CITY OF OAKLAND

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Anil Comelo
Human Resources Director

SUBJECT: Police Officer Trainee Testing Process

DATE: January 28, 2016

City Administrator Approval _(signature)_   Date: 2/4/16

RECOMMENDATION

Staff recommends that the Public Safety Committee Receive An Informational Report Regarding Oakland Police Department Recruitment Efforts From 2010 To Present With A Focus On Efforts To Recruit And Retain African Americans As Police Officers

REASON FOR SUPPLEMENTAL OR REPLACEMENT

At the December 1, 2015, Public Safety Committee meeting, HRM staff was asked to provide a supplemental report to the City Council in response to discussions in the Public Safety Committee about Police Department recruitment efforts. This supplemental report is prepared in response to this request and to provide a response regarding the oral interview process and the written exam portions of the City's entry level Police Officer Trainee (POT) testing procedure.

BACKGROUND

HRM staff was asked to return to the Public Safety Committee with a report exploring a proposal to modify the process by which oral interviews are conducted as a part of the testing process for entry level Police Officer Trainees. Staff was also asked to survey other agencies and determine the comparative value of the POST (Peace Officer Standards and Training) written exam currently utilized by the City. HRM staff met with Oakland Police Department (OPD) staff to discuss the specifics of the request and to explore potential alternatives to the way oral panels are currently conducted. HRM staff has also obtained information regarding written exams used by other agencies.

Police Officers in the City of Oakland are recruited and hired as Police Officer Trainees (POTs) who then participate in an OPD Academy. The City is currently engaged in a continuous recruitment process for POTs, and HRM works closely with OPD in planning and conducting the recruitment, testing, and selection activities including the physical abilities test (PAT), a written examination, and oral interviews. The testing steps are designed to evaluate job-related skills and abilities such as oral communication, interpersonal skills, and judgment. The selection process also includes a polygraph examination, a background investigation, and a medical and psychological evaluation (see African American recruitment reports to the Public Safety

Committee dated April 7, 2015, June 30, 2015, and September 18, 2015, for more information on the current recruitment process).

ANALYSIS

1. Written Examination

Currently the City utilizes the "PELLETB" (Police Officer Standards and Testing (POST) Entry Level Law Enforcement Test Battery). The California State Commission on POST, Regulation 1951, mandates that peace officers be able to read and write at the levels necessary to perform the job of a peace officer as determined by the use of the POST Entry-Level Law Enforcement Test Battery or other professionally developed and validated test of reading and writing ability.

The PELLETB is a multiple-choice, fill-in-the-blank written examination designed to measure reading and writing ability. Applicants are given 2 ½ hours to complete the PELLETB, which contains five sections:

- Spelling (applicants select the correct spelling of a word from a list of options)
- Vocabulary (applicants select the correct meaning of a word from a list of options)
- Clarity (applicants select the sentence that is most clearly written from a pair of options)
- Reading Comprehension (applicants read a passage and answer questions about the passage's content)
- CLOZE (applicants use contextual clues to complete a passage that contains blanks/missing words)

Candidates for Police Officer Trainee positions are invited to the written POST exam at the City free of charge if they had passed the Physical Ability Test successfully. As established by HRM, the City of Oakland's standard pass point for the examination is 45. It should be noted that POST's lowest acceptable standard is 42, although California cities using the POST written exam use pass points ranging from a high of 52 to a low of 45.

As a result of discussions at the Public Safety Committee meeting, HRM staff began research on other examination products designed to test peace officer candidates. Two surveys were conducted. The first survey looked at the testing products used for entry level police candidates at the 10 largest cities in California. Their responses are shown in *Table 1* below.

