
Oakland Police Department Office of the Inspector General



1st Quarterly Progress Report January – March 2020

Oakland Police Department
Office of Inspector General

455 7th Street, 9th Floor | Oakland, CA 94607 | Phone: (510) 238-3868

Contents

Introduction	2
An Evaluation of the Oakland Police Department’s Promotional Consideration Process	3
Review of Mandatory In-Service Training for Sworn Personnel.....	16

Introduction

In the first six months of 2020, we have experienced a worldwide pandemic and nationwide demonstrations due to racial inequities that have plagued our society for generations. As a result, there has been a significant impact on our working environments and the health and well-being of our community. The Office of Inspector General is committed to providing timely and thorough feedback through our audits and reviews and has therefore been adjusting to working with Department staff in new ways. In spite of our efforts to produce timely reports, we have experienced unexpected delays while working through these difficult times.

The Office of Inspector General's (OIG) 2020 1st *Quarterly Progress Report* includes an evaluation of the Department's promotional consideration process and a review of mandatory in-service training for sworn personnel. The Department's promotional consideration process is intended to provide the Chief with the most comprehensive overview of sworn personnel who are seeking promotion to the next rank so that promotions are thoughtful and fair. Overall, no significant issues were found in the promotional consideration process.

Per Department policy (Department General Order B-20, *Departmental Training Program*), all sworn personnel are required to receive 40 hours of in-service training every 18 months, and promoted Sergeants and Lieutenants are required to attend supervisory training before or after promotion. This audit took much longer than expected and ultimately, the Auditor found the data to be incomplete due to the Department's issues with accurately tracking training. Although the tracking issues were a significant limitation to the audit, OIG continued with the audit by reviewing several systems and working closely with the Training Division to collect the most accurate data available. As a result of this audit, a breakdown between two systems that caused incomplete records in the Department's Personnel Assessment System (Vision) was identified and fixed.

Respectfully,



Kristin Burgess-Medeiros
Acting Inspector General

An Evaluation of the Oakland Police Department's Promotional Consideration Process

By Auditors Mehiya Thomas, Rebecca Johnson and Kristin Burgess-Medeiros

Objectives

1. Evaluate the Oakland Police Department's process for considering members for promotion to vacant Sergeant, Lieutenant, and Captain positions from January 1, 2018 to December 31, 2019.
2. Determine whether there was justification documented for each Candidate on the eligibility list who was skipped over for promotion to vacant Sergeant, Lieutenant, and Captain positions from January 1, 2018 to December 31, 2019
3. Compare the contents of the packets in the new promotional consideration process to the contents of the promotional consideration packages in OPD's *Personnel [Section] Policy and Procedures Manual, Policy 08-01, Promotional Consideration Procedure*.

Key Strengths

1. An average of 97% of the data collected in seven categories for considering members for promotion to vacant Sergeant, Lieutenant, and Captain positions from January 1, 2018 to December 31, 2019 was enclosed in the promotional consideration packets.
2. There were five recruitments in which Candidates on the eligibility list were skipped over for promotion, one Lieutenant recruitment and four Sergeant recruitments. In all cases, OPD documented its justifications for skipping over Candidates for promotion.
3. The promotional consideration packets created under the Personnel Section's new process incorporated all the documentation required for the promotional consideration packages

referenced in OPD's current policy, *Personnel [Section] Policy and Procedure Manual, Promotional Consideration Procedures*, dated June 12, 2008.

4. OPD also enhanced its selection process by requiring additional Candidate information in the promotional consideration packets: a *Memorandum of Commitment to Community Partnership* from the Candidate, a *Candidate Promotional Resume Template*, and the Candidate's training history.

Key Weakness

- ✓ The Oakland Police Department's *Personnel [Section] Policy and Procedure Manual, Policy 08-01, Promotional Consideration Procedure*, dated June 12, 2008, has not been updated to incorporate its new promotional consideration process.

Recommendations

- ✓ The Office of Inspector General made five recommendations: four related to improving the promotional consideration packets and one related to updating the policy. See the Findings/Recommendations section at the end of the audit for a detailed list.

References

- *Personnel [Section] Policy and Procedure Manual, 08-01, Promotional Consideration Procedure*.

Executive Summary

On February 10, 2020, the Office of Inspector General (OIG) initiated an evaluation of the Oakland Police Department's (OPD) promotional consideration process, with a focus on three objectives. Evaluate OPD's new process for considering members for promotion to vacant Sergeant, Lieutenant, and Captain positions from January 1, 2018 to December 31, 2019. Determine whether justification was documented for each Candidate on the eligibility list who was skipped over for a promotion to a vacant Sergeant, Lieutenant, and Captain position from January 1, 2018 to December 31, 2019. Lastly, compare OPD's new process related to creating promotional consideration packets to its current policy on said subject. Upon conclusion of the evaluation of OPD's promotional consideration process, no significant issues were identified.

When considering members for promotion to vacant Sergeant, Lieutenant, and Captain positions, for each Candidate, OPD creates a promotional consideration packet that includes documentation submitted in seven different categories: the Candidate, the Personnel Section, the Training Division, the Internal Affairs Division, the Personnel Assessment Unit, the Office of the City Attorney, and the Candidate's Supervisor or Commander. All documentation is submitted to the Personnel Section, where the data is collated and placed in a packet. The packet is given to the Chief of Police and the Executive Team for review. From January 1, 2018 to December 31, 2019, there were 47 promotions (4 Captains, 10 Lieutenants, and 33 Sergeants) and OIG found that an average of 97% of the data collected in the seven categories was enclosed in the promotional consideration packets.

Officers who desire to be promoted to Sergeants, Lieutenants, or Captains must fill out an interest form to take the examination for the open position. Once the officers take the examination, the eligibility list is created. OPD's Personnel Section receives the list in rank order, with number one holding the name of the Candidate with the highest ranking. If there is one vacancy within a job classification, OPD can consider the first five names on the eligibility list. If more than one vacancy, OPD can consider the number of names on the list equal to the number of vacancies plus four additional names. For the Candidates who were skipped over on the eligibility list for promotion to one of the vacant Sergeants', Lieutenants', and Captains' positions, OPD is required to document a justification for skipping over their names on the list. There were 12 recruitments (2 for the 4 Captain vacancies; 5 for the 10 Lieutenant vacancies; and 5 for the 33 Sergeant vacancies) and Candidates were skipped over in five recruitments, one Lieutenant recruitment and four Sergeant recruitments. In all cases, OPD documented its justification for each Candidate who was skipped over on the eligibility list for promotion.

During the evaluation of OPD's promotional consideration process, OIG determined that OPD has a new process. Therefore, OIG, using OPD's current policy, *Personnel [Section] Policy and Procedure Manual, Promotional Consideration Procedures*, dated June 12, 2008, compared the contents of the promotional "package" section to OPD's new process of creating promotional consideration "packets." The Auditors found that the promotional consideration packets created under the Personnel Section's new process incorporated all the documentation required for the promotional consideration packages referenced in OPD's current policy. The Auditors also found that OPD enhanced its selection process by requiring additional Candidate information in the promotional consideration packets: a *Memorandum of Commitment to Community*

Policing from the Candidate, a Candidate Promotional Resume Template, and the Candidate's training history. These documents provide additional insight into the Candidate's skills, knowledge, and abilities related to the position he/she is being considered for promotion, thereby enhancing OPD's selection process.

Lastly, OPD's *Personnel [Section] Policy and Procedure Manual, Policy 08-01, Promotional Consideration Procedure*, dated June 12, 2008, has not been updated to incorporate its new promotional consideration process. It is still in effect until it is either rescinded, suspended, or revoked. Without an updated policy, OPD's new process principles or requirements that its Personnel Section staff must follow, as formally agreed upon by management, are not transparent and known to all stakeholders.

Based on our assessments of the new promotional consideration process and OPD's policy, OIG recommends that the Department update *Personnel [Section] Policy and Procedure Manual, Policy 08-01, Promotional Consideration Procedure*, dated June 12, 2008, to reflect the new process and to ensure the process is transparent and known to all stakeholders.

Background

On February 20, 2020, the Office of the Inspector General met with the Oakland Police Department's Personnel Section's Manager to get an overview of their promotional consideration process. The Personnel Manager summarized the process as follows:

"Annually, the City of Oakland's Department of Human Resource Management (DHRM) reaches out to inform the Personnel Section that it is time for promotional examinations. DHRM procures an outside consultant to administer the examinations. The Personnel Section provides DHRM with the reading list and subject matter experts (SMEs), in or above the job classification rank, to assist with the examinations. DHRM provides the Personnel Section with the previous year's promotional announcement, so the Personnel Section can make changes as necessary (i.e., the reading list may change). The reading list is approved by the Chief of Police (COP). The Personnel Section sends emails to Sergeants and above to be SMEs. The COP and Executive Team choose who participates.

DHRM has regular meetings with the consultant and the SMEs to prepare the test relevant to the promotional examination. Once the recruitment for the promotional exam opens, officers must fill out an interest form to take the examination. The eligibility list is created after the officers take the test, and it is shared with OPD's Personnel Section in rank order. If there is one vacancy within a classification, the Personnel Section can consider the first five people on the eligibility list. If more than one vacancy, the Personnel Section can consider the number of names on the list equal to the number of vacancies plus four. This is per the current Oakland Police Officers' Association Memorandum of Understanding and Department policy. Then the Analyst reaches out to every member considered for promotion to obtain information from them."

Prior to the entrance conference with the Personnel Section, the Office of the Inspector General requested a copy of the Personnel Section's promotional consideration procedures. In response, via email, on February 10, 2020, the Personnel Manager informed OIG that the promotional consideration process has evolved. And the current process is as follows:

Candidate

The Personnel Section receives a memorandum from each Candidate detailing his/her commitment to community partnership. In addition, the Personnel Section sends a *Promotional Resume Template* to each Candidate, requesting him/her to fill in his/her personal statement of promotional qualifications, formal education, ancillary assignments, active memberships, certifications, training, and any additional training that can be considered as part of the evaluation process.

Personnel Section

The Personnel Section is responsible for recording the assignment history and the performance appraisals ratings for the past five years for each Candidate. In addition, the Personnel Section is responsible for recording each Candidate's entire career history of awards received and years of service.

Training

The Training Division is responsible for recording the entire career of all outside and Department training relevant to law enforcement.

Internal Affairs Division

The Internal Affairs Division is responsible for submitting the Candidate's discipline for sustained complaints received for the past five years

Personnel Assessment Unit

This Personnel Assessment Unit is responsible for evaluating key performance dimensions for Candidates for the past five years.

Office of the City Attorney

The City Attorney is responsible for submitting all litigation history associated with each Candidate for the past five years.

The Supervisor/Commander Input

Each Candidate's supervisor or commander is responsible for completing a worksheet that includes an assessment of the Candidate's strengths, integrity measures, ability to work well with others, and ability to promote community policing.

