



# AGENDA REPORT

**TO:** Jestin D. Johnson  
City Administrator

**FROM:** Michelle N. Phillips  
Inspector General

**SUBJECT:** OPD Staffing Study

**DATE:** 10/26/23

City Administrator Approval

Date: Oct 27, 2023

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt A Resolution Awarding A Professional Services Contract To PFM Financial Advisors LLC (“PFM FINANCIAL”) To Complete A Staffing Study Of The Oakland Police Department (OPD) In An Amount Not To Exceed Two Hundred Eighty-Five Thousand Dollars (\$285,000) Utilizing The Funds Allocated For That Purpose In The Fiscal Year 2024-2025 Budget Cycle Pursuant To A Policy Directive By The Oakland City Council President’s Budget Team. Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process Pursuant To Oakland Municipal Code Section 2.04.051.B And The Local/Small Local Business Enterprise (L/SLBE) Program Requirements In The Best Interests Of The City.**

## **EXECUTIVE SUMMARY**

In 2020, Measure S1 was passed to amend Measure LL and strengthen Oakland’s police reform efforts. Measure S1 created an independent Office of Inspector General (OIG) to monitor OPD’s compliance with policies, procedures, and laws intended to further strengthen the City’s ability to identify patterns of police misconduct. The OIG is also required to oversee OPD’s compliance with the requirements of the negotiated settlement agreement. Lastly, the OIG may also examine the Community Police Review Agency’s complaint intake process, investigative procedures, and actions. The OIG must provide reports and recommendations to the Police Commission, City Administration, Office of the Mayor, City Council, or other stakeholders.

On June 24, 2021, the City of Oakland City Council directed “the Police Commission Inspector General to complete an independent, comprehensive audit of the Police Department, by December 2022, and to provide a report to Council outlining the scope of the audit prior to its initiation.” After a preliminary assessment, the Office of the Inspector General (OIG) was unable to identify recent (within the last five years) baseline staffing resource data for OPD that can be used as benchmarks for success in this area.

As a new office, the OIG reviewed contextual information and study methodologies from David Muhammad, Executive Director of the National Criminal Justice Reform. Mr. Muhammad was contracted to conduct a calls for service audit for the City of Oakland, prior to the appointment of the Inspector General. After several meetings with Mr. Muhammad and a review of previous

City Council  
11-07-2023

OPD studies, audits, and assessments, the OIG determined that the City of Oakland should establish a baseline for the number of officers and resources needed to properly respond to calls for service within each geographic location in Oakland. The OIG is recommending that the consultant explore options of civilianization of some sworn positions. Further, the consultant should identify and document outcomes of OPD activity and key performance indicators, which includes some of the following:

- OPD response to resident-generated calls for service
- OPD self-initiated interactions
- Case closures-Clearance rate by type
- OPD Overtime-Focus on Patrol and Investigations
- Review and document direct partnerships with City agencies and community partners

The City of Oakland currently has a contract with PFM Financial Advisors LLC for a different service. The consultants identified are subject matter experts in this field with a portfolio that highlights an expertise in this work.

## **BACKGROUND / LEGISLATIVE HISTORY**

In 2013, the City of Oakland received three reports from Policy Partnership (SPP) outlining strategies to improve public safety in Oakland. The first two reports were completed specifically for the Oakland Police Department (OPD) and were posted on their website. Many of the key recommendations have already been implemented by OPD. The final report built on a larger strategy and implementation approach for Citywide impact.

The goal was to build and strengthen collaborative policing and crime-reduction efforts. The report, titled, "Addressing Crime in Oakland, Zeroing Out Crime, A Strategy for Total Community Action," was the last in a series of three reports.

