



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2013 MAY 31 AM 9:10

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Sean Whent
Interim Chief of Police

SUBJECT: Bratton Group Report

DATE: May 25, 2013

City Administrator
Approval

Date

5/30/13

COUNCIL DISTRICT: City-wide

RECOMMENDATION

Staff recommends acceptance of this informational report from the Oakland Police Department (OPD) on short term crime fighting and reduction strategies report developed by the Bratton Group, LLC, in conjunction with Strategic Police Partnership.

EXECUTIVE SUMMARY

On January 23rd, 2013 the City Council awarded a contract to the Bratton Group, LLC in conjunction with Strategic Police Partnership to develop a citywide crime reduction strategy and community safety plan. On May 9th, 2013 the Bratton Group completed this work and issued two reports - one titled, "Oakland Crime Reduction Project – Bratton Group Findings and Recommendations" and the other titled, "District-Based Investigations in Oakland - Rapid and Effective Response to Robberies, Burglaries and Shootings."

The online versions of these reports can be found at:

<http://www2.oaklandnet.com/oakcal/groups/police/documents/webcontent/oak041008.pdf> (crime reduction report and at

<http://www2.oaklandnet.com/oakcal/groups/police/documents/webcontent/oak041034.pdf> (district-based investigations report.

ANALYSIS

The Oakland Crime Reduction Report provided findings and recommendations in the following subject areas:

- The Compstat Process
- District Investigations Units (DIUs)
- Evidence Management

The District Based Investigations Report provided a framework and specific policy guidance on how the Oakland Police Department can develop and implement DIUs. The purpose of a DIU is to establish a

Item: _____
Public Safety Committee
June 11, 2013

district-based entity that can swiftly and effectively respond to and investigate robberies, burglaries and shootings.

PUBLIC OUTREACH/INTEREST

These reports were developed with significant public outreach. Between March 6th and April 27th, five community meetings were held in which the City of Oakland sought input from residents on public safety priorities to incorporate into the crime reduction plan.

Crime reduction is of significant public interest.

COORDINATION

These reports were developed with input from the public. The public meetings and the reports were completed in coordination with offices of the Mayor and of the City Administrator.

COST SUMMARY/IMPLICATIONS

There are no fiscal impacts associated with this informational report.

SUSTAINABLE OPPORTUNITIES

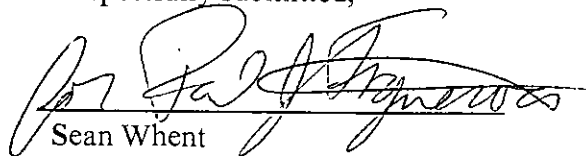
Economic: There are no economic opportunities associated with this report.

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

Social Equity: Hiring more police officers will provide additional resources, thereby enhancing public safety efforts.

For questions concerning the contents of this report, please contact Paul Figueroa, Assistant Chief of Police at 510-238-7183.

Respectfully submitted,



Sean Whent
Interim Chief of Police
Oakland Police Department

Prepared by:
Gilbert Garcia, Bureau of Services
Oakland Police Department

Item: _____
Public Safety Committee
June 11, 2013

2013 MAY 31 AM 9:10
Oakland Crime Reduction Project
Bratton Group Findings and Recommendations
May 9, 2013

The Bratton Group, LCC, in conjunction with the Strategic Policy Partnership, has been working with the Oakland Police Department (OPD) on improving its Compstat crime management and command accountability system and on reorganizing its investigative functions to respond more effectively to homicides, shootings, robberies, and burglaries. These reforms are an important component in the larger effort to move the OPD to a Neighborhood Policing Plan, with the city divided into five districts, each commanded by a captain. The key to this new district-based structure is geographic accountability for each captain – and for their subordinate lieutenants, sergeants, and officers – for a specific area of the city with its specific crime and disorder problems, its familiar community members, and, to a significant degree, its specific cast of criminal characters. Under the Neighborhood Policing Plan, the district captains will be the principal crime fighters in the Department, each taking responsibility for crime in their respective districts and each held accountable for designing and directing responses and strategies to counter crime conditions. So far the OPD has established two districts in East Oakland with three more planned for the western part of the city.

The Neighborhood Policing Plan is a long-term effort to rebuild the service delivery and crime-fighting capabilities of the OPD after years of attrition that have reduced OPD headcount by about 25 percent. The OPD is working to add police officers, but the current staffing shortfalls make it all the more important that the Department deploys and manages its resources effectively now. The management and structural reforms recommended here are part of a blueprint for focusing the OPD's crime fighting efforts at the local or district level. The Compstat crime management system is being revamped into a more effective accountability tool, providing a relentless focus on responding to and resolving local crime and police service problems. In a key structural reform, the recommended establishment of decentralized District Investigation Units (DIUs), will give the district captains an investigative resource to help them in their efforts to counter and control local crime.

The Compstat Process

The Compstat Process is a paradigm-shifting approach to police management. It is an accountability tool, a training tool, a motivational tool, and a crime analysis tool. Its fundamental purpose is to keep key police managers – including chiefs, district captains, investigative supervisors, and special unit commanders – sharply focused on the central police responsibilities of responding to and controlling crime. The heart of the process is a series of regularly scheduled crime strategy meetings where a police department's top management and its field managers engage in tough, probing sessions about current crimes and the plans and tactics to counter them. The

recommendations listed below are intended to strengthen OPD's existing Compstat process and have been implemented in the past two months.

Findings

- The Compstat Process as previously practiced in Oakland was more of a report or a presentation by a captain than the system of vigorous strategic oversight. Compstat should be an intensive and probing dialogue between the department's top commanders and its field managers, including patrol, investigations and special unit commanders.
- The former Compstat presentations were too general and did not deal with crime specifics. The exchanges at Compstat should be focused on the specifics of crime patterns and individual crimes and the measures being taken to counter them.
- As formerly practiced, Oakland's Compstat did not have a true primary questioner pressing for answers to the critical questions about specific crime problems. The department's primary questioner should study, and be conversant with, the current crime picture and should be ready to ask a series of follow-up questions to ensure that every reasonable effort is being made, that every solid lead is being followed, and that the Department's various components are responding swiftly to emerging crime patterns and problems.
- The captains and other field managers at Compstat were not being held accountable for knowledge of crime in a designated district. Captains, investigative commanders and special unit commanders should all be expected to come to the meeting with a thorough familiarity with the crime patterns and crime conditions in their areas of responsibility, which is achieved by reading the incident reports about individual crimes.
- Under the existing process there was no sense of coordination, information sharing or support from the centralized Criminal Investigation Division (CID).

Recommendations

- Compstat meetings should be firmly under the control of the primary questioner who drives the process forward and keeps it focused on the specific crime problems and the plans to counter these problems.
- The primary questioner, not the reporting captain, should control and direct the electronic maps and screens.
- Captains will be expected to be fully conversant with their crime problems, having accurate, timely information by reading and understanding all Part I crime reports.
- Expanded participation and input will be expected from investigative supervisors at every level in the Department, who should be prepared to describe in detail the response of their investigative units to current crime incidents and patterns, to report on the status of all but the most sensitive active investigations, and to share information about successful strategies.
- The Compstat Report should be a succinct summary of crime and enforcement activity, showing trends in the previous two- and four-week periods, as well as

year-to-date comparisons, that can be used as a departure point for Compstat discussions.

