



MEMORANDUM

TO: HONORABLE MAYOR LIBBY SCHAAF

FROM: Sabrina Landreth
City Administrator

SUBJECT: Oakland Police Department Review
Of Hiring & Training Practices

DATE: December 30, 2016

On May 13, 2016, you requested a joint audit by the Oakland Police Department's (OPD) Office of the Inspector General (OIG) and City Auditor Brenda Roberts to examine OPD's recruitment and early warning systems for any practices or patterns that would remove unsuitable candidates from the applicant pool, and ensure the continued suitability of current officers to be on the force. On that date, you emphasized that you will direct the Administration to make whatever internal changes in order to ensure that our officers are of the highest moral character and have the support they need to operate at the highest level of professional standards.

I am pleased to submit for your consideration, the *Officer Integrity Trends and Other Critical Observations Regarding Hiring and Training Practices*. This report is the result of several months' analysis as performed by the OIG, with technical assistance provided by both the City Auditor and the Independent Monitoring Team.

This report is followed by OPD's response to the eleven recommendations, including a date by which each of the recommendations will be implemented. It is important to acknowledge that the Department has already undertaken significant steps towards implementation, and did not wait until the OIG report was complete to start this process, but rather has proactively already completed many of the recommended changes, in addition to several improvements that are not included in the report.

As recent officer misconduct has damaged the reputation and risked eroding the ability of our police to effectively build trust in this community, staff remains committed to continuous improvement in the Department's hiring and training practices, in order to provide more effective risk management. I will continue to personally oversee that all of the report's remaining recommendations are implemented in a timely manner, and work with OPD to report back after the first quarter in 2017 summarizing the status of implementation, as well as areas of continued improvement.

Respectfully submitted,


SABRINA LANDRETH
City Administrator



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December 29, 2016

David Downing, Assistant Chief of Police
Office of the Chief of Police

cc: Sabrina Landreth, City Administrator

RE: Office of Inspector General Report - Oakland Police Department: Officer Integrity Trends and Other Critical Observations Regarding Hiring and Training Practices

The Office of Inspector (OIG) undertook this review in light of multiple instances of police officer misconduct that resulted in arrests and terminations of several Oakland officers over the past several months. Moreover, these incidents negatively impacted the trust and confidence in the Oakland Police Department (Department) and in City management.

The OIG's objective was to 1) examine the recruiting, hiring and training practices of the Oakland Police Department, 2) identify trends and patterns associated with officer misconduct, and 3) develop recommendations that may prevent or reduce the risk of repeated unlawful behaviors among officers.

The report provides an overview of the long and multi-faceted process to recruit, hire and train police officers in Oakland. The 11 recommendations included in the report are addressed to Oakland Police Department management and to the City Administrator. These recommendations focus on the need for strengthened oversight controls, improved communications between and among the various functions in the department, and added structure or better systems to manage key information and data—all related to the recruitment and training activities of police officers. Some of these recommendations have already been undertaken by Police Administration.

The City Auditor's Office provided technical guidance to the OIG audit team and will continue to provide additional assistance whenever required, as the process for improvement in the Oakland Police Department continues.

Respectfully,



BRENDA D. ROBERTS
City Auditor

CITY OF OAKLAND

Memorandum

TO: City Administrator's Office
ATTN: Sabrina Landreth
FROM: David E. Downing
DATE: December 28, 2017

RE: Police Department Response to OIG's Review of Hiring and Training

The Department reviewed the attached report titled *Officer Integrity Trends and Other Critical Observations Regarding Hiring and Training Practices*, completed by the Office of Inspector General with guidance from the Office of the City Auditor. We appreciate the combined efforts of their offices in addition to the assistance provided by the Independent Monitor to complete this important review. The organization welcomes each finding and recommendation. Specific action items and follow-up are addressed and summarized in the attached addendum.

The Department acknowledges the control weaknesses which were present in our hiring, training, and risk management practices, and we are committed to implementing solutions to correct the identified issues. I have reviewed all eleven recommendations with key Department members and a plan of action is now in place for each. We are certain that the completion of these action items will lead to a better managed, higher quality, and more risk adverse hiring and training process. Ultimately, strengthened hiring, training and risk management practices helps build and sustain a higher caliber police agency.

In addition to the report's recommendations, the Department instituted further changes to ensure hiring decisions and training for new hires were optimized prior to and during the OIG's review. In late 2015, with changes in command staff and a renewed look at the Department's recruiting and hiring practices, the Bureau of Services initiated an on-going assessment of its program and implemented several improvements. These improvements similarly and positively affected the topics and processes of recruiting, hiring and training and are further examples of the Oakland Police Department's commitment to quality hiring and training.

Recruiting and Hiring

In 2015, the Department partnered with Merritt College, an Oakland-based community college, for utilization of their pre-Academy program. This program seeks to prepare students interested in a law enforcement career by exposing them to the rigors and expectations of police work. The students are provided criminal and investigatory training, as well as test-taking skills and physical agility preparation. The Department has aligned its recruiting efforts so that when students of the program take the written exam, they can take the Department's physical agility exam at the same location, which reduces the student's hiring time by six to eight weeks. In addition, the Department has secured 15 spots in the program for students to submit to a preliminary background check to gauge their suitability for employment with OPD. This helps to create a competitive advantage for the Department in seeking highly qualified applicants in a time of high demand for police officers.

The Department has also been hosting workshops for potential applicants to better prepare them for the testing process (written exam, oral exam, and physical agility exam).

In February 2016, the Department enhanced the review process of applicants by adding additional layers of review through the chain of command to ensure background investigations are high quality and applicants are properly vetted. Additionally, the four tenants of procedural justice (voice, neutrality, respect and trustworthiness) have been added into the oral interview process. Subsequently, in June 2016, the final hiring decision was transferred to the Chief of Police, rather than a Deputy Chief.

In September 2016, the Department increased staffing in the Recruiting and Background Unit from four to eight police officers. The additional officers will be conducting background investigations full time, reducing the reliance on officers performing the work as a collateral assignment. They will also help with recruiting events and workshops.

Training

In an effort to better align all training provided by the Department, the Field Training Program has been moved from the Bureau of Field Operations to the Bureau of Services. This change will allow for greater communication and coordination as trainees matriculate through the hiring and training processes.

The Training Section has also increased the number of Recruit Training Officers from two to three for each academy class. In addition to the recent implementation of smaller class sizes, the Department believes this enhanced student-to-recruit training officer ratio will allow for greater performance management and improved focus on identified areas of risk.

Furthermore, the Bureau of Services has mandated that Department training instructors not only have the POST Level 1 certificate to teach but also the POST Level 2 certificate, which emphasizes coaching, mentoring and development. Completion of Level 3 certification is also encouraged.

Conclusion

The Department will track its progress with the implementation of the Report's recommendations and continuously evaluate our systems and processes for needed improvement. We will also seek future guidance and support where recommendations and action plan items require additional funding, technology, or resources. Overall, we are confident that our current and future hiring, training, and risk management practices are improved by our response and attention.

Respectfully,

A handwritten signature in black ink, appearing to read 'D. Downing', with a long horizontal line extending to the right and a loop at the end.

Dave Downing
Assistant Chief of Police
Oakland Police Department

Addendum: Summary Table of Department’s Response to Recommendations Presented by OIG in Their December 2016 Report, *OPD Officer Integrity Trends and Other Critical Observations Regarding Hiring and Training Practices*

| | OIG Recommendation | Department’s Response | Responsible Manager/ Commander | Due Date |
|---|--|--|---------------------------------------|-----------------|
| 1 | Given the stark difference in average rates, the Department should evaluate the value and feasibility of including the number of <i>sustained</i> complaints and allegations as a risk factor that is tracked and reviewed through the risk management process (IPAS), when in the event these risk factors exceed the Department’s average or peer group average. | <p>The Department concurs with this recommendation and will incorporate sustained complaints into its Performance Assessment System (PAS), which is currently being upgraded. As part of this upgrade, risk factors, thresholds, and reporting are being evaluated.</p> <p>In the meantime, the Internal Affairs Division will create a quarterly report that will include a comparison of sustained complaints for all personnel. The first report will be published in January 2017 and will include a review of the most recent five years of data. Executive Command will review the list with the PAS Unit on a quarterly basis to assess whether any personnel with high numbers of sustained complaints relative to the population should be referred to the PAS process. This will allow for greater risk management coverage and provide further assurance that relevant information is being assessed.</p> | Bureau of Services Deputy Chief | January 2017 |
| 2 | The Department should evaluate its use of other police academies as training grounds and/or ensure all Academy Graduates entering the Field training Program are equally and effectively evaluated and indoctrinated into the Department’s culture of accountability and integrity. | <p>The Department concurs with this recommendation and has discontinued its practice of using non-OPD basic academies to train new police officer hires. Additionally, the Department will no longer hire academy graduates who have attended non-OPD academies of their own accord. This allows for greater alignment with OPD mission, values, and culture.</p> <p>The Department recognizes the challenges new officers may have when they do not have the opportunity to attend an OPD academy, where bonds are created between trainees and other Department personnel. Therefore, for existing</p> | Training Section Commander | Completed |

| | OIG Recommendation | Department's Response | Responsible Manager/ Commander | Due Date |
|--|--------------------|--|--------------------------------|----------|
| | | <p>non-OPD academy graduates and future experienced police officer hires, the Department has revised its transitional course to ensure a better integration into the Department's culture of professionalism. The transitional course was six weeks, but has recently been expanded to eight weeks of training that includes a thorough review of OPD policies and procedures, procedural justice training, and the Department's values. In addition, the new officers are rotated through several specialized units to provide them more depth and breadth of experience before they begin field training. The rotations include placement in the Criminal Investigation Division, Internal Affairs, Special Victims Unit, School Resource Unit, Police Activities League, and Background and Recruiting. This rotation also allows the new police officers an opportunity to become familiar with the inner workings of the Department's various sections and units that play an overall part in the Department's daily operations, and to provide them with opportunities to engage with the community prior to transitioning to the Field Training Program. Additionally, this allows an opportunity for the new police officers to meet employees, both sworn and professional staff, and learn more about their roles in operations.</p> <p>Moreover, the Training Section now hosts a social mixer during the transitional course to allow all employees of the Department to meet the new police officers. This mixer is meant to encourage socialization between the junior officers and veteran officers, thus facilitating creation of new relationships and opportunities for mentoring. Feedback received from new police officers indicated this mixer has</p> | | |

| | OIG Recommendation | Department's Response | Responsible Manager/ Commander | Due Date |
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| | | made them feel more welcome within the Department and that they feel more like they are a part of the Department's family. | | |
| 3 | OIG strongly recommends that the Department should codify the current practice of using the academy peer evaluations into written policy with a provision that it be viewed as both a risk management tool and as a hiring and training performance metric that will be routinely assessed. Lastly, the Department should ensure trainees are made aware of and have access to an anonymous reporting resource (i.e., the City's pre-existing Fraud, Waste and Abuse hotline). | <p>The Department concurs and has revised the Academy Coordinator's Manual to reflect this recommendation. The Department codified the practice of using the academy peer evaluations into written policy with a provision that it be viewed as both a risk management tool to mitigate risk and as a hiring and training performance metric. When a Police Officer Trainee receives a significant amount of negative peer evaluations, it triggers an automatic review of the trainee's file by the Academy Coordinator. If there are any at risk issues discovered in conjunction with the negative peer evaluations, the police officer trainee is given a performance deficiency notice (PDN) which includes a development plan to correct the behavior. In addition to the PDN, the Academy Coordinator forwards any risk issues identified through the chain of command, which could result in termination. These concerns and the development plan are discussed with the trainee.</p> <p>Moreover, new hires are provided training on confidential reporting of complaints by the Personnel Section and the Training Section. The first incidence of this training takes place during the orientation week – prior to the beginning of the academy. The City's Department of Human Resources Management also provides an on-boarding orientation during the last week of the academy that includes information about the City's process for reporting misconduct.</p> | Training Section Commander | Completed |
| 4 | The Department should track separation based on employment | The Department concurs with the recommendation and has requested funding to upgrade its current Personnel Database | Personnel and Training Division | March 2017 |

