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# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** David Downing  
Assistant Chief of Police

**SUBJECT:** Police Recruitment and Hiring Policy  
Supplemental Report

**DATE:** August 10, 2016

City Administrator Approval

Date:

8/31/16

## RECOMMENDATION

**Staff Recommends That The City Council Accept This Supplemental Report Regarding Police Recruitment and Hiring Policies.**

## REASON FOR THE SUPPLEMENTAL REPORT

On, July 12, 2016, the Public Safety Committee requested additional information related to the report titled "Adopt Recommended Revisions to Police Recruitment and Hiring Policies," dated June 20, 2016. This report addresses the following aspects of the June 20, 2016 report, as summarized below:

- Explore whether the minimum age for Police Officer Trainee (POT) applicants should be raised.
- Review whether any other factors are disproportionately excluding Oakland residents, people of color, women or lesbian; gay; bisexual; or transgender (LGBT) people.
- Explore whether the minimum education for POT applicants should be raised.
- Deployment of veterans: In recent years, how many times have personnel been deployed in the military and for how long.

## ANALYSIS AND POLICY ALTERNATIVES

The Oakland Police Department (OPD) Personnel Section's mission is to actively recruit, hire and develop qualified candidates to fill POT and other OPD vacancies. In recent years, OPD has presented several reports detailing the recruiting and hiring process. A number of reports were presented in 2015 with an emphasis on African American recruitment.

In April 2015, the Oakland City Council adopted Resolution No. 85540 C.M.S., which created a temporary Ad Hoc Working Group on Police Recruitment. OPD has worked in collaboration with the Ad Hoc Working Group and Human Resources Management (HRM) in an effort to address the issue of recruitment among minorities and Oakland residents. On July 12, 2016 the Ad Hoc

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Working Group presented recommendations to the Public Safety Committee and is scheduled to present a full report in September, 2016.

### ***Consideration of the Minimum Age for POT Applicants***

Penal Code Section 13510(a) gives the California Commission on Peace Officer Standards and Training (POST) the authority to establish minimum selection standards for peace officers. Peace officers must, at a minimum, meet the selection standards outlined in the Government Code, and pass the POST selection requirements contained in Commission Regulations 1950-1955 prior to being hired by OPD (the June 20, 2016 summarizes which prior reports detail OPD's background investigation process). Per Penal Code Section 13510(d), local agencies may set standards that exceed these minimums.

The POST minimum hiring standard age for peace officers is 18 years of age. OPD has opted to require a higher minimum age of 21 years of age upon graduation from the academy (or 20.5 at start of the application process). HRM has confirmed that OPD has maintained this current age requirement since 2004. OPD's research confirms that most agencies require applicants to be 21 years of age by academy graduation date (see ***Attachment A: Comparison of Age and Education Requirements of Various Law Enforcement Agencies***). OPD's minimum age qualifications are comparable to police agencies in California and nationally. POST confirmed recently to OPD via a telephone discussion that there is a general consensus among law enforcement agencies that age 21 allows a candidate to gain life experience after graduating high school. The candidate has time to mature emotionally and professionally. OPD's POST-certified hiring process, similar to many other police hiring processes, examines a candidate's life experience, including work habits, handling of stress and adversity, and social relationships; candidates who have achieved the age of 21 have simply had more time to develop a history of responsibility and integrity than 18 year-olds.

On, July 5, 2013, NBCChicago.com published an article titled "Chicago Police Lower Age Minimum for Entry Exam." The Chicago Police Department (CPD) allowed 18-year-olds to take the entrance exam as part of an effort to increase the number of eligible applicants hoping to join the force. The application age was dropped from 25 to 18, and the new minimum age to become an officer was changed from 25 to 21 years of age; CPD had previously raised the minimum age from 21 to 25 in 2010 to attract more mature officers. However, a CPD spokesperson explained in 2013 that, "By offering the exam at 18 and letting them enter at 21, it allows us to reach people as they are making major decisions about their career path. It allows us to increase the pool of eligible applicants." Michael Shields, head of the Chicago Fraternal Order of Police stated "We believe that the department loses many motivated, qualified candidates who graduate from college at age 21 or 22 and do not want to wait three or four years to start their career."

