

CITY OF OAKLAND

Agenda Report

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OAKLAND

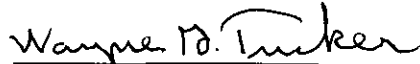
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To: Office of the City Administrator
Atten: Deborah A. Edgerly
From: Oakland Police Department
Date: January 8, 2008

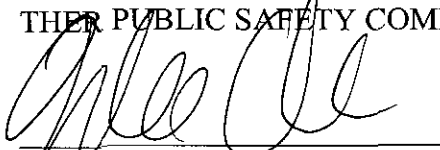
Subj: Community Policing Advisory Board Annual Status Report

The attached 2007 Annual Status Report of the Community Policing Advisory Board (CPAB) is forwarded for Council's consideration.

Respectfully submitted,


Wayne G. Tucker
Chief of Police

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:


Office of the City Administrator

Item: _____
Public Safety Comte.
January 8, 2008

CITY OF OAKLAND
COMMUNITY POLICING ADVISORY BOARD

TO Mayor Ronald Dellums, Members of the City Council, City Administrator Deborah Edgerly,
and Police Chief Wayne Tucker

FROM The Community Policing Advisory Board

DATE January 8, 2007

SUBJECT Annual Report on the State of Community Policing in Oakland

Summary

The Oakland Police Department's efforts to increase staffing levels have been steady but frustratingly slow. At the current rate of buildup (approximately 20 officers per year), the authorized level of 803 sworn officers will not be reached until 2012. The CPAB recommends that OPD identify methods that will increase the rate of buildup to 30 officers per year. We also recommend that the city begin planning now to bring the department to 923 sworn positions by 2016.

Inadequate staffing of the NSC position is hampering the implementation of community policing. The CPAB recommends an increase from 17 to 26 NSCs over a four year period beginning in 2008.

We continue to hear complaints from citizens that their PSOs are unavailable. To identify the extent of this problem, we have asked the Police Department to submit a monthly report summarizing the work of PSOs, CRTs and associated Sergeants.

OPD and the NSCs are suffering from equipment shortages (cars, radios, cameras) that hamper effective implementation of community policing. The CPAB urges OPD and the City Administrator to investigate these shortages and report to the City Council and Mayor what is needed to remedy this unacceptable situation.

Fiscal Impact

The fiscal impact of our recommendations depends heavily on how they are implemented, and are therefore uncertain at this time.

Background

A year ago at this time we were very dismayed by the state of community policing in Oakland. Problem Solving Officers (PSOs) were routinely assigned to patrol and other non-community policing duties in and outside their beats. They and Crime Reduction Teams (CRTs) were redeployed for tactical operations in different areas of the city. And the citizens in the Neighborhood Councils throughout the city were engaging in a partnership that was one-sided and often lacked their OPD counterpart at the table. The independent auditor's report on "Community Policing and Violence Prevention in Oakland," prepared by the Rand Corporation bears out this judgment:

“Some communities have clearly not received Measure Y’s required problem-solving, and even those that have received a PSO reportedly have often found their PSO pulled out of their beat for other routine and systematic assignments.” “OPD...more often views the mission of PSOs in a general way, encompassing anything that might benefit a beat. In this sense assigning PSOs to respond to calls for service in their designated beats and pooling them for a robbery task force solves problems in their beats, even while solving problems in other beats as well.” (pp. 29-30)

Many of the practices we complained about in 2006 have been abandoned, some probably never to return because of the legal strictures and logistical difficulties associated with implementing them, and others because new ways of addressing the problems have been found and adopted. We were pleased to see OPD temporarily suspend the 40% allocation of new sworn positions created by graduating police academies to PSO duty in order to build up the patrol ranks as we recommended in 2006. The Airport detail returned to Oakland street duty, another of our recommendations to beef up staffing. OPD also adopted an idea offered by CPAB Board Member Bill Ashley to appoint interim, part-time PSOs to work with Neighborhood Councils that did not have a PSO. Deputy Chief Jeff Israel and Deputy Chief Dave Kozicki made this common sense suggestion a reality until PSOs are assigned to every community policing beat.