| | OIG Recommendation | Department's Response | Responsible Manager/ Commander | Due Date |
|---|--|---|--|-----------------|
| | phase as a possible risk management performance metric to ensure that the Department is removing those engaged in misconduct and/or unethical behavior as early as possible during probation. | to capture this information. Until this upgrade takes place, the Department will create a system to track this information manually. | Commander | |
| 5 | The Department should develop a policy detailing the requirements for applicant/trainee tracking and records maintenance, including consideration of consolidating siloed systems or ensuring that information is consistent among all units. Additionally, OIG recommends the Department direct the Training Section to prioritize an organized system of record keeping (preferably electronic) that would allow for a quick and comprehensive review of all trainees and overall academy performance. This includes making every effort to obtain academy performance information for lateral and POST Academy Graduate hires. Resources should be provided to the Training Section to accomplish this task in an expedited manner. | <p>The Department concurs with this recommendation and is currently working on implementing a more robust database to capture trainee data electronically and more consistently. Recently, the Field Training Unit implemented the use of an electronic database, which has eliminated the need for paper files. The Training Section is working with the Information Technology Department to secure a database for tracking new hires and Academy trainees that is compatible with the Field Training Unit's new system. The database will ensure that all new hires have an easily accessible electronic record that tracks performance, conduct, and employment status.</p> <p>In the meantime, the Personnel and Training Division is strengthening its current manual tracking system to include separation dates, the stage of separation, and the reason for separation, if known, to ensure the accuracy and completeness of data.</p> <p>Furthermore, the Department requested Academy performance information (training files) for police officers hired as laterals and post academy graduates (PAGs) from non-OPD training academies. The Department has received several files and several others have been promised from other agencies, but have not yet been received.</p> | Personnel and Training Division Commander | March 2017 |
| 6 | The Department should consolidate all known sources of documented | Department agrees with the recommendation and has implemented transition meetings to share risk data between | Personnel and Training Division | Completed |

| | OIG Recommendation | Department's Response | Responsible Manager/ Commander | Due Date |
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| | <p>misconduct and behavioral issues and incorporate it into the Department's overall pre-existing risk management strategy. Additionally, the Department should develop an assessment tool and response procedure that reflects the cause of misconduct based on an individual's demonstrated behavioral risk pattern.</p> | <p>phases of hiring and training. However, government code limits the sharing of information learned in the background investigation. California Code of Regulations says that applicant information provided in their background investigation is private and confidential.</p> <p>The Department now convenes transition meetings to formalize communication and documentation of newly hired police officers to ensure better matriculation through the Academy and transition into new assignments. At each appropriate phase, transition meetings will occur between:</p> <ul style="list-style-type: none"> • Human Resource Management staff and Recruiting and Background Unit staff • Recruiting and Background Unit staff and Training Section staff, • Training Section staff and Field Training Program staff • Field Training Program staff and Bureau of Field Operations (Patrol) staff <p>These meetings are meant to ensure proper communication of potential risk management issues, documentation of risk, and strategies for improvement. The Bureau of Services held its first transition meeting between the Recruiting and Background Unit and Training Section on October 26, 2016.</p> <p>In addition to transition meetings, the Department will convene quarterly meetings with the Background and Recruiting Unit, Training Section and Field Training Program to discuss trends and patterns observed in applicants and trainees.</p> | <p>Commander</p> | |

| | OIG Recommendation | Department's Response | Responsible Manager/ Commander | Due Date |
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| | | <p>Going forward, the Department will arrange a final interview with all probationary officers to administer their final rating, and to determine whether the probationary officer has met all requirements to continue working as a permanent police officer.</p> | | |
| 7 | <p>OIG strongly recommends that, if during the course of the background investigation it becomes apparent that a pattern of past misbehavior or a specific combination of concerning facts and circumstances emerges, the Department should direct the background investigators to, using their best professional and impartial judgment, clearly document in the narrative summary:</p> <ul style="list-style-type: none"> • The possible consequences to the Department if past undesirable behavior were to reoccur • The likelihood of reoccurrence of the undesirable behavior • The relevance of the past behavior in effectively performing the duties required • The length of time between the particular undesirable behavior and the time of application for employment | <p>The Department concurs and has implemented a more comprehensive review of applicants. The Department conducts a review of the background investigation, including a pre-review by the Background and Recruiting staff and a full review by the entire chain of command up to the Chief of Police.</p> <p>The Recruiting and Background Supervisor now confirms that investigative reports are more complete in their evaluation of areas of risk. The supervisor ensures that an applicant's summary narrative captures all risk management issues related to drugs, alcohol, criminal activity, negative references and any other factors that could be considered misconduct or at risk behavior. Additionally, the Department has implemented the analysis of any relevant past behavior into the overall background investigation evaluation, as well as evaluating the length of time between the identified undesirable behavior and the time of applying to the Department. For example, if the applicant was arrested for a DUI ten years prior to applying to the Department, the background investigator has been directed to document and evaluate this information for further review by the Department's chain of command.</p> <p>Finally, the OPD Personnel Manager is in conversation with the clinical psychologist employed by the City to conduct</p> | Personnel Section Manager | <p>Internal controls for background investigations have been completed.</p> <p>The Department is still consulting with a clinical psychologist and will report on the outcome by March 2017</p> |

| | OIG Recommendation | Department's Response | Responsible Manager/ Commander | Due Date |
|----|---|---|---------------------------------|---|
| | The legal rights of the applicant | <p>psychological assessments to determine suitability for hire, to explore the feasibility of including an evaluation of the following factors in each psychological assessment:</p> <ul style="list-style-type: none"> • The possible consequences to the Department if past undesirable behavior were to reoccur • The likelihood of reoccurrence of the undesirable behavior <p>The relevance of the past behavior in effectively performing the duties required</p> | | |
| 8 | The Department should consider whether all integrity issues identified in the Academy should be handled through the Internal Affairs process. | The Department concurs and, as of October 31, 2016, the Training Section has ensured that all integrity issues are handled according to Department General Order M-3, <i>Complaints Against Department Personnel</i> . | Training Section Commander | Completed |
| 9 | The Department should consult with its legal advisors regarding any possible implications related to this observation (possible violation of the timing of psychological evaluations). | Although no such violations were found in OIG's review since 2012, in order to ensure that this practice is no longer in place, the Department will conduct an audit of files for the most recent Academy class. Furthermore, the Bureau of Services Deputy Chief has consulted with legal advisors regarding any possible implications relating to the timing of the psychological evaluation for those applicants who may have been impacted. There were no legal implications identified. | Bureau of Services Deputy Chief | March 2017 |
| 10 | The Department should evaluate opportunities for key City stakeholders (like Department of Human Resources Management) to participate in the final determination of POT applicants, if they so choose. When designing an efficient method to meet this recommendation, the Department | The Department concurs and will explore opportunities for key stakeholders to participate in the final hiring decision of Police Officer Trainee applicants. The OPD Personnel Manager will extend an invite to DHRM staff and the Office of the City Attorney to participate in the OPD character review process. | Personnel Section Manager | Prior to the next scheduled character review (for next scheduled Academy) |

| | OIG Recommendation | Department's Response | Responsible Manager/ Commander | Due Date |
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| | should take care to (1) not prolong the hiring process; (2) consider the applicant's confidentiality and; (3) not violate Oakland City Charter, Section 218: Non-Interference in Administrative Affairs. | | | |
| 11 | <p>The Department should revise its current policy (which was last updated in 1999) within 6 months so that POST certified training is a requirement for those performing background investigations that are not assigned to the R&B Unit. Additionally, background investigators should be required to have investigative experience, if they have never previously worked within the R&B Unit.</p> <p>Also, in keeping with ensuring quality investigations are being performed, greater managerial oversight – beyond just requiring POST training – should also be considered. For example, R&B Unit management staff should monitor caseload and staffing resources, perform quality checks for policy and regulatory compliance, and conduct routine reviews of background investigator performance, specifically IPAS data.</p> | <p>The Department agrees with the recommendation and will revise policy regarding the selection and oversight of background investigators. The Background and Recruiting Unit has already changed its practice and now requires all background investigators to meet specific minimum qualifications to conduct background investigations on applicants, including a minimum number of years of experience, prior investigative experience, prior background investigative experience, and completion of a POST (Peace Officers Standards and Training) certified background investigation course. Also added to the policy is the requirement of additional training and education in the areas of implicit bias and Procedural Justice, along with the required annual POST mandated background investigation update training.</p> <p>The Recruiting and Backgrounds Unit now requires a confidentiality form, chronological log of events that highlights a timeline of all work completed by the background investigator, and an investigator checklist that certifies that all required work has been completed prior to the completion of the background investigation. Also, additional levels of managerial review have been added to not only identify potential risk presented by an applicant, but to also confirm that a thorough investigation has been completed by the</p> | Personnel Section Manager | Changes made to practice. Policy to be updated by March 2017 |

| | OIG Recommendation | Department's Response | Responsible Manager/ Commander | Due Date |
|--|---------------------------|--|---------------------------------------|-----------------|
| | | <p>background investigator.</p> <p>The Department is currently assessing the viability of outsourcing background investigations to increase consistency and allow officers to be reassigned to more critical needs. The Department is also seeking to add a Program Analyst/Recruit Coordinator to the Recruiting and Background Unit to allow the supervisor additional time to focus on background investigators and investigations.</p> | | |

CITY OF OAKLAND

Memorandum

To: Office of the Chief of Police
Attn: Assistant Chief of Police David Downing
From: Office of Inspector General
Date: December 2, 2016
Re: Transmittal letter for OIG's Review of Hiring and Training

As Commanding Officer of the Office of Inspector General (OIG), I submit for your consideration the *Oakland Police Department: Officer Integrity Trends and Other Critical Observations Regarding Hiring and Training Practices* report. Our observations produced eleven recommendations to systematically address preferred practices and strengthened control measures in order to hire, train and retain the most qualified officers while also properly addressing those who may pose an elevated risk of committing misconduct.

Given the recent occurrence of several disturbing and extremely inappropriate instances of officer misconduct, OIG was directed (as described in the Mayor's June 10th press release) to, "examine OPD recruitment and early warning systems for any practices or patterns that would identify unsuitable candidates from the applicant pool, and ensure the continued suitability of current officers to be on the force." These troubling incidents have certainly resulted in eroded community trust and decreased morale within the Department. Consistent with our goals and objectives, my team and I appreciated the opportunity to help evaluate these processes.

OIG took a comprehensive approach and selected for review 78 officers who had engaged in serious misconduct, received serious discipline, or who had otherwise engaged in unethical behavior since 2012. Thirty officers in this group were hired after 2011 and 48 were hired prior to 2009. We evaluated the relevant policies, practices and procedures in use during the hiring and training phases as well as the background data, academy performance data, field training performance data, and early warning system data tied to these specific officers. Although the enclosed report asserts no commonality could be identified among this selected group of officers (without a control group to measure against, any outcome or inferred cause regarding the officers reviewed should not be taken as an absolute conclusion), our review definitively revealed weaknesses in the Department's recruitment, training and early warning system.