Table 1: California – 10 Largest Cities & Entry Level Police Tests Used	
San Francisco	FrontLine
Long Beach	FrontLine & POST
Los Angeles	Internally developed test
San Diego	Internally developed test
Anaheim	POST
Bakersfield	POST
Fresno	POST
Sacramento	POST
San Jose	POST
Oakland	POST

Among the 10 largest cities in California, the POST test, which is free for California cities, continues to be used by a majority of cities for entry level Police Officer recruitments. However, in an informal, nationwide survey of large public agencies, the FrontLine National Video Testing System emerged as the most frequently reported written exam used as shown in **Table 2.** It is also the written exam chosen by a growing number of California cities including: Downey, Fremont, Hillsborough, Montclair, Napa, and Palm Springs.

Table 2: Entry Level Police Tests Used Responses to IPMA-HR Group Survey	
Little Rock, AR	CWH
Phoenix, AZ	Darany & Associates
King County, CA	FrontLine
San Francisco, CA	FrontLine
Henderson, NV	FrontLine
El Paso, TX	FrontLine
Portland, OR	FrontLine
Long Beach, CA	FrontLine and POST
San Antonio, TX	I/O Solutions
San Diego	In-house exam
Plano, TX	IPMA-HR
Riverside County	LECR
Arlington, TX	None
Fairfax County, VA	None
San Jose, CA	POST
San Diego County, CA	POST
Garland, TX	Wollack Testing
Fort Worth, TX	Wollack Testing

Developed by the human resources consulting firm Ergometrics, FrontLine National Video Testing System (Frontline) is used by agencies that are a part of Ergometrics' National Testing Network (NTN). The FrontLine test focuses on using good judgment in enforcement, public relations and teamwork and was specifically designed for entry level law enforcement. There are three components to FrontLine: a video-based human relations test, a reading ability test, and a report writing test. In the video-based human relations test, candidates watch a video segment then choose the best course of action in a multiple-choice format. The entire test includes a total of 91 items administered in approximately two and one half hours.

HR staff in other agencies reported that the design of the FrontLine test is an experiential model that provides tools and a context that may better evaluate job-related skills than the POST PELLETB. Rather than testing only reading, writing, and comprehension skills in a public safety context, the FrontLine written test is designed to test several other dimensions including: ability to restrain the use of authority, dealing with confrontation/enforcement, ethics, ability to handle distressing situations, and critical thinking.

In late December 2015, OPD and HRM staff met with the City of San Francisco's Police Department and Human Resources Department staff for a detailed discussion on their transition to the FrontLine National test. San Francisco had engaged in a process that spanned 18 months to transition to the new procedures. There was general consensus among the San Francisco staff that the FrontLine test was an effective testing product that met their needs and testing standards, and they were pleased by the caliber of candidates the test produced. Although they had only been using the FrontLine test since November 2013, their assessment is that it may be a better testing product than the POST test.

In comparing the POST test to the FrontLine test, one key difference is cost. The POST test is free – both to the cities that use it and to the applicants. By contrast, the standard contract for the FrontLine test carries with it an agency fee of $2,500 per year, plus each applicant is required to pay $49.00 to take the test and an additional $9.50 to send the score to each additional agency the applicant requests. Based on HRM staff's discussions with other agencies using the Frontline test and with the testing vendor, it may be possible to negotiate terms that would, to some extent, mitigate the costs and the potential pitfalls of making Oakland's test available for free to candidates.

Oakland may consider a waiver program similar to one offered by the City of San Francisco, where candidates can request a waiver of the test fee through demonstrated financial hardship. Alternatively, the City may make the test free to all applicants at an estimated annual cost of $55,000, based on the approximately 1100 Police Officer Trainee applicants HRM processes each year while in continuous recruiting.

Timeline
Before any changes in the City of Oakland's testing process can be undertaken, it will be important to thoroughly discuss the proposed changes and any associated impacts with other stakeholders including the Oakland Police Department, Oakland Police Officers Association, City Attorney's office, Employee Relations, and the City Administrator's office. If the City Administration opts to move to the new testing process, there will be several activities required to implement the change including:

- Conducting a Transportability Study to ensure that the test's strengths are applicable to Oakland's police environment and needs;
- Sending notification and conducting meeting(s) with the representative union(s) to discuss the changes;
- Negotiating and implementing a contract with the vendor;
- Designing changes in process and procedures along with training of HRM and OPD staff, etc.