Scope/ Population

The audit period is January 1, 2018 to December 31, 2019, and the audit focused on three objectives: evaluating OPD's process for considering members for promotion to vacant Sergeant, Lieutenant, and Captain positions; determining whether justification was documented for Candidates whose names were skipped over

on the eligibility list for promotion to the vacant positions; and comparing the contents in OPD's new process' promotional consideration packets to the contents of promotional packages referenced in its current policy.

Limitations

Because OIG did not gain access to the City of Oakland Department of Human Resource Management's NeoGov¹ system, OIG relied upon second and third hand information to determine whether justification was documented for Candidates whose names were skipped over on the eligibility list for promotion.

Population

From January 1, 2018 to December 31, 2019, there were 47 members promoted, 4 Captains, 10 Lieutenants, and 33 Sergeants.

Methodology

Objective 1

To evaluate OPD's promotional consideration process, the Auditors completed the following steps:

- Interviewed staff in OPD's Personnel Section.
- Requested and received from OPD's Personnel Section the promotional consideration packets created for the 47 promotees: 4 Captains, 10 Lieutenants, and 33 Sergeants.
- Reviewed the 47 promotional consideration packets, seeking within the required documentation from the Candidate, the Personnel Section, the Training Division, the Internal Affairs Division, the Personnel Assessment Unit, the Office of the City Attorney, and the Candidate's Supervisor or Commander. Each category was totaled separately, and a compliance rating was calculated. Candidates were required to submit two documents and the Personnel Section was required to record four categories of Candidate information. Therefore, the Candidates' and Personnel Section's overall compliance ratings were based on the average total across all categories.

Objective 2

To determine whether there was justification documented for each Candidate not selected for promotion to vacant Sergeant, Lieutenant, and Captain positions, for each recruitment (2 to fill the 4 vacant Captain positions, 5 to fill the 10 vacant Lieutenant positions; and 5 to fill the 33 vacant Sergeant positions), the Auditors asked OPD's Personnel Section to provide, from the City of Oakland Department of Human Resource Management's NeoGov system, the documented reason for each Candidate who was skipped over on the eligibility list for promotion.

Objective 3

Upon the Auditors' completion of Objective 1, they reviewed OPD's policy, *Personnel [Section] Policy and Procedure Manual, Promotional Consideration Procedures*, dated June 12, 2008, and compared the contents of the promotional "package" section to OPD's new process of creating promotional consideration "packets." The Auditors noted any differences and risks, if applicable.

¹ A system used to track applicants and their status along the hiring/promotion continuum when applying for positions within the City of Oakland.

Findings

FINDING #1

An average of 97% of the required data collected in seven categories was enclosed in the promotional consideration packets.

Below are the results for each category based on the review of the 47 promotional consideration packets.

Candidate

- 44 (94%) packets included the community partnership memorandum
- 47 (100%) packets included the promotional resume template

Table 1
Candidates' Documentation

	Community Partnership Memorandum	Promotional Resume Template
Number of Packets	47	47
Included	44	47
Not Included	3	0
Percentage	94%	100%
Total Average	97%	

There were three packets that did not include the Community Partnership Memorandum. The Auditors inquired about the memorandums with the Personnel Manager, and she stated the Personnel Section was unable to locate memorandums for the [three] Candidates. She stated that when the files were prepared, the memos may have been inadvertently excluded or the Executive Team members, who review the files, may have removed the information and did not replace it. She also stated, at this time, she is unable to determine if the former or the latter resulted in the missing memorandums.

The selection process should be consistent for all Candidates, and one way it is shown is via the contents of the job files. OPD's promotional consideration process requires the Candidate to submit a Community Partnership Memorandum. Therefore, OPD should ensure the required document is in the job file or a note explaining the absence of the document.

Personnel Section

- 47 (100%) packets included the Candidates' assignment history
- 47 (100%) packets included the Candidates' performance appraisal ratings for the past five years
- 17 (36%) packets included the Candidates award history
- 47 (100%) packets included the Candidate's years of service

Table 2
Personnel Section’s Documentation

	Candidate’s Assignment History	Candidate’s Performance Appraisal Ratings for Past 5 Years	Candidate’s Awards History	Candidate’s Years of Service
Number of Packets	47	47	47	47
Included	47	47	17	47
Not Included	0	0	30	0
Percentage	100%	100%	36%	100%
Total Average	84%			

There were 30 packets that did not document whether the Candidates had any awards. The Auditors inquired about the missing documentation, and the Personnel Manager stated, “Prior to the implementation of OPD’s Human Resource Management [Information System], the previous database provided accurate information on awards. Since the implementation of the current database, reporting has been inconsistent, thus determining awards received by an employee has become increasingly more challenging. The Personnel Section will continue to work with the City [of Oakland’s] Information Technology Department to address this issue. Once the issue is corrected, the Personnel Section will ensure awards information is included in future promotional [consideration] packets.”

OPD’s promotional consideration process requires the insertion of the Candidate’s awards history in the packet as part of the selection process. If there are unavoidable issues that arise precluding the submission of the required data, a note detailing the issue(s) should be placed in the packet in lieu of the awards history.

Training

- 47 (100%) packets included the Candidates’ entire career of all outside and Department training relevant to law enforcement

Table 3
Training Division’s Documentation

	Candidate’s Training Records for Entire Career
Number of Packets	47
Included	47
Not Included	0
Percentage	100%

Internal Affairs Division

- 47 (100%) packets included the Candidate’s discipline for sustained complaints received for the past five years

Table 4
Internal Affairs Division's Documentation

	Internal Affairs Division Candidate's Sustained Complaints for Past 5 Years
Number of Packets	47
Included	47
Not Included	0
Percentage	100%

Personnel Assessment Unit (PAS Unit)

- 47 (100%) packets included an evaluation of the Candidate's key performance dimensions for the past five years

Table 5
Personnel Assessment Unit's Documentation

	Personnel Assessment Unit Evaluation of Candidate's Performance
Number of Packets	47
Included	47
Not Included	0
Percentage	100%

Office of the City Attorney

- 47 (100%) packets included all litigation history associated with each Candidate, if applicable, for the past five years

Table 6
The Office of the City Attorney's Requirements

	Office of the City Attorney Candidate's Litigation History
Number of Packets	47
Included	47
Not Included	0
Percentage	100%

The Supervisor or Commander

- 46 (98%) packets included a Supervisor/Commander Promotional Input Form that highlighted the Candidate's performance

Table 7
The Supervisor or Commander's Requirements

	Supervisor/Commander Input
Number of Packets	47
Included	46
Not Included	1
Percentage	98%

There was one packet that did not include a *Supervisor/Commander Promotional Input* form. The Auditor inquired about the form and was advised by the Personnel Manager that the *Supervisor/Commander Promotional Input* form was requested but was never received, so the promotional packet was prepared without this information.

OPD's promotional consideration process requires the Candidate's supervisor/commander to submit a *Supervisor/Commander Promotional Input* form for placement in the packet as part of the selection process. If the form was requested and never received, a note detailing the issue(s) should be placed in the packet in lieu of the form.

Additional Observation

Question #6 on the *Supervisor/Commander Input Form* has "preset answers."

Upon reviewing the *Supervisor/Commander Promotional Input* form, the Auditor noted that Question #6 already has answers because all 47 forms contained the same responses for Question #6. The Auditor also noted that some supervisors/commanders added additional information, and some did not. The form reads, in part:

"What do you feel are the Candidate's greatest strengths?"

- Enthusiasm and love for the job
- Integrity
- Truthfulness
- Great street, patrol presence and investigator
- Ability to get along well with anyone and obtain information
- Has a common/reasonable sense approach
- Is not afraid to voice his opinion and offer other solutions"

The Auditor inquired to OPD's Personnel Section, "Is this an error on the template? Is the supervisor/commander supposed to choose one or more from the list? Or is there an expectation that supervisors/commanders provide additional comments?" The Personnel Manager responded that the form provides examples of strengths the Candidate might possess, but they are meant to be examples only. Supervisors and Commanders are supposed to provide a narrative detailing the Candidate's strengths.

Because the response for Question #6 appears true and accurate if a commander/supervisor does not provide a narrative in his/her own words, detailing the Candidate’s strengths, OPD should remove the “preset answers” from Question #6 to ensure the selection process is equitable.

FINDING #2

OPD documented its justifications for all Candidates who were skipped over on the eligibility list for promotion.

There were 12 recruitments to fill the 47 vacancies (2 for the 4 Captain vacancies; 5 for the 10 Lieutenant vacancies; and 5 for the 33 Sergeant vacancies), and Candidates were skipped over in five recruitments, one Lieutenant recruitment and four Sergeant recruitments. In all cases, OPD documented its justification for each Candidate who was skipped over on the eligibility list for promotion.

FINDING #3

The promotional consideration packets created under the Personnel Section’s new process incorporated all the documentation required for the promotional consideration packages referenced in OPD’s current policy, Personnel [Section] Policy and Procedure Manual, Promotional Consideration Procedures, dated June 12, 2008.

During the evaluation of OPD’s promotional consideration process, OIG determined that OPD has a new process. Therefore, OIG, using OPD’s current policy, *Personnel [Section] Policy and Procedure Manual, Promotional Consideration Procedures*, dated June 12, 2008, compared the contents of the promotional consideration “package” section to OPD’s new process of creating promotional consideration “packets.” The Auditors found that the promotional consideration packets created under the Personnel Section’s new process incorporated all the documentation required for the promotional consideration packages referenced in OPD’s current policy. The table below provides a comparison of the packets created using the standards in the new promotional consideration process and the “packages” created using the standards in the Personnel [Section] Policy and Procedure Manual:

Table 8
Comparison of the New Process vs. The Personnel [Section] Policy and Procedure Manual

Yes - a requirement in OPD’s new process and policy

No - not required in policy

OPD’s New Process	Personnel [Section] Policy and Procedure Manual, Policy 08-01, Promotional Consideration Procedure	
Promotional Consideration Packet	Promotional Package	Comments
<p>Candidate</p> <ul style="list-style-type: none"> • Memorandum of Commitment to Community Partnership • Promotional Resume Template 	No	The memorandum of commitment to community partnerships and the promotional resume template is a part of the new process, not in the policy.

Personnel Section <ul style="list-style-type: none"> • Assignment history • Performance appraisals ratings • History of awards • Years of Service 	Yes	None
Training <ul style="list-style-type: none"> • Training record for entire career 	No	Training is a part of the new process, not a part of the policy.
Internal Affairs Division <ul style="list-style-type: none"> • Discipline history for sustained complaints received for the past five years. 	Yes	None
Personnel Assessment Unit <ul style="list-style-type: none"> • Key performance dimensions for the past five years. 	Yes	None
Office of the City Attorney <ul style="list-style-type: none"> • Ligation history for the past five years. 	Yes	None
The Supervisor/Commander Input <ul style="list-style-type: none"> • Worksheet highlighting the Candidate's performance. 	Yes	None

Additional Observation

OPD enhanced its selection process by requiring additional Candidate information in the promotional consideration packets.