Overall, we found that some individual processes deserved improvement while other processes were operating separately from one another without comprehensively addressing risk at every connected phase of hiring and training. If and when risk is identified within any stage of hiring or employment, clear and consistent practices must be used to address it through intervention, mentoring, or corrective action. In short, we must recruit from a highly qualified and diverse pool of applicants, hire to a standard, train to a standard, supervise to a standard, and expect the standard to be met. This is what our community expects and deserves.

I would like to acknowledge the assistance of the Office of the City Auditor as well as the direction provided by the Independent Monitoring Team and the Federal Monitor, Chief Robert Warshaw, in completing this report. I would also like to thank staff members and commanders of the Bureau of Services whose knowledge and dedication were constant and crucial to the success of our review and recommendations.

Respectfully,

A handwritten signature in blue ink, appearing to read "Lt. Christopher Bolton". The signature is stylized and cursive.

Lt. Christopher Bolton
Commanding Officer of the Office of Inspector General
Oakland Police Department

cc: Deputy Chief Outlaw and City Administrator Sabrina Landreth

Enclosure(s)

Oakland Police Department: Officer Integrity Trends and Other Critical Observations
Regarding Hiring and Training Practices



Oakland Police Department:

Officer Integrity Trends and Other Critical Observations Regarding Hiring and Training Practices

December 2016

TABLE OF CONTENTS

| | |
|----|---|
| 1 | Executive Summary |
| 3 | Objectives and Scope |
| 4 | Methodology |
| 5 | Background |
| 9 | Officer Integrity Trends: Sample Analysis |
| 20 | Other Critical Observations |
| 30 | A Note on Quality Selection and Training |
| 31 | Recommendation Follow Up |
| 31 | Acknowledgements |

OFFICE OF INSPECTOR GENERAL

Commanding Officer
Lt. Christopher Bolton

Audit Manager
Kristin Burgess, MPA, CGAP

Lead Auditor
Rose Sutton, MPP, CGAP

Executive Summary

In light of recent and multiple instances of unlawful, unethical and serious officer misconduct, the Office of Inspector General (OIG) was tasked with examining the Oakland Police Department's (Department) hiring, training, and performance assessment practices. OIG's intent was to examine key processes, which identify, develop, and assess all current and future officers with respect to the Department's overall commitment towards organizational excellence and strengthened community trust.

To accomplish this review, OIG's objectives were to evaluate a sample of personnel selected for their recent involvement in unethical performance, serious misconduct, or serious discipline and assess individual and aggregate risk factors that may potentially inform the Department's governance and risk management strategy. Personnel data was reviewed, compared, and evaluated for possible patterns, trends, or commonly associated circumstances, with the ultimate objective of potentially using these observations to lessen or avoid future instances of misconduct, or to better inform the hiring, training or early warning system processes already in place.

Significant data limitations made deeper analysis problematic. Based on the data available for review, no common trait was identified that would suggest any *one* factor as directly contributing to unethical conduct. However, some intriguing observations include:

- The high proportion of the sample that were previously not selected from another agency's application process.
- The disproportionately high number of officers attending non-Department academies engaging in the most serious of misconduct.
- The high number of no endorsements received through peer evaluations made during academy training.
- The likelihood of elevated risks associated with large and expedient hiring, which significantly burden the Department's limited resources, and in turn, render risk management strategies less effective.

Additionally, OIG, in collaboration with the commanders and managers from the Department's Bureau of Services, identified internal control weaknesses in the Department's hiring and training processes. Inconsistent and inefficient record keeping was not only identified as a control

weakness, but also made the process of this review more burdensome. In sum, the Department's internal control measures are insufficient to ensure the highest quality police officer applicants are selected and provided the best opportunity to be successful.

Ultimately, the outcome of OIG's objectives culminated in administrative recommendations meant to mitigate the risk of misbehavior, which are offered herein. In crafting each recommendation, OIG considered how to best use the observations made during this review to help inform the Department's hiring, training and early warning system, for example, beginning to track the number of no endorsements received during Academy training. These recommendations were derived from the analysis performed by OIG, which was based on the totality of the best information available. OIG recognizes possible barriers in implementing these recommendations, including staffing, budgetary and/or legal limitations. Additionally, implementing these recommendations requires commitment and accountability at all levels, including the need to prioritize and secure resources.

OIG did not make determinations on past hiring decisions, nor is this report meant to impose any sort of disciplinary action. While no common risk factors in the sample reviewed were identified, key observations include:

- Instances of misconduct prior to being hired or unethical behavior occurring during the training process are not consolidated with an individual's post-employment record of performance, thereby inhibiting the creation of a 'big picture' profile of an individual's demonstrated behavioral risk pattern.
- Opportunities exist for additional internal control measures to be added during the background investigation process that highlight possible integrity issues.
- Although not required by POST or Department policy, 62% of background investigators lack POST certified training and 57% of non-annuitant sworn Background Investigators lack both POST training and experience working in the Recruiting and Backgrounds Unit.

Within the sample of those hired after 2012 and who separated employment due to misconduct or integrity issues, the vast majority did so prior to ending their probation phase. Per Department management, prior to this review, the Department had begun evaluating recruiting and hiring practices and working to improve its accountability, standardization and documentation. The Department has committed to instituting reform, and aims to better identify viable applicants, build more robust internal controls in its background process and other relevant areas, in addition to considering new ways of involving Department staff and City

administrative stakeholders. In sum, the Department recognizes the ultimate goal of fostering a greater sense of accountability among applicants, trainees, officers and the Department as a whole.

Objectives

The objectives of this review were to clearly report:

1. Any possible patterns, trends or circumstances among sworn personnel who have participated in serious misconduct or who have demonstrated problematic decision-making or questionable ethics.
2. Consider how the use of any identified pattern, trend, or commonly associated circumstance may be used to lessen future instances of misconduct, or to better inform the hiring, training or early warning system processes already in place.

OIG also sought to report any positive findings.

Scope

For data analysis purposes, OIG collected information from a judgmentally selected sample of sworn personnel who, since 2012:¹

- Received a sustained Class I violation related to serious or criminal misconduct, which ranged from excessive use of force, violations of Miranda, public intoxication/DUI, criminal misconduct, domestic violence and failure to take a complaint.
- Received a sustained Class II violation in which the officer received serious discipline (5 day suspension or greater) for violations such as rudeness and failure to perform duties as required.
- Were hired but separated employment due to known or reasonably suspected criminal misconduct or otherwise unethical decision-making.

In all, this group totaled 78 sworn personnel and includes officers from various ranks (i.e., police officer trainee, police officer, sergeant, and commander). The Department's total sworn personnel force is approximately seven hundred and fifty. For historical trending purposes, OIG used information prior to 2012.

¹ Some sworn personnel within the sample fit into more than one category.

Methodology

To conduct this review, OIG:

- Interviewed management and staff from the Department's Recruiting and Backgrounds Unit, Field Training Program and Personnel and Training Sections.
- Read and synthesized written comments made in background and personnel files, academy files, field training files and IPAS.²
- Reviewed and when possible, analyzed certain variables related to observed traits within the sample population to identify possible trends, patterns or commonly associated circumstances. OIG specifically looked at proportions, averages and outliers.
- Welcomed technical assistance from Chief (Ret.) Robert Warshaw's Monitoring team and guidance from the City Auditor's Office.
- Reviewed relevant laws, regulations, and City policies and procedures related to employee hiring, training and supervision.
- Reviewed academic literature, studies and best practices related to officer hiring, training, and performance.

Significant limitations to the methodology and analysis include:

- The variation in the way data was collected and reported varied across decades within the sample reviewed. As a result, standardizing variables became exceedingly challenging. Ultimately, for some types of data, the reliability was less than ideal, which limited the degree of statistical analysis performed.
- Fundamental changes to the Department's complaint policy and extenuating circumstances like the Occupy Oakland demonstration also made drawing fair comparisons over time exceedingly challenging.
- The inability to make comparisons between the sample reviewed and a control group (with the exception of academy peer evaluations and the number of sustained complaints received) limits the conclusions that could be drawn. This was due to the impracticality of collecting and entering the required volume of information given the time constraints.
- The analysis performed looked at individual characteristics and did not consider the organizational context in which sworn personnel work (e.g., duration of assignments in a particular specialized unit

² Only select OIG staff and the City's Fraud, Waste and Abuse Manager reviewed information, and all signed confidentiality agreements.

General Stages of Advancement

Applicant Background Investigation Begins

Conditional Job

Offer Given

Chief of Police Approves Applicant Application

Hiring Orientation

Police Academy Begins

6 months

Field Training Begins

4 months

Probationary period

Solo Patrol Assignment

like Ceasefire or Special Victims Unit) or other environment-related factors (e.g., stress or psychological trauma) as possible influencers for misconduct. However, at least one study suggests that after 3.5 years on the job, police officers become more suspicious, angry, cynical and depressed than when they first started.³

- The analysis does not determine causation, but rather sought to explore observable commonalities within the sample.

Background

Hiring Process: State and Local Selection Requirements

Per state law, the Commission on Police Officer Standards and Training (POST) sets basic requirements for the selection of Police Officer applicants and encourages local law enforcement agencies to either increase the requirements and/or establish additional standards that further bolster POST's minimum requirements.^{4,5}

In order to be eligible for consideration, POST requires applicants:

- Be at least 18 years old
- Have a high school diploma or equivalent designation (i.e., GED)
- Have a valid California Driver's License by date of hire
- Have no felony convictions or other convictions which would prevent carrying a gun
- Be a U.S. citizen or be in the citizenship application process
- Be fingerprinted and be free of any felony conviction or certain misdemeanor convictions that are disqualifying
- Be free of any physical, emotional, or mental conditions that might adversely affect the exercise of the powers of a peace officer
- Pass a background investigation that includes a psychological and medical evaluation
- Pass a reading and writing ability assessment and oral interview
- Be of good moral character as determined by a thorough background investigation.

³ Gould, L.A. (2000). A longitudinal approach to the study of the police personality: Race/Gender differences. *Journal of Police and Criminal Psychology*, 15(2), 41-51.

⁴ The Commission on Peace Police Officer Standards and Training was established by the Legislature in 1959 to set minimum selection and training standards for California law enforcement. The POST Program is voluntary and incentive-based. Participating agencies agree to abide by POST standards in exchange for services and benefits.

⁵ CA Penal Code §13510(d) and CA Government Code §1031(G) gives POST the authority to establish minimum selection standards for Police Officers employed by agencies that participate in the POST Program.

The Department expands upon the POST minimum standards by requiring applicants:

- Be at least 21 (at the time of graduating from a 6-month academy)
- Pass a physical ability test, drug screening, and polygraph examination.

It is important to understand that POST selection requirements take a ‘screen-out’ rather than a ‘select-in’ approach. In other words, POST requirements are not designed to identify the most qualified applicants, but instead simply weed out the most unfit applicants. The actual responsibility of assessing and selecting the most qualified police officer applicants, “of good moral character as determined by a thorough background investigation” depends heavily on the training and experience of those performing the background investigations.⁶

Also, the timing of selection requirements carries legal significance as making certain types of medical and psychological inquiries prior to a conditional job offer would be unlawful.

