

CITY OF OAKLAND
AGENDA REPORT

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TO: Public Safety Committee
ATTN: Chair Gallo and Committee Members
FROM: Councilmember Libby Schaaf
DATE: November 7, 2013

RE: **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**

RECOMMENDATION

Adopt this Full Police Staffing Policy Resolution to ensure that the City makes reasonable efforts to consistently achieve the actual budgeted staffing levels for sworn and non-sworn OPD positions, and that the City clearly communicates its hiring efforts to the City Council and the public in a manner that promotes transparency and accountability.

SUMMARY

The resolution requires that all proposed and adopted budgets clearly articulate ongoing staffing levels. This resolution also requires the City Administrator to bring reports to the Council's Public Safety Committee that outline deviations between budgeted and actual staffing levels, to analyze and plan for hiring and attrition reduction, as well as creating ready-to-implement alternatives and accelerated strategies for reaching budgeted staffing levels.

OUTCOME

By passing this Resolution, the City of Oakland continues to show its commitment ensuring that our budget and public safety priorities are implemented in a timely manner. This Full Police Staffing policy will create better budget implementation and transparency such as:

- In all future Proposed and Approved budgets, clearly listing the number of sworn and non-sworn positions in OPD, for which funding is allocated, as well as explain the budgeting methodology.
- In all future Proposed and Adopted Budgets, allocating 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")

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- Directing the City Administrator to prepare within 120 days of passage 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.

In addition to the above procedures, this resolution will also create the following budget and communication procedures until such a time when OPD has reached the sworn staffing goals stated in its current Strategic Plan and maintained or exceeded that staffing level for one year:

- A hiring plan that shows month-by-month projections of expected staffing, the expected hiring and training methods, and alternative and accelerated hiring strategies for reaching the budgeted staffing levels.
- A monthly staffing report to the Council's Public Safety Committee that clearly articulates both the currently budgeted staffing and current actual staffing levels, for sworn and non-sworn support staff,
- A quarterly OPD staffing report with an analysis of the deviations between the budgeted and actual OPD staffing levels, as well as the use of alternative hiring methods.
- Direction to the City Administrator to bring a funding request to Council in the event that salary savings are insufficient to cover the incremental cost of utilizing alternative hiring methods.

BACKGROUND

The City of Oakland has a fundamental responsibility to ensure the safety of all its residents and visitors. We also have a responsibility to implement the policy priorities established by our budget and make this critical document as transparent as possible.

The need for more accurate OPD staffing data is unique due to the extremely long and complicated screening and training requirements for police officers and certain civilian staff such as 911 communications dispatchers. This need is magnified by the abundance of data that points to both correlations and causal relationships between public safety and per-capita police staffing levels. According to results from "The Effect of Police on Crime: New Evidence from U.S. Cities, 1960-2010," a 2012 study by UC Berkeley researchers Justin McCrary and Aaron Chalfin, Oakland ranks as the 3rd most under-policed city in California, and the 24th most under-policed city in the nation.

This resolution recognizes the importance of maintaining an adequately staffed police force, but focuses specifically on ensuring that the City meets its promise to both the City Council and the public in actually achieving the staffing levels approved by the City Council in adopted budgets.

The City of Oakland has faced severe budget challenges in recent years caused primarily by the Great Recession of 2008-2012 and its associated tax revenue reductions. The City was forced to cut OPD's civilian staff by 34% and sworn staff by 25% - including the laying off of 80 sworn

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officers in 2010; in 2013 sworn officer staffing reached its lowest level in recent history of 611 officers. Therefore, the City should now take reasonable efforts to put into place procedures that ensure we hire our budgeted sworn and non-sworn OPD staff expeditiously, given the dire recent history of OPD staff reductions.

ANALYSIS

The City Council and the public need clear communication procedures so as to stay informed of OPD's fluctuating staffing levels. Between 2009 - 2012, the Oakland City Council's funding decisions resulted in the shrinking of the sworn police force, from 837 officers in 2008 down to 611 officers in 2013. This multi-year staffing decrease resulted from a lack of proactive commitment to budget for, recruit, train, and hire new officers. This staffing decrease also correlates to historic increases in violent and property crime throughout Oakland. Furthermore, the staffing decrease 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. This dramatic staffing decrease was never clearly articulated in the proposed and adopted budget documents during this time.

