39 (16% of sample) intelligence-led police officer initiated stops using its newly created data fields. The 39 intelligence-led stops were reviewed and found to be sufficiently articulated and properly categorized as being intelligence-led. The table provides a breakdown of the types of intelligence that led to officer initiated stops:

Intelligence-Led Factors	Number of Intelligence-Led Stops Per Factor
Daily Bulletin	4
Communications Order	7
Civilian Notification	1
Law Enforcement Notification	6
Recent Crime Trends and Patterns	11
Weekly Priorities	5
Investigative Follow-Up	3
Other	2
Total	39

Note: Although all stops categorized as intelligence-led in this sample were found to be well reasoned and articulated, OIG took note that the leading factoring cause for intelligence-led stops was a connection between the stop and “recent crime trends and patterns.” This factor was also found to be the leading cause for intelligence-led stops in the population data (27.6% of all documented intelligence-led stops spanning from October 11, 2016 through January 31, 2017). OIG feels that this categorized factor may be the most susceptible to ambiguity and has shared an

alternative suggestion for defining “intelligence-led stops.” The OIG recommendation makes clear that specific connection between the area trend and the person(s) to be contacted – beyond the mere proximity of stop -should be stressed as necessary when categorizing stops as tied to trends or patterns. Past OIG reviews have communicated a large number of discretionary stops in areas suffering from the most serious of crime trends and patterns, yet little connection between stops and crime could be measured. Ambiguity may serve to promote nonspecific or uncoordinated “hot-spot policing” stops in ways which do not also promote police legitimacy and trust.

CONCLUSION

The audit determined that the reviewed stop data forms within the sample are completed correctly 95% of the time and sample stops are well articulated as lawful and intelligence-led when indicated in 16% of the reviewed sample of stops.

Review of Criminal Investigations Involving Department Personnel Follow-up Report

Auditor: Charlotte Hines, Office of Inspector General

Contributor: Rebecca Johnson, OIG

Objective: Evaluate the Oakland Police Department’s (OPD) efforts to comply with the recommendations resulting from the *Review of Criminal Investigations Involving Department Personnel*, published [April 2016](#). The auditor made three recommendations in the past report:

1. IAD needs to manage version control over *Lybarger*⁴ and other related forms.
2. Codify the practice of CID documenting on the *Investigative Action Report* who, when and by what means notification was made to the Alameda County District Attorney’s Office.
3. Institutionalize the already existing practice of CID tracking all allegations of misconduct that are eventually deemed non-criminal/non-jurisdictional by formalizing it in policy.

Policy Referenced: Departmental General Order (DGO) M-4.1, *Criminal Investigations Involving: Active Law Enforcement or Member of the Department*

Significant Finding: The Department complied with all three recommendations.

Recommendation: None

OVERVIEW

In April 2016, the Office of Inspector General (OIG) published the *Review of Criminal Investigations Involving Department Personnel* in its *Monthly Progress Report*, in which the auditor cited four issues. First, there were two significantly different *Lybarger* forms being used by the Department’s Internal Affairs Division (IAD). One version explained the stipulations of

⁴*Lybarger v. City of Los Angeles* (40 Cal.3d 822, 1985). In this case, the state’s Supreme Court found that when a public employee might be charged with a criminal offense, management must advise him/her of his/her rights.

the investigation and the subject officer's rights in great detail, while the other form made partial mention of these rights and partial mention of those involved in the questioning of the subject officer. The auditor noted that it was important that IAD retain and use just one version that contains all pertinent information for consistency and clarity. In addition, the auditor stated the *Lybarger* form should include the following information:

- The nature of the investigation;
- The officer's right to representation;
- A statement from the subject officer is compelled;
- Disclosure of the identification of the officer(s) in charge of the investigation;
- Failure to provide a statement may lead to disciplinary action;
- The officer's right to use his/her own recording device during questioning; and
- Identification of the interviewing officer and any other persons present during the interview.