A review of the table above indicates the new process requires the submission of three additional forms of Candidate information for the promotional consideration packets: a Memorandum of Commitment to Community Partnership from the Candidate, a Candidate *Promotional Resume Template*, and the Candidate's training history. These documents provide additional insight into the Candidate's skills, knowledge, and abilities related to the position he/she is being considered for promotion, thereby enhancing OPD's selection process.

FINDING #4

OPD's Personnel [Section] Policy and Procedure Manual, Policy 08-01, Promotional Consideration Procedure, dated June 12, 2008, has not been updated to incorporate its new promotional consideration process.

Prior to the entrance conference with the Personnel Section, the Office of the Inspector General requested a copy of the Personnel Section's promotional consideration procedures. In response, via email, on February 10, 2020, the Personnel Manager informed OIG that the promotional consideration process has evolved. Subsequently, once OIG met with the Personnel Section staff, the Auditor mentioned the policy, informing them that it was still in effect until it is either rescinded, suspended, or revoked. The Manager advised OIG that she had not updated the policy but would start working on it. Without an updated policy, OPD's new process principles or requirements that its Personnel Section staff must follow, as formally agreed upon by management, are not transparent and known to all stakeholders.

Findings and Recommendations

OIG Findings

OIG Recommendations

FINDING # 1

(Promotional Consideration Packets)

There were four issues:

There were three packets that did not include the Community Partnership Memorandum.

There were 30 packets that did not document whether the Candidates had any awards.

There was one packet that did not include a Supervisor/Commander Promotional Input form.

Upon reviewing the *Supervisor/Commander Promotional Input* form, the Auditor noted that Question #6 already has answers because all 47 forms contained the same responses for Question #6. The Auditor also noted that some supervisors/commanders added additional information, and some did not. The form reads,

“What do you feel are the Candidate’s greatest strengths?”

- Enthusiasm and love for the job
- Integrity
- Truthfulness
- Great street, patrol presence and investigator
- Ability to get along well with anyone and obtain information
- Has a common/reasonable sense approach
- Is not afraid to voice his opinion and offer other solutions”

Recommendation #1

The selection process should be consistent for all Candidates, and one way it is shown is via the contents of the job files. OPD’s promotional consideration process requires the Candidate to submit a Community Partnership Memorandum. Therefore, OPD should ensure the required document is in the job file or a note explaining the absence of the document.

Recommendation #2

OPD’s promotional consideration process requires the insertion of the Candidate’s awards history in the packet as part of the selection process. If there are unavoidable issues that arise precluding the submission of the required data, a note detailing the issue(s) should be placed in the packet in lieu of the awards history.

Recommendation #3

OPD’s promotional consideration process requires a Candidate’s supervisor/commander to submit a *Supervisor/Commander Promotional Input* form for placement in the packet as part of the selection process. If the form was requested and never received, a note detailing the issue(s) should be placed in the packet in lieu of the form.

Recommendation #4

Because the response for Question #6 appears true and accurate if a commander/supervisor does not provide a narrative in his/her own words, detailing the Candidate’s strengths, OPD should remove the “preset answers” from Question #6 to ensure the selection process is equitable.

FINDING # 4

OPD’s Personnel [Section] Policy and Procedure Manual, Policy 08-01, *Promotional Consideration Procedure*, dated June 12, 2008, has not been

Recommendation #5

Update Personnel [Section] Policy and Procedure Manual, Policy 08-01, *Promotional Consideration Procedure*, dated June 12, 2008, to reflect the new process and to

OIG Findings

OIG Recommendations

updated to incorporate its new promotional consideration process.

ensure the process is transparent and known to all shareholders.

Review of Mandatory In-Service Training for Sworn Personnel

By Auditors Charlotte Hines, Rebecca Johnson and Kristin Burgess-Medeiros

Objectives

1. From July 1, 2018 to December 31, 2019, determine whether Commanders attended 40 hours of in-service Training, as mandated by the Oakland Police Department.
2. From July 1, 2018 to December 31, 2019, determine whether Sergeants attended the 40 hours of Sergeants' Continued Professional Training hosted by the Oakland Police Department.
3. From July 1, 2018 to December 31, 2019, determine whether Police Officers attended the 40 hours of Police Officers' Continued Professional Training hosted by the Oakland Police Department.
4. Determine whether the Commanders' and Sergeants' in-service training included at least 20 hours of training specific to their rank, as mandated by the Oakland Police Department.
5. Determine whether all newly promoted Lieutenants, from January 1, 2018 to December 31, 2019, attended within six months of promotion, a minimum 40-hour training course that included instruction on supervisory accountability and management functions, as mandated by the Oakland Police Department.
6. Determine whether all newly promoted Sergeants, from January 1, 2018 to December 31, 2019, attended prior to promotion, a minimum 40-hour training course that included instruction on supervisory accountability and management functions, as mandated by the Oakland Police Department.
7. Determine whether all newly promoted Sergeants, from January 1, 2018 to December 31, 2019, attended the Commission on Police Officers Standards and Training *Supervisory*

Course within a year before or after being promoted.

8. Determine whether all officers (Police Officers, Sergeants, Lieutenants, Captains, and Deputy Chiefs) met the Commission on Police Officers Standards and Training's 24-hour minimum of Continued Professional Training in a two-year cycle, January 1, 2017 to December 31, 2018.

Key Weaknesses

- ✓ None of the three electronic computer systems OPD uses to record and track its employees' training provides comprehensive records of the employees' training. This issue forced OIG to retrieve data from four different electronic systems (PRIME, Vision, METR, and POST) to determine whether Commanders, Sergeants, and Police Officers received the 40 hours of CPT training as mandated by OPD policy.
- ✓ Some employees are attending external training (not provided by OPD), but the hours of completed training are not documented in OPD's system(s) used for recording and tracking employee training. This issue caused OIG to conclude that OPD's electronic employee training records are incomplete.

Key Recommendations

- Because of the issues identified with the accuracy and completeness of OPD's electronic employee training records, the most significant recommendation is that the Department fix the issues related to recording and tracking employee training. See page 33 for a detailed list of recommendations.

Executive Summary

On January 17, 2020, the Office of Inspector General initiated a review of the Oakland Police Department's mandatory in-service training for its sworn personnel. The California Commission on Peace Officer Standards and Training (POST) requires Police Officers in the State to complete a minimum of 24-hours of POST-qualifying training every 24 months, 12 hours of which must be Perishable skills training for those below the rank of Lieutenant. OPD's in-service training requirements exceed POST's requirements by requiring sworn personnel to complete 40 hours of in-service training every 18 months, which is outlined in Departmental General Order B-20, *Departmental Training Program*. The training ensures sworn personnel remain up to date on policies, legislation, and law enforcement practices.

To assist its Police Officers and Sergeants (comprising the majority of sworn personnel) in receiving their 40 hours of in-service training every 18 months, OPD hosts Continued Professional Training (CPT) sessions annually. The sessions are a minimum of 40 hours and cover POST required Perishable Skills training and other courses that have been deemed important by the Department. Although Police Officers and Sergeants often attend additional in-service training, this audit focused on the Police Officers' and Sergeants' attendance at OPD hosted CPT, since this training provides uniform messaging from the Department to its officers regarding tactical procedures and important training updates on OPD policies and procedures, as well as legal updates.

The review proved to be very difficult to conduct due to departmental issues related to tracking employee training. Hence, OIG's most significant findings are related to the tracking of employee training. OIG found that none of the three electronic computer systems OPD uses to track its employees' training provides comprehensive records of the employees' training. This issue forced OIG to retrieve data from four different electronic systems (Vision, PRIME, METR, and POST²) to determine whether Commanders, Sergeants, and Police Officers received 40 hours of in-service training as mandated by OPD policy. OIG also found that some employees are attending external training (not provided by OPD), but the hours of completed training are not documented in OPD's system(s) used for tracking employee training. This issue caused OIG to conclude that OPD's electronic employee training records are incomplete and therefore a limitation was added to the scope of the audit.

It is important to note that, during the course of the audit, OIG brought the training record discrepancies to the attention of the Training Division and Information Technology Unit and they discovered a breakdown in the electronic transfer of data between METR and Vision. They immediately initiated a request to have the METR vendor resolve the issue. Consequently, the issue was resolved and the training records in METR are now available in Vision for supervisor and commander review.

² Vision is the Department's personnel assessment system, which is a database that consolidates human resource and performance data for all employees to be used for monitoring employee behavior/performance. Vision replaced the old system (PRIME) in November 2019. METR (Managing Employee Training Records built by LEFTA systems) is the Department's Training Database that tracks all training data and feeds that data to Vision. POST is the State of California's database that tracks all POST required training for sworn employees.

Although OPD has issues tracking its employees' training, OIG continued with the review and the results were as follows:

- While it appears the sample of eight OPD commanders received at least 80 hours of training between January 1, 2017 and December 31, 2019, OPD does not have a training plan for its Commanders or structure in place to confirm that Commanders are receiving training appropriate for their rank; therefore, OIG was unable to determine compliance for the Commanders' in-service training requirements.
- For the audit period of July 1, 2018 to December 31, 2019, 17 (89%) of the sampled 19 Sergeants' training records documented evidence that they completed a minimum of 40-hours of CPT hosted by OPD. All the training was considered rank specific since the Sergeants' obtained the 40 hours by attending CPT hosted by OPD. The remaining two Sergeants received a minimum of 40 hours of other in-service training during the audit period.
- For the period of July 1, 2018 to December 31, 2019, 58 (85%) of 68 sampled Police Officers' training records documented evidence that the Police Officers attended a minimum of 40-hours of Police Officers' CPT hosted by OPD. Four (6%) Officers did not attend any CPT courses hosted by OPD aside from firearms qualifications; five (7%) Officers attended between 32.5 and 39.5 hours of CPT hosted by OPD; and the Auditor was unable to determine if one (2%) Officer received 40 hours of CPT hosted by OPD. Nine of the ten officers who did not attend 40 hours of OPD hosted CPT attended other in-service training courses during the audit period, the combination of which totaled 40 or more hours of in-service training.
- There were nine Lieutenants promoted during the audit period of January 1, 2018 to December 31, 2019, and five of them attended POST's 104-hour Management Course within 7 to 11 months of their promotion. The course includes instruction on supervisory accountability and management functions and greatly exceeds the minimum 40-hour requirement. One promotee attended 18 months prior to promotion and OIG deferred assessment for the other three promotees since opportunities to attend POST's Management Course were interrupted due to the COVID 19 pandemic.
- There were 26 newly promoted Sergeants from January 1, 2018 to December 31, 2019, and 23 (88%) of them attended, prior to promotion, OPD's in-house, 40-hour *Sergeant Transition Course*, which includes instruction on supervisory accountability and management.
- The POST training records of the sampled 26 newly promoted Sergeants, from January 1, 2018 to December 31, 2019, were reviewed, and 21 (81%) of them documented evidence that the Sergeants attended the POST 80-hours *Supervisory Course* within a year prior to or after the initial promotion; 4 (15%) Sergeants still have time to take the course; and 1 (4%) Sergeant did not attend the course during the allotted time period.
- Of the 87 Officers' (8 Commanders, 19 Sergeants and 60 Police Officers) POST training records reviewed, 80 (92%) documented the Officers attended 24 hours or more of POST mandated CPT training. In addition, 86% of the Police Officers' and 80% of the Sergeant's training records reviewed documented the Officers attended the POST mandated Perishable Skills and Communications training during the last two-year POST CPT cycle, January 1, 2017 to December 31, 2018.