Every year, we have addressed the issue of the Neighborhood Services Coordinators (NSC) and the need for better coordination and supervision. The appointment of the Manager of Neighborhood Services (Claudia Albano) in 2004 was an excellent beginning. The appointment of two NSC supervisors this summer was a necessary follow-up to establish a realistic span of supervision. The current revision of NSC assignments to equalize the workload and reflect language needs in the beats promises to address the issues of inequitable, inappropriate and impossible work assignments. Even with the new assignments however, there are four NSCs with four beats, and one NSC with 5 beats. The CPAB has worked with the Neighborhood Services Manager to rationalize NSC deployment, but agrees with her that 17 NSCs is too few for them to be able to meet their important community organizing responsibilities in their assigned beats.

At its August 2007 retreat the Board decided that its commitment to strengthening the Neighborhood Councils would continue. In particular, we decided to reinforce the connection between Neighborhood Watch and Neighborhood Councils, and to undertake the production of a Community Policing guidebook, a needed resource also recommended by the Rand report.

Issues

- In 2006 the sworn staff ranged from a low of 682 to a high of 706. In 2007, the sworn staff ranged from a low of 701 to a high of 739. As of the end of November, the staff stands at 719. This is slow but steady improvement.
- 79 officers completed academies in 2006, 80 officers completed academies 2007, and 89 officers are projected to complete academies in 2008. That is an average of 80 officers per year. (Part of the yearly variation is timing – academies completing in December versus January.) Assuming 5

retirements and departures per month¹, that is a net gain of approximately 20 officers per year. If these trends continue, OPD will be consistently above the 739 officer base level in the fall of 2008, and reach its fully authorized strength of 803 in early 2012. Again, slow but steady improvement.

- The Freesmeyer report says, "The main finding of this study is that the BFO is grossly understaffed for the workload that must be accomplished."

The Harnett report says, "By the standards of many other American police departments, Oakland, with an authorized strength of 802 (including Measure Y officers who have yet to be hired) is understaffed to serve a population of more than 400,000, fielding fewer than 20 officers per 10,000 residents ... The Criminal Investigations Division has lost 13 personnel in the past two years without any replacements. The Department has only 10 homicide investigators and only seven robbery investigators, or less than one robbery investigator for every 500 robberies reported in 2006."

The Rand report says, "... deployment of problem solving officers, which is the cornerstone of the city's community policing initiative, has been delayed because of lack of available PSOs, and has been frustrated by lack of equipment and training, frequent transfers of officers out of their beats, and infringement on the PSOs' time."

From the "Census of State and Local Law Enforcement Agencies, September 2004, NCJ212749" published by the U.S. Department of Justice, Bureau of Justice Statistics (see Attachment A) we learn that the 50 largest cities in the country have an average of 27.2 officers per 10,000 residents. The 6 west coast cities in the report have 21 officers per 10,000. The 10 cities with population less than 500,000 have 33.2 officers per 10,000. Oakland has 17.3 officers per 10,000. (Even when we reach 803 officers in early 2012, we will only have 19.2 officers per 10,000.) 45 of the cities have higher per capita officer rates than Oakland. Of the 5 cities with lower rates, 3 have much less crime than Oakland. Two are wealthy suburbs of Washington DC, and one is San Jose, which has been crowned one of the safest cities in America several times in recent years.

The citizens of Oakland know from personal experience that 911 response times are slow, PSOs are often unavailable because they are reassigned to other duties, and most crimes short of murder are not investigated because of insufficient staff.

The evidence is overwhelming. The Oakland Police Department is understaffed today and will still be understaffed when it reaches 803.

- In our 2006 report, we were very troubled by OPD's attempt to classify routine patrol assignments as a legitimate duty for PSOs. Today, OPD considers patrol duty by a PSO as a reassignment and not part of normal duty. We applaud this change.

¹ The attrition rate from July 1, 2004 through March 1, 2007 was 4.21 per month. The attrition rate for calendar year 2007 is 6 per month. Although the attrition rate will likely continue at 6 per month for the short term, we believe it will decrease in the medium and long term.