A report was completed and presented to the City Council in 2022 by the National Criminal Justice Reform as a response to a policy directive. In the City of Oakland's Fiscal Year (FY)2021-2023, BUDGET POLICY DIRECTIVES #11b requires the removal of low-level and non-violent calls for service from the police department. It reads: Provide detailed analysis and recommendations for operationalizing the removal of low-level, non-violent calls for service from the Police Department's responsibilities and options for an alternative response. Low-level, non-violent calls for service include what the Police Department classifies as "Administrative, Animal-related, Homeless, Mental Health, Noise-related, Ambulance Requested, and Other." However, that report outlined several limitations and the need for additional analysis. There is a need for the City of Oakland to have an updated staffing baseline for OPD, to provide updated data and evidence to inform the appropriate public safety response and resource allocation.

## **ANALYSIS AND POLICY ALTERNATIVES**

As a Citywide priority, the Mayor's Office, City Administration and City Council have focused on holistic community safety. The City of Oakland has been working towards fostering community trust between members of the public and OPD. The City of Oakland has made great strides toward police accountability, by establishing civilian oversight entities and investing in police reform efforts. However, there continues to be concerns around the need for OPD to make more

efforts to build community trust with all communities, specifically the most marginalized and underserved communities including communities of color. Much of this distrust is historic and deeply rooted in the City of Oakland. The City Council, Mayor, and members of the Oakland community have questioned the effectiveness and efficiency of OPD's use of staffing resources. This directly impacts OPD's response to calls for service and community safety efforts. OPD's response to the communities they service is vital in developing stronger partnerships and equitability in the City's public safety response and crime prevention efforts. Appropriate management and allocation of resources within the Department are vital to an equitable public service response, so the examination of OPD staffing, alternative responses to calls for service, and possible civilization of some OPD functions is critical to effective, efficient, and sustainable police reforms in the City of Oakland. This information will be helpful to the Chief of Police (when selected) to ensure current resources are managed appropriately and in a fiscally responsible manner. This project will be viewed through an equity lens to ensure a comprehensive approach. Time is of the essence, and the City of Oakland would like this study completed as soon as possible. PFM Financial LLC will provide the first report no later than July 2024. This timeline is conservative and includes some lag time in case some data is not readily available in a dataset given this year's earlier cyber incident. The final report should be available by December 2024. This timeline is an approximation and is based on the availability of the data

After a review of the data available and prior reports from the SPP and NICJR, the OIG determined that the City of Oakland should establish a baseline for the number of officers and resources needed to properly respond to calls for service within each geographic area in Oakland. A baseline provides a data starting point to compare and subsequently determine optimal levels of resources. After the assessment, the City of Oakland can make informed decisions on what resources need to be decreased, reallocated, reclassified, or increased to maximize effectiveness and efficiency in OPD's public safety response.

Currently, the data on OPD calls for service and available resources is limited. In March 2023, the OIG recommended that the City of Oakland complete a comprehensive study that reviews and analyzes:

1. The types of calls for service
2. The types of resources (equipment, personnel, etc.) required to respond to calls for service
3. Whether current resources can effectively and efficiently meet the needs of the caller and community

Since that time, the OIG has consulted with the City Administration and other stakeholders, resulting in the expansion of the scope of the staffing study.

### ***Reasons for Waiving Request for Proposals and L/SLBE Program Requirements***

The OIG requested an availability analysis, and the analysis of the City's database of local certified firms was conducted. Under current council policy, the awarding authority may request an availability analysis if there is reason to believe that the availability of certified firms will not be sufficient to satisfy the minimum participation requirement. The scope of services was provided to determine the availability of the City's certified firms. The Department of Workplace & Employment Standards researched the certification database utilizing the following NAICS Code(s):

921190- Other General Government Support

-Auditor's offices, gov

541611- Administrative management consulting services

-Business management consulting services

-General management consulting services

541614- Efficiency management (i.e., efficiency expert) consulting services

-Operations research consulting services

There were fifteen (15) certified firms with the NAICS code 541611, three (3) with the NAICS code 541614, and zero (0) with the NAICS code 921190. To ensure that the firms were actually able to perform these services, an email was sent to the eighteen (18) firms asking if they were able to perform the services. There were no positive responses to this inquiry. Per the City's L/SLBE Program: "Based on the "Rule of Three," there must be at least three certified businesses listed in the industry, trade or profession that constitutes a major category of work. If at least three L/SLBEs are not certified, then the requirement is either waived, or the 50% requirement may be set at a percentage from 50 % to 0%, but not less than 20% if at least one L/SLBE is certified and available." Based on the above results, it has been determined that the Local and Small Local Business Enterprise Program's 50% requirement has been set to 0% for this project.

