

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 NOV 20 PM 1:18

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Police Department
DATE: December 2, 2008

RE: An Informational Report From the Office of Chief of Police Detailing Steps That Have Been Taken Since Implementation of the Oakland Police Officers' Association (OPOA) Contract to More Effectively Deploy Sworn Officers Throughout the City By Identifying Positions Within the Department That Can or Have Been Civilianized

SUMMARY

As requested by the Rules and Legislation Committee, staff has prepared an informational report detailing the Department's efforts to civilianize sworn positions. This report identifies the number of Full Time Employee (FTE) positions and the sworn classifications supplanted by civilian employees as well as a partial cost assessment of the newly created civilian positions. This report also provides the current status of each position and the challenges with supplanting the sworn positions.

FISCAL IMPACT

The Department conducted an analysis of sworn positions suitable for civilianization and identified 47 potential positions as presented below:

FTE Count	Sworn Classification	Civilian Classification	Assignment	Cost
4	Sergeant of Police	Police Communications Dispatcher, Sr.*	Communications	\$430,376
5	Police Officer	Police Evidence Technician	Patrol	\$442,118
6	Police Officer	Police Services Technician II	Desk Officer	\$438,630
1	Captain of Police	Police Services Manager II	Internal Affairs	TBD
2	Lieutenant of Police	Police Services Manager I	Internal Affairs	TBD
7	Sergeant of Police	Complaint Investigator III	Internal Affairs	\$935,007
10	Police Officer	Complaint Investigator II	Internal Affairs	\$1,153,641
3	Police Officer	Range Master*	Training	TBD
1	Lieutenant of Police	Police Services Manager I	Training	TBD
2	Sergeant of Police	Police Personnel Operations Specialist	Training	\$230,675
4	Police Officer	Administrative Analyst II	Training	\$398,679
2	Police Officer	Systems Analyst III	Information Technology	\$267,145
			Partial Total	\$3, 857, 641

*New Position

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The cost associated with the Sr. Police Communications Dispatcher is aligned with the Fire Communication Dispatcher, Sr. classification. It is proposed that the existing Police Communications Supervisors assume the responsibilities of the Sergeants of Police, and the Sr. Police Communications Dispatchers assume the responsibilities of the Police Communications Supervisors.

It is recommended that the civilian supervisor positions receive an increase in pay which is 15% greater than a Senior Communications Dispatcher position so they receive compensation commensurate to their newly assumed responsibilities. It is anticipated that the civilian communications supervisors will supplant the four sworn sergeants by July 1, 2009.

The salaries of the Police Services Manager I and II are not yet available to provide costs. The salary of the Range Master classification is unknown since this would be a newly proposed classification.

All salaries are calculated at Step One and burdened according to AI 1303 (Fringe Benefit and Organizational Overhead Rates). Costs do not include any O&M, overtime, or premiums associated with these classifications.

BACKGROUND

On November 3, 1995, the Police Executive Research Forum (PERF) completed a management study of the Oakland Police Department (OPD) and made recommendations for the civilianization of several sworn administrative positions so they could be reallocated to law enforcement functions. The PERF report identified a total of 58 sworn positions that could effectively be civilianized. Some civilianization recommendations have already been implemented, including the Crime Analysis Unit being completely replaced by civilian personnel, as well as eliminating the Mounted Unit, which was completely staffed with sworn personnel.

In April 2008, the Rules and Legislation Committee directed the Department to prepare a report detailing the Department's efforts to further civilianize sworn positions. The report was not presented at that time due to the on-going arbitration between the City of Oakland and the Oakland Police Officer's Association (OPOA). Rescheduling this report was necessary as the OPOA Memorandum of Understanding (MOU) would contain specific language involving the use of non-sworn employees for positions currently filled by sworn personnel.

On March 11, 2008 the interest arbitration decision and award was issued for the MOU between the City of Oakland and the OPOA. Contained within Article IX of the OPOA MOU was a special provision concerning the use of non-sworn employees. Article IX, section C, 1, states, "The Chief of Police or designee may assign or re-assign to non-sworn employees any work which is not required to be performed by a peace officer so long as; (a) the assignment or re-assignment of the work does not result in the layoff of any member of the bargaining unit or the elimination of any currently budgeted bargaining unit position; or (b) there is no adverse impact to officer safety." The issues involving the OPOA MOU will be discussed within the key issues and impacts section of this report.

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KEY ISSUES AND IMPACTS

Progress

The Department has taken steps toward civilianization by planning for the supplanting of the Police Communications Supervisor positions, the Patrol Desk Officer Positions and the Internal Affairs Division's intake officers and supervisors. The four sworn Police Communications Supervisor and the six Patrol Desk Officer positions were specifically written in the OPOA MOU as positions that will not be civilianized until the completion of an immediate dispute resolution procedure. The Police Department is planning to engage in the immediate dispute resolution process with the OPOA after July 1, 2009.

