



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

Office of the City Manager  
Deborah A. Edgerly  
City Manager

(510) 238-3301  
FAX: (510) 238-2223  
TDD: (510) 238-2007

December 14, 2004

Oakland City Council  
Oakland, California

Chairperson Reid and Members of the Public Safety Committee:

**SUBJECT: A FOLLOW-UP REPORT REGARDING THE POLICE CONTACT SURVEY AND AN ALTERNATIVE RECOMMENDATION TO INCLUDE POLICE-PUBLIC CONTACT QUESTIONS IN THE BIENNIAL CITYWIDE COMMUNITY SURVEY**

As requested by the Public Safety Committee on October 26, 2004, this report provides an explanation of the delays in the police-public contact survey (McGuire Research Services, Resolution No. 78543 C.M.S., May 18, 2004). In May, the City Council approved a contract with McGuire Research Services to “conduct a citywide survey to determine the nature of citizen interaction with police for the purpose of gathering statistics on citizen’s experiences.”

Unfortunately, there are logistical and confidentiality problems with how the working group decided to conduct the survey. Although it was not written in the Council report, the working group decided that the survey sample would not be random in nature. Instead, crime victims, arrestees and reporting parties would be the sole focus of the survey. The problems associated with this type of survey design can be eliminated by adopting an alternative recommendation to incorporate a special set of police-public interactions into the biennial citywide Community Survey to be conducted in January 2005.

**FISCAL IMPACT**

The Public Safety Committee approved a resolution (resolution number 78543) to spend up to \$50,000 from the Police Department’s federal COPS “Creating a Culture of Integrity” grant, Fund 2112, Org. 103511, Account 54919, Project No. G234410 to conduct a survey regarding public contact with the police. This funding source is still available and applicable if the original direction of the Council does not change.

The biennial citywide Community Survey of Oakland residents will be conducted in January with a cost of \$48,000. This survey could be expanded to include police-public contact questions for an additional \$10,000. The total cost of \$58,000 would be shared by the OPD funding source

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listed above and the City Administrator's Office. If original Council direction remains the same, a total of \$98,000 will be spent on these two surveys.

## **BACKGROUND**

City Council directed the Oakland Police Department in May 2004 to conduct a citywide survey with McGuire Research Services to "determine the nature of citizen interaction with police for the purpose of gathering statistics on citizen's experiences." The initial survey was designed by a working group with representatives from the Oakland Police Department, the City Attorney's Office, the Citizens' Police Review Board and People United for a Better Oakland (PUEBLO). This group met to discuss the quality of police-community relations and the issues affecting the public's use of the services provided by the Internal Affairs Department and the Citizens' Police Review Board and came up with the idea of doing a survey. The group connected with Professor Sam Walker of the University of Nebraska in Omaha, who shared a set of questions he had designed for research in other communities. The survey that was referenced in the Council report in May 2004 included Professor Walker's questions and several that were added by the working group. The City Council did not have an opportunity to review these questions when they directed staff to conduct the survey.

Although it was not written in the Council report, the working group decided that the survey sample would not be random in nature. Instead, crime victims, arrestees and reporting parties would be the sole focus of the survey. The working group asked OPD staff to generate a list of names and phone numbers of these parties for use in this survey. The OPD staff responsible for this data realized that there were logistical, technological and confidentiality problems with this request. At this point, work on the survey stopped until the issues could be resolved and staff began working on a feasible alternative recommendation.

Staff has three chief concerns with the survey design, as communicated by the working group:

- 1) **Confidentiality concerns.** People who have police contact are not asked to consent to survey follow-up. Many of the contacts are involuntary, and crime victims or suspects may feel extremely wary about a third party surveyor knowing their name and phone number and what kind of crime they might have been involved in. Crime victims might feel re-victimized by recalling their experiences to another party. Even if providing personal data to a survey firm is legal, public confidence in the police may be jeopardized by the release of sensitive information.
- 2) **Logistical, technological and staff resource limitations.** The survey was proposed by the working group to be administered only to crime victims, suspects, and reporting parties. Logistically it is very difficult to produce a list of phone numbers for these parties in the quantity needed for a statistically sound poll. ITD estimates that a list of this kind will take one employee at least three weeks of full-time work.