- Working from the Compstat Report, the primary questioner should engage the district captain and other relevant supervisors concerning any spikes or trends in the crime numbers, paying particular attention to spikes in killings and shootings, and questioning them on their plans to deal with these issues, i.e., the development of effective tactics.
- All Department chiefs and captains should be present at all Compstat meetings, except in cases when other important business calls them away. Compstat should be seen as one most important regular activities taking place in the Department.
- In addition to general questioning about current crime trends, the primary questioner should pursue a series of regular lines of questioning at the Compstat sessions:
 - Hot Spots – What is being done to correct conditions at various hot-spot locations?
 - Calls for Service – Are calls for service up or down, and if up, why are they spiking? Consider highlighting the top five locations for repeat calls in each district. Why are police continually called there? What is the underlying problem? Are we wasting valuable resources?
 - Enforcement – What is happening with arrests and other enforcement activity? Why are some officers in a given district very productive while others are not? Are we making arrests in the right places and for the right reasons? Are officers being properly directed by their supervisors towards areas where crime is spiking?
 - Warrants – What is the progress on executing Ramey warrants and other warrants such as bail jumping, failure to appear, and parole warrants? The number of Ramey warrants should be broken down by district, and this information provided to each district captain and to the CID captain. The district captains should be questioned about what is being done to capture these suspects.
 - Measures of Evidence Gathering and Processing – When Bratton Group recommendations concerning the tracking of crime scene work are implemented, Compstat should include a recap of crime scene runs and lab submissions from supervisors assigned to these functions. This would cover the number of runs responded to, the number of locations fingerprinted, the number of ballistics and DNA submissions, etc.
 - Ceasefire – How many Ceasefire individuals called to a call-in reside in a district? How many accepted service? How many in/out of jail? How many of them have been victims of a shooting? How many have been victims of crime themselves? How many are wanted for a crime?
 - Persistent Quality-of-Life issues – What are the quality-of-life issues that are most problematic for the community? What are we doing about them?

Members of the Bratton Group team worked intensively with Assistant Chief Eric Bershears to help prepare him for his role as the primary Compstat

questioner and participated in the Compstat meetings conducted on the new model. They also assisted in revising the Compstat Report.

District Investigation Units (DIUs)

The recommended establishment of District Investigation Units will decentralize the investigation of most robberies, burglaries, and shootings. The DIUs will report to the district captains, giving the captains an investigative resource that can respond swiftly to crime victims and crime scenes and pursue investigations through to arrest.

Findings

- Centralized investigations conducted by the Criminal Investigation Division (CID) have not been successful in countering the growing robbery and burglary problems in Oakland.
- Major Crimes Section 1 of CID, which investigates homicides, gun assaults, suspicious deaths, and officer-involved shootings, has too large of a workload to effectively investigate shootings, many of which are closed without further investigation because of uncooperative victims.
- For a number of reasons, centralized robbery investigators working for Major Crimes Section 2, are slow to respond to robberies and interview victims, losing momentum on the investigation of pattern robberies.
- Effectively, burglaries are not investigated in the City of Oakland with only one part-time investigator assigned to more than 10,000 burglaries last year.
- Increased camera monitoring of commercial areas throughout the city would provide significantly more leads in robberies and burglaries and in some shooting cases.

Recommendations

- Reduce the workload of Major Crimes Section 1 to homicides and grievous assaults from which the victim is likely to die by assigning gun assaults for investigation at the district level.
- Assign most robberies and non-gun assaults for investigation at the district level.
- Assign burglaries for investigation at the district level.
- Establish District Investigation Units (DIUs) in each of the five districts to investigate robberies, burglaries, and assaults/shootings.
- Assign experienced investigative sergeants to manage the DIUs. These sergeants would be responsible for all investigative activity in the districts and would represent district investigations at Compstat.
- Assign three experienced investigators and three to four police officers to each DIU, pairing experienced investigators with officers with less experience.
- Assign each investigator/police officer team to one of three specialties: robbery, burglary, or assaults/shootings.
- Establish staggered schedules for DIU to ensure a working presence by investigators in the afternoon and evening hours seven days a week.

- Have DIU investigators respond to crime scenes, interview victims, canvass for witnesses, gather evidence and identify crime patterns, modus operandi, and repeat criminals active in the district.
- As the DIU system is established, use the DIUs as an investigator training ground and career path, with officers moving in progression from police officer assigned to a DIU, to a DIU lead investigator, to centralized CID and homicide investigations.
- Establish strictly observed case management protocols to provide guidelines for DIU investigations, including updated Investigative Action Reports (IARs) at five days, 15 days, and 28 days for each active case. The Bratton Group team has prepared a sample case management system for adaption for use in Oakland.
- Significantly increase the camera monitoring capabilities of the OPD in commercial areas throughout the city to provide identifications and evidence in robbery, burglary and some shooting cases. Cameras would be monitored and recorded at the Domain Awareness Center that is currently under construction.

Evidence Management

For the DIUs to be optimally effective, OPD should implement reforms in the management of evidence, changing some of the priorities and systems by which evidence is gathered and analyzed.

Findings

- Crime scene technicians in Oakland work without direct supervision and therefore with little systematic organization.
- The OPD's digital photo file access, which could be a key tool in identifying robbery suspects, is extremely slow and is rarely used in current robbery investigations.
- Fingerprint evidence gathered at burglary scenes is not generally used in burglary investigations or submitted for comparisons by the Automated Fingerprint Identification System (AFIS).
- More extensive and timely analysis of shell casings found at the scenes of shootings and other crimes could provide stronger evidence in assault cases, connecting guns to both specific crimes and specific gangs.

Recommendations

- Assign a supervisor, preferably a sergeant, to manage crime scene technicians and establish a systematic dispatch protocol that both prioritizes and tracks all crime scene runs.
- Acquire a faster running digital photo system to access Alameda County's Consolidated Arrest Report System (CARs) so that photo arrays can be shown expeditiously to robbery victims.
- Establish a new protocol for the processing of fingerprints from burglary scenes so that prints in cases with other leads and/or in cases that have been linked a pattern of burglaries can be submitted for expeditious AFIS comparisons. Hire additional fingerprint analysts as needed to provide this service.

Bratton Group Findings and Recommendations 5/9/13

- Increase the analysis of shell casings found at shooting scenes to link specific weapons to specific crimes across geographical areas and periods of time. Hire additional ballistic analysts as necessary to provide this service.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2013 MAY 31 AM 9:11

District-Based Investigations in Oakland



Rapid and Effective Response to Robberies, Burglaries and Shootings

May 2013

The Bratton Group, LLC

District-Based Investigations in Oakland Rapid and Effective Response to Robberies, Burglaries and Shootings

This memorandum outlines a plan for District Investigations Units (DIUs) in each of the Oakland Police Department's five districts. The purpose is to establish a district-based entity that can swiftly and effectively respond to and investigate robberies, burglaries and shootings/assaults at the district level.

Introduction

The Oakland Police Department is moving to a Neighborhood Policing Plan with the city divided into five districts, each commanded by a captain. The district captains will be the principal crime fighters in the Department, each taking responsibility for crime in their respective districts and each being held accountable for designing and directing responses and strategies to counter crime conditions. The key to this new district-based structure is geographic accountability for each captain – and for their subordinate lieutenants, sergeants, and officers – for a specific piece of ground with its specific crime and disorder problems, its familiar community members, and, to a significant degree, its specific cast of criminal characters.

From the crime-fighting point of view, an important goal is to use the new district-based structure to dramatically increase the focus of crime-fighting efforts in identifying, pursuing, apprehending and ultimately convicting and incarcerating chronic criminal offenders, who frequently repeat the same types of crimes over and over again until they are arrested by the police. The policing terms for these criminals and crimes are “pattern criminals” and “pattern crimes.” Robbery and burglary, both which have been rising rapidly in Oakland, are classic pattern crimes, and enforcement against both would benefit from an increased focus on pattern crimes as they develop in the five districts. Swift, focused local response, coupled with cogent analyses of developing patterns and targeted follow-up investigations, will have a significant impact on these crimes as focused police action leads to more apprehensions, removing the most active criminals from the scene and serving as a

deterrent to others inclined to become involved in crime. Shootings can also be pattern crimes, although of a different kind, linked less by modus operandi, and more by locations and acquaintance patterns and the relentless pattern of vendetta, and retaliation.