- We support the geographic focus of the announced Area Command reorganization of OPD. Geographic focus is one of the key tenets of community policing. It will put command decisions closer to the beats and establish 24 hour accountability for those charged with delivering police services to an area. If the new structure allows officers more opportunity to remain in, become familiar with, and address the concerns of their beats, we view this as a positive development.
- One potentially disturbing aspect of the reorganization is the drop from 6 community policing Lieutenants to 3, doubling the responsibilities and span of control of these already taxed commanders. In the current community policing structure, the hands-on involvement of the PSA Lieutenant is a key factor in resolving neighborhood issues and advancing good community relations. In the new structure, it remains to be seen whether the Lieutenants will have time for hands-on participation, and how this change in their span of control will affect the community policing in the beats.
- The performance evaluation for patrol officers now includes a component for problem solving projects. This is a very positive step toward including patrol officers in the community policing process. Under the proposed area-based watch command, captains and lieutenants will have the authority to deploy patrol officers to assist with PSO problem solving projects, further enhancing the connection between patrol and community policing.
- There are not enough Neighborhood Services Coordinators. Resolution 79235 specifies 57 NSCs, one for each community policing beat. As of November 2007, we have 13 NSCs (including the 2 supervisors), one of whom was on light duty. Some NCSs serve as many as 6 beats. Some beats have not had an NSC for 2 years. The Rand report states "Various respondents noted that some communities also do not have an NSC or at least one that is effective, which limits the impact of the PSO specifically and of community policing generally". In many parts of the city, the community side of community policing is floundering because the NSCs are stretched so thin.

If current recruiting efforts are successful, we will be back up to 17 NSCs (2 supervisors and 15 NSCs) by mid winter, but this is still far below the number needed.

- OPD management reports that it does not have enough cars for officers. NSD management reports that it does not have enough cars for NCSs. This is confirmed by conversations with officers and NSCs who report lack of equipment and malfunctioning equipment, as a chronic problem. From the Rand report, "Several [PSOs and OPD supervisors] mentioned that they lacked cars, radios, cameras, binoculars, video equipment, a city-wide working radio network, and a computer network for their laptops." Fourteen PSOs, 12 of them Measure Y PSOs, share cars according to the Rand report. This violates the beat integrity requirements of Measure Y since at least one of those two officers must be outside of his or her assigned beat for a significant amount of the work shift.
- Cooperation between the CPAB and OPD has improved over the course of 2007. The Board's requests for information about staffing levels, community policing assignments, etc., receive quick and professional responses. Much of the collegial spirit that characterized the two entities' relations over the years has returned.

However, resolution 79235's requirement that "... the Oakland Police Department will discuss with the [Community Policing Advisory] Board before implementing policy, operational or organizational changes that will affect the functioning and operation of Community Policing..." is not being met. The CPAB usually gets information about fundamental changes in Community Policing after they have been adopted.

Consulting on changes before they happen can help avoid oversights that are detrimental to Community Policing. For example, the Community Policing Training Manual had only a few sentences about the NSCs at the end, suggesting that they were an afterthought. Had the Board seen the Manual before it was printed and distributed, it could have prevented that slight to one of the vital players in the community policing partnership.

- Neighborhood Services Manager Claudia Albano has engaged Kim Gilhuly, an evaluation consultant, to compile an assessment of the Neighborhood Councils. We support this effort and look forward to the results in the spring of 2008.

Recommendations

1. The net gain of 20 sworn officers per year is too slow. We recommend that OPD find ways to increase this figure to 30 officers per year. We defer to the department to determine whether more academies, larger academies, lower attrition and departure rates, or some other means is the best way to achieve this. If the higher rate were in effect starting January 2008, we would be at the authorized strength of 803 in late 2010 instead of early 2012.

In addition we recommend that OPD expand its outreach to Oakland youth, particularly elementary and middle school students. Police presence in the schools, crossing guard duties, explorer scout activities, summer internships, the cadet program, and scholarship programs can awaken young Oaklanders to the prospect of careers in law enforcement. For OPD's recruiting to be optimal, it must include long range planning and a holistic approach that grooms Oakland citizens for the job.