In closing, because of the issues identified with the accuracy and completeness of OPD's employee training records, the most significant recommendation is that the Department fix the issues related to recording and tracking employee training. See page 33 for a detailed list of recommendations.

Background

Departmental General Order B-20, *Departmental Training Program*, effective April 6, 2005, is the Oakland Police Department's policy that outlines the planning, execution and documentation of all training authorized, offered, or conducted by the Department.

Mandatory In-Service Training

All sworn personnel are required to attend a minimum of 40 hours of in-service training every 18 months. Sergeants and Commanders are required to receive training specific to their rank classification for at least 20 of the 40 hours. Prior to promotion to a new position, Sergeants must attend, at minimum, a 40-hour training course that includes instruction in supervisory accountability and management functions. Within six months of promotion, Commanders must attend, at minimum, a 40-hour training course that includes instruction in supervisory accountability and management functions.³

The majority of sworn personnel at OPD are in the Police Officer and Sergeant ranks, and to assist them in receiving a minimum of 40 hours of in-service training every 18 months, OPD hosts 40 hours of CPT for Police Officers and Sergeants annually. Although Police Officers and Sergeants attend other in-service training, the annual OPD hosted CPT ensures they receive POST mandated Perishable Skills training and important updates to OPD policies, legal updates, and other topics the Department deems necessary. The expectation is that all Police Officers and Sergeants attend the annual CPT provided by the Department, but, if Police Officers or Sergeants miss a CPT cycle, they can still comply with the 18-month requirement by attending CPT the following year, as long as they attend CPT courses held within 18 months since the last time they attended. The Training Division offers make up CPT sessions outside of the normal CPT cycle for Sergeants and Police Officers, thereby providing additional opportunities for them to receive the training OPD has deemed important for that CPT cycle.

Commission on Peace Officer Standards and Training (POST)

Every Police Officer is mandated to complete 24 or more hours of POST-qualifying training during every two-year Continued Professional Training cycle. As part of the POST CPT requirement, all Police Officers (except Reserve Officers) below the rank of Lieutenant are required to complete Perishable Skills and Communications training.

Perishable Skills Training consist of a minimum of 12 hours in each two-year period. Of the total 12 hours required, a minimum of 4 hours in each of the three following topical areas must be completed:

- Arrest and Control
- Driver Training

³ Departmental General Order B-20, pg. 14

- Tactical Firearms

In addition, Police Officers below the rank of Lieutenant are required to complete a minimum of two hours of communications training, either tactical or interpersonal, in each two-year period.⁴

Scope/Population/Methodology/Reference

See Appendix A for the scope, population, methodology, and reference material the Auditor used to conduct this review.

Findings

Finding #1

None of the three electronic computer systems OPD uses to track its employees' training provide comprehensive records of the employees' training.

OPD's employee training records are recorded in a system called METR. METR feeds training data via an automated process to Vision, the Department's personnel assessment system designed to allow supervisors the ability to monitor their employees' performance. Employee training data is one of the performance dimensions required to be included in the system per Department General Order D-17, *Personnel Assessment System* and is included so that supervisors can easily access their subordinates' training history. Additionally, the State of California (POST) separately maintains records of all POST certified courses taken by OPD officers.

For this review, OIG viewed training records in all three systems (METR, Vision, and POST), as well as in PRIME, which was the predecessor to Vision⁵. In each system, training was missing from employees' training records during the audit period, requiring OIG to access data from four different systems to determine whether Commanders, Sergeants, and Police Officers received the 40 hours of in-service training as mandated by OPD policy.

Since METR feeds training data to the personnel assessment system (PRIME and Vision), the Auditor started the review by accessing training records in PRIME. Upon accessing the Commanders' training records in PRIME, the Auditor requested copies of the Commanders' POST records from OPD's Training Division⁶ and compared the two records. The Auditor noted that not all the POST certified courses reported in POST's electronic system were recorded in OPD's PRIME system and vice versa. Once the discrepancies were identified, the Auditor requested records from METR and Vision to compare all systems and found discrepancies between all systems.

METR proved to be the most comprehensive source of training data, however, some CPT training entries in METR did not match up with the hours listed on the CPT course curriculum, making it difficult for the Auditor

⁴ CCR §1005. Minimum Standards for Training

⁵ Vision replaced PRIME on November 22, 2019. For the majority of the audit period (July 1, 2018 to December 31, 2019), PRIME was the system used by supervisors to review their subordinates training records.

⁶ Department staff in the Training Division have access to the State's training records via a portal and can pull training records directly from POST.

to accurately assess the total CPT training hours for those officers. The Auditor also found POST certified courses listed in the POST records that were not listed in the METR record for some officers. While POST training records do not contain all training provided to OPD officers, OPD's training database should capture all POST training.

The most significant issue identified was the large amount of training data that was missing from Vision. It should be noted if Vision records are incomplete or inaccurate, it decreases the ability of supervisors to accurately track the training completed by their subordinates. After bringing the discrepancies to the attention of the Training Division and the Department's Information Technology Unit, an error was found in the communication between METR and Vision, which accounted for at least some of the discrepancies. Not all training records in METR were being automatically transferred to Vision. The Information Technology Unit immediately requested the vendor who built METR to fix the problem. It was also determined that the training records in Vision had not been accurate for some time. Due to the incomplete training records and inconsistencies between systems, the data related to Police Officers', Sergeants' and Commanders' training during the audit period impacted OIG's ability to confirm the number of training hours the officers received.

Finding #2

Some employees are attending external training, but the training is not documented in OPD's system(s) used for tracking employee training. This practice renders the data for employee training incomplete.

During the review, OIG, via telephone, conferenced with OPD's Training Division Captain and Lieutenant regarding some of the Commanders' missing in-service training hours. Upon stating the names of some of the Commanders' whose training records were in question, the Training Section Captain and Lieutenant began stating they knew the Commanders in question had taken training courses to fulfil the hours. Subsequently, the Captain submitted to OIG certificates of in-service training completed for three of the Commanders (two Deputy Chiefs and one Captain) in question: one certificate valued at 270 in-service hours, two certificates valued at 21 in-service hours each, and one certificate in which the value of in-service hours is unknown. When employees attend training and their training hours are not entered into OPD's system(s) used to record and track employee training, the data captured in OPD's computer system is rendered incomplete since it does not include all employee training hours.

Finding #3

While it appears the sample of eight OPD commanders received at least 80 hours of training between January 1, 2017 and December 31, 2019, OPD does not have a training plan for its Commanders or structure in place to confirm that Commanders are receiving training appropriate for their rank; therefore, OIG was unable to determine compliance for Commander training requirements.

One of OIG's main functions is to provide objective, independent, risk-based auditing services to OPD to ensure it is meeting its goals. Without a training plan or a structure in place to approve rank appropriate training, OIG was unable to determine what trainings should count toward the required 40 hours of mandatory in-service training. Additionally, the lack of corresponding curricula and lesson plans for the Commanders' training, aside from Command Retreats, made it difficult to determine whether the training was rank specific. OIG was unable to determine if the training attended by Commanders met the training goals and expectations of the Department.

Nevertheless, the Auditor reviewed the training records of a sample of eight Commanders (2 Deputy Chiefs, 2 Captains, and 4 Lieutenants), and instead of an 18 month period, reviewed the records over a three-year period (two 18 month periods from January 1, 2017 to December 31, 2019). The review determined that over the three-year period, OPD Commanders attended various trainings, totaling 58.82 to 252.29 hours:

Commanders' Rank	Training Hours January 1, 2017 to December 31, 2019
Deputy Chief #1	58.82
Deputy Chief #2	68.09
Captain #1	82.28
Captain #2	96.57
Lieutenant #1	87.44
Lieutenant #2	289.84
Lieutenant #3	123.12
Lieutenant #4	252.29

In the past, OPD has hosted “Command Retreats” as a method of providing 40 hours, rank specific training to their Commanders, and during the three-year review period, OPD provided, based on the sampled training records, 16.75 hours of Command Retreat training. The Auditor noted that seven of the eight Commanders’ training records documented attendance in a 2018 Command Retreat, which provided 7.75 hours of training (e.g., critical incident management, risk management, legal, and discipline updates). The Auditor also noted all eight of the Commanders’ training records documented attendance in a 2017 Command Retreat, which provided 9.0 hours of training (e.g., 4 hours of leadership training, taser, handcuffing, and immigration policy updates, and fiscal responsibility). Because OPD did not present a training plan for its Commanders, OIG is unable to determine whether providing only 16.75 hours in Command Retreat training was OPD’s goal and if so, what trainings were the Commanders required to attend to make up the difference.

During the three-year review period, the Auditor noted that Commanders, individually, took a variety of trainings, but without a training plan, OIG is unable to determine what trainings they were required to attend or met the expectations of the Department. Below is a list of some of the courses and hours documented on individual commander training records:

Course Name	Number of Hours
PRIME Performance Reporting Information Matrix Environment (3 three-hour sessions)	9.0
Vision Supervisor Training	4.5
FBI-LEEDA Executive Leadership Course	40.0
Tactical Team Entry-10 hours	120.0
Special Event Management Seminar	24.0
Video Techniques for Drug and Border	

Investigations	24.0
In-Service Firearms Qualifications Training	38.0

During the review, OIG, via telephone conference, advised OPD’s Training Division Captain and Lieutenant that since OPD did not provide OIG the curricula and lesson plans for the Commanders’ (Lieutenants, Captains and Deputy Chiefs) mandatory 40 hours of in-service training from July 1, 2018 to December 31, 2019, or any time period, OIG was unable determine compliance.