The Law Enforcement Executive Forum is a peer-reviewed journal published by the Illinois Law Enforcement Training and Standards Board Executive Institute (ILETSBEI) on the campus of Western Illinois University. It features articles relevant to today's law enforcement environment. In 2104, the Law Enforcement Executive Forum released a document titled, "Strategies for

Police Recruitment: A Review of Trends, Contemporary Issues, and Existing Approaches”<sup>1</sup> which states:

*“Many core problems that police departments face in recruiting have worsened in the past decade, even as changing economic conditions have led to temporary fluctuations in the numbers of recruits. Changing generational tastes for police work, increased prevalence of disqualifications (such as drug use or physical unfitness), and greater competition from other organizations (such as the military) have helped restrict the pool of qualified applicants.*

OPD’s goal is to eliminate barriers for otherwise qualified applicants and reduce the possibilities of excluding underrepresented groups. Staff therefore believes that raising the age limit may prohibit otherwise qualified applicants from participating in the hiring process. Although age is a good indicator of maturity, some applicants may have sufficient life experience at a younger age and should be considered for employment.

Most applicants selected to begin the academy are actually above the age of 25. The average age of recruits in the 175<sup>th</sup> Oakland Police Academy that began on July 11, 2016 was 29 years of age. Twenty-two percent of the recruits were under the age of 25. That 22 percent represents a group of candidates who exhibited sufficient life experience, including successful participation in the OPD Police Cadet program.

*A Review of Whether Any Other Factors are Disproportionately Excluding Oakland residents, people of color, women or Lesbian; Gay; Bi-Sexual; or Transgender (LGBT) people*

OPD is committed to hiring a diverse workforce that reflects the community it serves. The June 20, 2016 report outlines the prior reports which detail OPD’s recruitment outreach efforts. OPD continues to use a variety of communication and advertising efforts to reach different groups of people who may be interested in exploring a police career. OPD continues to evaluate the current testing process in collaboration with (HRM). OPD and HRM continue to seek diverse interview panelists to sit on the oral interview panels (see June 20, 2016 for more detail on interview panels).

OPD does not ask POT candidates about their sexual orientation or investigate the gender identity which candidates register on their application – to do so would violate OPD hiring policies, even for the purpose of data analysis. Additionally, the California Fair Employment and Housing Act (FEHA) (Government Code 12940) makes it unlawful for OPD to refuse to hire or employ a person because of their gender, gender identity, gender expression, or sexual orientation. Therefore, OPD has no method to know to what extent LGBT individuals are employed by OPD. Regardless, OPD welcomes people from the LGBT community to apply for the position of POT and the OPD Personnel Section is committed to providing the same level of review and consideration that it provides for all candidates. Furthermore, OPD also plans to collaborate in the near future with the recently created Department of Race and Equity; OPD wants to ensure that recruitment strategies which encourage members of the LGBT to apply for OPD police academies are utilized.

<sup>1</sup> Link to article: <http://docplayer.net/12514485-Strategies-for-police-recruitment-a-review-of-trends-contemporary-issues-and-existing-approaches.html>. The Ad Hoc Working Group on Police Recruitment reviewed this article during meetings in 2016.

OPD has been collaborating closely with HRM and the Ad Hoc Working Group. That collaboration resulted in recommendations that OPD believes may assist with achieving greater diversity. These recommendations include, but are not limited, to the following:

- Budget for marketing and branding to expand advertising recruiting and awareness efforts;
- Create metrics to measure success of different marketing tactics and track the outcome of each marketing effort;
- Develop a marketing sub-strategy that focuses on Oakland youth;
- Utilize youth, business, and community groups and organizations as networks to advertise these positions;
- Connect with JobCorps on Treasure Island as an outreach opportunity;
- Reach out to high school students in Reserve Officers Training Corps (ROTC);
- Analyze which colleges Oakland students typically attend and build connections with these schools;
- Track Oakland residents in the process, and people with connections to Oakland
- Perform a detailed examination of each stage of the background process

Some of these recommendations require additional resources to be fully and effectively implemented, as the Ad Hoc Working Group will likely note in its report. OPD will focus first on those recommendations that do not require immediate, additional resources.