2. Increase the sworn staff of OPD to 923 officers (approximately 22 officers per 10,000). It is useless for the Mayor and Council to order the department to add large numbers of officers in a short period of time. As we have seen in Oakland and throughout the nation, rapid staff buildup is not possible. Rather, we recommend establishing a plan for steady, yearly increases. Assuming a net gain of 30 officers per year, we propose the following schedule:

Year	Officer Count
2012	803
2013	833
2014	863
2015	893
2016	923

The campaign for Measure R, the predecessor to Measure Y, began in 2003, and we will finally reach the authorized strength of 803 in 2012, eight years later. We should not wait until 2012 to begin thinking about raising the authorized strength to 923. The political and financial planning should begin now.

3. NSCs are easier to recruit and less expensive to hire than sworn officers. The acute shortage of NSCs is damaging community policing in general, and placing additional burdens on the already stretched PSOs in particular. We recommend increasing the number of Neighborhood Services Coordinators according to the following schedule. Again, we prefer a steady, achievable schedule over a sudden increase that may leave authorized positions unfilled for extended periods.

Year	NSC Count
2008	18 (16 + 2 supervisors)
2009	21 (18 + 3 supervisors)
2010	24 (21 + 3 supervisors)
2011	26 (23 + 3 supervisors)

4. We continue to hear complaints from citizens that their PSOs are unavailable. In some beats, the residents claim they haven't seen their PSO for weeks. In others, residents claim the PSO is in the beat, but is working patrol, special operations or some other duty. The Rand report states that "... even those [communities] that have received a PSO reportedly have often found their PSO pulled out of their beat for other routine and systematic assignments, transferred to another position within OPD, and ill-equipped."

To identify the extent of this problem, we have asked the Police Department to submit a monthly report summarizing the work of PSOs, CRTs and associated Sergeants. A copy of the request and a sample report are included as Attachments B and C. This report will be an important window into the day-to-day functioning of community policing for Oakland's citizens, and an invaluable resource for the Measure Y auditors who are charged with assessing how community policing services funded by Measure Y are being delivered to the citizens and neighborhoods of Oakland.

5. Citizens of Oakland might ask several questions about the equipment shortages and problems in OPD and NSD. Are equipment funds being spent wisely? Is the budget structured properly (for example, were positions added to the payroll without the associated increases in equipment costs)? Should more officers and NSCs be using means of transportation other than cars for some of their duties? Does the equipment budget need to be increased?

It is outside the scope of the CPAB's duties to investigate or address these issues. We recommend that the City Manager's Office, OPD management and NSD management resolve these equipment issues promptly.

6. A few of the PSAs conduct regular meetings of Neighborhood Council leaders and PSA command staff to discuss concerns and share best practices. We recommend that this practice be instituted in all PSAs as part of the Area Command reorganization. We specifically suggest PSA meetings instead

of Area meetings because the 19 Neighborhood Councils in an area are too many for a meaningful, participatory meeting.

7. OPD should meet its obligation to discuss changes that will affect the function and operation of community policing with the CPAB before they are implemented as required by 79235.
8. We recommend that the City Council accept this report and its recommendations.

Sustainable Opportunities

Economic

Enhanced public safety and public perception of safety in Oakland's neighborhoods will increase property values and commerce leading to increased city revenues.

Environmental

There are no environmental issues contained in this report.

Social Equity

Currently, citizens are not receiving the police services for which they are being taxed. The recommendations in this report are designed to bring more transparency and accountability to the police department's implementation of Measure Y and community policing in general. With these changes we feel that citizens will be better informed about and have greater confidence in the delivery of essential city services.

Disability and Senior Access

There are no American with Disabilities Act (ADA) or senior access issues contained in this report.

Respectfully submitted,



Community Policing Advisory Board

Don Link, Chair

Colleen Brown, Vice Chair

David Flack

Bill Ashley

Charles Porter

Sworn Office Comparisons - 2004

Derived from 'Census of State and Local Law Enforcement Agencies, September 2004, NCJ 212749', published by the U.S. Department of Justice, Bureau of Justice Statistics.

