FILED
OFFICE OF THE CITY CLERK
OAKLAND

2014 MAR -7 PM 4:10

Approved as to Form and Legality

City Attorney's Office

# OAKLAND CITY COUNCIL

Resolution No. 84767 C.M.S.

**INTRODUCED BY COUNCILMEMBER LIBBY SCHAAF**

---

**RESOLUTION ESTABLISHING A FULL POLICE STAFFING POLICY THAT WILL ESTABLISH ALTERNATIVE HIRING METHODS, DEADLINES AND REPORTING REQUIREMENTS FOR PROMPTLY AND CONSISTENTLY ACHIEVING ACTUAL BUDGETED STAFFING LEVELS FOR SWORN AND NON-SWORN POSITIONS WITHIN THE OAKLAND POLICE DEPARTMENT**

WHEREAS, a core municipal function is the delivery of police services to Oakland neighborhoods to protect public safety and enhance the quality of life in the City; and

WHEREAS, in 2012, Oakland had the highest violent crime rate in California and the third highest rate in the country; and

WHEREAS, recent academic studies have highlighted Oakland as having a particularly understaffed police department, including "The Effect of Police on Crime: New Evidence from U.S. Cities, 1960-2010," in which UC Berkeley researchers Justin McCrary and Aaron Chalfin, conclude that police are consistently found to reduce crime but that Oakland is the 24th most under-policed of all large American cities, as well as a 2010 RAND Institute report that finds "In the particularly understaffed police departments of Oakland and St. Louis, each additional officer could reduce crime costs by more than $1 million a year;" and

WHEREAS, in recent years, the City of Oakland has faced budget challenges and reductions in staff which have resulted in a 34% reduction of civilian staff within the Oakland Police Department (OPD) and 25% reduction of sworn staff, including the laying off of 80 sworn officers in 2010; and

WHEREAS, in 2013 sworn officer staffing reached its lowest level in recent history of 611 officers; and

WHEREAS, the City Council in its 2013-15 city budget specifically approved two graduating academies per fiscal year, with the funding for one police academy in FY 2013-14 (168th) and two in FY 2014-15 (169th and 170th); and

WHEREAS, in approving the 2013-2015 Budget, the City Council relied on staff's projections that the relevant Police Academies (167th, 168th, 169th, and 170th) would graduate an average of 40 officers each, resulting in 160 new officers which would meet the 697 officers authorized and budgeted to be employed by June 30, 2015; and

WHEREAS, the first two academies have produced fewer than the expected 40 graduates, with 39 and 36 graduates respectively, and the monthly officer attrition rate has exceeded the assumed rate of 4 officers a month, with actual rates of 4.75 and 4.92; and

WHEREAS, due to such consistent hiring shortfalls and accelerated attrition, the City is already 17 officers behind in its expected staffing only three months into its current two-year budget cycle, not including an additional 10 positions funded by a recently awarded COPS grant, and

WHEREAS, in part due to the lengthy hiring process, attrition and an understaffed human resources department, the City has been slow in maintaining authorized staffing levels of certain critical civilian positions, including Police Communications Dispatcher, Police Evidence Technician, Police Services Technician, Police Records Specialist, Criminalist, Forensic Technician, Latent Print Examiner, and Police Cadet, which are also critical in achieving Oakland's public safety goals; and

WHEREAS, from 2009-2012, the Oakland City Council failed to allocate funding to recruit, train and hire new officers, which resulted in the shrinking of the sworn police force from 837 officers in 2008 down to 611 officers in 2013 and also resulted in Oakland's loss of its certification from the Commission on Peace Officer Standards and Training ("POST") which was costly and time-consuming to regain; and

WHEREAS, no recently adopted Budget has clearly indicated the number of budgeted sworn and non-sworn positions authorized in OPD and the two most recent Budgets used different methods for calculating budgeted staffing, causing confusion and lack of transparency for the public; and

WHEREAS, while OPD has been bringing monthly staffing reports to the Council's Public Safety Committee, these reports have not compared actual staffing to the expected staffing levels on a month-by-month basis, making it difficult to determine if staffing increases are proceeding as budgeted in a timely manner; now therefore be it

RESOLVED: That any Proposed or Adopted Budget must clearly state the number of sworn and non-sworn positions in OPD for which funding is allocated by the Budget ("Budgeted Staffing") and state how Budgeted Staffing was calculated (e.g., the average expected staffing over the course of the year); and be it

FURTHER RESOLVED: That any Proposed or Adopted Budget must allocate sufficient funds for OPD to conduct the minimum training exercises required to maintain its certification from the Commission on Peace Officer Standards and Training ("POST"); and be it

FURTHER RESOLVED: That until OPD has reached the sworn staffing goals stated in its current Strategic Plan in effect at that time and maintained or exceeded that staffing level for one year, the City Administrator, or his or her designee, shall report the following information or take the following actions to continuously clarify OPD actual and expected staffing levels:

1. Within 90 days of Budget adoption, the City Administrator shall present to the Council's Public Safety Committee, a Hiring Plan showing the timeline for achieving OPD Budgeted Staffing to achieve Sworn and Police-Support Civilian staffing levels as quickly as possible ("OPD Hiring Plan").
2. The OPD Hiring Plan shall include a month-by-month projection of expected staffing levels that takes into account recruitment and training times as well as expected attrition ("Expected Staffing").
3. The OPD Hiring Plan shall describe the expected hiring and training methods for achieving Budgeted Staffing as quickly as possible. It shall also describe alternative hiring to be used in the event Expected Staffing levels fall short, requiring accelerated hiring during a catch-up period.
4. The City Administrator shall bring a monthly Staffing Report to the Council's Public Safety Committee that clearly shows the Expected Staffing from the Hiring Plan and Actual Staffing for sworn and Police-Support Civilian staff ("OPD Staffing Report").
5. Each quarter, the OPD Staffing Report will contain an analysis of any deviations between the Expected and Actual Staffing levels and, in the event of any short-falls, document the use of alternative hiring methods designed to catch-up hiring and eliminate the staffing short-fall.
6. In the event that salary savings are insufficient to cover the incremental cost of utilizing an alternative hiring method, the City Administrator shall bring a request to fund this cost along with the quarterly report; and be it

FURTHER RESOLVED: That the City Administrator shall prepare within 120 days of the effective date of this Resolution, an OPD Officer Attrition Assessment Report that analyzes the rate and reasons for OPD Officers leaving the force, along with recommendations based on the findings, and the City Administrator may update this Attrition Assessment Report as needed.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 10 2013

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, [redacted], KALB, KAPLAN, [redacted], SCHAAF, AND PRESIDENT KERNIGHAN - 6

NOES - ~~0~~
ABSENT - Reid, Gibson McElhaney - 2
ABSTENTION - ~~0~~

ATTEST: LaTonda Simmons
LATONDA SIMMONS
City Clerk and Clerk of the Council of the City of Oakland, California