In Districts 4 and 5, which are currently operating on the district model, captains have tried to respond to local crime patterns by using the resources available to them. Unfortunately, their current resources are usually not equal to the task. In District 5, the Crime Reduction Team or CRT (currently a sergeant and six officers, although expected to increase to eight officers) is focused on identifying and arresting local shooters, but, as the Bratton Group team has observed in earlier reports, the CRT is available only four days a week limiting its effectiveness. It is also not truly an investigative unit, although the District 5 CRT personnel have written and executed warrants and performed other investigative functions. Captains have also enlisted Problem Solving Officers (PSOs), within the constraints of Measure Y, when a particular crime problem has developed on a PSO beat. PSOs are also only available during certain hours and days of week. Neither of these approaches is particularly effective against pattern crimes because neither can deliver swift response to these crimes as they occur nor focus on the investigative elements of the crimes effectively. If the district captains are going to have the capability to control and reduce crime in their respective districts they will need the assistance of local investigators assigned to a District Investigation Unit (DIU) that works primarily on robberies, burglaries, and shootings that occur within the district boundaries.

As part of the current reorganization, OPD has established an enhanced CompStat process. At biweekly meetings, run by Assistant Chief Toribio and Deputy Chief Bershears, district commanders are being called to account for the crime efforts in their districts. In other departments where CompStat has been implemented, the CompStat meeting discussions often turn to the investigative follow-up of cases in which perpetrators have not been caught by uniformed patrol. For the CompStat

process to work effectively there must be identifiable supervisors responsible for local investigations who can be called to account at CompStat. Establishing DIUs in the districts will provide investigative capability at the local level and a means by which the CompStat process can drive forward the investigation of local crimes by sharing accurate, timely information on crime patterns and successful strategies that have led to the arrest and incarceration of local criminals.

Current Investigations

Virtually all current investigations in Oakland are conducted by the centralized Criminal Investigation Division (CID). The Division, commanded by captain, has four sections or units, each commanded by a lieutenant. Major Crimes Section 1 is responsible for all homicides and gun assaults, as well as suspicious deaths and officer-involved shootings. As the Bratton Group team has observed in a previous report, the section's workload, which last year included 131 homicides and 847 gun assaults, is too large to be conducive to productive assault investigations. While there is some logic to grouping homicides with gun assaults because most homicides result from gun assaults, the large number of incidents in Oakland – which, between homicides and shootings, approaches 1,000 incidents – argues for a more decentralized system for handling shootings, allowing the centralized investigators to concentrate on homicides and on those serious assaults in which the victim has sustained grave injury and is likely to die. The Bratton Group team envisages a centralized homicide unit that works on homicides and serious assaults only, while coordinating with District Investigation Units to share information about shooting cases being investigated at the district level that might be germane to homicide cases. It so happens that homicides and attempted murders are precisely the cases on which the charging district attorney assigned to CID concentrates his attention, so a reduced workload for Major Crimes Section 1 would focus the section's attention on the very cases that are most likely to be charged.

Major Crimes Section 2 is assigned all robberies and all non-gun assaults. Currently staffed by a lieutenant, a sergeant and eight investigators, this unit is not in a position to respond swiftly to robberies as they occur. As the Bratton Group team has observed in an earlier report, 1) the unit's daytime and weekday working hours, 2) the elimination of overtime for robbery investigations, 3) the extended time (usually several days) for a fresh robbery report to reach the unit, and 4) the urgency of processing in-custody arrests before the 48-hour time limit expires all undercut the unit's ability to work on the not-in-custody robberies. Robbery investigators acknowledge a current workload of about 30 robbery cases each. Investigating robbery, a crime that is often solved by eyewitness identifications, requires a quick response to victims and witnesses before memories fade and interest on the part of victims wanes. As for the non-gun assaults, there is only one investigator in Major Crimes Section 2 assigned to them citywide. The Bratton Group team envisages a small, centralized CID team that works on in-custody robbery cases and on any citywide robbery pattern that may emerge, with the bulk of robbery and assault investigations being conducted by the District Investigation Units.

The Field Services/Theft Unit comprises a range of functions, including managing all CID personnel assigned to task forces with Alameda County and the federal government. It also includes nominal burglary, elder abuse, financial crime, and auto theft functions, but it is acknowledged that these are not really investigative units but rather charging units who process arrests made by patrol personnel. The single investigator assigned to burglary does not even work at this task full time, and, given the roughly 13,000 burglaries in the city in 2012, this investigator would have no hope of investigating even a small fraction of them. Burglaries, in effect, are not investigated in the City of Oakland. Yet burglaries are the most invasive and violating of property crimes because most people regard the safety of their home as a critically important part of their sense of wellbeing. As will be discussed further below, under the heading *Investigating Cases and Managing Evidence*, OPD evidence

technicians have processed hundreds of burglary scenes and recovered prints that may be of value at many of them, yet there is currently no concerted effort to use this evidence to identify pattern burglars active throughout the city. The Bratton Group team envisages burglary investigators in each of the five districts who would begin to identify pattern burglars and who would manage the flow of the most important and promising fingerprint evidence for analysis by Criminalistics.

District Investigation Units

The Bratton Group team proposes that each of the five districts be staffed with a District Investigative Unit (DIU) comprising an investigative sergeant, three experienced investigators, and three to five police officers. The sergeant would be responsible for assigning all cases and overseeing all investigations. Each of the investigators would be assigned to focus on one of three specialty areas: robbery, burglary or shootings/assaults. Each of the experienced investigators would have one to two police officers working with them in their specialty areas. When possible, the sergeant and the investigators might also enlist the District CRT and the District PSOs to assist with case investigations or in case-related operations. The officers assigned to the DIU would work staggered hours that would ensure a working presence for the DIU in the afternoons and evenings seven days a week. Although each DIU would establish specialty teams for robbery, burglary, and assault, the investigators and officers from these separate teams would cover for each other in the event of a breaking crime, when no team members specializing in that crime are available, and would do the preliminary investigative work on the case. Preliminary investigations done by other than the designated robbery, burglary or assault investigators would be documented on *Investigative Action Reports* (IARs) and passed on to the specialist investigator as soon as possible.

The investigative sergeant in each district would serve as the point person for all investigative activity in the district, reporting to the district captain and representing district investigations at the CompStat meetings. Working with the

investigators assigned to the DIU, the sergeant also would be responsible for coordinating with centralized CID, with the evidence technicians who process crime scenes, and with the Criminalistics Laboratory. In addition, the investigative sergeant would be responsible for maintaining a list of outstanding Raimey warrants in the district, keeping patrol officers, CRT officers, and the PSOs informed about who is wanted in the district and for what crimes.

Once this system is established, the DIUs can function as a training ground and career path for Department investigators with police officers who have worked with the DIUs becoming DIU investigators and experienced DIU investigators eventually moving to centralized units and homicide cases. The Department should establish a one-or-two-day basic investigations course of training for police officers who will be working with the DIUs. The course would familiarize the trainees with DIU procedures, basic interviewing techniques, collecting and managing evidence and case management. A sample DIU case management system, that can be adjusted for use in Oakland and adapted to Oakland computer systems and databases, is attached to this report.

Investigating Cases and Managing Evidence

The DIUs would respond to crime scenes, interview victims, canvass for witnesses, and gather evidence. They would work at identifying crime patterns, modus operandi, and repeat criminals active in the district. As mentioned above, it is hoped that the robbery and burglary units could sometimes be supplemented by CRT officers and also by problem solving officers whose beats are subject to robbery and burglary patterns, without violating either the spirit or the letter of Measure Y. The DIU supervisor would review all cases for solvability factors, close some cases without further investigation, and prioritize cases for investigators in each specialty area. Although some cases would be closed, the DIU's swift response to crime scenes and the more timely interviewing of victims and witnesses would likely identify significantly more cases with workable leads than the centralized units have

done in the past. Because each unit is working in a manageable area instead of citywide, the DIUs are also more likely to identify patterns and learn the identifying characteristics and modus operandi of the local criminals, whether robbery, burglary or shooting suspects. In addition, actively working cases in the field, debriefing people arrested by uniformed officers and developing informants can often result in solving crimes that initially had few leads.