City names and sworn officer counts come directly from the BJS report. Per 10,000 counts are calculated from the per 100,000 counts in the report. Population figures are calculated from the sworn officer and per 10,000 figures. Oakland figures are from the Oakland Police Department.

City	Approximate Population	Sworn Officers	Per 10,000 Residents
Newark (NJ)	279,957	1,299	46.4
Cincinnati (OH)	313,772	1,048	33.4
Tampa (FL)	321,405	961	29.9
St. Louis (MO)	350,877	1,400	39.9
Miami (FL)	378,853	1,057	27.9
Kansas City (MO)	444,521	1,298	29.2
Cleveland (OH)	457,478	1,560	34.1
New Orleans (LA)	461,064	1,646	35.7
Atlanta (GA)	465,439	1,643	35.3
Albuquerque (NM)	482,741	951	19.7
Tucson (AZ)	511,170	961	18.8
Oklahoma City (OK)	527,692	1,029	19.5
Portland (OR)	532,995	1,050	19.7
Nashville-Davidson Co. (TN)	545,946	1,212	22.2
Washington (DC)	553,936	3,800	68.6
Denver (CO)	555,336	1,405	25.3
Louisville-Jefferson Co. (KY)	555,660	1,178	21.2
Boston (MA)	568,406	1,961	34.5
Seattle (WA)	572,477	1,248	21.8
Milwaukee (WI)	582,635	1,946	33.4
El Paso (TX)	592,021	1,113	18.8
Fort Worth (TX)	601,843	1,306	21.7
Baltimore (MD)	642,276	3,160	49.2
Memphis (TN)	674,582	2,017	29.9
Austin (TX)	681,000	1,362	20.0
Prince George's Co. (MD)	692,784	1,344	19.4
Columbus (OH)	728,279	1,777	24.4
San Francisco (CA)	742,123	2,167	29.2
Charlotte-Mecklenberg Co.(NC)	772,396	1,483	19.2
Jacksonville-Duval Co. (FL)	777,404	1,617	20.8
Baltimore Co. (MD)	781,739	1,798	23.0
Indianapolis-Marion Co. (IN)	783,732	1,638	20.9
Montgomery Co. (MD) (suburb of DC)	787,218	1,047	13.3
Honolulu Co. (HI)	897,500	1,795	20.0
Detroit (MI)	898,210	3,512	39.1
San Jose (CA)	900,671	1,342	14.9
Fairfax Co. (VA) (suburb of DC)	930,137	1,358	14.6
Dallas (TX)	1,207,819	2,935	24.3
San Antonio (TX)	1,237,349	2,054	16.6

Las Vegas-Clark Co. (NV)	1,237,963	2,674	21.6
San Diego (CA)	1,266,867	2,103	16.6
Miami-Dade Co. (FL)	1,289,167	3,094	24.0
Nassau Co. (NY)	1,340,625	2,574	19.2
Phoenix (AZ)	1,414,851	2,858	20.2
Suffolk Co. (NY) (Long Island)	1,471,038	2,692	18.3
Philadelphia (PA)	1,472,414	6,832	46.4
Houston (TX)	2,012,648	5,092	25.3
Chicago (IL)	2,860,349	13,129	45.9
Los Angeles (CA)	3,839,241	9,099	23.7
New York (NY)	8,171,493	36,118	44.2
Oakland - September 2004	411,486	727	17.7
Oakland - November 2007	414,566	719	17.3
Average for all 50 cities			27.2
Average for cities with less than 500,000 population			33.2
Average for west coast cities			21.0
Cities with more officers per 10,000 than Oakland			45
Cities with fewer officers per 10,000 than Oakland			5

Of the 5 cities with fewer officers, 2 are affluent suburbs of Washington DC, and one is San Jose, which has been crowned one of the safest cities in America several times in recent years.