It is unknown at this time whether ITD can produce a report of names and phone numbers from OPD databases that exclude victims of confidentiality-protected crimes. Because of this, it is possible that it may take more weeks of OPD staff time to review this list to ensure that no confidential records would be released.

Additionally, phone numbers are often not provided at all by the parties to the police and if they are, the numbers are often incorrect or disconnected. Relying on internal OPD data will result in a narrow, unrepresentative sample of Oakland residents.

- 3) **Narrow sampling design and focus.** By sampling only a few contact types, the working group survey does not account for the array and volume of types of police-public interaction, such as calls to 911 or non-emergency numbers, traffic stops or participation in community meetings. By drawing from a small population list, and by defining public contact too narrowly, the working group survey will not provide maximum benefit of information to OPD and the City.

#### **KEY ISSUES**

Because of the issues mentioned above, City staff developed a new survey by expanding the working group survey. The new survey broadens the definition of contact and can be used to survey a random sampling of Oakland residents without losing information on whether they have been a victim of a crime or police misconduct. Most important, this survey does not rely on confidential OPD data to be administered. The working group survey is shown in Attachment A and the new survey is shown in Attachment B.

The new survey of 16 police contact questions is designed to be included in Oakland's biennial Community Survey. The Community Survey will go forward in January 2005 if approved by City Council. (The Community Survey is on the December 14<sup>th</sup> Finance and Management Committee agenda.)

The Community Survey design uses Random Digit Dialing (RDD) to reach a sample size of 1,000 residents. By using this technique, all Oakland residents with a home phone number have the same chance of being included in the survey. In the 2002 Community Survey, the ethnic/racial composition of the respondents reflected that of the city as a whole. This makes the results generalizable and therefore more useful to the Oakland Police Department when working on internal policies and developing trainings. The survey is administered in English, Spanish, Cantonese, Tagalog and Vietnamese. The Community Survey is an established, useful survey that enables the Council and City Administration to track changes in public opinion over time. It was administered in 1995, 2000 and 2002 and is used to set budget priorities and gather citizen feedback on City programs and services.

The new public-police contact survey includes 16 questions that specifically focus on residents' experiences with the Oakland Police Department. The questions are derived from various sources, including the National Criminal Victimization Survey, administered for over 30 years by the Department of Justice. The focused questions will provide information about:

- the proportion of respondents who have had contact with the Oakland Police Department,
- the type of contact they have had,
- the number of residents who have been the victim of a crime,
- whether the crime was reported and reasons for not reporting,
- the number of residents who have experienced police misconduct,
- the type of misconduct they experienced,
- whether the misconduct was reported and reasons for not reporting, and
- overall satisfaction with and perceptions of the Oakland Police Department.

### **RECOMMENDATIONS**

The original recommendation and an alternative are presented here to Council to move the police-public contact survey forward.

#### Original Recommendation

City Council directs staff to administer the working group survey. If this recommendation is accepted, further direction is needed regarding the survey population and the confidentiality issues addressed in this report. Cost: \$50,000

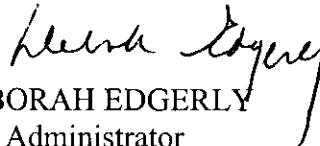
#### Alternative Recommendation

City Council directs staff to include the new survey in the biennial Community Survey. Cost: \$10,000

### **ACTION REQUESTED OF THE PUBLIC SAFETY COMMITTEE**

This report recommends that City Council accept the alternative recommendation to incorporate the new police contact questions into the biennial Community Survey that will be administered in January 2005.

Respectfully submitted,



DEBORAH EDGERLY  
City Administrator

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## ATTACHMENT A

### Survey on Police Services and the Filing of Complaints

#### Interviewer statement:

I am with \_\_\_\_\_, which has been contracted by the City of Oakland to survey citizens' experiences with the Oakland Police Department. I would like to ask you questions about your experiences with the Department. Your name will not be recorded or provided to the Department, and all survey responses are confidential. Please feel free to tell me if there is any question that you do not wish to answer. Are you willing to answer questions about your experiences and perceptions about the Department?