The DIU investigators will require significant support from the Department, the crime scene technicians, and the Criminalistics division. In robberies, a key piece of evidence is often the criminal's appearance and the ability of the victim to identify the assailant. It is therefore important to provide searchable digital photo files so that robbery investigators can quickly assemble photo arrays to show to victims and witnesses in a timely fashion after the robbery has occurred. The Bratton Group team has learned that this is rarely done now because the Department's system of electronic access to the photo files of the Alameda County Consolidated Arrest Report System (CARS) is extremely slow, and it takes far too much time to assemble photo arrays. Digital photo file systems are not expensive compared with many other forms of police technology, and it is strongly urged that the City of Oakland and the Department develop the capacity to readily consult and use this important evidentiary tool.

In burglary, a key piece of evidence is often fingerprints left on surfaces in a burglarized property. The OPD evidence technicians regularly dust for latent prints at burglary scenes. An evidence tech interviewed by the Bratton Group team estimated that he alone responds to 200 to 300 burglaries a year and finds prints of apparent value in many cases. Most of these prints are never examined or entered into the Automated Fingerprint Identification System (AFIS), which might be able to provide matches with previously arrested persons. The fingerprint section of the Criminalistics Division is understaffed and devotes most of its time to working on homicide cases that require intensive work because a print match may be the only

path to solution and/or decisive evidence of guilt. Yet, in several pilot programs in which fingerprints taken at burglary scenes were entered to AFIS, the system yielded matches in approximately half the cases. There is, therefore, a significant body of evidence in burglary incidents that is going unused. The Bratton Group team observes that burglary fingerprint comparisons often do not require the numerous print comparisons required by homicide investigations. Yet a suspect identified by a single latent print may provide investigators with a lead as to a pattern burglar is, and their guilt may be established by other means, such as their possession of stolen property or their sale of stolen property to a third party. The Bratton Group team recommends a new protocol for prioritizing AFIS comparisons for latent prints lifted at burglary scenes. DIU sergeants and their respective burglary investigators would identify cases in which prints of possible value have been found, in which identifiable property has been stolen, and/or in which links have been established (based on modus operandi and other evidence) to a pattern of other burglaries. The DIUs would submit fingerprints from those cases to Criminalistics, where the latent prints would be determined to be a value or not for AFIS comparison, and the lifts of value would be promptly searched in AFIS. Given the scale of the burglary problem in Oakland, the Department should consider hiring one or two additional fingerprint analysts to work exclusively or primarily on burglary prints so this rich source of evidence and investigative leads can be effectively tapped.

Shootings in Oakland often involve uncooperative victims who refuse to give evidence against the assailant, and these cases often are filed or closed out by centralized CID without further investigation. Local investigations of these crimes, conducted by investigators more familiar with the local shooters, local gangs, and local vendettas would likely result in more solvable cases and more cases with leads, even when the victim is uncooperative. Local investigators, using evidence from eyewitnesses and their own knowledge of the patterns of shootings and retaliation in the area, should be able to develop suspects in a larger number of cases. Evidence from shell casings may provide significant support in these investigations.

Experience in other jurisdictions has shown that an individual weapon may be used in multiple shootings, either by the same shooter or by people who are sharing a weapon. Ballistic analysis can establish links between shootings and provide maps of shooting patterns that chart how a firearm has been used across a geographic area and across a period of time. It may be the case that a gun used in a shooting was also used in a homicide. As the Department moves forward with its Ceasefire program to try to reduce violence, and especially gun violence, an analysis of links between firearms and crimes and firearms and gangs would be extremely useful in identifying targets for the Ceasefire effort and in directing and coordinating enforcement actions related to Ceasefire. For all these reasons, the Bratton Group team recommends a more comprehensive effort to analyze shell casings found at shooting scenes and to connect them to other casings found at other crime scenes. The actively used firearms in Oakland – the ones being used in multiple shootings – should be well documented, and firearms and shells recovered by the police should be compared to database of firearms and shell casings linked to other crimes. Once again, an increase in staffing at Criminalistics for this specific purpose is recommended.

Crime scene technicians in Oakland work without direct supervision and therefore with little systematic organization. They are nominally supervised by a coordinator, a police officer who is also a full-time evidence technician, but the primary function of the coordinator is to organize and oversee the work schedule, not to prioritize or evaluate the quality of the work. The evidence technicians are supervised on a daily basis by patrol shift sergeants, who have little knowledge of their work. After reporting for work to a patrol sergeant at a line-up, evidence techs respond to radio calls almost at will, with no one actively prioritizing calls. There are no run numbers assigned to the calls, and it is not possible to determine with exactitude how many scenes have been processed by each technician each year. As the Bratton Group team understands the situation, the only way to determine if a scene has been processed is by whether or not a check box on the incident report has been checked.

The Bratton Group team suspects that a good deal of time and energy is being wasted by technicians to process scenes that will never be further investigated or to process scenes of less importance instead of scenes where physical evidence might be of greater use to investigators. In addition, the technicians have no real advocate in the Department, for needed equipment or policy changes, other than the coordinator whose status as a police officer limits his influence.

The evidence technician unit is being transferred to the Central Investigation Division. The Bratton Group team recommends that the Department use the occasion of the transfer to revise systematically the management of the evidence technicians, appointing a genuine supervisor, preferably a sergeant, and establishing a systematic dispatch protocol that both prioritizes and tracks all crime scene runs. The evidence technician supervisor would coordinate with the DIU sergeants in the five districts to help establish priorities on which scenes should be processed and which scenes should be processed first.

Coordinating the DIUs with Centralized CID

The establishment of District Investigation Units will result in some reconfiguration of the Criminal Investigations Division (CID). As already mentioned in this memo, the Bratton Group team recommends that the Major Crimes Section 1 significantly reduce the scope its investigations, to focusing on homicides and assault cases that have resulted in grave injury and in which the victim is likely to die, with the gun assault or shooting cases assigned to the DIUs. Likewise, much of the workload for what is now Major Case Section 2 would also move to the DIUs. Although the DIU sergeants would report and work closely with the district captains, the Bratton Group team recommends that they also have a reporting requirement to a designated lieutenant in CID. This CID lieutenant would schedule weekly meetings with the DIU sergeants from the local districts to discuss current cases and compare notes about pattern crimes and trends. This meeting would help bring to light any robbery or burglary patterns that are spanning two or more districts and any

shootings that may be related to homicides under investigation by Major Crimes Section 1. The meeting would also help to identify any bottlenecks in the analysis of evidence as discussed above, with the CID lieutenant acting as the primary point of contact with Criminalistics in speeding evidence analysis on critical cases.

Appendices

1. District-Level Investigation Case-Management System
2. Draft Chief's Memorandum
3. Initial Findings and Preliminary Recommendations (Part 1)
4. Initial Findings and Preliminary Recommendations (Part II)
5. CompStat Meetings and Reporting Requirements
6. COMPSTAT REPORT MOCKUP (Not real data)

OAKLAND POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

CASE MANAGEMENT OF DISTRICT-LEVEL INVESTIGATIONS

INTRODUCTION

Case management is a key component of the successful and expeditious investigation of past crimes at all levels within a police department. This standard operating procedure outlines a case management system for district-based investigations. Investigative supervisors should provide guidance and support for every case, and monitor the investigative progress in each case according to the schedule described in this procedure and be prepared to discuss the status of active investigations in detail at CompStat.

To assist detectives to track and organize their assigned cases, as well as to enhance the ability of Investigative supervisors to manage investigations, the following case management forms will be utilized:

**INVESTIGATION ASSIGNMENT INDEX
INVESTIGATOR INDIVIDUAL CASE LOG
INVESTIGATION CASE FOLDER
INVESTIGATIVE ACTION REPORT**

Specific directions regarding these forms are discussed below.

PROCEDURE

Whenever there is a notification that a burglary, robbery, aggravated assault or other serious incident has just occurred and may require further investigation, or whenever a **Crime Report (CR)** referring an incident for further investigation is received at the **District Investigation Unit (DIU)**, the following procedure will be complied with:

DISTRICT INVESTIGATIVE SUPERVISOR

- 1) In crimes that have just occurred and when investigators are on duty, assign an investigator, subject to availability, to respond to the scene to assist patrol and determine if further investigation is required.
- 2) Review all new crime reports and determine which reports require further investigation.
- 3) Enter crime reports requiring further investigation on the Investigation Assignment Index, assigning a **DIU** unit case number starting with (0001) at the beginning of each year. This will be the **DIU TRACKING #**. As soon as the assigned investigator is determined, his/her name should also be entered on the index.