Secondly, the auditor noted that the IAD had two versions of a form used when criminal misconduct is not suspected or a statement is not being compelled, the *Acknowledgement of Rights and Obligations* form. One version required the interviewee to print his/her name and the other version lacked the "print name" section. The auditor added that those forms lacking the 'print name' portion have caused confusion in one instance for IAD when attempting to identify who in fact signed the form.

Thirdly, the auditor determined through the course of interviews with commanding officers in the Department's Criminal Investigation Division (CID) and IAD that notification and coordination with the Alameda County District Attorney's Office are made in a prompt manner pursuant to the requirements of policy. However, during the discussion with CID it was shared that no record of such notification was documented in its *Investigative Action Report*. In addition, the auditor noted that it was not a policy requirement. CID agreed to document who, when and by what means notification was made to the Alameda County District Attorney's Office, and OIG recommended it be codified in policy.

Fourthly, the auditor noted that the Commanding Officer of CID also tracks allegations that are eventually deemed noncriminal or occurred outside the Department's jurisdictional authority to investigate. OIG found value in the practice since the tracking of said allegations served to inform the Chief of Police of all pertinent events involving OPD personnel. Therefore, OIG recommended formalizing the tracking of said allegations by including the procedure in policy.

In January 2017, the OIG initiated a follow-up report on the Department's efforts to comply with the aforementioned recommendations.

METHODOLOGY

To evaluate the Department's efforts to comply with the three recommendations, the auditor used the following methods:

- The auditor contacted the lieutenant of the IAD Investigations Section to follow-up on the status of the *Lybarger* and *Acknowledgement of Rights and Obligations* forms.

- The auditor contacted the CID Commander and requested two items: (1) a listing of all alleged violations of criminal misconduct committed by Department personnel that occurred after April 2016 and (2) documentation to substantiate who, when and by what means notification was made to the Alameda County District Attorney's Office.
- The auditor reviewed the Department's current policy to determine whether CID's current practice of tracking all allegations of misconduct that are eventually deemed non-criminal/non-jurisdictional was formalized in policy.

FINDINGS

IAD now only uses one version of the *Lybarger* Form

The auditor contacted the lieutenant of the IAD Investigations Section to determine whether the recommendation was implemented and the lieutenant responded by emailing the auditor a copy of the sole version of the *Lybarger* form the section is now using. Upon review of the form, the auditor noted that it does include language that states the following:

- The nature of the investigation;
- The officer's right to representation;
- A statement from the subject officer is compelled;
- Disclosure of the identification of the officer(s) in charge of the investigation;
- Failure to provide a statement may lead to disciplinary action;
- The officer's right to use his/her own recording device during questioning; and
- Identification of the interviewing officer and any other persons present during the interview.

In addition, the lieutenant advised the auditor that he forwarded a copy of the official *Lybarger* form to the manager of the Research and Planning Unit to place on the Department's policies and procedures website (PowerDMS) so that all investigators will have access to the correct form. The Research and Planning Unit confirmed that an approved and controlled form is now being managed.

IAD now uses only one version of the *Acknowledgement of Rights and Obligations* Form, which includes the "Print Name" section

The auditor contacted the lieutenant of the IAD Investigations Section to determine whether the recommendation was implemented and the lieutenant responded by emailing the auditor a copy of the sole version of the *Acknowledgement of Rights and Obligations* form the section is now using. Upon review of the form, the auditor noted that it does include the "Print Name" section, eliminating confusion when attempting to identify who in fact signed the form. The lieutenant advised the auditor that he also forwarded a copy of this form to the manager of the Research and Planning Unit to place on the Department's policies and procedures website (PowerDMS) so that all investigators will have access to the correct form. The Research and Planning Unit confirmed that an approved and controlled form is now being managed.