Current Personnel-Related Risk Management Strategies

The Department maintains procedures for tracking, assessing and monitoring personnel-related risk, including but not limited to, performance tracking of certain risk factors, supervisor monitoring, intervention strategies and the use of supervisory notes.

IPAS Review

The Department manages a computerized database called the Internal Personnel Assessment System (IPAS) which centralizes employee performance information that is collected from various sources. IPAS helps keep track of an employee’s performance by summarizing important risk factors, such as the amount of sick leave used or the number of complaints directed against a particular employee (compared to their peers). It also allows supervisors and commanders to review their subordinates’ performance and previous assignment history.

When review of an IPAS risk factor indicates that an employee has surpassed their peers in engaging in some type of at-risk behavior (for example, if the rate of vehicle collisions caused by Officer X surpasses that of her peer group), the PAS Administrative Unit - the unit that oversees the monitoring of performance thresholds - conducts an intensive review of the employee’s performance and assignment history and prepares a PAS Activity Review and Report for management review.

⁶ CA Government Code §1031(d)

Some of the tracked post-employment risk factors include:

- All levels of Use of Force
- Police canine deployments
- All officer involved firearm discharges
- All vehicle pursuits
- All complaints
- Civil suits and /or tort claims related to Department employment
- Reports of financial claims
- In-custody deaths and injuries
- Criminal arrests and charges filed against Department personnel
- Assignment history and rank
- On duty injuries and sick leave usage
- Criminal cases dropped due to concerns with personnel veracity, improper searches, false arrests, or other reasons that may indicate performance deficiencies or at-risk behavior

Supervisory Monitoring

When in the event an officer is recommended for supervisor monitoring, that individual will be given strategies, goals and expectations, and/or directions to address the identified issue(s) of concern. The individual's supervising staff will provide individual mentoring and observe performance for at least six months and conduct three follow-up meetings to ensure the individual is on track with rehabilitation.

Intervention

When in the event an officer is recommended for intervention by the PAS Administrative Unit and the Commander of Bureau of Services, that individual will be subject to some non-disciplinary corrective action like mentoring, additional training, peer counseling, substance abuse rehabilitation, attendance management, referral to a professional counselor, administrative reassignment or temporary transfer.

Supervisory Notes File

The Department keeps a Supervisory Notes File (SNF), which is centralized information to help supervisors, commanders and managers identify patterns of exemplary or substandard performance. Additionally, the SNF is used to document incidents deserving of non-disciplinary corrective action taken and to prepare performance appraisals. The SNFs are housed in the Department's computerized IPAS database.

A few terms to understand:

Applicant - Anyone applying to be a police officer.

Police Officer Trainee (POT) - Anyone who has been hired by the Department to become a police officer and is in the process of receiving training, which includes academy and field training. POTs are probationary employees and can be discharged without cause.

Police Officer - Once POTs successfully complete their academy training and become sworn, they are considered police officers.

Lateral Hire - Police officers who have had at least some previous law enforcement experience prior to joining the Department. Lateral hires are subject to a 6-week transitional training curriculum.

POST Academy Graduate Hire (PAG) - Are police officers who received a POST certificate for training outside the Department's own academy training environment, but have no law enforcement experience, and are subsequently hired. PAGs are also subject to a 6-week transitional training curriculum.

Governance⁷ - The culture, values, mission, structure and layers of policies, processes, and measures by which organizations are directed and controlled. The tone that is set, followed and communicated at the top that is critical to success.

Risk Management⁸ - A process to identify, assess, manage, and control potential events or situations to provide reasonable assurance regarding the achievement of the organization's objectives.

Opinion⁹ - The auditor's evaluation of the effects of the observations and recommendations on the activities reviewed. The opinion usually puts the observations and recommendations into perspective based on the overall implications.

Sustained Misconduct - An internal administrative investigation concludes that there was sufficient evidence to determine that the alleged conduct did occur, and was in violation of law and/or Department policy.

Misconduct Complaint (Complaint) - A complaint from any source alleging a specific act or omission by any Department personnel, which if sustained, would constitute a violation of law and/or Department policy. A complaint consists of specific allegation(s) of misconduct.

Allegation - The specific violation alleged to have occurred. Allegations make up a complaint. There may be multiple allegations to one complaint.

Class I Violation - The most serious of allegations of misconduct and if sustained, will result in

⁷ Open Compliance and Ethics Group, *CRC Capability Model Red Book v2.0* (Scottsdale, AZ: Open Compliance and Ethics Group, 2009), 23

⁸ The Institute of Internal Auditors, *International Standards for the Professional Practice of Internal Auditing* (Altamonte Springs, FL: The Institute of Internal Auditors, 2011), 43.

⁹ The Institute of Internal Auditors, *International Standards for the Professional Practice of Internal Auditing* (Altamonte Springs, FL: The Institute of Internal Auditors, 2011), 43.

disciplinary action (up to termination) and may serve as the basis for criminal prosecution.

Class II Violation - Includes all minor misconduct offenses and if sustained, will result in disciplinary action.

For clarity, illustrated below is a simple example of how terms related to officer misconduct are used:

The Department received one complaint of officer misconduct, which included two allegations of specific Class I and II violations. These allegations included excessive use of force (a class I violation) and general rudeness (a class II violation). Upon administrative investigation, these allegations were sustained.

Officer Integrity Trends: Sample Analysis

There is no common risk factor identified in the sample reviewed that would suggest that any one factor directly contributes to an officer's rate of sustained misconduct. However, over a third of sworn personnel in the sample reviewed were previously not selected for advancement in at least one other law enforcement agency's application process prior to being hired by the Department. Yet, without comparing to a control group, OIG can not conclude on the relevance of this factor.

Extensive research exists on the topic of police officer selection and influencing characteristics that may predict performance, like the level of education, cognitive ability, and background variables (e.g., the longest duration of previous employment or military experience), as well as gender, race, age, and tenure.¹⁰ Indeed, even the Department itself was the subject of such a study performed by Johns Hopkins University in 1975.¹¹ OIG briefly summarized past research regarding pre-employment factors and added any related sample demographic information associated with that specific factor. Past research suggests:

- Increased cognitive ability and education correlate with lesser rates of poor performance and termination.^{12,13,14} Within the

¹⁰ Michael G. Aamodt, (2004) Law Enforcement Selection: Research Summaries. Police Executative Research Forum.

¹¹ Hogan, R., & Kurtines, W. (1975). Personological correlates of police effectiveness. *The Journal of Psychology*, 91, 289-295. The study concluded that the most effective OPD Police Officers showed a higher correlation with functional intelligence, achievement motivation, and social poise as measured and defined by the California Psychological Inventory.

¹² Davis, R. D., & Rostow, C.D. (2003). Relationship between cognitive ability and background variables and disciplinary problems in law enforcement. *Applied H.R.M. Research*, 8(2), 77-80.

¹³ Boes, J.O., Chandler, C.J., & Timm, H.W. (1997). *Police integrity: Use of personality measures to identify corruption-prone officers*. Monterey, CA: Defense Personnel Security Research Center.

¹⁴ Daily, J.D. (2002). *An investigation of police officer background and performance: An analytical study of the effect of age, time in service, prior military service, and*

sample reviewed by OIG, 88 percent (69 of 78) have had some college experience. Of those within the sample who received a high school diploma (as opposed to their GED), the collective average GPA was 2.59 of a maximum of 4.00. For those who attended some college, the overall collective GPA was 2.70 of a maximum of 4.00.

- Work, drug, and criminal issues have a measurable relationship with on-the-job issues.¹⁵ Within the sample reviewed by OIG, 17% (13 of 77) of the sample had been fired from some previous employment, while 83% (64 of 77) had not.¹⁶ Two individuals had pre-employment criminal allegations related to possession of a controlled substance other than marijuana. Additionally, 94% percent had no drug use or admitted to trying marijuana at least once (72 of 77), versus 6% who admitted to trying controlled substances other than marijuana.
- Similarly, officers who have had discipline problems at previous jobs have an increased likelihood of having discipline problems and perform poorly as police officers.^{17,18} OIG did not quantify previous employment discipline problems; however, 41% (31 of 76) of the sample had three or less years as their longest employment, while the other 59% (45 of 76) had sustained employment for longer than three continuous years.¹⁹
- There is some evidence to suggest that previous military experience does not result in better or worse officer performance, with the possible exception of officers assigned to specialized assignments like SWAT, in which case differences in performance were observed between those officers with military history (who performed better) and those who had no military history.^{20,21} Within the sample reviewed by OIG, 60% (47 of 78) had no previous military experience, while the remaining 40% (31 of 78) had military experience.

educational level on commendations. Unpublished doctoral dissertation, Sam Houston State University.

¹⁵ Sarchione, C.D., Cuttler, M.J., Muchinsky, P.M., & Nelson-Gray, R.O. (1998). Prediction of dysfunctional job behaviors among law enforcement officers. *Journal of Applied Psychology*. 83(6), 904-912.

¹⁶ Termination and pre-employment drug use information was missing for one individual in the sample reviewed by OIG, hence the total being 77, not 78.

¹⁷ Mealia, R.M. (1990). *Background factors and police performance.* Unpublished doctoral dissertation, State University of New York, Albany.

¹⁸ Staff, T.G. (1992) *The utility of biographical data in predicting job performance: Implications for the selection of police officers.* Unpublished dissertation, University of Toledo.

¹⁹ Information related to longest previous employment held was missing for two individuals within the sample reviewed by OIG, hence the total being 76, not 78.

²⁰ Michael G. Aamodt, (2004) *Law Enforcement Selection: Research Summaries.* Police Executative Research Forum.

²¹ Boyce, T.N. (1988). *Psychological screening for high-risk police specialization.* Unpublished doctoral dissertation, Georgia State University.

- Ninety-five percent (74 of 78) of the sample were male and five percent (4 of 78) were female.

In sum, OIG was unable to conclude that any one factor among those in the sample reviewed directly contributed to serious sustained misconduct.

Demographics of the Sample Reviewed

The average person in the sample reviewed is a 38-year-old white male with ten years of Department experience. This average officer was 28 years old when hired and carries the rank of Police Officer (as opposed to sergeant, lieutenant, captain, etc.).

Sixty-two percent of the sample (48 of 78) were hired before 2012, specifically between 1984 and 2008. The remaining 38% (30 of 78) were hired in 2012 or later. Of the 30 sworn personnel hired after 2012, 73% (22 of 30) no longer work at the Department due to resignation (in some cases in lieu of pending administrative discipline), termination or discharged while on probation. Of those hired before 2012, 27% (13 of 48) no longer work for the Department for similar reasons. Overall, the majority (48 of 78, or 62%) can be considered seasoned officers with more than five years of experience with the Department, while the remaining 30 (38%) can be considered new officers with less than five years of experience.