As mentioned in Finding #2, OIG discussed the number of missing hours recorded for some of the Commanders. Upon stating the names of the Commanders’ training records in question, the Training Section Captain and Lieutenant began stating they knew the Commanders in question had taken training courses to fulfil the hours. Subsequently, the Captain submitted to OIG certificates of in-service training completed for three of the Commanders (two Deputy Chiefs and one Captain) in question: one certificate valued at 270 in-service hours, two certificates valued at 21 in-service hours each, and one certificate in which the value of in-service hours is unknown. Below is a list of additional training courses and hours, not recorded in OPD’s electronic tracking systems (POST, PRIME, VISION, or METR), but attended by the three Commanders:

Rank	Course Name	Number of Hours
Deputy Chief # 1	FBI National Academy 10 weeks	270
Deputy Chief #2	Senior Management Institute for Police	Unknown ⁷
Captain #1	Use of Force Summit	42

Based on the documented individual Commander trainings, without a training plan provided to OIG, the Auditor is unable to determine if the training courses taken met the mandatory in-service training requirements for OPD’s Commanders. Without OPD providing a training plan documenting how the Department planned to ensure its Commanders received 40 hours, rank specific training during the audit period, OIG cannot determine whether OPD executed its plan or met its goal.

Finding #4

For the audit period of July 1, 2018 to December 31, 2019, 17 (89%) of the sampled 19 Sergeants’ training records documented evidence that they completed a minimum of 40-hours of CPT. All the training was considered rank specific since the Sergeants obtained the 40 hours by attending CPT hosted by OPD.

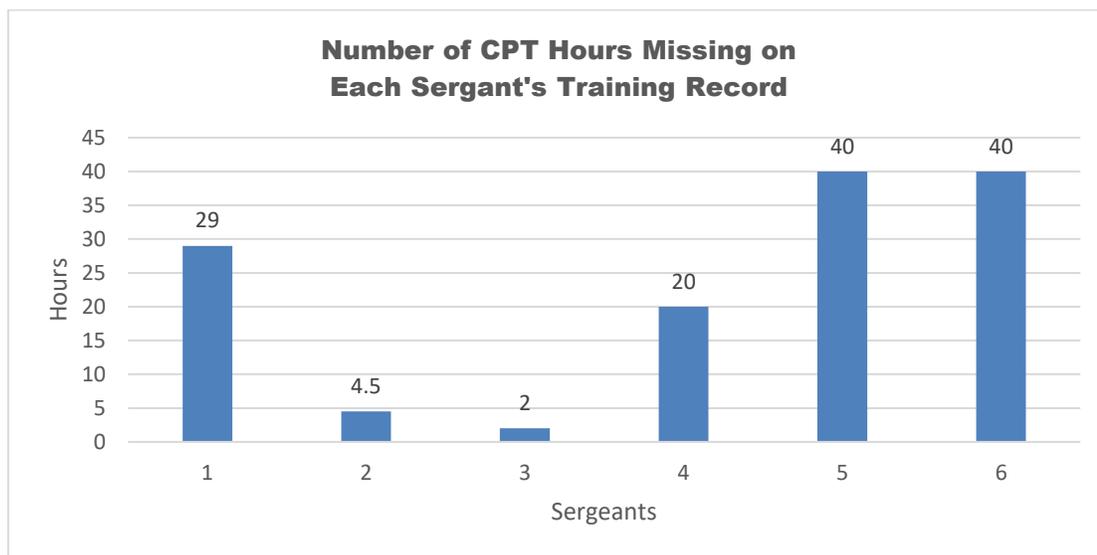
To assist Sergeants in receiving a minimum of 40 hours of in-service training every 18 months, and ensuring that 20 of the 40 hours are rank specific, as mandated by Departmental General Order B-20 “Departmental Training Program,” the OPD hosts annual CPT sessions. All the information and training provided to the Sergeants are rank specific. The schedule of CPT courses is based on the training needs of the Department for

⁷ The course certificate provided did not include the number of hours, but according to the Training Division Commander, this is a 120-hour course.

that CPT period. During the CPT sessions, Sergeants take defensive tactic courses (e.g. driving, firearms, arrest and control, etc.) and are updated on patrol procedures, use of force reporting, risk management practices, time management tools and techniques, Constitutional law, and other topics. For the audit period of July 1, 2018 to December 31, 2019, the CPT sessions were four days in duration and consisted of a minimum of 40 hours of training.

The Auditor reviewed OPD's PRIME training records for 19 Sergeants, and found that 13 (68%) of the Sergeants' training records documented evidence that the Sergeants completed the minimum 40-hours of rank specific CPT. There were six (32%) Sergeants' training records that documented less than the 40-hour minimum, ranging from 2 to 40 hours. The Auditor, seeking the missing CPT hours for the six Sergeants, reviewed the Sergeants' training records in OPD's Vision system to identify any additional training during the audit period since PRIME was taken off-line on November 22, 2019. The Vision records for the six Sergeants did not yield any additional CPT hours.

Because of OPD's issues related to tracking its employees training, detailed in Finding 1 and Finding 2, OIG expanded the criteria to include any firearms training attended during the audit period but to no avail. The review of the six Sergeants' training records in Vision produced no additional CPT hours for any of the Sergeants. The bar chart below shows the number of hours each Sergeant was missing.



Because some Sergeants' training records indicated they attended less than the minimum of 40 hours of Sergeants' CPT provided by OPD, OIG sent the Training Division Commander a list with the names of the Sergeants and the number of hours and course names they were missing. The Training Division Captain, via email dated May 21, 2020, responded by sending documentation relating to each Sergeant's CPT training during the audit period. The Auditor reviewed the data and determined two Sergeants' (Sergeant #2 and Sergeant #3) training records documented they attended the minimum of 40 hours of CPT hosted by OPD, changing the finding to 15 (79%) of the 19 sampled Sergeants' training records documented evidence that they attended the minimum 40-hours of rank specific CPT. Below are the reasons OIG deemed Sergeant #2 and Sergeant #3 to have 40 hours of CPT:

- Sergeant #2 was on leave during the time OPD hosted the 2018-2019 CPT sessions, but upon his return to work, OPD required the Sergeant to attend one of the Police Officers' 40-hour CPT sessions. The Sergeant completed 35.5 hours of Police Officers' CPT from May 13, 2019 to May 16, 2019 and an additional 10 hours of In-service Firearms training on October 21, 2019, totaling 45.5 CPT hours. In this instance, OPD provided its Sergeant some type of CPT training and therefore the Auditor deemed the Sergeant's attendance in a Police Officer's CPT to, although not entirely rank-specific, meet the minimum 40-hour requirement. The Sergeant's attendance at the Police Officers' CPT informed him of the policy updates his subordinates received, allowing him to hold them accountable. In addition, the Sergeant received the same 14 hours of Perishable Skills training (e.g., firearms, arrest and control, communications, and pursuit driving) in the Police Officers' CPT that he would have received in the Sergeants' CPT.
- The Training Division Captain confirmed that Sergeant #3 attended only 38 hours of the Sergeants' CPT, but OIG had overlooked 10 additional hours of firearms training the Sergeant attended on December 14, 2018. Once the firearms hours were added, the evidence substantiated that the Sergeant attended 48 hours, exceeding the minimum of 40 hours of CPT training.

There remained four Sergeants whose training records did not document evidence that they attended a minimum of 40 hours of CPT provided by OPD during the audit period. Sergeant #5 and Sergeant #6's training records showed no evidence of attending CPT. Sergeant #1's training record documented 11 hours of CPT, and Sergeant #4's training record documented 20 hours of CPT.

Although PRIME and Vision should display the training data that is entered in METR, having discovered the breakdown between METR and Vision resulting in training data missing from Vision, the Auditor requested the METR records for the four remaining Sergeants who were missing CPT hours. Upon review of the Sergeants' METR records, the Auditor found an additional 20.5 hours of CPT for Sergeant #4, bringing his CPT total to 40.5 hours and an additional 32 hours for Sergeant #1, bringing his CPT total to 43 hours. The review of METR records increased compliance with Sergeant CPT to 89 percent (17 of 19 Sergeants).

The METR records for Sergeants #5 and #6 did not include evidence of their attending Sergeants' CPT during the audit period. However, the Auditor did note that their METR records included evidence of them attending other in-service training courses (i.e., Tactical Team Training, Community Policing and SARA, Community Policing: Improving Police Efficacy and Building Trust, Armorer and Advanced Armorer course and POST certified supervisory courses), which totaled 133 and 52 hours, respectively, for the period of July 1, 2018 through December 31, 2019 .

All CPT courses hosted by OPD are important, but there are some skills that ensure public and officer safety. For example, in the Defensive Tactics/Arrest and Control course, Sergeants learn to take a subject into custody, protect themselves from a combative subject, and weapon retention techniques. In the Firearms Course, they are taught live fire safety, weapons maintenance and train while using reality-based scenarios. Lastly, in the Emergency Vehicle Operations Course, they are taught the objectives of emergency response

driving, the statute(s) governing officers when operating law enforcement vehicles in the line of duty, and the importance of OPD's policies and guidelines regarding emergency response driving. All these courses relate to Perishable Skills, skills that diminish if officers do not routinely refresh them. Sergeants who do not attend CPT to refresh their Perishable Skills, or other training OPD has deemed important for that CPT cycle, become a liability to the public and other officers. Therefore, OPD should ensure its Sergeants attend CPT annually so they perform in a safe manner while executing police tactics in the community and have the most up to date knowledge on Department policies and the law.

Finding #5

For the period of July 1, 2018 to December 31, 2019, 58 (85%) of 68 sampled Police Officers' training records documented evidence that the Police Officers attended a minimum of 40-hours of Police Officers' CPT hosted by OPD. Four (6%) Officers did not attend any CPT courses hosted by OPD aside from firearms qualifications; five (7%) Officers attended between 32.5 and 39.5 hours of CPT hosted by OPD; and the Auditor was unable to determine if one (2%) Officer received 40 hours of CPT hosted by OPD.

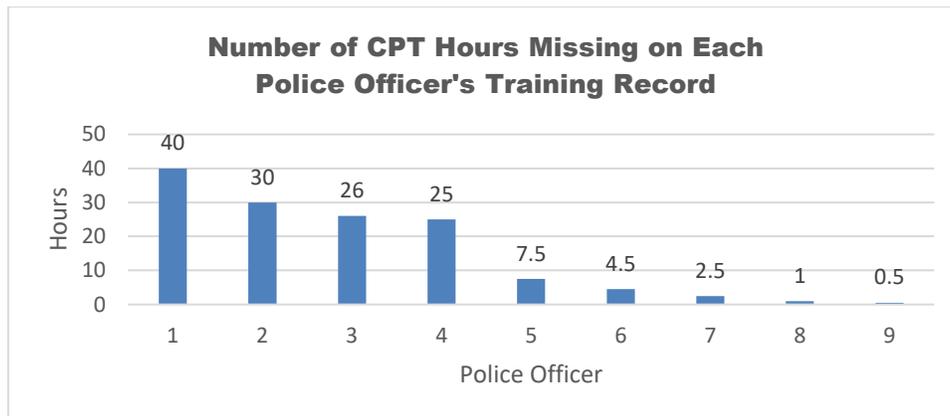
To assist Police Officers in receiving a minimum of 40 hours of in-service training every 18 months, as mandated by Departmental General Order B-20, *Departmental Training Program*, the OPD hosts CPT sessions annually. The schedule of CPT courses is based on the training needs of the Department for that CPT period. During the CPT sessions, Police Officers take defensive tactic courses (e.g. driving, firearms, arrest and control tactics, etc.) and are updated on various policies/legislation/regulations, homeless outreach, biased-based policing, and other topics. For the audit period of July 1, 2018 to December 31, 2019, the CPT sessions were four days in duration and consisted of a minimum of 40 hours.