Clear communications include the City's budgeting procedures; recent budgets have utilized different methods for calculating budgeted staffing, causing confusion and lack of transparency for the public, despite the significant resulting impacts on public safety. This resolution will remedy past budgeting confusion by ensuring that future budgets clearly articulate the OPD sworn and non-sworn budgeted staffing levels, as well as the budgeting methodology used to arrive at the articulated levels.

The need for clear communication and accountability extends beyond budget documents and should also include ongoing reports that clarify the City's ongoing hiring process and progress. The City Council recently budgeted for 697 officers to be hired by June 30, 2015, based upon budgeted staffing, budgeted police academies, and staff projections of academy graduates and attrition rates. The 2013-2015 budget allocates funding for two academies per year, assumes 40 Police Officer Trainee (POT) graduates per academy (four academies with 40 graduates each = 160 new officers), and that the Police Department will maintain an attrition rate of four officers per month. However, 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 averaging closer to 5 officers per month; 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. As the City Council and the public continue to discuss public safety and the role of policing, it is imperative that these differences between budgeted and actual staffing levels remain highlighted and transparent.

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The City faces considerable obstacles to consistently meeting the budgeted staffing levels, and part of the intention of this Full Police Staffing Policy Resolution is to shine light upon the current roadblocks that impede the achievement of our staffing goals. Greater attention to these roadblocks will hopefully result in an assessment of alternatives and options that will improve our ultimate ability to maintain a more adequately staffed police force.

One roadblock to consistently maintaining OPD sworn and non-sworn staffing levels derives from the necessarily complex hiring process for public safety employees. Additionally, the City's Department of Human Resources and Management (DHRM) has become very understaffed due to the same budget pressures that led to the OPD staffing reductions. DHRM's understaffing curtails the City's hiring efforts, thus resulting in another hiring roadblock.

To ensure that the City prioritizes the OPD non-sworn positions identified by OPD as high need positions as well as the sworn officers, this OPD Full Staffing Policy Resolution specifically refers to the need to maintain authorized staffing in particular with the following positions: Police Communications Dispatcher, Police Evidence Technician, Police Services Technician, Police Records Specialist, Criminalist, Forensic Technician, and Latent Print Examiner.

FISCAL IMPACT

None

SUSTAINABLE OPPORTUNITIES

Economic: The proposed ordinance is unlikely to create any negative economic impact, but may improve the City's economic development by indirectly creating a safer city more attractive to potential investors and residents.

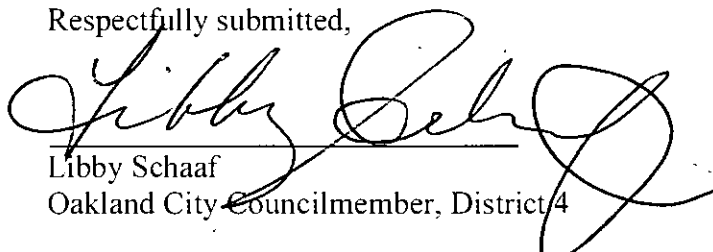
Environmental: The proposed ordinance is unlikely to lead to any environmental impact.

Social Equity: This resolution may increase social equity by promoting greater transparency and accountability to all members of the public.

DISABILITY AND SENIOR CITIZEN ACCESS

There is no direct impact or benefit to seniors or people with disabilities.

Respectfully submitted,



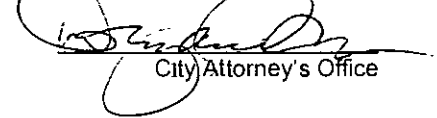
Libby Schaaf
Oakland City Councilmember, District 4

Prepared by:
Bruce Stoffmacher, Policy Analyst,
Councilmember Libby Schaaf

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Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ 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 slate 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 and maintained or exceeded that staffing level for one year, the City Administrator, or his or her designee, shall report the following information 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,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND
PRESIDENT KERNIGHAN

NOES -
ABSENT -
ABSTENTION -

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of the City of
Oakland, California