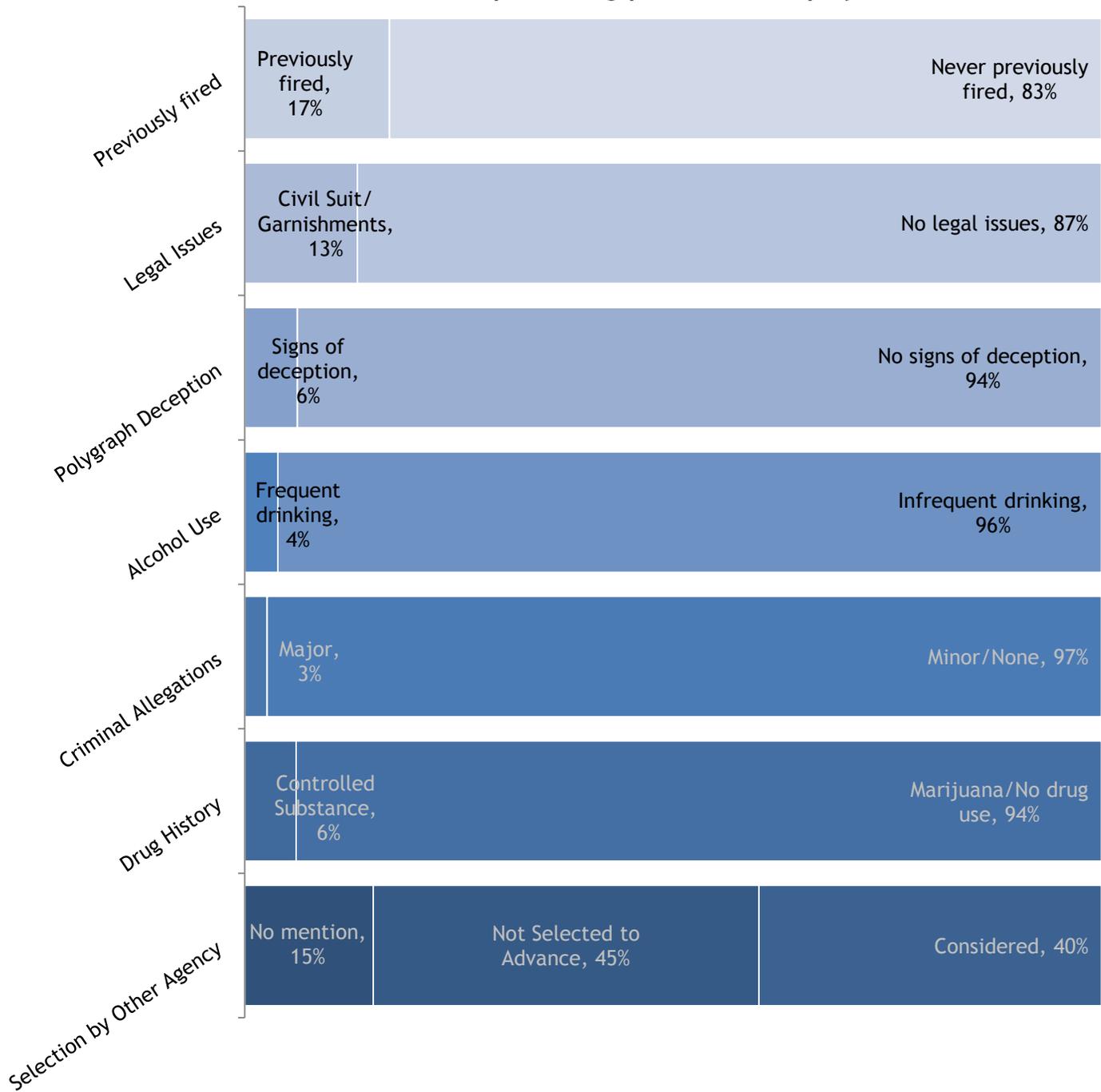
Racial Demographics of Sample

| <i>Category</i> | <i>#</i> | <i>%</i> |
|-------------------------|------------------|--------------------|
| <i>White</i> | <i>26</i> | <i>33%</i> |
| <i>Hispanic</i> | <i>23</i> | <i>29%</i> |
| <i>Black</i> | <i>16</i> | <i>20%</i> |
| <i>Asian</i> | <i>9</i> | <i>11%</i> |
| <i>Undeclared-Other</i> | <i>2</i> | <i>3%</i> |
| <i>Native American</i> | <i>1</i> | <i>1%</i> |
| <i>Filipino</i> | <i>1</i> | <i>1%</i> |
| <i>Total</i> | <i>78</i> | <i>100%</i> |

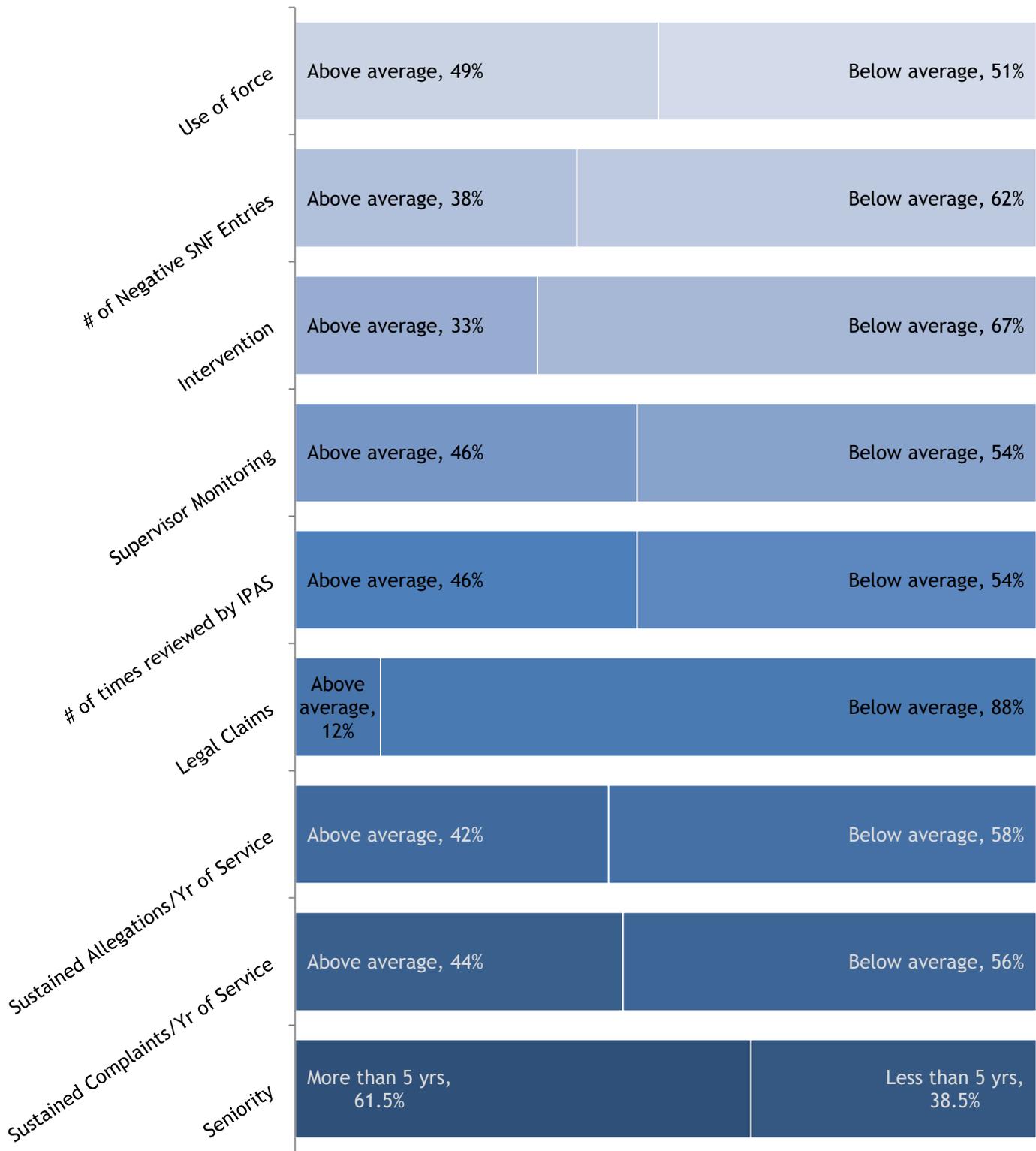
Pre-Employment Risk Factors

Pre-employment risk factors reviewed by OIG include whether the applicant had legal issues, signs of deception on the applicant's polygraph examination, alcohol use, drug history, were previously fired and whether an applicant has been previously not selected by at least one other law enforcement agency. Of all risk factors reviewed, not being selected from another agency's application process stood out as being a risk factor that was exhibited at a higher rate than other risk factors.

Sample Demogrphics: Pre-Employment Risk Factors



Sample Demographics: Post-Employment Risk Factors



Post-Employment Risk Factors

Post-employment risk factors reviewed include intervention, supervisory monitoring, the number of times an officer was reviewed by the IPAS Administrative Unit, post-employment legal claims, sustained allegations and complaints for by years of service worked, use of force, seniority, and supervisory observations (supervisory notes files) number of negative SNF entries, suggesting performance problems.²² To assess post-employment risk factors, the average number of incidents for each factor was computed within the sample. Those above the average were grouped compared to those below the average. Overall, it appears that there is no commonly associated circumstance among the post-employment risk factors within the sample reviewed.

Previous Application Non-Selection from Another Agency

Forty-five percent (35 of 78) of the sworn personnel from the sample reviewed were previously not selected from at least one other agency's law enforcement application process for various reasons, including, failing the oral interview or written examination, failing to pass the background investigation or failing for other miscellaneous reasons. It is hard to know the specifics beyond the brief description provided by the applicant themselves. There were 12 officers whose backgrounds did not include any details about applying to other agencies, so no determination was made about whether they had or had not been not selected from another agency's application process.

| Rate of Non Selection to Advance from Other Agency | # | % |
|---|-----------|-------------|
| Not Selected to Advance | 35 | 45% |
| Failed Oral Interview | 11 | 14% |
| Failed Written Exam | 9 | 12% |
| Not Selected for other misc. reasons | 3 | 4% |
| Failed Physical | 2 | 3% |
| Failed Psychological Evaluation | 2 | 3% |
| Reason not mentioned | 2 | 3% |
| Considered for Advancement in Hiring Process | 31 | 40% |
| No Mention of Applicant Applying Elsewhere | 12 | 15% |
| Total | 78 | 100% |

Given the previously mentioned limitations, OIG was unable to determine whether the distribution of previous non-selection is above, below or about the same when compared to either the Department as a whole or a representative control group. Additionally, OIG did not quantify the

²² SNF entries may not be a reliable measure for comparison, because there tends to be a large variance based on the supervisor's discretion in using the SNF system, the categories in which they label entries, and the amount of detail they provided.

maximum number of times an individual was not selected to advance, although, in one case, an applicant did apply to 25 other law enforcement agencies and was not selected by at least 11 at the time the Department offered the applicant employment. However, it may be the case that not being selected by another Agency is commonly experienced. Depending on the reason for non-selection, it may have more to do with the other Agencies' recruiting goals rather than an indication of unsuitability. For example, according to material provided to OIG by the Bureau of Services, approximately 21,627 persons applied to become an OPD officer since 2012, and only 3,134 (14%) passed all the hiring exams and were referred to the background process. Only 3% (564 applicants) of all applicants were invited to attend the Academy.

OBSERVATION 1

The average rate of sustained complaints and allegations received per year are both almost three times higher within the sample than the Department's collective average for all sworn personnel.

Specifically, sworn personnel within the sample with three or more years of service, received on average .52 sustained complaints per year worked while the Department as a whole averages .18 sustained complaints per year.²³ Also, the rate of sustained allegations in the sample showed a higher average than that of the Department as a whole, by a factor of three. The mean average for the sample population was .70 sustained allegations per year of service worked while the Department only averages .21 per year of service worked.

| Average Rate of Sustained Complaints and Allegations per Years of Service Since 2007 ²⁴ | | |
|---|-------------------|---------------|
| Complaints | <i>Department</i> | <i>Sample</i> |
| Mean average | .18 | .52 |
| Median average | .10 | .44 |
| Allegations | | |
| Mean average | .21 | .70 |
| Median average | .11 | .59 |

²³ To adjust for those who have had too few years of service to really gauge their true rate of misconduct, OIG calculated misconduct from among those who have worked at least three years from both the sample and Department population.