1. Have you had any contact with an Oakland police officer in the last 5 years?

- \* No
- \* Yes

2. (If no)

Thank you for your time.

(If yes)

How many years ago was your most recent contact?

- \* Less than 1 year ago
- \* 1 year ago
- \* 2 years ago
- \* 3 years ago
- \* 4 years ago
- \* 5 years ago

3. Would you describe your *most recent* contact with the Oakland police as positive or negative?

- \* Positive
- \* Negative

4. (If positive)

On a scale of 1 to 5, how would you rate your positive experience, with 1 meaning slightly positive and 5 meaning very positive?

- \* 1
- \* 2
- \* 3
- \* 4
- \* 5

(If negative)

On a scale of 1 to 5, how would you rate your negative experience, with 1 meaning slightly negative and 5 meaning very negative?

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- \* 1
- \* 2
- \* 3
- \* 4
- \* 5

5. During your most recent contact with the police, who initiated the contact? (Read the options to the respondent.)

- a. You
- b. A family member
- c. An officer or
- d. Someone else

6. What kind of contact was it? (Read the options to the respondent.)

- a. A traffic stop
  - b. The police were called to a home
  - c. There was a disturbance or dispute
  - d. You were the suspect of a crime or
  - e. Other (if other, "Please describe the contact.")
- 
- 

7. What happened as a result of the contact? (Read the options to the respondent.)

- a. You were given advice
  - b. You were given counseling
  - c. You were given a warning
  - d. You were given a ticket
  - e. You were arrested
  - f. No action was taken
  - g. Other (if other, "Please describe what happened.")
- 
- 

8. (If experience was positive—from question #3)

Earlier, you described your most recent contact with the police as positive. What specifically did you consider to be positive about your contact with the police? (Check off the options that apply and/or write in the response). **Then, skip to question #11.**

- \* Officer came immediately when called
- \* Officer was professional
- \* Officer was courteous and polite

**Survey on Police Services and the Filing of Complaints**

- \* Officer paid attention and listened
  - \* Officer was respectful
  - \* Officer was knowledgeable about the situation
  - \* Officer was efficient
  - \* Other (write out response)
- 
- 

**(If experience was negative—from question #3)**

Earlier, you described your most recent experience with the police as negative. What did you consider negative about your experience? (Check off the options that apply and/or write in the response).

- \* Officer was discourteous or rude behavior
  - \* Officer did not solve the problem (s)he was called about
  - \* Officer seemed disinterested in what happened
  - \* Failure to act
  - \* Untruthfulness on the part of the officer
  - \* Racial profiling
  - \* The use of force
  - \* Improper citation
  - \* Improper stop
  - \* Improper entry or search
  - \* Improper arrest
  - \* Property damaged or missing
  - \* Harassment
  - \* Other (write out response)
- 
- 

9. Any time you have a negative experience with a member of the Oakland Police Department, you may report your complaint to either the Citizens' Police Review Board or the Police Department's Internal Affairs Division. Did you file a complaint, about your most recent negative experience, with either agency?

- \* Yes
- \* No

10. (If yes)  
What motivated you to file the complaint? (open-ended question)

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**(If no)**

Why not? (Check off the options that apply and/or write in the response.)

## Survey on Police Services and the Filing of Complaints

- \* Did not know about the Citizens' Police Review Board
  - \* Did not know about Internal Affairs
  - \* Embarrassed
  - \* Language barrier
  - \* Did not want to relive the bad experience
  - \* Not worth the time and effort
  - \* Did not trust the complaint process
- (continued on next page)

- \* Did not think it would make a difference
  - \* The experience was not that bad or serious
  - \* Did not know how to file a complaint
  - \* Complaint process too difficult
  - \* Scared of retaliation
  - \* Other
- 
- 

11) Do you know the difference between filing a legal complaint for a lawsuit versus filing a complaint with either the Citizens' Police Review Board or the Police Department's Internal Affairs Division?

- \* Yes
- \* No

12) During your most recent contact with the police, was more than 1 officer present at the scene?

- \* Yes
- \* No

13) What was the race of the police officer or officers you had contact with? (Read the options to the respondent and check all that apply.)