Upon accessing and reviewing a sample of Police Officers' training records in OPD's PRIME system, the documented evidence substantiated that six (9%) of them attended a minimum of 40 hours of CPT and 62 (91%) of them attended less than 40-hours of CPT, ranging from 0 hours to 39.5 hours. Because of the shortage in hours for 91% of the sampled Police Officers' training records and OPD's issues with its electronic tracking systems, the Auditor then reviewed the Police Officers' METR training records to determine whether there were relevant CPT courses documented on the Police Officers' METR training records but not documented on OPD's PRIME training records. The Auditor noted that relevant CPT firearms courses were documented on the Police Officers' METR training records but not on OPD's PRIME training records. Since POST requires officers to complete a minimum of 4 hours of firearms training every two years and OPD traditionally includes firearms training in its Police Officers' CPT, the Auditor accepted any additional firearms training hours completed by a Police Officer during the audit period from July 1, 2018 to December 31, 2019 to meet the 40-hour requirement.

Subsequently, by OIG including additional firearms training, the number of Police Officers' training records that documented they attended a minimum of 40 hours of CPT increased from 6 to 58 (86%). There was one (1%) Police Officer whose training record did not document he attended 40 hours of CPT. However, the Training Division Captain stated that the Police Officer is a Recruit Training Officer and therefore attends all Academy courses, which include Perishable Skills courses. The Auditor reasoned that the Police Officer may not have signed the training rosters, and therefore his attendance in the courses is not documented in one of OPD's electronic tracking systems (METR, PRIME or Vision). Nevertheless, OIG is unable to determine whether

he attended CPT. The Auditor did note that the officer had 8.5 hours of other in-service training during the audit period.

The remaining nine (13%) Police Officers' METR training records still documented less than 40-hours of CPT. The bar graph below shows the number of hours missing on each Police Officer's training record.



The Auditor noted that four of the nine Police Officers' training records were missing less than five hours of CPT, but was unable to verify if the missing hours were caused by data entry errors, failure to sign training rosters or not attending a segment of CPT. On June 29, 2020, via email, the OIG sent the Training Division Captain the names of the nine officers who completed less than 40 hours of CPT. However, the Training Division was unable to provide evidence that the officers attended the minimum hours of CPT during the audit period.

Although nine police officers' METR training records documented they attended less than 40 hours of CPT hosted by OPD, the Auditor noted that their training records documented they attended other in-service training courses during the audit period:

- The METR training records for Police Officers #1, #2, #3, and #4 documented no evidence that they attended CPT during the audit period. However, their training records documented they attended 40 or more hours of other in-service training (i.e. Field Training Officer Update, Behavior Analysis Investigative Interview and Interrogation, Boating Accident Investigation, Background Investigation), which totaled 48, 40, 40 and 40 hours, respectively, for the period July 1, 2018 through December 31, 2019.
- The METR training records for Police Officers #5, #6, #7, #8, and #9 documented evidenced that they attended CPT, but less than the 40-hour minimum. However, their training records did show they attended between 10 and 40 hours of other in-service training during the audit period.

Police Officers who do not complete the CPT training hosted by OPD are at risk of not receiving important updates on OPD policies and procedures and the law. Each CPT cycle the Department determines what training is important for its Police Officers, and some CPT courses are included to address a specific concern

(e.g., a use of force concern identified by the Force Review Board). Those Police Officers who miss all or part of CPT are at risk of missing training the Department has deemed important to address specific concerns. In addition, they lose the opportunity to replenish critical skills such as emergency driving, arrest and control tactics, and the use of a firearm that are necessary for public and officer safety. Just as importantly, courses provided by OPD, rather than an outside agency/vendor, ensure that OPD's Police Officers are taught skills in-line with OPD policies and values.

Additional Observation

Police Officers who do not attend CPT annually run a risk of not complying with OPD's policy.

Six of the 58 Police Officers who completed 40 hours of CPT attended CPT in 2018, but they did not attend CPT again in 2019. While they were found in compliance during the audit period, the Auditor noted that they would have needed to attend CPT in early 2020 to ensure 40-hours of CPT every 18 months. When Police Officers miss a CPT cycle, OPD runs the risk of not complying with its own policy to ensure "all members receive a minimum of 40 hours of in-service training every 18 months." In the short term, OPD's Sergeants should regularly monitor their subordinates' CPT attendance. In the long term, OPD needs to implement a system that reminds its Sergeants of the dates their subordinates should attend CPT.

Finding #6

There were nine Lieutenants promoted during the audit period of January 1, 2018 to December 31, 2019, and five of them attended POST's 104-hour Management Course within 7 to 11 months of their promotion. The course includes instruction on supervisory accountability and management functions and greatly exceeds the minimum 40-hour requirement. One promotee attended 18 months prior to promotion and OIG deferred assessment for the other three promotees since opportunities to attend POST's Management Course were interrupted due to the COVID 19 pandemic.

Departmental General Order B-20 *Departmental Training Program X.E.* states in part "Within six months of promotion, Commanders shall attend a minimum 40-hour training course to include instruction on...supervisory accountability and management functions." According to the Training Division Lieutenant, OPD sends its newly promoted Lieutenants to a 104-hour *POST Management Course*. The 104-hour course is a three-part series. Course A includes a total of 40 hours of training and Courses B and C, each, include a total of 32 hours of training.

The Auditor accessed the POST website to ensure the 104-hour course included instruction on supervisory accountability and management functions. According to the course description on the website⁸, the instructional goals for this course include topics such as, but not limited to, Leadership, Strategic Planning, Fiscal Management, Ethics, and Risk Management. Therefore, the Auditor deemed the course to comply with the criteria in Departmental General Order B-20.

The Auditor sought evidence on the newly promoted Lieutenants' training records that substantiated their attendance in the 104-hour *POST Management Course*. There were nine Lieutenants promoted during the

⁸"Management Course" POST Commission on Peace Officers Standards and Training April 21, 2020 post.ca.gov/management-course. Accessed 28April 2020

audit period of January 1, 2018 to December 31, 2019, and upon review of their training records, five of them documented evidence that the Lieutenants completed the 104-hour course. Although none of the five Lieutenants completed the course within six months, they all completed the course within 7 to 11 months after being promoted.

There were four Lieutenants' training records that did not include evidence that the Lieutenants completed the 104-hour course after being promoted. One Lieutenant, promoted in December 2018, completed the required course 18 months (April 2017-June 2017) prior to promotion, but, according to the Training Division Lieutenant, and OPD's policy, the course is to be completed *after* promotion. In addition, POST requires the course be taken within one year of the promotion date, which means the earliest the course could have been completed was December 2017.

The three remaining Lieutenants were promoted in September 2019, and March 2020 was the due date for them to complete POST's 104-hour *Management Course* within six months of being promoted. In speaking with the Training Section Lieutenant, he stated that while he is responsible for scheduling all newly promoted Lieutenants to attend the 104 Hour *POST Management Course*, scheduling is based upon POST's availability and therefore it is not always possible to meet the "within six months of promotion" deadline. He also stated that because of the COVID-19 pandemic, POST is cancelling/postponing courses. However, OPD will ensure the four Lieutenants complete the training course as soon as possible. Since opportunities to attend POST's *Management Course* were interrupted due to the COVID 19 pandemic, OIG deferred assessment for these three Lieutenants.

Newly promoted Lieutenants have more responsibility than they did in their former rank of Sergeant. For example, they no longer supervise eight Police Officers. Instead, they could supervise 40 or more subordinates (comprised of Sergeants, Police Officers, and Professional Staff). They are responsible for managing overtime and they act as Commanding Officers during critical incidents such as protests, shootings, etc. The 104-hour *POST Management Course* prepares them by providing topics in leadership, fiscal management, and risk management. While OPD may not be able to schedule all newly promoted Lieutenants to attend the *POST Management Course* within six months of promotion due to the lack of availability, the Department should continue to work towards all Lieutenants taking the course as quickly as possible after promotion.

Finding #7

The training records of a sample of 26 newly promoted Sergeants from January 1, 2018 to December 31, 2019 were reviewed, and 23 (88%) of them documented evidence that the Sergeants attended, prior to promotion, OPD's in-house, 40-hour *Sergeant Transition Course*, which includes instruction on supervisory accountability and management functions.

Departmental General Order B-20 *Departmental Training Program, Section X.D.*, states in part "Prior to promotion to a new position, supervisors shall attend a minimum 40-hour training course to include instruction on...supervisory accountability and management functions." To meet the policy mandate, OPD conducts an in-house, 40-hour *Sergeant Transition Course* for Police Officers to attend prior to being promoted to Sergeants.

During the audit period of January 1, 2018 to December 31, 2019, there were 33 newly promoted Sergeants and the Auditor sampled the training records of 26 of them, seeking evidence of the Sergeants' attendance in the 40-hour *Sergeant Transition Course* prior to promotion. Upon reviewing the Sergeant's training records, 23 (88%) of the 26 included documented evidence that the Sergeants attended the 40-hour *Sergeant Transition Course* prior to promotion. There was no documented evidence that the remaining three (12%) Sergeants attended the course.

OPD's in-house, 40-hour *Sergeant Transition Course*, includes instruction on supervisory accountability and management. Some of the topics covered in the *Sergeant Transition Course* are Supervisory Leadership and Ethics, Squad Expectations, Performance Appraisals, Report Review and Arrest Approvals, Use of Force Case Law, Reporting, Supervision, and Intelligence-Led Factors (i.e., Stop Data Collection and Risk Management). Police Officers not attending these courses prior to promotion render themselves ill-prepared for their new responsibilities. Therefore, OPD should ensure its Police Officers receive the required training in a timely manner.

Finding #8

The POST training records of the sampled 26 newly promoted Sergeants, from January 1, 2018 to December 31, 2019, were reviewed, and 21 (81%) of them documented evidence that the Sergeants attended the POST 80-hour Supervisory Course within a year prior to or after the initial promotion; 4 (15%) Sergeants still have time to take the course; and 1 (4%) Sergeant did not attend the course during the allotted time period.