²⁴ Again, for better data accuracy, OIG used complaint history starting from when the Department began electronically tracking information; with 2007 being the first full year of consistent sustained complaint data. Additionally, to adjust for those who have had too few years of service to really gauge their true rate of misconduct, OIG calculated misconduct from among those who have worked at least three years from both the sample and Department population.

RECOMMENDATION 1 Given the stark difference in average rates, the Department should evaluate the value and feasibility of including the number of *sustained* complaints and allegations as a risk factor that is tracked and reviewed through the risk management process (IPAS), when in the event these risk factors exceed the Department's average or peer group average.

OBSERVATION 2 Within the sample reviewed, POST Academy Graduates hired after 2012 were involved in a disproportionately higher amount of the most serious misconduct when compared to their peers who attended a Department Academy. Additionally, there are almost twice as many in the sample as when compared to the overall population of officers hired after 2012.

Of all officers hired since 2012, 16 percent (83 of 531) attended a non-Department Academy, while the majority (84%, or 448 of 531) attended a Department Academy. However, the proportion within the sample reviewed of those officers engaged in misconduct showed almost twice as many PAGs, which totaled thirty percent (nine of 30 officers hired since 2012). Additionally, it was also noted that of those within the sample hired after 2012, the severity of misconduct by PAGs can be considered egregious. Five of the nine were involved in high profile incidents that brought disrepute to the Department.

RECOMMENDATION 2 The Department should evaluate its use of other police academies as training grounds and/or ensure all Academy Graduates entering the Field training Program are equally and effectively evaluated and indoctrinated into the Department's culture of accountability and integrity.

OBSERVATION 3 Peer evaluations made during the Academy are indicative of behavioral issues and are being utilized as an effective risk management tool by the Training Section. Additionally, the average rate of 'no endorsements' within the sample population is five times greater when compared to a control group.²⁵

During the course of reviewing academy files, OIG realized just how valuable peer evaluations could be in highlighting the collective concern of either unethical behavior occurring during the Academy or the possible risk of future misconduct. Peer evaluations are anonymously submitted by all trainees at least once during the Academy course and are read by Training Section management who use the peer evaluations primarily as a training tool, but also as a risk management tool if ratings and comments suggest the presence of serious ethical or integrity issues. Each trainee is

²⁵ Only hires in 2012 or after had documented peer evaluations in their Academy files, and hires who attended non-Department Academies had no file, leaving 22 with peer evaluations for review, 15 of which had at least one 'no endorsement'.

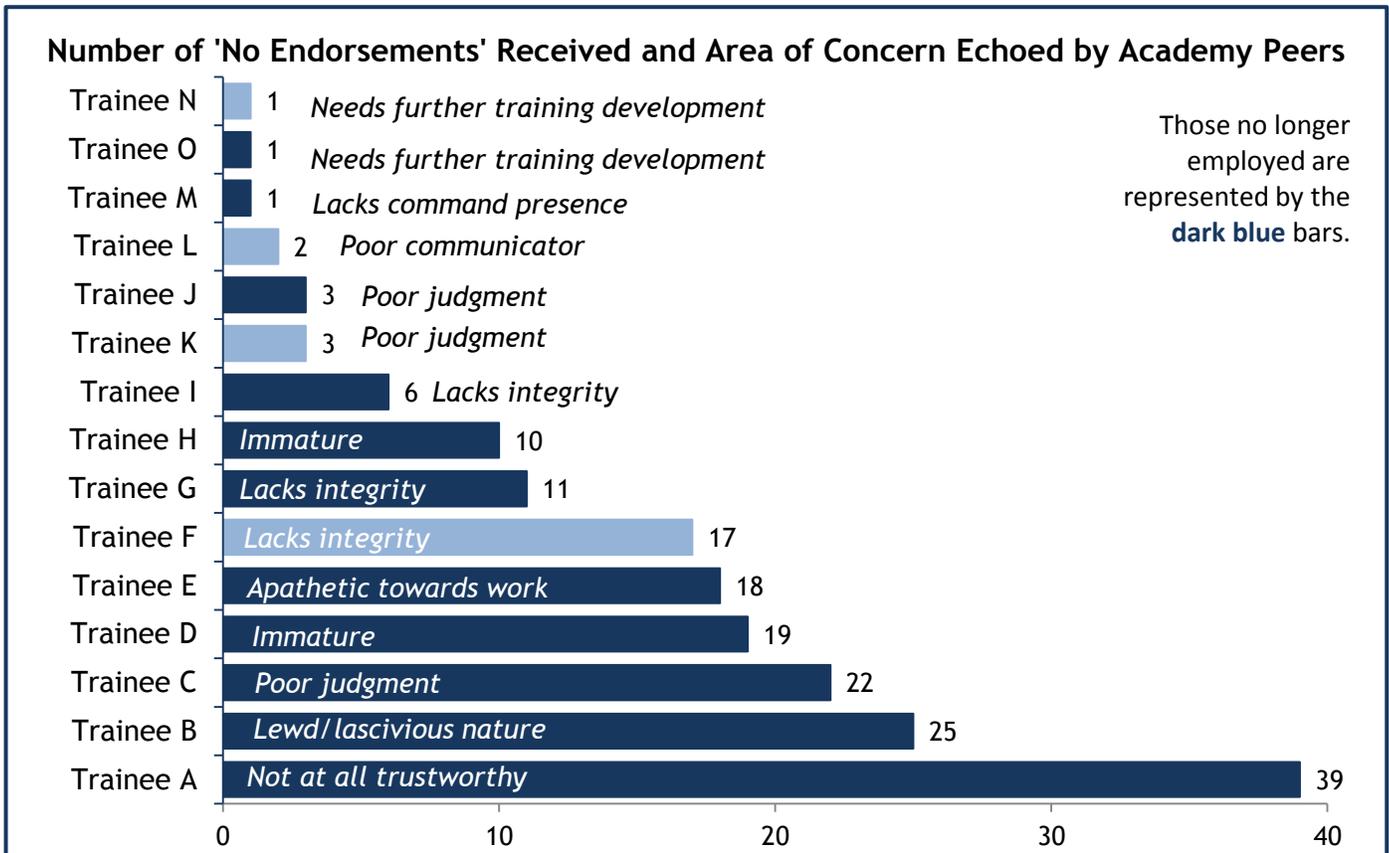
asked, ‘Would you want this recruit as your [patrol] partner?’ knowing that their safety and wellbeing is significantly tied to the competence and integrity of that particular trainee being evaluated. The evaluator trainee must critically assess the trustworthiness, ethical nature and overall character for each trainee in question and respond with either a ‘yes’ or ‘no’ (meaning ‘no endorsement’ of the trainee) and provide a written rationale to support their determination.

Notable comments from the sample reviewed included statements like, *I’m worried that he will cause more harm than good as an officer, or I do not trust this trainee to do the right thing.* In at least one instance, the Department took action to correct inappropriate behavior by a trainee that came to light through the peer evaluation process. The Department swiftly discharged this trainee. Despite its inherent subjectivity, it is OIG’s opinion that peer evaluations play a valuable role in identifying and mitigating misconduct and integrity-related risk when several peers indicate a lack of confidence.

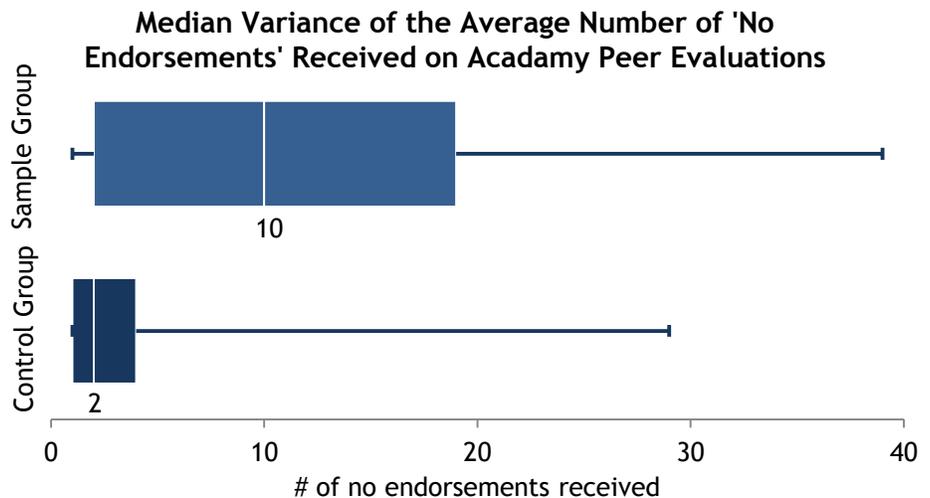
Moreover, this observation regarding the usefulness of peer evaluations is supported by a published study that concluded peer evaluations made during the academy significantly predict job performance.²⁶ Similarly, another study found peer rankings in the academy setting had a moderately strong correlation with long-term officer retention rates.²⁷ The findings from these academic studies further support OIG’s additional observation that within the sample reviewed, of those trainees who were subject to the peer evaluation process during the Department Academy and received at least one ‘no endorsement’ (and whose file was retrieved), 73 percent (11 of 15) are no longer employed with the Department. This is illustrated in the following chart, with those no longer employed represented by the dark blue bars.

²⁶ Schumacher, J. E., Scogin, F., Howland, K., & McGee, J. (1992) The relation of peer assessment to future law enforcement performance. *Criminal Justice and Behavior*, 19(3), 286-293.

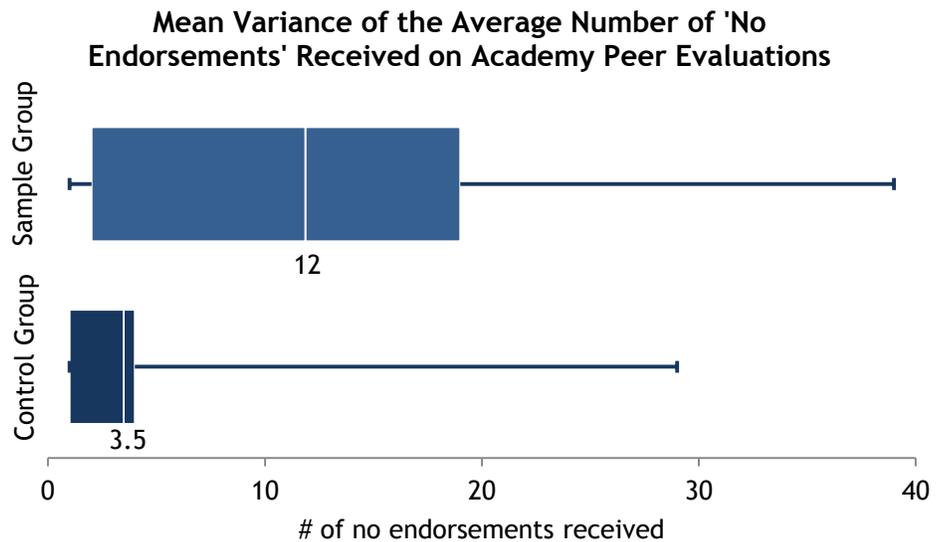
²⁷ Gardner, J., Scogin, F., Vipperman, R., & Varela, J. G. (1998). The predictive validity of peer assessment in law enforcement: A 6-year follow-up. *Behavioral Sciences and the Law*, 16, 473-478.