NOTE: An investigation can be assigned and given a DIU Tracking # prior to the actual delivery of the Crime Report. Delivery of the completed Crime Report should not delay the investigator case assignment process.

- 4) Additional entries on the Investigation Assignment index are CR #, Date Assigned, Date of Incident, Beat, Type of Crime (Use name of crime, i.e., Burglary, Robbery, etc. not Penal Code Section), Complainant's last name and Location of Occurrence. All should be entered when available.

NOTE: One and only one investigator will be listed as the case officer for each case.

ASSIGNED INVESTIGATOR

- 5) Within 5 working days of being assigned to investigate a crime, prepare and submit an **INVESTIGATION ACTION REPORT (IAR)** detailing the investigative steps taken for review by the DIU supervisor. The IAR will describe, in chronological order by date, investigative actions taken in furtherance of the investigation. IARs may be used to document a single investigative step or to document chronologically a number of investigative steps taken on different dates. All IARs should include the date submitted to the supervisor.
- 6) **INVESTIGATION ACTION REPORTS** should be submitted to the DIU supervisor, and a copy should be maintained in the **INVESTIGATION CASE FOLDER** that should also contain the investigator's copy of the original crime report, all IARS prepared by the assigned investigator and by any other officers/investigators who assisted in the investigation. Other reports pertinent to the case, including evidence tech reports, laboratory reports, photo arrays utilized, etc. should be stored in this case folder.
- 7) **INVESTIGATIVE ACTION REPORTS** will be numbered consecutively based on the CR#. Thus for example for CR # 2013-1241, the first IAR would be number 2013-1241-1, the second would be 2013-1241-2, etc.

5-DAY REVIEW

(5 days from initial assignment)

INVESTIGATIVE SUPERVISOR

- 8) Record review of IARs by signing a copy and recording the submission on the investigator's **INDIVIDUAL CASE LOG**.
- 9) Review progress of case in light of initial investigative steps and subsequent developments. If necessary, discuss strategy to be followed for on-going investigation.
- 10) Indicate review of IARs as soon as possible and return the case folder to the assigned investigator.

NOTE: If case is closed at this time, make entry of how closed and date closed on both the **INVESTIGATION ASSIGNMENT INDEX** and the **INVESTIGATOR INDIVIDUAL CASE LOG**.

11) File **INVESTIGATION CASE FOLDERS** as follows:

OPEN CASES - clearly marked designated file drawer.

Cases will be filed under the assigned investigator's last name in chronological order by "Investigator Unit Tracking Number."

CLOSED CASES - clearly marked designated file drawer.

All closed cases will be filed in *Closed Case* file drawer in chronological order of Year and CR# not separated by Investigator.

15-DAY REVIEW

(15 days from initial assignment)

INVESTIGATIVE SUPERVISOR

12) Record review of new IARs by signing and recording them on the submitting investigator's **INDIVIDUAL CASE LOG**.

NOTE: Fifteen days is the date of second review and minimum due date of the second IAR updating investigative steps taken. Reports should be prepared in a timely manner as the investigation progresses. There may be multiple action reports submitted as part of /or prior to the second review.

13) Review progress of case in light of prior directions and subsequent developments.

14) Determine if case should remain open or be closed and discuss strategy to be followed for on-going investigation.

15) Determine proposed time frame for closing the case (subject to change, depending on investigation).

NOTE: If case is closed at this time – make entry of how closed and date closed on both the **INVESTIGATION ASSIGNMENT INDEX** and the **INVESTIGATOR INDIVIDUAL CASE LOG**.

28-DAY REVIEW

(28 days from initial assignment)

DISTRICT INVESTIGATIVE SUPERVISOR AND CID LIEUTENANT

- 16) Record review of new IARs by note in the **INVESTIGATION CASE FOLDER** on the submitting investigator's **INDIVIDUAL CASE LOG**.
- 17) Review progress of case in light of prior directions and subsequent developments.
- 18) Determine if case should remain open or be closed and discuss strategy to be followed for on-going investigation if case is to remain active.

NOTE: For any cases remaining open for more than 28 days, an investigation management plan should be developed.

NOTE: If case is closed at this time – make entry of how closed and date closed on both the **INVESTIGATION ASSIGNMENT INDEX** and the **INVESTIGATOR INDIVIDUAL CASE LOG**.

- 19) Instruct investigator on specific time frame for closing of case (subject to change, depending on further developments).
- 20) After initial 28-day review, continuously monitor the progress of active investigations by reviewing **INVESTIGATION CASE FOLDERS** a minimum of once every 28 days.
- 21) Indicate these reviews in the \Investigation Case Folder.

District Captain – CID Captain

- 22) Investigation of cases that remain active 3 months from the date of original assignment must be personally reviewed by the District Captain and/or the CID Captain
- 23) Notation of the review of these cases should be made in the **INVESTIGATION CASE FOLDER**.

ADDITIONAL CONSIDERATIONS

INVESTIGATOR INDIVIDUAL CASE LOG

- The investigative supervisor will prepare an **INVESTIGATOR INDIVIDUAL CASE LOG** for each Investigator they supervise. All cases assigned to an investigator will be entered on that investigator's Log.

- The dates that **IARs** are submitted shall be recorded in the investigator's log.
- When appropriate, final dispositions shall enter in the investigator's log.
- Detectives should maintain their own copy of their **INVESTIGATOR INDIVIDUAL CASE LOG** to assist them in recording and tracking their active and closed cases.

INVESTIGATIVE ACTION REPORTS

- **INVESTIGATIVE ACTION REPORTS** will be prepared in a timely fashion to document significant investigative steps taken on an assigned case or on cases that an investigator is assigned to assist.
- Detectives should visit the location of occurrence as soon as possible and before the **5-Day Review**.
- The *closing IAR* should contain the reason for closing the case. This may involve a brief synopsis of the case but will not require repeating a detailed account of all investigative steps previously documented.

CASE CLOSING DISPOSITIONS

The following are the classifications that must be used to describe how closed cases are noted on the **INVESTIGATIVE ACTION REPORT**

1. **ARREST**
2. **EXCEPTIONAL CLEARANCE** - Strict criteria for exceptional clearance are probable cause exists to arrest perpetrator but an arrest cannot be made for a valid reason, i.e. death of perpetrator or the perpetrator is in jail for extended period for other crime and District Attorney determines additional prosecution not necessary. Other reasons for extraordinary clearance must be documented on closing **IAR**.
3. **UNFOUNDED** – Investigation determines the reported crime did not occur.
4. **CLOSED/INACTIVE** – All reasonable investigative efforts have been exhausted, and the case is filed closed pending further or future developments
5. **REFERRED** – Case referred to another investigative unit, i.e. Major Crimes for follow-up. Enter where referred to in closing investigation action report.

OAKLAND POLICE DEPARTMENT

DISTRICT INVESTIGATION UNIT

DISTRICT-LEVEL INVESTIGATION CASE MANAGEMENT SYSTEM

Our Department's reorganization implements a Neighborhood Policing Plan and divides our city into five districts, each commanded by a captain, responsible for the delivery of all police services within the geographical boundaries of each captain's district. There will also be a significant change in the way investigations are conducted as we implement District Investigation Units (DIUs) with investigators and investigative supervisors assigned to each district to provide timely response to, and follow-up investigation of, crimes reported at the district level.

Experience has shown that most of the crime that occurs at the neighborhood level is committed by people that live in, or frequent neighborhoods, close to where they commit crime. This is especially true of the pattern crimes of burglary and street robbery. In these crimes, it is often the same individuals or groups that break into homes, commercial premises and cars to steal property; there may be another group of individuals who specialize in robbing people, forcibly stealing property from them and sometimes shooting, and/or causing serious physical harm, to victims in the process. In Oakland, criminals who specialize as burglars or robbers in their local neighborhoods are responsible for a disproportionate amount of crime, often using the same method of operation (Modus Operandi). These pattern criminals will continue to commit crimes until those crimes are effectively investigated, and the criminals are apprehended, or discouraged by law enforcement, assisted by law-abiding citizens in our communities. It is also true that many of the shootings and serious assaults in our city are a result of disputes between individuals or loosely associated groups or gangs from the neighborhoods where they occur.