CID documents who, when and by what means notification was made to the Alameda County District Attorney's Office on a spreadsheet

The auditor contacted the CID Commander and requested two items: (1) a listing of all alleged violations of criminal misconduct committed by Department personnel that occurred after April 2016 and (2) documentation to substantiate who, when and by what means notification was made to the Alameda County District Attorney's. There were seven cases included on CID's spreadsheet for the time period requested. In five cases, it was documented on the spreadsheet that notifications were made by email; the times of the notifications; the names of the respective OPD employees who made the notifications; and the names of the respective District Attorney's Office recipients of the notifications. In one case, it was documented on the spreadsheet that notification was made by phone to the District Attorneys' office and that notification of the phone call was made to the Deputy Chief by email on the same date. The email to the Deputy Chief included who made the notification and the recipient of the notification. In the one remaining case there was no notification made since the case did not meet the criteria. This was a DUI arrest, which does not rise to the level of a serious misdemeanor absent any additional criminal misconduct.

CID's current practice of tracking all allegations of misconduct that are eventually deemed non-criminal/non-jurisdictional was formalized in policy

The auditor reviewed the Department's current policy, *Departmental General Order M-4.1, Criminal Investigations Involving Active Law Enforcement or Member of the Department*, with an effective date of September 7, 2016, to determine whether CID's current practice of tracking all allegations of misconduct that are eventually deemed non-criminal/non-jurisdictional was formalized in policy. The practice is formalized in policy, which reads, in part, as follows:

Section IV

"The Bureau of Investigations Deputy Chief [who has jurisdiction over CID] shall review and evaluate the preliminary investigation regarding the nature and severity of the allegation to determine the need for immediate investigative callout and take the following actions:

If there is reasonable suspicion of criminal misconduct involving a felony or serious misdemeanor by any member of the Oakland Police Department, the BOI Deputy Chief shall log the incident...This includes misconduct committed whether or not it occurs during the course of employment...If the Department is not going to conduct the investigation, the BOI Deputy Chief shall direct the CID Commander to make notification to the appropriate outside agency...If there is reasonable suspicion of criminal misconduct not involving a felony or serious misdemeanor, the BOI Deputy Chief shall log the incident and determine the best course of action."

CONCLUSION

All three recommendations were implemented.

Property and Evidence Unit Confiscated and Found United States Currency Audit

Auditor: Charlotte Hines, Office of Inspector General

Objectives:

1. To determine whether the amount of currency a police officer documents on his/her crime/supplemental report coincides with the amount of currency documented on the money envelope he/she submits to the Property and Evidence Unit (PEU) as evidence or for safekeeping.
2. To observe the PEU's procedures for conducting a "money count" when releasing funds for deposit into the City of Oakland Treasurer bank account.

Policies Referenced: Departmental General Order (DGO) H-3 *Depositing Property and Evidence*; Departmental General Order H-10, *Property Clearance and Disposal*; Peace Officer Standards and Training (POST), *Law Enforcement Evidence & Property Management Guide*

OVERVIEW

The Office of Inspector General (OIG) initiated an audit of the Department's handling of United States currency once it has been confiscated or found by an officer or employee and submitted to the Property and Evidence Unit (PEU) as property or evidence.

The Audit Manager and Lead Auditor met with PEU staff who provided a synopsis of their procedures for handling monies submitted as evidence or for safekeeping. Officers are required to submit all monies found or confiscated in special money envelopes. Money envelopes are to be completed and sealed prior to submission to a PEU employee directly or prior to placing them in designated lockers in the PEU during non-business hours. Incomplete envelopes are not accepted, and if a PEU employee retrieves an incomplete envelope from the locker, he/she notifies the responsible officer, who returns to the PEU to make the necessary corrections for submission.

The PEU employee, at time of acceptance, verifies only completion of the money envelope and not its contents. All money envelopes are first recorded on an electronic spreadsheet for tracking purposes and the actual envelope is then retained in the PEU's safe. The electronic spreadsheet includes entries dating back to the 1990's.

There are specific times that the contents of the money envelopes are verified. Content verification only occurs during City Treasury or asset forfeiture deposits; investigator withdrawals; or the release to citizens (i.e. owner, family of owner, finder).