- a. African-American
  - b. Asian
  - c. Caucasian
  - d. Hispanic/Latino
  - e. Other (if other, "What was the race of the officer(s)?"
- 

14) What was the gender of the officer or officers? (Check all that apply.)

- \* Female
- \* Male



## Survey on Police Services and the Filing of Complaints

**Interviewer Statement:** Thank you for assisting the City of Oakland in learning how to improve its police services. Finally, I'd like to ask you some background questions to conclude this survey. As with the prior questions, all of your responses to these questions will be confidential, and your responses to these questions are voluntary and will only be used to improve Department services:

(only ask this question if you can't tell)

15. Are you female or male?

- \* Female
- \* Male

16. Which category best describes your race? (Read the options to the respondent.)

- a. African-American
  - b. Asian-American
  - c. Caucasian
  - d. Hispanic/Latino-American
  - e. Other (if other, "What race do you describe yourself as?")
- 

17. What age group do you fall into? (Read the options to the respondent.)

- a. 12-17 years old
- b. 18-25 years old
- c. 26-44 years old
- d. 45-58 years old or
- e. 59 years old and older

18. Which category best describes your level of education? (Read the options to the respondent.)

- a. Less than high school
- b. High school
- c. College or
- d. Graduate school

19. What language do you speak at home? (Read the options to the respondent.)

- a. English
  - b. Spanish
  - c. Chinese
  - d. Korean
  - e. Japanese
  - f. Other (if other, "What language do you speak at home?").
-

## Survey on Police Services and the Filing of Complaints

20. Which category best describes your income level? (Read the options to the respondent.)

- a. \$12,000 or less
- b. \$13,000-\$20,000
- c. \$21,000-\$40,000
- d. \$41,000-\$60,000
- e. \$61,000 or higher

21. How would you describe your sexual orientation? (Read the options to the respondent.)

- a. Heterosexual
- b. Homosexual r
- c. Bisexual
- d. Transgender

**Interviewer statement: Thank you for your time. Your responses will be used to help the City of Oakland improve its police services.**

**Attachment B**

**NEW Police Contact Survey  
(for inclusion in the citywide Community Survey)**

**CONTACT**

1) Have you had any contact, either in person or by telephone, with the Oakland Police Department in the last two years, that is since _____?
a) Yes b) No c) Don't recall/decline to state
2) If "yes," what type of contact was it:
a) You called 911 or a non-emergency number to report a crime or problem or to ask for help of some kind (this includes calls to the drug/graffiti/gang/truancy hotlines)
i) Were you the victim of the crime/problem? ii) Were you a witness to the crime/problem?
b) You attended a community meeting c) You had an informal encounter with a police officer/employee (on the street, at a safety fair, etc.) d) You were stopped or questioned by police (includes field contacts, walking, bike and traffic stops) e) You were arrested or detained by police. f) You were involved in or witness to a traffic accident g) Some other reason not already mentioned.

**CRIME VICTIMIZATION**

3) Were you the victim of any crime in the last two years?
a) Yes b) No c) Don't recall/decline to state

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4) If "yes," what was the nature of the crime? (If more than one, recall only the one that happened most recently.)
a) Personal crimes
i) Completed violence
ii) Attempted/threatened violence
iii) Rape/Sexual assaults
iv) Completed robbery (property taken)
(1) With injury
(2) Without injury
v) Attempted robbery (no property taken)
(1) With injury
(2) Without injury
vi) Assault
vii) Purse snatching/pocket picking
b) Property crimes
i) Household burglary
(1) Completed
(2) Attempted
ii) Motor vehicle theft (completed or attempted)
iii) Theft
(1) Completed
(2) Attempted
5) Did you report the crime to police?
a) Yes
b) No
c) Don't recall/decline to state
6) If "no," why not?
a) You reported it to another official
b) You considered it to be a private or personal matter
c) The offender wasn't successful at committing the crime or the object taken was recovered
d) You considered the event not important enough to report.
e) Your insurance wouldn't cover the loss/injury.
f) You were not aware that a crime occurred until later
g) You were unable to recover the property.
h) You lacked proof that the crime occurred.
i) You thought that police would not want to be bothered.
j) You thought that the police would be inefficient, ineffective, or biased.
k) You feared reprisal/vengeance for reporting.
l) You thought it would be too inconvenient or time consuming to report.
m) Some other reason.