Oakland Officers needed to achieve per 10,000 rates using projected November 2010 population

Per 10,000 Residents	Sworn Officers
17.0	710
18.0	752
19.0	793
20.0	835
21.0	877
22.0	919
23.0	960
24.0	1002
25.0	1044
26.0	1086
27.0	1127
28.0	1169
29.0	1211
30.0	1253
31.0	1294
32.0	1336
33.0	1378

PSO, CRT and Sergeant Shift Reporting

The CPAB continues to hear complaints from citizens that their PSOs are often unavailable. In some beats, the residents claim they haven't seen their PSO for weeks. In others, residents claim the PSO is in the beat, but is working patrol, special operations or some other duty.

Are the claims true? Are they isolated incidents or representative of overall work patterns? We would like to find out. We request that OPD submit a monthly report to the CPAB summarizing the work of officers and sergeants for the prior month.

1. The report should include information about Problem Solving Officers, PSO Sergeants, Crime Reduction Team Officers and CRT Sergeants.
2. Work falls into 5 categories. Using the PSO as an example:
 - i. PSO duties in beat – the PSO is in the assigned beat and performing PSO duties.
 - ii. Non-PSO duties in beat – the PSO is in the assigned beat, but performing non-PSO duties. For example, the PSO is assigned to sideshow duty on a Saturday, and the sideshow happens to occur in the assigned beat. Or, the PSO is assigned to patrol and happens to be answering calls for service in the assigned beat.
 - iii. PSO duties out of beat – the PSO is performing PSO duties out of the assigned beat. For example, the PSO is in a neighboring beat assisting another PSO.
 - iv. Non-PSO duties out of beat – the PSO is out of the assigned beat and performing non-PSO duties. For example, the PSO is working patrol across town.
 - v. Off – the PSO is out sick, on vacation, on disability leave, or for some other reason not working.
3. Summarize the work by shifts. Use common sense rounding when the work falls into more than one category during a shift. For example, if an officer spent 8 hours of the shift as a PSO in the beat, and 2 hours as a PSO in a neighboring beat, count the shift as PSO in the beat. Or, if an officer spends the entire month working the first 5 hours of every shift on patrol, and the second 5 hours of every shift as a PSO in the beat, then count half the shifts as Non-PSO out of the beat and half as PSO in the beat. The goal is to present an accurate picture without imposing burdensome minute-by-minute record keeping.

The attached spreadsheet shows a sample of the information we want.

Reporting Period 11/1/2007-11/30/2007

PSO Shifts

Name	Position	Beat	Shifts					Total
			In Beat		Out of Beat			
			PSO Duties	Non-PSO Duties	PSO Duties	Non-PSO Duties	Off	
Sally Smith	PSO	2Y	9	1	2	3	1	16
Joe Jones	PSO	10X	14		1		1	16
Kevin Kilpatrick	PSO	27X	9	2	1	4		16
Totals			32	3	4	7	2	48
			67%	6%	8%	15%	4%	

PSO Sgt Shifts

Name	Position	PSA	Shifts					Total
			In PSA		Out of PSA			
			PSO Sgt Duties	Non-PSO Sgt Duties	PSO Sgt Duties	Non-PSO Sgt Duties	Off	
Angie Amaya	PSO Sgt	1	16					16
Buster Burton	PSO Sgt	3	14			2		16
Debbie Dobson	PSO Sgt	3	9	3	2		2	16
Totals			39	3	2	2	2	48
			81%	6%	4%	4%	4%	

CRT Shifts

Name	Position	PSA	Shifts					Total
			In PSA		Out of PSA			
			CRT Duties	Non-CRT Duties	CRT Duties	Non-CRT Duties	Off	
Julie Johnson	CRT	5					16	16
Chester Chavez	CRT	6	14	2				16
Rebecca Ramsey	CRT	6	13	1	1	1		16
Totals			27	3	1	1	16	48
			56%	6%	2%	2%	33%	

CRT Sgt Shifts

Name	Position	PSA	Shifts					Total
			In PSA		Out of PSA			
			CRT Sgt Duties	Non-CRT Sgt Duties	CRT Sgt Duties	Non-CRT Sgt Duties	Off	
Frank Forrester	CRT Sgt	2	13	1	2			16
Mike Morehead	CRT Sgt	3	14		2			16
Paul Peabody	CRT Sgt	4	9			7		16
Totals			36	1	4	7	0	48
			75%	2%	8%	15%	0%	