The OIG initiated an audit of the United States currency submitted to the PEU as evidence or for safekeeping and the PEU's procedures for verifying the contents of the money envelopes when money is released to be deposited into the City of Oakland Treasury bank account.

METHODOLOGY

Handling US Currency

To determine whether the amount of currency a police officer documents on his/her crime/supplemental report coincides with the amount of currency documented on the money envelope he/she submits to the Property and Evidence Unit (PEU) as evidence or for safekeeping, the auditor randomly selected money envelopes submitted to the PEU and reviewed the corresponding police officer's crime/supplemental report to determine whether the amounts were the same.

Money Count for Funds to be Deposited in the City of Oakland Treasury Bank Account

Since the contents of money envelopes are only verified at certain times, the auditor observed the PEU's procedures and practice for conducting a "money count" when releasing funds for deposit into the City of Oakland Treasury bank account.

Population/Random Sample

Handling US Currency

The auditor requested and received a copy of the PEU's electronic spreadsheet that included the entries for money envelopes submitted from January 2015 through December 2016. There were a total of 1,930 money envelope entries. Subsequently, using the randomizing tool (<https://www.randomizer.org/>), the auditor randomly selected 50 money envelopes for review.

FINDINGS

Handling Confiscated or Found US Currency

The auditor randomly selected 50 money envelopes for review. Fifteen of the selected money envelopes were no longer available because the monies had been released. However, the auditor did compare the amounts entered on the PEU's electronic spreadsheet to the amounts documented on the corresponding police officers' crime/supplemental reports and found that in 14 instances, the amounts matched. In the remaining instance, the PEU's electronic spreadsheet documented the money envelope value as \$0.60. However, there was no mention of any currency being confiscated or found in the police officer's corresponding crime/supplemental report.

The auditor was able to review 35 of the randomly selected money envelopes, and the audit indicated that in 27 instances, the amounts on the money envelopes coincided with the amounts in the respective police officers' crime/supplemental reports. However, there were eight instances in which discrepancies were found. In three cases there was no amount listed or reference made to confiscated or found money in the corresponding police officers' crime/supplemental reports. In three cases what was written in words or numbers in the crime/supplemental reports differed from the money envelope amounts documented on the PEU's electronic spreadsheet and/or the details listed on the physical money envelopes in the safe. In one case there was a math error on the money envelope because the total of each denomination of the dollar bills the police officer listed on the outside of the envelope did not total the amount he/she documented as the grand total of the denominations. In the one remaining instance, the police officer documented in his/her crime report a total of \$379 was confiscated but listed denominations that total \$419. In addition, the corresponding money

envelope submitted to the PEU lists a grand total of \$379 but the corresponding denominations listed total \$397. The table below summarizes the issues found in the eight instances:

RD #	Safe Log	Crime Report/ Supplemental	Envelope	Difference	Comments
15-004888	1.99	-	1.99	1.99	No record on crime/supplemental report.
15-010422	0.10	-	0.10	0.10	No record on corresponding crime/supplemental reports.
16-006884	3.00	-	3.00	3.00	No record on crime/supplemental report
16-026090	4.25	4.75	4.25	(0.50)	Crime/supplemental report states \$4.75 and the envelope states \$4.25.
15-032231	100.00	85.00	100.00	15.00	One crime report and one supplemental report documented \$85 was confiscated, but the money envelope states \$100.
15-050333	14,082.55	14,084.55	14,082.55	2.00	Crime report amount is listed differently than amount recorded on envelope.
15-010445	156.00	166.00	156.00	(10.00)	Math error on envelope No written breakdown of currency in crime report.
16-011446	379.00	379.00	397.00	18.00	Crime/supplemental report documents a total of \$379 and the denominations total \$417. In addition, the grand total on the money envelope is \$379 but the denominations total \$397.