Lastly, when compared to a randomly selected control group of officers from the same period of time and who have received no sustained complaints since joining the Department, the average rate of 'no endorsements' was five times less than that of the sample population reviewed. On average, the control group received two 'no endorsements' from their peers, while the average median rate for the sample was ten. Additionally, the highest number of 'no endorsements' received within the control group was 29, while the highest in the sample of misconduct officers was thirty-nine. This is illustrated in the following chart.



When measuring by the mean, the difference remains the same. Those in the sample group of misconduct officers received about 3.5 times more 'no endorsements' than their peers in the control group. On average, the control group received 3.5 'no endorsements' from their peers, while the average rate for the sample of misconduct officers was twelve. This is illustrated in the following chart.



RECOMMENDATION 3 OIG strongly recommends that the Department should codify the current practice of using the academy peer evaluations into written policy with a provision that it be viewed as both a risk management tool and as a hiring and training performance metric that will be routinely assessed. Lastly, the Department should ensure trainees are made aware of and have access to an anonymous reporting resource (i.e., the City's pre-existing Fraud, Waste and Abuse hotline).

OBSERVATION 4 **Within the sample reviewed, of those who separated employment due to misconduct or integrity issues, the vast majority did so prior to ending their probation phase.**

It is reasonable to assume that some personnel-related risk will be passed along as sworn personnel - who technically met minimum training standards - advance toward the post-probation phase of employment; at which stage terminating an employee for misconduct related violations becomes exceedingly challenging for the Department and City.

Overall, 81 percent (17 of 21) of those within our sample who were hired after 2012, and separated employment left during the earlier stages of their employment. Given the effects of this observation, it is OIG's opinion, that personnel-related risk was being transferred, but at a diminishing rate. Therefore, there exists a certain degree of effective risk

management in addressing post-employment misconduct issues during the probation phase, but prior to sworn personnel receiving full civil service privileges including appealing termination.

Proportion of Post-Employment Separation by Employment Phase

Generally, within the sample reviewed, the rate of separation due to instances of serious misconduct or problematic decision-making lessened as POTs/Police Officers advanced through the employment process, suggesting a certain degree of effective risk management.



RECOMMENDATION 4 The Department should track separation based on employment phase as a possible risk management performance metric to ensure that the Department is removing those engaged in misconduct and/or unethical behavior as early as possible during probation.

Other Critical Observations

According to the US Department of Justice's National Institute of Justice, current research finds that the management and culture of a department are the most important factors influencing police behavior.²⁸ Specifically, law enforcement agencies who emphasize the following areas of governance do better at maintaining police integrity:

- Accountability of managers and supervisors
- Equal treatment for all members of the organization
- Citizen accessibility to the department
- Inspections and audits
- Quality training for personnel

While not deliberately intended, the following observations and recommendations mirror some of the same areas of governance mentioned above, in which the Department should seek to improve.

²⁸ Management and Culture Affect Integrity. (2016, June 27). Retrieved October 14, 2016, from <http://www.nij.gov/topics/lawenforcement/legitimacy/pages/integrity.aspx>

OBSERVATION 5

The Department does not maintain an efficient recordkeeping system to track applicants through the hiring and training process, which would allow for easy and accessible review of individual trainee performance and possible behavioral concerns, as well as hiring and training trends over time.

Comprehensive Applicant Tracking

The Department does not maintain a comprehensive list of individuals who have separated from the Department during the various stages of the hiring and training process. Rather, each Unit maintains siloed data about police officer candidates and trainees. The Recruiting and Backgrounds Unit maintains an electronic list of all police officer applicants who go through a background investigation. The Personnel Division maintains a separate database on all Department personnel, which also tracks hire and separation dates. The Training Division maintains various paper files and electronic lists that track who starts and graduates/separates from each Academy, all of which are in various stages of completeness. The Field Training Unit recently implemented a database for field trainees, which tracks performance issues and separations, which replaces their paper filing system. This patchwork system of tracking personnel information requires burdensome reconciliation and raises questions of reliability.

In sum, there is no one complete and comprehensive electronic tracking mechanism to track all applicants and trainees as they process through the hiring and training phases. Without a comprehensive and consolidated list, there is no efficient way to determine who went through the hiring and training processes, at what stage they separated, and the reason for which they separated. Specifically, the stages include from the time the Department initiates a background investigation, to the point in time when the employee separates from the Department, whether due to a de-selection determination made during the hiring process; the applicant resigns after accepting their conditional or final job offer; the trainee resigns or is discharged during the training process; or passes the probation period, but is later terminated.

Additionally, the Department uses several categories to define why a trainee separates from the Department including, resignation, termination, and discharged from probation to name a few. During OIG's review and discussions with Training and Personnel staff, it appears that the categories are applied arbitrarily. For example, there is no clear definition or distinction between 'termination' and 'discharged from probation'. To understand which trainees may have separated due to misconduct or integrity/ethical issues, a burdensome review of personnel files, academy files, and/or field training files is required; all of which are physically housed in separate locations and maintained by separate

“An agency’s culture of integrity, as defined by clearly understood and implemented policies and rules, may be more important in shaping the ethics of police officers than hiring the ‘right’ people.”

- US Department of Justice

Departmental units/divisions. Furthermore, the best information about trainees is gleaned from staff assigned to the Training Division and Field Training Unit. While Department staff is institutionally knowledgeable, such valuable information, without being fully and clearly documented will eventually be lost as staff changes.

File Maintenance

The Department does not have a policy addressing how to maintain trainee files. Trainee files for officers hired in 2008 or before are inconsistently maintained, and many files were unable to be located, which raises the issue of adequately maintaining confidential personnel information. The whereabouts of these files are not entirely known, and a reasonable explanation was lacking. Additionally, the Training Section does not have academy performance records for officers who were hired laterally from other agencies and/or completed their training outside the Department.

However, the records maintenance has significantly improved since 2012, with all requested Academy and Field Training files for officers hired after 2012, and who attended a Department Academy being locatable and accessible. Moreover, when OIG randomly selected 79 additional Academy files to use as a control group for peer evaluation comparison (from those hired after 2012), all but one file were found.

| Records Status for Academy and Field Training Files | | | | |
|---|------------------------------|---------------|-------------------|--------------------|
| | Total Trainees ²⁹ | Files Located | Files NOT Located | % of Files Located |
| Officers Hired before 2008 | | | | |
| Academy Files | 47 | 15 | 32 | 32% |
| Field Training Files | 41 | 22 | 19 | 54% |
| Total | 88 | 37 | 51 | 42% |
| Officers Hired after 2012 | | | | |
| Academy Files (sample group) | 22 ³⁰ | 22 | 0 | 100% |
| Academy Files (control group) | 79 | 78 | 1 | 98% |
| Field Training Files | 21 | 21 | 0 | 100% |
| Total | 122 | 121 | 1 | 99% |

Since 2012, the Department’s Training Section has maintained an individual Academy file for each police officer trainee with detailed information on the trainee’s performance. Prior to 2012, the Training

²⁹ One officer in the population was a “Reserve Officer” hired in 2000. Reserve officers do not attend an academy or field training program.

³⁰ Nine of 30 trainees attended a non-OPD academy, however, one trainee did originally begun an OPD academy before being recycled to an outside academy. Therefore, one non-OPD academy attendee did have an OPD academy trainee file.

Section maintained written records of each Department Academy rather than individual trainees, and while these records have varied over the years in their range of detail and formatting, they typically contain the same general information, including who attended the Academy, what training was administered and trainee test scores. Since 2012, the individual trainee files are far more detailed and include test scores and ratings on behaviors and conduct; performance deficiencies and remediation to address them; and peer evaluations. As mentioned previously, peer evaluations provide the Training Section valuable insight into possible behavioral issues felt and/or witnessed by other trainees. Tracking such relevant information is beneficial for the Department and the Training Section as a performance measurement and risk management tool, but it works best when records are complete and easy to locate.

Maintaining easily accessible and consolidated information about performance, including specific reasons for separation, would help to inform any analysis performed on Department hiring and training trends over time. Additionally, ensuring the safeguarding of Academy files is important in maintaining the privacy of the individual trainee.

RECOMMENDATION 5

The Department should develop a policy detailing the requirements for applicant/trainee tracking and records maintenance, including consideration of consolidating siloed systems or ensuring that information is consistent among all units. Additionally, OIG recommends the Department direct the Training Section to prioritize an organized system of record keeping (preferably electronic) that would allow for a quick and comprehensive review of all trainees and overall academy performance. This includes making every effort to obtain academy performance information for lateral and POST Academy Graduate hires. Resources should be provided to the Training Section to accomplish this task in an expedited manner.

OBSERVATION 6

Instances of misconduct *prior* to being hired or unethical behavior occurring during the training process are not consolidated with an individual's post-employment record of performance, thereby inhibiting the creation of a 'big picture' profile of an individual's demonstrated behavioral risk pattern.

During the course of OIG's review, it was determined that clear instances of behavioral risk that are documented in an individual's background investigation packet or unethical behavior occurring during the training process are not being comprehensively assessed by the Department when evaluating personnel-related risk.

Within the sample reviewed by OIG, instances of behavioral risk identified in the background process continued post-employment. For example, a

“Law enforcement agencies should establish a culture of transparency and accountability to build public trust and legitimacy. This is critical to ensuring decision making is understood and in accord with stated policy.”

- The President’s Task Force on 21st Century

series of significant alcohol and anger management issues, in addition to other risky behaviors, from among some officers within the sample revealed that prior to joining the Department, these individuals’ actions had resulted in consequences that warranted more detailed review by the Department. After employment with the Department, the same pattern of misconduct persisted among the same group of individuals, resulting in sustained administrative findings and discipline. OIG seeks to emphasize the consequences of having a risk management strategy that does not fully consider an applicant’s history of pre-employment behavior. When pre-employment behaviors indicate risk, the Department should rigorously review the likelihood and impact of the continued behavior, and when making the decision to hire such applicants, great care should be taken to monitor their performance to promote the greatest opportunity for success.

The likely cause of this lack of a comprehensive sole source of information is due to information being siloed and not readily accessible. Currently, the Department’s risk management includes, but is not limited to the tracking and monitoring of alleged misconduct or criminal arrests against a Department employee. However, this tracking does not consider misconduct or unethical behavior that happened prior to hiring or during the training process. This is especially important considering that research indicates pre-employment problem behaviors correlate with problem behaviors as an officer.^{31, 32} This limited perspective inhibits the creation of a ‘big picture’ profile of an individual’s demonstrated behavioral risk pattern.

RECOMMENDATION 6

The Department should consolidate all known sources of documented misconduct and behavioral issues and incorporate it into the Department’s overall pre-existing risk management strategy. Additionally, the Department should develop an assessment tool and response procedure that reflects the cause of misconduct based on an individual’s demonstrated behavioral risk pattern.

OBSERVATION 7

Opportunities exist for additional internal control measures to be added during the background investigation process that highlight possible integrity issues.

POST sets forth several technical requirements for how an applicant’s thorough background investigation is to be achieved. Complying with these requirements serves as a control measure over the investigatory

³¹ Mealia, R.M. (1990). *Background factors and police performance*. Unpublished doctoral dissertation, State University of New York, Albany.