Consequently, the administration has determined at this time the primary focus of this staffing study will include the following:

- A 5-year trend analysis of budgeted positions vs. actuals (if feasible)
- Personnel and resource costs associated with each unit in the Department
- Overtime utilization
- Documentation of Department drivers such as response times, clearance rates, public initiated calls, and specialized units
- Review OPD's current resource allocation compared to other similarly sized cities with similar calls for service volume
- Assess gross patrol staffing and investigative requirements for the immediate future to better service the City of Oakland

The above referenced items are a high-level overview of the staffing study scope. This scope was selected in an effort to inform the City of Oakland of OPD's baseline staffing resources. This scope focuses solely on the staffing of OPD's operation and its responses to the City of Oakland. Based on the information provided from PFM Financials reports, the City of Oakland could consider a contract addendum. The qualifications and experience of the consultants can be reviewed in their biographies, which are attached, and relevant work for [Baltimore City Police Department](#) and [Albuquerque Police Department](#) can be reviewed by pressing the hyperlinks.

### **FISCAL IMPACT**

In the City of Oakland's Fiscal Year (FY) 2023-2025 BUDGET POLICY DIRECTIVES, the City Council allocated \$200,000 for this study. After the finalization of the scope of work, an additional \$85,000.

### **PUBLIC OUTREACH / INTEREST**

The OIG presented its recommendations to the Police Commission during a regular meeting. The memorandum was provided in the agenda per the standard Police Commission agenda noticing procedures. The memorandum is published on the OIG website and had been shared with members of the public via the OIG quarterly newsletter.

### **COORDINATION**

This project will require coordination with OPD to provide the consultant with timely and appropriate data and information to analyze and evaluate OPD staffing levels and response times. The OIG discussed this project with the Department of Race & Equity to ensure there were equity objectives and outcomes outlined. This staff report and proposed resolution have been reviewed by the Office of the City Attorney.

### **SUSTAINABLE OPPORTUNITIES**

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

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

***Race & Equity:*** OPD staffing and subsequent response times directly impact the ability to support public safety and the quality of life of all Oakland residents and visitors.

### **ACTION REQUESTED OF THE CITY COUNCIL**

**Staff Recommends That The City Council Adopt A Resolution Awarding A Professional Services Contract To PFM Financial Advisors LLC (“PFM FINANCIAL”) To Complete A Staffing Study Of The Oakland Police Department (OPD) In An Amount Not To Exceed Two Hundred Eighty-Five Thousand Dollars (\$285,000) Utilizing The Funds Allocated For That Purpose In The Fiscal Year 2024-2025 Budget Cycle Pursuant To A Policy Directive By The Oakland City Council President’s Budget Team. Waiving The Competitive Request For Proposal/Qualifications (RFP/Q) Process Pursuant To Oakland Municipal Code Section 2.04.051.B And The Local/Small Local Business Enterprise (L/SLBE) Program Requirements In The Best Interests Of The City.**

For questions regarding this report, please contact Michelle N. Phillips, Inspector General, at 510-238-2916.

Respectfully submitted,



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Michelle N. Phillips  
Inspector General, OIG

City Council  
11-07-2023

Attachments (4):

- A. *Professional Service Agreement*
- B. *Availability Analysis*
- C. *FY 2023-25 Adopted Budget City Council Policy Directives – Final*
- D. *PFM Police Staffing Qualifications*