If the Police Department succeeds with the immediate dispute resolution, civilian dispatchers will assume the duties of the sworn sergeants in the Communications Division and the Police Services Technicians (PST) will assume the duties of the Patrol Desk Officers. In preparation for the transition, the Communications Division has already begun to train the potential civilian supervisors by sending them to the Peace Officers Standards and Training (POST) supervisory course, as well as other in-house training opportunities. Several PSTs have already been trained on Patrol Desk Officer functions and can assume those assignments immediately.

The Internal Affairs Division (IAD) is divided into the Administrative Section and the Investigative Section. The Administrative Section consists of sworn intake officers who receive the initial statement and collect initial evidence from the complainant. The Department plans to supplant the sworn intake officer positions and the sworn sergeant supervisor position within the Administrative Section with civilian investigators.

The civilianization working group for IAD is a planning committee composed of members from the Oakland Police Department and the Citizen's Police Review Board (CPRB). The working group meets twice a month on the plan to transition civilian personnel into the sworn and sergeant positions within the IAD Administrative Section. Currently, the working group is reviewing the City Charter to identify potential conflicts and determine the overall cost of the transition. The next step for the working group is to meet with the Office of Personnel Resource Management (OPRM) to reclassify the intake officer and supervisor positions. The anticipated timeline for transition is one to two years.

The Police Department processes crime scenes by utilizing both sworn and non-sworn evidence technicians. The processing of crime scenes can be just as effectively performed by non-sworn Police Evidence Technicians and the three sworn officers currently serving as evidence technicians will be assigned to other duties. For over 20 years, the Department has used non-sworn professional staff to process forensic evidence at crime scenes. Many of the personnel assigned to these duties have developed high levels of expertise in the field, thereby improving the quality of criminal investigations. At the same time, the Department has had trouble recruiting officers to serve in the few remaining sworn evidence technician positions available; the average tenure of these officers in the assignment is relatively short. The OPOA has already agreed to allow the Department to implement this change to its bargaining unit work. In order to

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be successful, the Department must increase the number of non-sworn evidence technicians by five (5) FTEs.

The following table places the civilianization positions into the order of possible implementation:

FTE Count	Sworn Classification	Civilian Classification	Assignment	Timeline
5	Police Officer	Police Evidence Technician	Patrol	Immediate
6	Police Officer	Police Services Technician II	Desk Officer	July 1, 2009
4	Sergeant of Police	Police Communications Dispatcher, Sr.*	Communications	July 1, 2009
10	Police Officer	Complaint Investigator II	Internal Affairs	1-2 years
7	Sergeant of Police	Complaint Investigator III	Internal Affairs	1-2 years
1	Captain of Police	Police Services Manager II	Internal Affairs	TBD
2	Lieutenant of Police	Police Services Manager I	Internal Affairs	TBD
3	Police Officer	Range Master*	Training	TBD
1	Lieutenant of Police	Police Services Manager I	Training	TBD
2	Sergeant of Police	Police Personnel Operations Specialist	Training	TBD
4	Police Officer	Administrative Analyst II	Training	TBD
2	Police Officer	Systems Analyst III	Information Technology	TBD

Challenges

The City of Oakland’s current and anticipated budget deficit will significantly impact the hiring of additional civilian staff to supplant sworn positions. The Police Department will absorb the duties of nine civilian lay-offs as a result of the mandated budget cuts, with the potential of losing more positions in FY10. On October 29, 2008, the City Administrator mandated a hard hiring freeze on all vacant non-sworn positions through the 2008-09 fiscal year.

The OPOA will be in direct opposition in the supplanting of the sworn communications supervisor and desk officer positions and will request immediate dispute resolution in an attempt to secure the sworn positions within the Communications and Patrol Divisions.

SUSTAINABLE OPPORTUNITIES

Economic: Civilianizing the Department will increase the number of sworn officers on the street, making it safer and more attractive to those looking to conduct business in the City.

Environmental: By increasing the number of sworn officers patrolling the City, it is anticipated that crime will decrease and environmental conditions associated with crime will be improved.

Social Equity: With more officers responding to calls for service and proactively addressing neighborhood issues, the quality of life will improve throughout the City of Oakland.

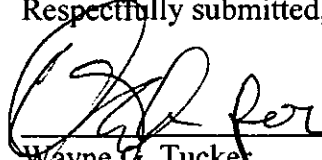
DISABILITY AND SENIOR ACCESS

There are no ADA or senior citizen access issues identified in this report.

RECOMMENDATION

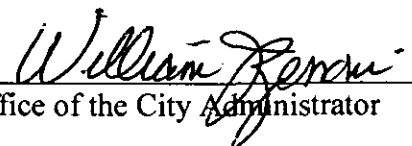
Staff recommends acceptance of this report.

Respectfully submitted,



Wayne G. Tucket
Chief of Police

APPROVED AND FORWARDED TO
THE PUBLIC SAFETY COMMITTEE:



Office of the City Administrator

Prepared by:
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Bureau of Administration