POST Administrative Manual Section 1005(b)(1), states, in part, "Every Peace Officer promoted...shall satisfactorily complete a certified Supervisory Course either 12 months prior to promotion or within 12 months after the initial promotion." Therefore, in addition to determining whether newly promoted Sergeants attended OPD's *Sergeants Transition Course*, OIG audited whether the same Sergeants attended the POST Supervisory Course.

The Auditor reviewed the POST training records of the 26 newly promoted Sergeants, seeking evidence of the Sergeants' attendance in the 80-hour *Supervisory Course* within one year prior to or after promotion. Upon reviewing the Sergeants' training records, 21 (81%) of them included documented evidence that the Sergeants attended the 80-hour *Supervisory Course* within one year prior to or after promotion. The training records of the remaining five promoted Sergeants resulted in the following findings:

- There were four (15%) Sergeants who have not taken the course but still have time. Two of them were promoted September 7, 2019 and the other two were promoted November 2, 2019. Therefore, they have until September 7, 2020 and November 2, 2020, respectively, to attend the course.
- There was one (4%) Sergeant promoted June 16, 2018, who should have taken the course by June 16, 2019. However, there was no evidence of his/her attendance on the POST training record.

POST's 80-hour *Supervisory Course* includes instruction on supervisory accountability and management. Some of the topics covered in the *Supervisory Course* are Accountability, Conflict Management, Ethical Decision-making, Stress Management, Team Building, Power and Authority, Counseling, Evaluating Employees, and

Role Identification and Transition. Sergeants not attending these courses within a year prior to or after promotion render themselves ill-prepared for their new responsibilities. Therefore, OPD should ensure its Sergeants receive the required training in a timely manner.

Additional Observation

The Auditor noted that both training courses, POST's *Supervisory Course* and OPD's *Sergeant Transition Course*, prepare newly promoted Sergeants for their new positions. Although both courses are important for newly promoted Sergeants, if Sergeants fail to take the POST *Supervisory Course*, they are not in compliance with the State of California's training requirements. If Sergeants fail to take OPD's in-house 40-hour *Sergeant Transition Course*, they miss training on OPD specific policies and procedures.

Finding #9

Of the 87 Officers' (8 Commanders, 19 Sergeants and 60 Police Officers) POST training records reviewed, 80 (92%) documented the Officers attended 24 hours or more of POST mandated CPT training. In addition, 86% of the Police Officers' and 80% of the Sergeant's training records reviewed documented the Officers attended the POST mandated Perishable Skills and Communications training during the last two-year POST CPT cycle, January 1, 2017 to December 31, 2018.

The Commission on Peace Officer Standards and Training (POST) Administrative Manual, Section 1005 (d) (1), reads, in part:

“Every Peace Officer is mandated to complete 24 or more hours of POST-qualifying training during every two-year CPT cycle.

As part of the CPT requirement, all Peace Officers (except Reserve Officers) below the rank of Lieutenant are required to complete Perishable Skills and Communications training. 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 3 following topical areas shall be completed:

1. Arrest and Control
2. Driver Training/Awareness or Driving Simulator
3. Tactical Firearms or Force Options Simulator

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

POST also recommends that managers and executives complete, within their two-year compliance cycle, two hours of CPT devoted to updates in the Perishable Skills topical areas enumerated above.”

The Auditor requested and received the POST training records for 87 Officers (8 Commanders, 19 Sergeants, and 60 Police Officers) from OPD's Training Division. Upon review of the training records, there was evidence

documented on 80 (92%) Officers' training records to substantiate their attendance in 24 hours or more of POST-certified CPT courses. The remaining seven (8%) Officers' training records documented less than the required 24 hours of POST-certified CPT courses.

Because POST requires all Officers below the rank of Lieutenant to complete 12 hours of Perishable Skills and 2 hours of Communications training, the Auditor removed the eight Commanders from the sample, leaving 19 Sergeants and 60 Police Officers. Upon reviewing 79 Officers' POST training records, there was evidence documented on 67 (85%) of them to substantiate the Officers' attendance in the required Perishable Skills and Communications POST courses. The results for each rank are as follows:

Commanders CPT

Upon review of the eight Commanders' training records, there was evidence to substantiate three (37.5%) Commanders' attended 24 hours or more of POST-certified CPT courses. The hours recorded for them ranged from 25 to 114 hours of CPT. There were five (62.5%) Commanders whose training records documented 0 to 22 hours of CPT. There is no finding for Commanders for the Perishable Skills and Communications training because POST does not require Commanders to attend those courses.

Sergeants

Eighteen (95%) of the 19 Sergeants' training records reviewed documented the completion of a minimum 24 hours of POST-certified CPT courses. There was an average of 77 hours recorded on their respective training records. The one (5%) remaining Sergeant's training record documented the completion of only 18 hours of POST-certified CPT courses. In addition, the Auditor noted that 15 (80%) of the POST training records documented the Sergeants completed the required Perishable Skills and Communications training. For the remaining four (20%) POST training records, there was no documentation of the Sergeants completing the Communications training.

Police Officers

According to the POST Administrative Manual, Section 1005 (d) (1), a grace period with no CPT requirement is granted when a Police Officer is appointed for the first time. This grace period is the time between the Officer's appointment date and the first occurrence of the CPT Anniversary Date. Section (d) (2a) states, in part, "Effective January 1, 2009, the CPT Anniversary Date is used to start a Peace Officer's CPT training cycle." Although there were 68 Police Officers in the audit sample, eight of them became newly appointed Police Officers during the POST CPT cycle of January 1, 2017 to December 31, 2018, and therefore were removed from the sample for this finding.

There remained 60 Police Officers and upon reviewing their POST training records, 59 (98%) of them documented the Police Officers attended 24 hours or more of POST-certified CPT courses. There was an average of 94 hours recorded on their respective training records. The remaining one (2%) Police Officer's training record documented the completion of only 21 of the minimum 24 hours of POST-certified CPT courses. The Auditor also noted that 52 (86%) of the 60 Police Officers' training records reviewed documented that the Perishable Skills (*Arrest and Control, Driver Training, and Firearms*) and Communications requirement

was met. There was no documented evidence on the remaining eight (14%) Police Officers’ training records that the following Perishable Skills and/or Communications courses were completed:

Police Officers’ Training Records with No Documented Evidence of POST’s Required Perishable Skills and/or Communications Courses

Number of Police Officers’ Training Records	Perishable Skills and/or Communications Course(s) Not Documented on POST Training Record
1	Firearms
2	Driver Training
2	Communications
1	Arrest and Control and Firearms
1	Driver Training, Arrest and Control, and Firearms
1	Arrest and Control, Firearms, and Communications

Because of OPD’s issues related to tracking employee training in its electronic database(s), identified in Finding 1 and Finding 2, the Auditor researched how POST records OPD’s Police Officers’ POST certified training courses. In a telephone conversation with the California POST Regional Consultant on April 20, 2020, the Auditor was advised, when Officers take courses via the online POST Portal, the courses, upon completion, are automatically credited towards the Officers' POST CPT records. However, if OPD teaches POST-certified courses in a classroom, for Officers' POST CPT records to be credited, OPD has to submit a POST e-roster online with the names, POST ID’s and course information, and then it is recorded to the respective Officers' POST CPT Training Records.

In addition, because not all the Officers met the POST requirement, on April 29, 2020, the Auditor contacted POST again and asked, “What are the consequences of OPD not meeting POST’s requirements?” In response, the Regional Consultant advised the Auditor that OPD would be at risk of receiving a notice from POST to correct the out of compliance issues. OPD needs to ensure its Officers meet the mandated POST training requirements and the training is documented in the POST portal.

Findings and Recommendations

OIG Findings	OIG Recommendations
<p><u>FINDING # 1</u> None of the three electronic computer systems OPD uses to track its employees’ training provide comprehensive records of the employees’ training.</p> <p><u>Finding #2</u> Some employees are attending external training, but the training is not documented in OPD’s system(s) used for tracking employee training.</p>	<p><u>Recommendation #1</u> Because of the issues identified with the accuracy and completeness of OPD’s electronic employee training records, OIG recommends the Department fix the system(s) that track employee training, and once corrected, schedule frequent validation of the data.</p>

OIG Findings

OIG Recommendations

This practice renders the data for employee training incomplete.

Finding #3

While it appears the sample of eight OPD commanders received at least 80 hours of training between January 1, 2017 and December 31, 2019, OPD does not have a training plan for its Commanders or structure in place to confirm that Commanders are receiving training appropriate for their rank; therefore, OIG was unable to determine compliance for Commander training requirements.

Recommendation #2

OPD should ensure there is a plan for its Commanders to receive 40 hours of in-service training every 18 months, as required by policy. The plan should include a clear and documented approval process for Commander trainings that the Department uses to ensure courses taken by Commanders meet the Department’s training requirements. And, there should be clear documentation in OPD’s tracking system that courses taken count toward Commander in-service training.

The Department should also consider using Command Retreats as a way to provide the minimum training hours for Commanders, and ensuring topics deemed important by the Department are covered on a routine basis.

Finding #4

For the audit period of July 1, 2018 to December 31, 2019, 17 (89%) of the sampled 19 Sergeants’ training records documented evidence that they completed a minimum of 40-hours of CPT. All the training was considered rank specific since the Sergeants obtained the 40 hours by attending CPT hosted by OPD.

Finding #5

For the period of July 1, 2018 to December 31, 2019, 58 (85%) of 68 sampled Police Officers’ training records documented evidence that the Police Officers attended a minimum of 40-hours of Police Officers’ CPT hosted by OPD. Four (6%) Officers did not attend any CPT courses hosted by OPD aside from firearms qualifications; five (7%) Officers attended between 32.5 and 39.5 hours of CPT hosted by OPD; and the Auditor was unable to determine if one (2%) Officer received 40 hours of CPT hosted by OPD.

Recommendation #3

OPD should ensure its Police Officers and Sergeants attend 40 hours of CPT hosted by OPD every 18 months by creating a system that reminds its Sergeants of the dates their subordinates should attend CPT and the dates the Sergeants, themselves, should attend CPT.

If OPD determines that other in-service courses outside of the 40-hour CPT sessions hosted by OPD should count toward the 40 hours of in-service training every 18 months requirement, it should implement a system for assessing which courses are acceptable and codify this in its tracking systems.