#### ***A Consideration of the Minimum Education Level of POT Applicants***

POST requires that, at a minimum, POT applicants have graduated from an accredited high school, have passed the General Education Development (GED) test, or have attained a two-year, four-year, or advanced degree from an accredited or approved institution. OPD follows this POST standard, and does not require different education standards.

In 2002, *Policing: An International Journal of Police Strategies & Management* cited a study titled "Raising the Age and Education Requirements for Police Officers: Will Too Many Women and Minority Candidates be Excluded?" The study finds that during a 5-year period (1992-1996), close to two-thirds of those hired in the Indianapolis Police Department (IPD) did not have a college degree. The study also found that more women and people of color were represented in the two-thirds of the department without a college degree, than of the department as a whole. Based on the findings from this article, there could be a trend away from achieving diversity goals expressed by the City Council, by requiring that every POT attain a college degree.

Table 1 below illustrates that a large number of OPD Basic Academy Participants do not possess an Associate Degree or above. The data also illustrates that those that do not possess an Associate Degree or above can and do successfully complete the academy; 17 of the 20 participants (85%) in the 173<sup>rd</sup> basic police academy graduated, and 21 of the 27 participants (78%) of the 174<sup>th</sup> basic police academy graduated. This data leads staff to conclude that raising the minimum education requirements may significantly and unnecessarily restrict OPD's officer trainee applicant pool.

**Table 1 – Education Levels of Recent OPD Basic Academy Participants**

Academy #	Education Level	Number Starting Academy	Percentage of Academy Participants	Number Graduating Academy	Percentage of Education-Level Group that Graduated
173 <sup>rd</sup> : (53 Started/ 33 Graduated)	Associates or Above	33	62%	16	48%
	High School, GED, or Some College	20	38%	17	85%
174 <sup>th</sup> : (60 Started/ 44 Graduated)	Associates or Above	33	55%	23	70%
	High School, GED or Some College	27	45%	21	78%
175 <sup>th</sup> (49 Started/ TBD Graduated)	Associates or Above	20	40%	TBD	TBD
	High School, GED or Some College	30	60%	TBD	TBD

***How Many Times Have Personnel Been Deployed in the Military, and for How Long?***

OPD does not track the number of sworn or professional staff with previous experience serving in the United States Armed Forces. There are 33 current sworn staff members who have used military leave in the past for military deployments. Five sworn personnel have been deployed (and used military leave) between November 2012 and July 2016. These recent military leaves have ranged from three months to approximately 13 months. There may be additional current sworn or professional staff that have served in the armed forces, but have not utilized military leave.

**PUBLIC OUTREACH / INTEREST**

This report contains information of public interest as it relates to OPD efforts to recruit a diverse group of applicants and increase the number of applicants from within the Oakland community. Increased diversity will better represent the Oakland community and improve police and community relations.

**COORDINATION**

HRM collaborated with OPD in the preparation of this report.

**SUSTAINABLE OPPORTUNITIES**

**Economic:** There are no economic opportunities identified in this report.

**Environmental:** There are no environmental opportunities identified in this report.

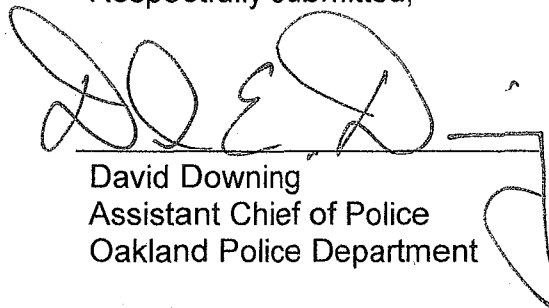
**Social Equity:** This report outlines OPD efforts to ensure that underrepresented community groups are not disproportionately excluded from the OPD recruiting and hiring process.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Accept This Supplemental Informational Report Regarding Police Recruitment and Hiring Policies.

For questions regarding this report, please contact Drennon Lindsey, Captain of Police, Office of the Chief of Police, Research and Planning, at (510) 238-7182.

Respectfully submitted,



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Attachments (1):

**A: Comparison of Age and Education Requirements of Various Law Enforcement Agencies**

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