A more detailed timeline will be developed if and when a change in the testing process is recommended by HRM and authorized by the City Administrator.

2. Oral Interview Panels

At the July 28, 2015, Public Safety Committee meeting in which Police Officer Trainee (POT) recruitment strategies was discussed, a concern was raised regarding the degree to which community members participate in the oral panel stage of the POT hiring process and whether the current structure adequately provided for community input. A suggestion was made to require each candidate to be interviewed by two separate panels, one that included sworn personnel, and one that did not include sworn personnel. The suggestion was made in response to a concern that community members and non-sworn employees are overly influenced by the sworn personnel members' assessment of candidates and it is believed that community members may not have enough opportunity to make their own assessment of the candidates. HRM's practices have evolved to both follow industry standards and incorporate the specific needs of Oakland for Police Officer Trainee oral panels. HRM staff reviewed the suggestion of two oral panels in terms of established personnel testing principles and in terms of implementation logistics.

Current Practice
The City of Oakland has long used oral panel interviews as part of the candidate assessment process for Police Officer Trainees. The oral panel interviews allow a candidate to provide detailed information about her or his experience and skills while responding to a set list of questions. This method increases the demonstrable reliability of the ratings by enhancing consistency in the way the responses are evaluated.

Before meeting with candidates, assessors (oral board panelists) participate in a mandatory orientation and training that includes a review of key job tasks from the job analysis, review of the knowledge, skills, and abilities listed on the job specification, and guidelines on the roles and responsibilities of panel members. Panelists are trained on the rating guidelines and scoring methodology, they are also provided guidance on the type of written comments that are needed on the candidate evaluation forms. Interview protocols, procedures, and the oral interview questions are also reviewed and discussed.

In the City of Oakland's oral interview, candidates sit before a panel of assessors consisting of one sworn staff member, one community member, and one other person, usually a City employee, but sometimes a second community member. Candidates are asked to respond to general questions such as, "Please describe the education, training or life experience that has prepared you to be a Police Officer." Candidates are also presented with hypothetical scenarios and asked to explain how they would respond to each situation. Each assessor evaluates the

candidate's performance in the interview using a structured rating sheet they have been trained to use and candidates are evaluated on specific job-related skills based on their responses to the questions asked. Candidates who earn a passing score in the oral interview stage are placed on an unranked hiring list and are referred to the Police Department for background screening. The current structure of the one interview panel for each candidate is consistent with the practice of most public agencies.

Implementation of a Two-Panel Oral Screening Process

HRM could restructure the current process to have each candidate screened by two separate panels. While one of those panels would continue to include one of more sworn personnel, the second panel could be composed of community members and city employees. Implementing such a change would require dedicating more resources to POT testing. While the City is engaged in continuous testing, HRM processes eight candidate groups each year. There are four HRM employees for whom a significant portion of their time is spent on POT testing and the City contracts with CPS HR Consulting to provide temporary support on testing activity days. Typically, CPS brings about four employees to support HRM staff on each of the interview days.

Based on groups processed during the past 18 months, on average, each candidate group is comprised of approximately 145 individuals. The following chart details some of the resources required to facilitate having candidates screened by one panel or by two:

Resource	One Panel System	Two Panel System
Community Member Panelists	9	27
Sworn Police Panelists	9	9
City Employee/Add'l Panelist	9	9
Interview Rooms	9	18
HRM Staff Onsite	4	6
HRM Staff Data Processing (in hours)	16	32
CPS Staff Support Onsite	4	6
Days Needed for Panels	2	4
Food Service	$700	$1400
Parking	$250	$540

Adding a second oral panel interview for each candidate would require increased staffing, exam schedule changes, and exam processing delays. Additional examination rooms would be required and additional panel members would have to be recruited. Under the current system, HRM uses upwards of 27 assessors, occupies 11 meeting rooms and takes two business days for each exam. Adding a second set of panels doubles most of those requirements. In sum, implementing a two-panel system is possible, but only feasible if the change is properly funded and the anticipated delays are either mitigated by additional staffing or accepted as a consequence of the decision to implement a second oral panel interview.