**Attachment B**

**NEW Police Contact Survey  
(for inclusion in the citywide Community Survey)**

7) If "yes," how satisfied were you with how the police responded to the report?
a) Very satisfied b) Somewhat satisfied c) Somewhat dissatisfied d) Very dissatisfied

**POLICE MISCONDUCT**

8) During the past two years, did you experience any police misconduct?
a) Yes b) No c) Don't recall/decline to state

9) If "yes," what was the nature of the misconduct? Check all that apply.
a) Officer/employee was rude or discourteous b) Officer/employee used profanity c) Officer/employee made a threat or threats d) Officer/employee was biased or discriminatory e) Officer/employee used too much physical force f) Officer/employee lied g) Officer/employee made an improper stop, detention, or arrest h) Officer/employee planted evidence i) Officer/employee damaged property j) Officer/employee made an improper vehicle tow/impound k) Officer/employee failed to take appropriate action l) Something other than listed.

10) Did you report the misconduct?
a) Yes b) No c) Don't recall/decline to state

11) If yes, to whom did you report it?
a) OPD-Internal Affairs Division b) OPD-the person's supervisor c) Citizen Police Review Board d) Some other party/don't remember/don't know

12) If you did not report it, why not?
a) You considered it to be a private or personal matter b) You considered the event not important enough to report. c) You were not aware that the misconduct occurred until later d) You lacked proof that the misconduct occurred. e) You thought that police or review board would not want to be bothered. f) You thought that the police or review board would be inefficient, ineffective, or biased. g) You feared reprisal/vengeance for reporting. h) You thought it would be too inconvenient or time consuming to report. i) Some other reason.

Attachment B

**NEW Police Contact Survey  
(for inclusion in the citywide Community Survey)**

**OVERALL SATISFACTION**

13) Overall, referring to your most recent contact with police, how satisfied would you say that you were with the contact:
a) Very Satisfied b) Somewhat Satisfied c) Somewhat Dissatisfied d) Very Dissatisfied
14) Now, thinking about the Oakland Police <i>in general</i> , how satisfied are you with their services?
a) Very Satisfied b) Somewhat Satisfied c) Somewhat Dissatisfied d) Very Dissatisfied
15) Now I would like to read you a list of statements about the Oakland Police Department, and I'd like you tell me if you Strongly Agree, Somewhat Agree, Somewhat Disagree, or Strongly Disagree, or have no opinion:
a) The police respond efficiently when called. i) Strongly Agree ii) Somewhat Agree iii) Somewhat Disagree iv) Strongly Disagree v) No opinion.
b) The police are professional. i) Strongly Agree ii) Somewhat Agree iii) Somewhat Disagree iv) Strongly Disagree v) No opinion.

**Attachment B**

**NEW Police Contact Survey  
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c) The police are fair.
i) Strongly Agree ii) Somewhat Agree iii) Somewhat Disagree iv) Strongly Disagree v) No opinion.
d) The police are courteous.
i) Strongly Agree ii) Somewhat Agree iii) Somewhat Disagree iv) Strongly Disagree v) No opinion.
e) The police are knowledgeable about my neighborhood.
i) Strongly Agree ii) Somewhat Agree iii) Somewhat Disagree iv) Strongly Disagree v) No opinion.
f) The police are effective at fighting crime in Oakland.
i) Strongly Agree ii) Somewhat Agree iii) Somewhat Disagree iv) Strongly Disagree v) No opinion.
g) The police have the tools they need to do their work.
i) Strongly Agree ii) Somewhat Agree iii) Somewhat Disagree iv) Strongly Disagree v) No opinion.
h) I know the name of a police officer who works in my neighborhood.
i) Strongly Agree ii) Somewhat Agree iii) Somewhat Disagree iv) Strongly Disagree v) No opinion.
16) From time to time, the Oakland Police Department offers a Citizen Police Academy, which is a 14-week course that teaches people about crime, the law, and how the police department works, and also includes a ride along with police officers. How interested do you think you might be in participating in the Citizen Police Academy?
a) Very interested. b) Somewhat interested. c) Somewhat disinterested. d) Very disinterested.