As you know, the Department is reengineering our CompStat process, and District Investigation Unit supervisors will play a key role at CompStat in managing the investigative process and providing timely accurate information on the status of investigations into crimes and criminals at the district level. The District Investigation Units will be accountable to, and managed by, the district captain. They will also have a second reporting relationship to Criminal Investigation Division supervisors who will provide training and assistance to DIU investigators and continue to coordinate and investigate serious crimes, such as homicides, grave injury assaults, sexual assaults and those pattern robberies, burglaries and other crimes that transcend district boundaries.

Burglary and robbery investigative teams will be implemented in each district comprising experienced investigators who will be paired with experienced patrol officers who have in-depth knowledge of the neighborhoods in their assigned districts. These investigators will be trained, managed and led by experienced investigative supervisors. Their primary duties will be investigating, arresting and delivering for prosecution the individuals committing robberies, burglaries and shootings/assaults. The District Investigations Unit will maintain a dedicated focus on the crimes of burglary and robbery, two investigators assigned to investigate all burglary crimes exclusively and two investigators assigned to investigate robbery cases exclusively. These investigators may sometimes be required to respond and preliminarily investigate other serious crimes, outside of their specialty area, while on duty. There will also be investigators assigned to investigate local shootings and assaults resulting in less than grievous bodily harm. In every case, only one investigator shall be designated as the assigned case officer with primary responsibility for the follow-up investigation of cases assigned to them.

The following Standard Operating Procedure shall be used to manage the the investigative process conducted by district-based investigators, under the supervision of the district investigative supervisor. Investigative supervisors are responsible for insuring that the investigators they supervise, including officers temporarily assigned in that capacity, know and follow the steps outlined in the Case Management procedure.

The thorough investigation of designated crimes is the mandate of all Oakland detectives. Successful investigations, especially those involving the arrest of pattern criminals, help us achieve our mission, i.e., the prevention and reduction of crime and the improvement of the quality of life in our neighborhoods. This procedure is designed to assist supervisors and investigators to organize and direct their investigations so they can be more effective in their work.

Howard A. Jordan
Chief of Police

Initial Findings and Preliminary Recommendations

Introduction

The Bratton Group spent three days in Oakland from March 5 to March 7 making a preliminary assessment of anti-crime strategies and practices in the Oakland Police Department (OPD). The consultants met with the OPD command staff and with the managers of the Ceasefire Project. We individually interviewed members of OPD's top management, including Assistant Chief Anthony Toribio, Deputy Chief Eric Bershears, Acting Deputy Chief Anthony Rachal, and Gil Garcia, the director the OPD Bureau of Services. We also met with Captain Steve Tull and Captain Ersie Joyner, who are to command District 4 and District 5 respectively under the OPD's new organizational structure, as well as with Captain Johnny Davis who commands the Criminal Investigations Division (CID). The consultants attended a Wednesday meeting of OPD's CompStat and talked informally with vendors and City of Oakland IT personnel who provide technological support to the CompStat process. We held a focus group with Problem Solving Officers (PSOs) and supervisors from the 4th and 5th districts. Before departing on Thursday, we met with Chief Toribio and Chief Bershears to brief them on their preliminary observations and findings.

The OPD is in the midst of a reorganization that will ultimately decentralize police operations to five districts, a course that The Bratton Group consultants strongly endorse. To combat crime in Oakland, and to do so constitutionally and in conjunction with local communities, it is critically important to decentralize the watch commander system and to establish local districts that can serve as centers for both community connection and crime fighting. The current plan is to initiate the decentralization in two districts in east Oakland (an area currently policed by Bureau of Field Operations 2 or BFO2) and to eventually expand to three additional districts in Bureau of Field Operations 1 (or BFO1). The Bratton Group consultants urge that the expansion to the three remaining districts be accomplished as soon as possible and not be delayed for an extended test period in District 4 and District 5. It is important to get the district system up and running and subject to CompStat review.

OPD CompStat

The OPD CompStat process itself requires significant revision. It currently takes the form of a presentation rather than an inquiry. Ersie Joyner, the captain presenting on Wednesday, March 6, was well-informed and obviously takes an activist approach to his command responsibilities, but CompStat is meant to accomplish more than a mere recitation of district initiatives and conditions. The purpose of the CompStat process is to provide vigorous strategic oversight of a police department's

crime fighting efforts through an intensive and probing dialogue between the department's top commanders and its field managers, including patrol, investigations, and special unit commanders. Field managers should come to the meeting with a thorough familiarity with the crime patterns and crime conditions in their areas of responsibility, which is achieved by reading the incident reports about individual crimes. The exchanges at CompStat should be focused on the specifics of crime patterns and individual crimes and the measures being taken to counter them. The department's primary questioner should be conversant with the current crime picture and be ready to ask a series of follow-up questions to ensure that every reasonable effort is being made, that every solid lead is being followed, and that the department's various components are responding swiftly to emerging crime patterns and problems.

We intend that half of the Bratton Group four-person field team will be working intensively on CompStat for the remainder of our engagement. We will be coaching Chief Eric Bershears, who has been tapped to run CompStat going forward. We will be reviewing all the supporting data materials for CompStat to ensure that they are optimally organized and presented. We will be making a series of recommendations for the structure and agenda of the meeting itself, including the following:

- The meeting should not be directed and controlled by the presenting captain but by the department's designated questioner (Chief Bershears). The chief should control the mapping and other display materials.
- The district commanders should not be informed in advance as to which district(s) will be subject to review at a given CompStat. All commanders should be prepared to be questioned at each session.
- Relevant investigative supervisors should be available at each meeting to answer questions about investigative follow-up on individual cases and investigative response to identified patterns. Relevant special unit commanders should also be available. We recommend a two-podium system at CompStat with the district commander at one podium and the investigative or special commander at the other.

Crime Issues

The Bratton Group team has been asked to help the OPD with three central crime issues: 1) murders and shootings, 2) robberies, and 3) burglaries. It is clear that the incidence of all of these crimes has risen steeply since 2010, as police staffing has declined by almost 25 percent. At 126 incidents in 2012, homicides are up 24 percent since 2011 and up 40 percent since 2010. The homicide rate per 100,000 of population is 31, more than five times higher than the national average and more than four times the average in other California cities. Robberies have risen from about 3,000 to more than 3,700, and burglaries have risen from fewer than 8,000 to about 10,500. The department is struggling to staff investigative units with

adequate personnel. The murder case clearance rate is hovering at about 30 percent in the past three years. It does not appear that robberies and burglaries are being investigated promptly and consistently. There is reportedly only one burglary detective for the entire city and B centralized robbery detectives supervised by a lieutenant and 1 sergeant.

Deferring any discussion of the homicide and shooting issues to the following section, the Bratton Group team preliminarily recommends the decentralization of robbery and burglary investigations to the police districts being established under the reorganization plan. The idea would be to assign one investigative supervisor and at least one robbery detective and one burglary detective to each district (with additional detectives possibly assigned in districts having higher incidences of robberies and burglaries). The investigative supervisor would be running robbery and burglary units comprised of detectives and police officers whom they would train to conduct robbery and burglary investigations, including identifying patterns, responding swiftly to crime scenes, interviewing victims, canvassing for witnesses, showing photo arrays, following up on physical evidence such as latent prints, and tracking the criminal populations that would be likely suspects in many of these crimes. In essence, the OPD would be leveraging their scant detective resources by using police officers to perform much of the legwork and field investigation. We believe that detectives deployed in districts to work on robberies and burglaries in the ways described above would be far more effective than an understaffed centralized unit trying to deal with local robberies and burglaries, which, for the most part, are pattern crimes committed by the same locally based criminals. We believe that this restructuring would lead to a significant drop in both crimes, as pattern robbers and burglars are apprehended.