Under the current system, while the City is in a continuous testing process for POTs, a considerable effort is spent in recruiting and screening community member panelists. The City aims to have community members who represent diverse points of view and who reflect many

of Oakland's communities on the basis of geographic area, ethnicity, age, gender and interest (e.g. business members, people engaged in Oakland's service/nonprofit community, active community members in terms of neighborhood groups or committees, etc.). Moving to a process of using two panels, with the second panel comprised of City employees and community members will require increased outreach.

And finally, the operational cost of adding time to the POT testing process means that recruitments for other City departments or functions will become a lower priority for HRM and be delayed. The simple fact of tying up all the interview and conference rooms in HRM for more days in a month means that those rooms are not available for other exams or planning activities. Some of that overflow could be scheduled in rooms in other departments, but only some.

A decision to add an additional oral interview panel made up exclusively or mostly of community members will triple the number of community members needed to serve on the panels. This in turn will require greater outreach to the community to attract a larger number of community members to serve on the panels. HRM and OPD could partner to make more efforts to reach out to a broad cross-section of Oakland residents to participate in the oral board process. As it is now, it is often difficult to find a sufficient number of community members who can make themselves available for two full days. Finding more community members and asking them to be available for four full days may prove to be still more difficult. The task of coordinating panel members when individuals cannot commit to every day of the process also adds another layer of complexity to an already involved task.

Given the operational and fiscal impacts of implementing a two-panel system, it is not feasible to implement now but can be discussed further in the context of the City's budget process. In the meantime, OPD and HRM could work together to develop other ways of including community members in the hiring process for Police Officer Trainees that may be more effective and less costly. OPD currently has community engagement requirements in the academy training, but they are also considering other ways of including the community more, especially youth. Since the academy is the threshold between being a Trainee and becoming an Officer, it may offer the best opportunity to evaluate a Trainee's community engagement skills.

FISCAL IMPACT

Written Test: Depending on the contract negotiated with a new vendor and other policy decisions, there could be a fiscal impact from $2,500 to $55,000 per year if the City changes from using the POST written exam to the FrontLine test.

Two-Panel Oral Interview Process: To implement a two-panel oral interview process for POT testing, HRM would incur additional costs. Soft costs include delays in the processing of POT candidate groups and delays in recruitments for other critical City positions due to less availability of HRM's staffing and space resources. Monetary costs include: additional staffing, vendor support, food services, and parking. Most staffing and processing costs would double per candidate group – either in terms of the cost of hiring additional staff or in terms of the operational impacts of delays citywide. In 2015, HRM processed eight (8) candidate groups as part of its continuous recruitments. At an additional cost of $11,500 per group, the total new

hard cost per year would be $92,000 in HRM. Additional costs to the Police Department, if any, are not part of this estimate.

PUBLIC OUTREACH / INTEREST

No public outreach was required for this report.

COORDINATION

HRM coordinated with OPD in reviewing the request to evaluate the proposal to create second panels for each candidate's evaluation as well as consideration of the NTN FrontLine National testing option. The report was also reviewed by the City Attorney's Office, Employee Relations, and the City Administrator's Office.

SUSTAINABLE OPPORTUNITIES

Economic: *There are no economic opportunities associated with this report.*

Environmental: *There are no environmental opportunities associated with this report.*

Social Equity: *There are no social equity opportunities associated with this report.*

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the Public Safety Committee of the Oakland City Council accept this informational report regarding the entry level Police Officer Trainee recruitment and testing process for the oral interview stage.

For questions regarding this report, please contact Kip Walsh, Human Resources Manager, at (510) 238-7334.

Respectfully submitted,

Anil Comelo
Human Resources Director
Human Resource Management

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Item: _____
Public Safety Committee
February 9, 2016