OIG Findings

OIG Recommendations

OIG Findings	OIG Recommendations
<p><u>Finding #6</u> There were nine Lieutenants promoted during the audit period of January 1, 2018 to December 31, 2019, and five of them attended POST’s 104-hour Management Course within 7 to 11 months of their promotion. The course includes instruction on supervisory accountability and management functions and greatly exceeds the minimum 40-hour requirement. One promotee attended 18 months prior to promotion and OIG deferred assessment for the other three promotees since opportunities to attend POST’s Management Course were interrupted due to the COVID 19 pandemic.</p>	<p><u>Recommendation #4</u> While OPD may not be able to get all newly promoted Lieutenants to the POST Management Course within six months of promotion due to the availability of the courses, the Department should continue to work towards all Lieutenants taking the course as quickly as possible after promotion. Reasons for delays in attending the course should be documented in the tracking system so that Commanders can determine if the delay was justified.</p>
<p><u>Finding #7</u> The training records of a sample of 26 newly promoted Sergeants from January 1, 2018 to December 31, 2019 were reviewed, and 23 (88%) of them documented evidence that the Sergeants attended, prior to promotion, OPD’s in-house, 40-hour <i>Sergeant Transition Course</i>, which includes instruction on supervisory accountability and management functions.</p> <p><u>Finding #8</u> The POST training records of the sampled 26 newly promoted sergeants, from January 1, 2018 to December 31, 2019, were reviewed, and 21 (81%) of them documented evidence that the Sergeants attended the POST 80-hour <i>Supervisory Course</i> within a year prior to or after the initial promotion; 4 (15%) Sergeants still have time to take the course; and 1 (4%) Sergeant did not attend the course during the allotted time period.</p>	<p><u>Recommendation #5</u> OPD should ensure its newly promoted Sergeants are prepared for their new responsibilities by ensuring they attend OPD’s in-house <i>Sergeant Transition Course</i> prior to being promoted and POST’s Supervisory Course within one year prior to or after the initial promotion. If a Sergeant is unable to take the courses within the required time frames, the reason should be documented in OPD’s tracking system so that Commanders can determine if the reason is acceptable.</p>

Conclusion

The Office of Inspector General started out just to determine whether OPD was training its employees as stipulated in sections of Departmental General Order B-20, *Departmental Training Program*, effective date April 6, 2005, by conducting a *Review of Mandatory In-Service Training for Sworn Personnel*. The review proved to be very difficult to conduct due to departmental issues related to tracking employee training in its electronic databases (PRIME, Vision and METR). OIG did its best to find and credit all CPT training for the

various populations/samples in this audit, but in the end, OIG cannot say definitively that the officers' training records reviewed were accurate because of OPD's tracking issues.

During the course of the audit, the breakdown between METR and Vision was fixed, which will assist supervisors and commanders in readily accessing their subordinates' training data. However, the Department must not only address all issues related to tracking employee training, but also ensure the data is frequently validated.

APPENDIX A

(SCOPE, POPULATION, METHODOLOGY, AND REFERENCE)

Scope/Population

The audit focused on the mandatory in-service training requirements for the Oakland Police Department's Police Officers, Sergeants, Commanders, newly promoted Lieutenants, and newly promoted Sergeants.

Limitation

During the review, the Auditor found that some employees are attending outside training and their training hours are not entered into OPD's system(s) used for tracking employee training. Therefore, there is a possibility that the findings and recommendations may be improper or incomplete, due to the inconsistencies between data systems and missing data.

Population/Sample for OPD CPT Training for Police Officers, Sergeants, and Commanders

The Auditor was provided a list of 724 sworn personnel on February 13, 2020 from the Personnel Division. The list contained current sworn personnel as of the list date and their permanent/interim rank. After reviewing the list provided, the Auditor removed a total of 35 officers:

- 12 officers were on leave: 9 Police Officers, two Sergeants and one Lieutenant
- 21 Police Officers⁹ who were hired as Police Officer Trainees on or after August 25, 2018
- One Chief of Police and one Assistant Chief of Police since the audit focused on training requirements for all ranks between Police Officer and Deputy Chief

Therefore, the audit population was 689 officers: 32 Commanders (2 Deputy Chiefs, 8 Captains, and 22 Lieutenants), 125 Sergeants, and 532 Police Officers. Using a one-tailed test, with a 95 percent confidence level, based on the calculation, the minimum sample population was 84. However, the Auditor stratified the population and randomly selected a sample of training records to review:

- Commanders represented five percent of the population and the Auditor sampled the training records of 8 Commanders — 2 Deputy Chiefs, 2 Captains, and 4 Lieutenants

⁹ According to the POST Administrative Manual, Section 1005 (d) (1), a grace period with no POST CPT requirements is granted when a police officer is appointed for the first time. This grace period is the time between the officers' appointment date and the first occurrence of the POST CPT Anniversary Date. Section (d) (2a) states, in part, "Effective January 1, 2009, the CPT anniversary date is used to start a peace officer's CPT training cycle. A police officer trainee hired on or after August 25, 2018, would not have been appointed as a Police Officer until February 2019 or later." Based on POST's policy, he/she would not be required to meet the CPT requirement until the 2021 CPT cycle since the officer would have attended Perishable Skills and other CPT in the Academy.

- Sergeants represented 18 percent of the population and the Auditor sampled the training records of 19 Sergeants
- Police Officers represented 77 percent of the population and the Auditor sampled the training records of 68 Police Officers

There was a total of 95 officers' training records reviewed, and the audit period was July 1, 2018 to December 31, 2019.

Population for Newly Promoted Lieutenants

The audit period was January 1, 2018 to December 31, 2019, and the population consisted of nine Lieutenants. Initially there was a total of 10 Lieutenants promoted during this time, however, one Lieutenant was removed from the population because that Lieutenant no longer works for OPD.

Population/Sample for Newly Promoted Sergeants

The audit period was January 1, 2018 to December 31, 2019, and there was a total of 33 Sergeants promoted during this time. Using a one-tailed test, with a 95 percent confidence level, the Auditor randomly selected a sample of 26 Sergeants' training records to review.

Sample for POST Mandated 24-Hour CPT Training Hours for Police Officers, Sergeants, and Commanders

The audit period was January 1, 2017 to December 31, 2018. The Auditor used OPD's CPT Training sample, but deleted eight Police Officers because they were Police Officer Trainees during a portion of the audit period. Therefore, the sample totaled 87 officers, consisting of 8 Commanders, 19 Sergeants and 60 Police Officers. In addition, because POST mandates officers below the rank of Lieutenant attend 12 hours of Perishable Skills (Arrest and Control, Pursuit Driving and Firearms) and 2 hours of Communication training, the Auditor used the sample of 19 Sergeants and 60 Police Officers.¹⁰

Methodology

To conduct the audit, the Auditor took the following steps:

Policy Review

Reviewed the Oakland Police Department's policy and procedures related to the CPT training for sworn personnel; Departmental General Order B-20, *Departmental Training Program*, effective April 6, 2005.

Interview

OIG Acting Inspector General and Acting Audit Unit Supervisor met with Training Unit Commanders on behalf of the Auditor to request and gather data (i.e. curriculum, lesson plans, CPT schedules etc.) needed to conduct the audit and to inquire about the state of OPD's training program.

Access to training records

¹⁰ CCR §1005. Minimum Standards for Training

The Auditor requested and received training records from the Training Division for all Police Officers, Sergeants, Lieutenants, Captains and Deputy Chiefs included in the audit sample. In some instances, the Auditor obtained and reviewed training records stored in the PRIME, METR, POST and Vision Systems.

Objective 1

To determine whether Commanders received 40 hours of In-service training, the Auditor reviewed each officers' training record seeking documented evidence of a minimum of 40 hours of in-service training completed within the audit period.

Objective 2

To determine whether Sergeants attended CPT hosted by OPD to obtain their 40 hours of in-service training, the Auditor reviewed each Sergeant's training record seeking documented evidence that he/she attended one of the four day 40-hour CPT sessions, hosted by OPD, from July 1, 2018 to December 31, 2019. Due to OPD's tracking issues related to employee training, if a Sergeant's training record documented less than 40 hours of CPT, the Auditor counted additional firearms training attended by the Sergeant during the audit period of July 1, 2018 to December 31, 2019. If any Sergeants attended less than 40 hours of OPD hosted CPT, the Auditor recorded other in-service courses attended by those Sergeants.

Objective 3

To determine whether Police Officers attended CPT hosted by OPD to obtain their 40 hours of in-service training, the Auditor reviewed each Police Officer's training record seeking documented evidence that he/she attended one of the four-day 40-hour CPT sessions, hosted by OPD, from July 1, 2018 to December 31, 2019. Due to OPD's tracking issues related to employee training, if a Police Officer's training record documented less than 40 hours of CPT, the Auditor counted additional firearms training attended by the Police Officer during the audit period of July 1, 2018 to December 31, 2019. If any Police Officers attended less than 40 hours of OPD hosted CPT, the Auditor recorded other in-service courses attended by those Police Officers.

Objective 4

To determine whether the Commanders' and Sergeants' training included at least 20 hours of CPT training specific to their rank, the Auditor established the following parameters:

- For Sergeants, the Auditor considered the Continued Professional Training courses hosted by OPD and attended by the Sergeants as rank-specific training.
- For Commanders, the Auditor considered the Command Retreats hosted by OPD and attended by the Commanders as rank-specific training. In addition, if there were specific training courses Commanders were required to attend based on OPD's Continued Professional Training plan and the Commanders' training records documented their attendance in the required courses, the Auditor considered the courses as rank-specific and counted the recorded hours towards the minimum of 20 hours of rank-specific courses.

Objective 5

To determine whether all newly promoted Lieutenants, from January 1, 2018 to December 31, 2019, attended within six month of promotion, a minimum 40 hour training course that included instruction on supervisory accountability and management functions, OIG met with the Training Division and inquired about which course was provided to Lieutenants to meet the mandate and the Auditor sought the course(s) on the Lieutenants' training records. The Auditor reviewed the documented date(s) the course(s) was taken on the Lieutenants' training records to determine whether the course(s) was taken within six months of the respective Commander's documented promotion date.

Objective 6

To determine whether all newly promoted Sergeants, from January 1, 2018 to December 31, 2019, attended prior to promotion, a minimum 40-hour training course that included instruction on supervisory accountability and management functions, OIG met with the Training Division and inquired about which course was provided to Sergeants to meet the mandate and the Auditor sought the course(s) on the Sergeants' training records. The Auditor reviewed the documented date(s) the course(s) was taken on the Sergeants' training records to determine whether the course(s) was taken prior to the respective sergeant's documented promotion date.

Objective 7

To determine whether all newly promoted Sergeants, from January 1, 2018 to December 31, 2019, attended within one year prior to or after their initial promotion POST's 80-hour Supervisory Course, the Auditor reviewed each Sergeant's POST training record, and sought documented evidence that the Sergeant attended the course. If the course was present on the Sergeant's training record, the Auditor reviewed the documented date(s) the course(s) was taken to determine whether the course was taken within one year prior to or after the respective Sergeant's documented initial promotion date.

Objective 8

To determine whether all officers met POST's 24 hour minimum of Continued Professional Training in a two-year cycle, January 1, 2017 to December 31, 2018, the auditor reviewed the POST training records for the officers and counted the number of CPT hours. If an officer's number of CPT hours for the two-year cycle totaled 24 hours or more, he/she was considered to have met the POST requirement.

Reference

Departmental General Order B-20, *Departmental Training Program*, effective date April 6, 2005