There are not abundant resources currently in the districts to staff these robbery and burglary units. District 5, for instance, has a single crime reduction team (CRT) of one sergeant and six officers (down two officers from an eight-officer authorization). This team works four days a week from 12:00 noon to 10:00 pm, hardly enough time on the street to make much of a crime reduction impact in a 24-hour crime environment. Ideally the district should have three CRT teams, as well as the robbery and burglary teams referenced above. District 5 does have seven Problem Solving Officers (PSOs), whose use and deployment is limited by Measure Y. The Bratton Group team will further investigate district staffing and deployment in an effort to identify possible methods for optimizing district resources within staffing and budget constraints.

Homicides, Shootings, and Ceasefire

The OPD has brought Ceasefire program to Oakland. Ceasefire, which has met with significant success in other cities, melds police enforcement actions with outreach to the very criminal groups that are causing the violence, shootings, and homicide. The outreach, which offers services of various kinds, comes with the overt threat that

individuals and groups who fail to avail themselves of the outreach opportunities will be met with the full force of the law. Ceasefire moves forward in increments, targeting what Ceasefire organizers call "the first and the worst," i.e., those who committed the most recent violent acts and those who have committed the most egregious. The very week of The Bratton Group's visit, the OPD conducted a takedown of two criminal groups, the Case Gang and the Money Team, who qualified as the first and the worst. This was the first such takedown under the Oakland Ceasefire and had been preceded by a "call-in" where persons with identified ties to groups responsible for violent crime in the past were "called in" to meet with the police. They were warned that any future violent crime will not be tolerated and that, if and when it occurs, vigorous enforcement and prosecution involving local, state, and federal resources will result, including incarceration in prisons outside California. At the "call in", on a more positive note, these same persons also are offered services, contacts, and opportunities to steer them away from the violence related to criminal gangs.

In successive visits, The Bratton Group team will support the Ceasefire project by looking for ways to strengthen the OPD's response to homicides and shootings, particularly on the investigative front. The team will be looking closely at investigative protocols, procedures, staffing, working hours and other factors to increase the efficiency and effectiveness of OPD homicide and shootings investigations.

Additional Issues

The Bratton Group team made a second visit to the Oakland Police Department (OPD) from March 26th through March 28th. Two team members focused on refining the CompStat process, working closely with Chief Bershears on the finer points of preparing for and running the CompStat meetings and keeping the meetings on target with respect to the central purpose of CompStat, which is to ensure a swift and focused response to crime as it develops in Oakland's neighborhoods. These two team members also met with five of Oakland's eight captains to discuss expectations for the captains who will command the five districts and who will be leading participants in CompStat, as well as meeting with a group of patrol sergeants.

The other two Bratton Group team members focused on broader operational issues, and especially on investigations, as they worked to frame out a set of recommendations for moving some investigations, and particularly robbery and burglary investigations, to the district level. They conducted lengthy interviews with Lt. Drennon Lindsey of Major Crimes Section 1 (homicides and gun assaults), Lt. Oliver Cunningham of Major Crimes Section 2 (robberies and non-gun assaults) and Captain Ersie Joyner, the commander of District 5. They also conducted a focus group with patrol lieutenants, who will be asked to play critical roles in the reconfigured district-based system. The entire team attended CompStat on

Wednesday, March 27th and met with representatives from Forensic Logic, the data company that prepares the CompStat report and other data instruments for the OPD.

CompStat Readiness

The team believes that the OPD and Chief Bershears are on track to initiate the reinvigorated CompStat on April 24th. The team has made recommendations for revising the CompStat data report for greater clarity and also to include arrest and enforcement data. Forensic Logic has agreed to make these changes prior to the week of April 21st. The team has also prepared a draft announcement concerning the reinvigorated CompStat for distribution by Chief Jordan. The team believes that it is important to mark a clear departure from past CompStat practice and thinks that a formal announcement will help establish this departure. Chief Bershears has proved a keen student of the CompStat process, and The Bratton Group team believes that he will be able to direct the CompStat meetings going forward. As currently scheduled, Bratton Group team members will attend the April 24th CompStat meeting and the next biweekly meeting on May 8th. Team members will also return for the June 19th meeting. As always, the critical question with respect to CompStat will be the response of the district captains and other unit leaders to the challenging new format and the relentless focus on detail that is envisaged for the reinvigorated CompStat process. Having met with the captains, Bratton Group team members can report that several of the captains seemed ready for the challenge, while others were more circumspect and suspicious.

Investigations Issues (Robbery and Burglary)

As noted in The Bratton Group's first report, homicides, robberies and burglaries have all risen steeply since 2010, and these surges probably are not unrelated to a parallel decline in sworn personnel since 2009. It seems clear that, with the current staffing and current configurations in investigations, robberies and burglaries are not being adequately investigated. The Bratton Group team believes that a decentralization of both robbery and burglary investigations to the district level could dramatically improve this situation by bringing investigative resources into the field more quickly and ensuring sharper focus on, and quicker identification of, local crime patterns. We have already noted that, under the current configuration there is only one burglary detective for the entire city, a thankless assignment in a city that recorded about 11,000 burglaries in 2012.

Robbery investigations are better staffed, with a lieutenant, sergeant and eight investigators assigned to Major Crimes Section 2 (MCS2), which handles robberies and non-gun assaults, but Bratton Group team members encountered a number of bottlenecks and other problems that may be undercutting effective robbery investigations.

First, MCS2 is reportedly absorbing a \$480,000 funding cut which has had the effect of suspending all call-outs of robbery investigators in the off hours. This means that robbery investigators will rarely be on the scene of any robbery and will be leaving the task of questioning victims and witnesses, in the immediate aftermath of the crime, to police officers, who are largely untrained in investigative practice.

Second, there is apparently a lag of as much as three days before reports of robberies (in the form of the pink copy of the report or "the pink") reach MCS2 for assignment to investigators. This lag is largely caused by the need to enter robbery reports into the database maintained by the Records Division. Yet, Forensic Logic representatives told The Bratton Group team that any entry made by police officers into databases tied to the Forensic Logic system should be available for others to review within 20 minutes. The lag in relaying robbery reports, therefore, may be reparable with changes in entry protocols.

Third, even without the lag at the Records Division, heavy caseloads and the burden of processing in-custody arrests often delay the response of robbery investigators to not-in-custody cases. The MCS2 lieutenant acknowledged that it might be as much as five to seven working days before an investigator would contact a victim in a given robbery.

Fourth, and this issue applies to all CID personnel, investigators work hours that are precisely the opposite of when robberies occur. There are three shifts: Bam to 4pm, 9am to 5pm, and 10am to 6pm, with no weekend shifts. Investigators are simply not available to respond to robberies in the evening hours and on weekends as they occur.

The consequence of all these constraints probably is reflected in the results for the weekend of March 23rd and 24th when there were 56 robberies and attempted robberies, yet no one had been taken into custody in connection with any of these crimes by the following Tuesday.

The Bratton Group team envisages an investigative component at each district, managed by a supervisor with investigative experience and staffed by at least one robbery investigator and one burglary investigator. Each of these investigators would be assisted by police officers who would be trained and participate in the investigative process at the district level, forming district robbery and burglary units. These units would be responding to crime scenes, interviewing victims, canvassing for witnesses, and gathering evidence. They would work at identifying crime patterns, modus operandi, and repeat criminals active in the district. It is hoped that the robbery and burglary units could sometimes be supplemented by problem solving officers whose beats are subject to robbery and burglary patterns, without violating the either the spirit of the letter of Measure Y. The Bratton Group team is developing a more complete description of the envisaged units and a draft set of protocols under which they might operate. Bratton Group team members will

be in Oakland the week of April 14th to conduct further research on investigations in Oakland, including crime scene forensics and the Criminalistics Division.