Money Count for Funds to be Deposited in the City of Oakland Treasury Bank Account

The auditor observed the PEU conduct a “*money count*” for the contents of money envelopes designated for release to be deposited into the City of Oakland Treasury bank account. The money count team consisted of three OPD employees, a Police Sergeant, a Police Property Specialist, and a Fiscal Services representative. The auditor observed the following:

The selected money envelopes are opened. The contents of the envelopes, envelope details and property record are verified. Any discrepancies with the envelope details and the actual contents

are noted by the Fiscal Services representative on the count sheet⁵ and signed off on by each money count team member. The Property Specialist updates the PEU's corresponding electronic spreadsheet entry. In addition, all discrepancies are noted on the corresponding property records and initialed by all team members. Each team member is assigned a specific task during the count:

- Property Specialist: opens each envelope, counts the money inside, and verifies the denomination breakdown listed on the outside of the envelope.
- Sergeant: prepares the cash and coins for deposit by sorting the money by denomination and counting it.
- Fiscal Services Rep: verified the property record and completes count sheets and deposit slips.

After all envelopes have been opened, the money is bundled and bagged for deposit. The sealed deposit bag remains in the PEU safe until arrangements are made for it to be picked up by an armored transport service for delivery to the bank.

ADDITIONAL OBSERVATIONS

Storage of money envelopes for cases that are decades old

There are money envelopes currently being stored in the PEU safe for criminal cases that are decades old. Some money envelopes remain because the statute of limitations for certain open cases require funds be retained indefinitely (i.e. property from homicide, embezzlement of public funds, currency deemed evidentiary by the investigator).⁶ However, the auditor was unable to determine why other decades of old money envelopes were being retained. The longer money is retained the higher the risk level rises for funds to be misplaced or stolen.

Storage of Found US Currency minimal in value retained in PEU safe too long

Many envelopes submitted as "Found Property" are minimal in value. From January 2015 through December 2016, there were 202 "Found Property" money envelopes, and the totals for 158 (78%) of them ranged from \$0.02 to \$25.00. "Found Property" money envelopes in most cases are envelopes in which there is no way to identify the owner. Therefore, the Department should determine a reasonable threshold for depositing these funds into the City of Oakland Treasury Bank account. In addition, a retention period should be established for these funds.

PEU to implement new evidence management software

The PEU is currently in the process of implementing new evidence management software that is a flexible, barcode-based system for managing property and evidence. The chosen software gives local and state agencies the power to manage, maintain and track property and evidence

⁵ A "count sheet" is the form used for the money counts. The form is used to document the date of the money count; the seal numbers on the money envelopes; the corresponding crime/supplemental report number; the amount documented on the envelope; any plus/minus adjustments recorded because of the difference between the documented amount on the envelope and the actual amount in the envelope; and the adjusted amount to be deposited. The form also includes signature boxes for each money count team member.

⁶ POST Law Enforcement Evidence & Property Management Guide Guideline 6-2

from the crime scene to the courtroom. Combining low cost of ownership with a high degree of data security, it will enable the PEU to streamline daily evidence management duties, reduce repetitive and error-prone manual tasks and increase the overall efficiency and time savings of the unit due to less time needed for paperwork. The tentative date for completing implementation is May 2017.

PEU does not conduct audits

During a discussion with the PEU staff, the auditor noted that the PEU does not conduct regular internal audits of its safe contents. If the unit conducts regular audits, the staff can ensure the entries on its electronic spreadsheet are accurate and funds can be released to the City of Oakland Treasury bank account soon after expiration of any applicable statute of limitations.

RECOMMENDATIONS

1. The Department should immediately evaluate how long money envelopes for confiscated and found US currency are retained in the PEU safe as evidence or for safekeeping. The longer money is retained the higher the risk level rises for funds to be misplaced or stolen.
2. The PEU should conduct regular internal audits of its safe contents to ensure the entries on its electronic spreadsheet are accurate and complete. Regularly conducted audits would identify funds eligible to be released to the City of Oakland Treasury bank account soon after expiration of any applicable statute of limitations.

NEXT MONTH'S PLANNED REVIEWS

The reviews scheduled for March 2017 are:

1. Community Meetings
2. Firearms