³² Staff, T.G. (1992) *The utility of biographical data in predicting job performance: Implications for the selection of police officers*. Unpublished dissertation, University of Toledo.

work performed and provides a minimum level of risk management assurance. However, OIG believes more should be done to ensure a quality risk assessment related to the applicant's level of integrity is being clearly identified and communicated to those making hiring decisions. POST mentions integrity as a hallmark of good moral character, which serves as the first investigative aspect in performing a thorough background investigation.

POST's Background Investigation Manual defines integrity as follows:

Integrity. This involves maintaining high standards of personal conduct. It consists of attributes such as honesty, impartiality, trustworthiness, and abiding by laws, regulations, and procedures.

It includes:

- Not abusing the system nor using one's position for personal gain not yielding to temptations of bribes, favors, gratuities or payoffs
- Not sharing or releasing confidential information
- Not engaging in illegal or immoral activities - either on or off the job
- Not condoning or ignoring unethical /illegal conduct on others
- Not bending rules or otherwise trying to beat the system
- Honest and impartial in dealings with others both in and outside the agency
- Truthful and honest sworn testimony, affidavits, and in all dealings with others

During the course of reviewing background files, it was observed that questionable and concerning instances of unethical behavior (like previous criminal activity or alcohol abuse) were not one of the first aspects mentioned in an applicant's summary narrative. The summary narrative serves as a high-level profile for those making hiring determinations to quickly gain an assessment of the applicant's viability.

The likely reason for why instances of concern are not chiefly emphasized in the narrative summary is because the Department follows POST's suggested formatting structure, which begins with personal demographic information like the applicant's home address and continues on with information shared by contacted references, education, employment history, military history, financial history, legal history, motor vehicle history, polygraph results, in addition to other topics. The actual analysis is left for the end, which by this point is several pages into the summary and maintains, from what OIG further observed, limited documentation on the consideration given on the possible risks and consequences of hiring the applicant.

RECOMMENDATION 7 OIG strongly recommends that, if during the course of the background investigation it becomes apparent that a pattern of past misbehavior or a specific combination of concerning facts and circumstances emerges, the Department should direct the background investigators to, using their best professional and impartial judgment, clearly document in the

narrative summary:

- The possible consequences to the Department if past undesirable behavior were to reoccur
- The likelihood of reoccurrence of the undesirable behavior
- The relevance of the past behavior in effectively performing the duties required
- The length of time between the particular undesirable behavior and the time of application for employment
- The legal rights of the applicant

OBSERVATION 8

The current practice of addressing unethical behavior occurring during the training process is inconsistent with the Department’s administrative investigation policy.

As it stands, trainees in the Academy are not always subject to the same administrative investigatory and discipline process that other officers are held accountable to, despite trainees being equally capable of violating Department rules, policy, laws, and regulations. Rather, violations by trainees are generally reviewed by the Training Section’s chain of command with the Chief of Police making the ultimate determination; and if warranted, trainees are discharged/terminated. However, depending on the severity, some violations may be handled through the Department’s Internal Affairs administrative process. So while this process of referring issues up to the Chief of Police may be more expeditious and appropriate for non-serious violations of misconduct, integrity issues identified in the Academy may be better handled through the Internal Affairs process. Consistency in procedure should result in well understood and evenly applied expectations and remedies, as well as ensure a more robust documentation of the alleged misconduct.

RECOMMENDATION 8

The Department should consider whether all integrity issues identified in the Academy should be handled through the Internal Affairs process.

OBSERVATION 9

The Department’s past background investigation process may have violated a POST regulation.

For anti-discrimination purposes, making certain types of medical and psychological inquiries prior to a conditional job offer is considered unlawful.³³ To prevent this, POST regulations prohibit initiating any such evaluations until after a conditional job offer has been extended.

Specifically, POST Regulation 1955 (c) entitled, *Peace Officer Psychological Evaluation: Timing of the Psychological Evaluation*, states, “The psychological evaluation shall commence only after a conditional offer of employment has been extended to the peace officer candidate

³³ CA Government Code §12940 (e)(3) and 42 US Code §12112(d)(3)

[Americans with Disabilities Act (42 U. S. Code section 12101 et seq); California Fair Employment and Housing Act (Government Code section 12940 et seq)]. The psychological evaluation must be completed within one year prior to date of employment. A new psychological evaluation shall be conducted on peace officer candidates reappointed to the same department, unless the prior evaluation occurred within one year of the date of reappointment.” POST Regulation 1954 (b) makes a similar statement regarding medical evaluations that also should be performed after the conditional job offer.

| Timing of Examinations in the Recruiting & Background Process | | |
|---|--|-----------------------------------|
| Pre-Conditional Job Offer | | Post-Conditional Job Offer |
| Physical ability test | POST Regulation 1954 (b) POST Regulation 1955 (c) | Medical evaluation |
| Polygraph Examination | | Psychological evaluation |
| Oral interview | | |
| Reading and writing Ability assessment | | |
| | | |

While reviewing personnel files, OIG noticed that the date on some psychological evaluations occurred prior to a conditional job offer. OIG did not perform an exhaustive review and stopped after observing at least five instances with dates ranging from 2006 to 2012. It appears, however, to not have occurred since 2012, thereby reducing the risk to a more bygone concern.

RECOMMENDATION 9 The Department should consult with its legal advisors regarding any possible implications related to this observation.

OBSERVATION 10 The Department does not include City administrative stakeholders in the final decision-making process of POT applicants.

Currently, opportunities exist for community members and City employees to participate directly in the police officer hiring process; however, the City’s professional administrative staff is not involved in the final determination of police officer applicants. Presently, hiring determinations are made internally by the Chief of Police, or are otherwise designated to a Deputy Chief of Police, which limits input from others outside the Department, but still operating within the City, like Human Resource Management (HRM) for example. As it stands, the Department should seek to improve the legitimacy and transparency of its hiring practices, and collaboration with other relevant City departments in

making quality selection decisions of its police officer applicants should be seen as a benefit to the Department, the City of Oakland, and most importantly, its residents.

RECOMMENDATION 10 The Department should evaluate opportunities for key City stakeholders (like HRM) to participate in the final determination of POT applicants, if they so choose. When designing an efficient method to meet this recommendation, the Department should take care to (1) not prolong the hiring process; (2) consider the applicant’s confidentiality and; (3) not violate Oakland City Charter, Section 218: Non-Interference in Administrative Affairs.

OBSERVATION 11 **Although not required by POST or Department policy, 62% of background investigators lack POST certified training and 57% of non-annuitant sworn Background Investigators lack both POST training and experience working in the Recruiting and Backgrounds Unit.**

As previously mentioned, POST’s minimum standards are designed to eliminate those who do not meet the most basic of requirements (i.e., a screen out method of selection). Consequently, the task of assessing and selecting the most qualified police officer applicants, “of good moral character as determined by a thorough background investigation” depends heavily on the training and experience of those performing the background investigation. Additionally, POST states, “The proper training of employees is an employer’s legal responsibility; furthermore, effective training of background investigators can greatly improve the quality of an agency’s candidates.” POST training typically covers the investigator’s responsibilities in the pre-employment background investigation process; how to conduct pre-employment interviews and evaluate suitability for employment; and how to document a thorough background investigation.

Based on a list provided by the Recruiting and Backgrounds Unit (R&B Unit), 23 of 37 background investigators (or 62%) have not attended a POST certified course. Additionally, 12 of 21 (or 57%) sworn background investigators (non-annuitants) have neither received POST training nor have had previous experience working within the the R&B Unit.

| Type of Background Investigators | POST Training | No POST Training | Total by Type |
|--------------------------------------|-----------------|------------------|------------------|
| Sworn Personnel assigned to R&B Unit | 5 (100%) | 0 (0%) | 5 (14%) |
| Sworn Personnel assigned elsewhere | 4 (25%) | 12 (75%) | 16 (44%) |
| Annuitants assigned to R&B Unit | 5 (31%) | 11 (69%) | 16 (42%) |
| Total by Training | 14 (38%) | 23 (62%) | 37 (100%) |

According to the R&B Unit, background investigators are trained internally by permanently assigned R&B Unit staff and receive POST certified training on conducting background investigations within 90 days, unless training is unavailable.

OIG subsequently reviewed POST's online training catalog which listed five courses offered in the Bay Area since July 1, 2015; four on background investigations and one update training for those who have already attended an introductory course. Based on the periods background investigators were assigned background investigations, and POST training dates, it is OIG's opinion that POST training opportunities were available to all background investigators, however no support was produced by the R&B Unit or the Training Section, who serves as the custodian of record for all POST training received by Department personnel and whose electronic records are fed by POST's training and certification database.

Receiving formalized training by credentialed POST instructors provides greater quality assurance that the standard of curriculum is robust, relevant and up-to-date with ever-changing laws and regulations governing police hiring, and that the learning objectives are clear and concise. Ultimately, better-trained background investigators should result in more thorough, complete and defensible background investigations.

RECOMMENDATION 11 The Department should revise its current policy (which was last updated in 1999) within 6 months so that POST certified training is a requirement for those performing background investigations that are not assigned to the R&B Unit. Additionally, background investigators should be required to have investigative experience, if they have never previously worked within the R&B Unit.

Also, in keeping with ensuring quality investigations are being performed, greater managerial oversight - beyond just requiring POST training - should also be considered. For example, R&B Unit management staff should monitor caseload and staffing resources, perform quality checks for policy and regulatory compliance, and conduct routine reviews of background investigator performance, specifically IPAS data.

A Note on Quality Selection and Training

The reality of the Department's staffing predicament in 2012 was arguably dire. After reaching an extraordinarily low staffing level of approximately 1.5 officers per 1,000 residents, 2012 presented an opportunity to commence needed hiring to achieve appropriate levels. Given the high influx of newly hired officers between 2012 and present day, the Department's hiring and training resources reached their capacity. In short, it is OIG's opinion that more focus on overall risk management and quality selection is deserved.

Factors that impacted proper risk management include:

- Commitment to a high number of background investigations in expedited time periods
- Commitment to an aggressively paced academy schedule with more trainees per class than previous periods
- An increased trainee to Recruit Training Officer ratio which lessened the potential quality of supervision and instruction provided to each trainee
- The amount of available Field Training Officers was not enough to support the high numbers and frequency of new officers entering the Field Training Program

In addition, emerging competition among neighboring law enforcement agencies seeking to increase their police forces and a growing regional economy may have lessened the supply of qualified police officer applicants.

In conclusion, OIG set out to report on any possible patterns, trends or circumstances among sworn personnel who have participated in serious misconduct or who have demonstrated problematic decision-making or questionable ethics, and to consider how the use of any identified pattern, trend, or commonly associated circumstance may be used to lessen future instances of misconduct, or to better inform the hiring, training or early warning system processes already in place. OIG was ultimately unable to conclude that any *one* factor drives officer misconduct, however, there were indications that the Department is not utilizing all available data in a holistic manner to identify applicants and trainees that would benefit from monitoring and appropriate risk management strategies. The recommendations in this report identify a number of improvements, which if made, will serve to lessen the Department's risk of further misbehavior.

Recommendation Follow-Up

In response to this report's recommendations, the Department committed to provide a full response to the City Administrator. OIG will monitor the Department's management actions in effectively addressing and/or implementing the above-stated recommendations in an appropriate and timely manner. OIG will produce a follow-up publication in 2017 summarizing developments and areas of continued improvement made since the release of this report.

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