Investigative Issues (Homicide and Shootings)

The Major Crimes Section 1 (MCS1) may have an adequate number of investigators to investigate the 131 homicides that occurred in the city in 2012. Unfortunately, their 2012 caseload was substantially larger than just the homicides. They were also assigned 847 gun assault cases, 913 other shooting incidents, and 8 officer-involved shootings (OIS), including one fatal OIS. The Bratton Group team also understands that Major Crimes Section 1 is charged with investigating cases of alleged criminal activity by police officers during the Occupy Oakland protest. It appears that the entire homicide unit is in a virtual training mode because many of the investigators assigned to the unit have no previous homicide investigations experience, and some have no previous investigations experience of any kind. This situation is a consequence of the transfer of sergeants, who formed the bulk of the homicide unit previously, to the patrol force to meet span-of-control requirements (1 to 8) set by the Negotiated Settlement Agreement monitor.

It should be a top priority in 2013 to significantly lighten the caseload of MCS1 so that investigators can concentrate their full attention on homicides and the most serious assaults. The Bratton Group team would recommend that MSC1 be assigned only homicides and assaults in which the victim is seriously injured and likely to die. The OIS cases and the Occupy Oakland cases should be transferred to Internal Affairs, which, according to the Department roster, has 15 sergeants on staff. Some responsibility to investigate other assaults might be transferred to the district investigative teams and some to a reconfigured unit in CID. The goal should be to raise significantly the closure rate for homicides, which has hovered at 30 percent or less in the past few years.

Initial Findings and Preliminary Recommendation (Part II)

April 5, 2013

The Bratton Group team made a second visit to the Oakland Police Department (OPD) from March 26th through March 28th. Two team members focused on refining the CompStat process, working closely with Chief Bershears on the finer points of preparing for and running the CompStat meetings and keeping the meetings on target with respect to the central purpose of CompStat, which is to ensure a swift and focused response to crime as it develops in Oakland's neighborhoods. These two team members also met with five of Oakland's eight captains to discuss expectations for the captains who will command the five districts and who will be leading participants in CompStat, as well as meeting with a group of patrol sergeants.

The other two Bratton Group team members focused on broader operational issues, and especially on investigations, as they worked to frame out a set of recommendations for moving some investigations, and particularly robbery and burglary investigations, to the district level. They conducted lengthy interviews with Lt. Drennon Lindsey of Major Crimes Section 1 (homicides and gun assaults), Lt. Oliver Cunningham of Major Crimes Section 2 (robberies and non-gun assaults) and Captain Ersie Joyner, the commander of District 5. They also conducted a focus group with patrol lieutenants, who will be asked to play critical roles in the reconfigured district-based system. The entire team attended CompStat on Wednesday, March 27th and met with representatives from Forensic Logic, the data company that prepares the CompStat report and other data instruments for the OPD.

CompStat Readiness

The team believes that the OPD and Chief Bershears are on track to initiate the reinvigorated CompStat on April 24th. The team has made recommendations for revising the CompStat data report for greater clarity and also to include arrest and enforcement data. Forensic Logic has agreed to make these changes prior to the week of April 21st. The team has also prepared a draft announcement concerning the reinvigorated CompStat for distribution by Chief Jordan. The team believes that it is important to mark a clear departure from past CompStat practice and thinks that a formal announcement will help establish this departure. Chief Bershears has proved a keen student of the CompStat process, and The Bratton Group team believes that he will be able to direct the CompStat meetings going forward. As currently scheduled, Bratton Group team members will attend the April 24th CompStat meeting and the next biweekly meeting on May 8th. Team members will also return for the June 19th meeting. As always, the critical question with respect to

CompStat will be the response of the district captains and other unit leaders to the challenging new format and the relentless focus on detail that is envisaged for the reinvigorated CompStat process. Having met with the captains, Bratton Group team members can report that several of the captains seemed ready for the challenge, while others were more circumspect and suspicious.

Investigations Issues (Robbery and Burglary)

As noted in The Bratton Group's first report, homicides, robberies and burglaries have all risen steeply since 2010, and these surges probably are not unrelated to a parallel decline in sworn personnel since 2009. It seems clear that, with the current staffing and current configurations in investigations, robberies and burglaries are not being adequately investigated. The Bratton Group team believes that a decentralization of both robbery and burglary investigations to the district level could dramatically improve this situation by bringing investigative resources into the field more quickly and ensuring sharper focus on, and quicker identification of, local crime patterns. We have already noted that, under the current configuration there is only one burglary detective for the entire city, a thankless assignment in a city that recorded about 11,000 burglaries in 2012.

Robbery investigations are better staffed, with a lieutenant, sergeant and eight investigators assigned to Major Crimes Section 2 (MCS2), which handles robberies and non-gun assaults, but Bratton Group team members encountered a number of bottlenecks and other problems that may be undercutting effective robbery investigations.

First, MCS2 is reportedly absorbing a \$480,000 funding cut which has had the effect of suspending all call-outs of robbery investigators in the off hours. This means that robbery investigators will rarely be on the scene of any robbery and will be leaving the task of questioning victims and witnesses, in the immediate aftermath of the crime, to police officers, who are largely untrained in investigative practice.

Second, there is apparently a lag of as much as three days before reports of robberies (in the form of the pink copy of the report or "the pink") reach MCS2 for assignment to investigators. This lag is largely caused by the need to enter robbery reports into the database maintained by the Records Division. Yet, Forensic Logic representatives told The Bratton Group team that any entry made by police officers into databases tied to the Forensic Logic system should be available for others to review within 20 minutes. The lag in relaying robbery reports, therefore, may be repairable with changes in entry protocols.

Third, even without the lag at the Records Division, heavy caseloads and the burden of processing in-custody arrests often delay the response of robbery investigators to not-in-custody cases. The MCS2 lieutenant acknowledged that it might be as much as five to seven working days before an investigator would contact a victim in a given robbery.

Fourth, and this issue applies to all CID personnel, investigators work hours that are precisely the opposite of when robberies occur. There are three shifts: 8am to 4pm, 4pm to 8pm, and 8pm to 4am, with no weekend shifts. Investigators are simply not available to respond to robberies in the evening hours and on weekends as they occur.

The consequence of all these constraints probably is reflected in the results for the weekend of March 23rd and 24th when there were 56 robberies and attempted robberies, yet no one had been taken into custody in connection with any of these crimes by the following Tuesday.

The Bratton Group team envisages an investigative component at each district, managed by a supervisor with investigative experience and staffed by at least one robbery investigator and one burglary investigator. Each of these investigators would be assisted by police officers who would be trained and participate in the investigative process at the district level, forming district robbery and burglary units. These units would be responding to crime scenes, interviewing victims, canvassing for witnesses, and gathering evidence. They would work at identifying crime patterns, modus operandi, and repeat criminals active in the district. It is hoped that the robbery and burglary units could sometimes be supplemented by problem solving officers whose beats are subject to robbery and burglary patterns, without violating the either the spirit of the letter of Measure Y. The Bratton Group team is developing a more complete description of the envisaged units and a draft set of protocols under which they might operate. Bratton Group team members will be in Oakland the week of April 14th to conduct further research on investigations in Oakland, including crime scene forensics and the Criminalistics Division.

Investigative Issues (Homicide and Shootings)

The Major Crimes Section 1 (MCS1) may have an adequate number of investigators to investigate the 131 homicides that occurred in the city in 2012. Unfortunately, their 2012 caseload was substantially larger than just the homicides. They were also assigned 847 gun assault cases, 913 other shooting incidents, and 8 officer-involved shootings (OIS), including one fatal OIS. The Bratton Group team also understands that Major Crimes Section 1 is charged with investigating cases of alleged criminal activity by police officers during the Occupy Oakland protest. It appears that the entire homicide unit is in a virtual training mode because many of the investigators assigned to the unit have no previous homicide investigations experience, and some have no previous investigations experience of any kind. This situation is a consequence of the transfer of sergeants, who formed the bulk of the homicide unit previously, to the patrol force to meet span-of-control requirements (1 to 8) set by the Negotiated Settlement Agreement monitor.

It should be a top priority in 2013 to significantly lighten the caseload of MCS1 so that investigators can concentrate their full attention on homicides and the most

serious assaults. The Bratton Group team would recommend that MSC1 be assigned only homicides and assaults in which the victim is seriously injured and likely to die. The OIS cases and the Occupy Oakland cases should be transferred to Internal Affairs, which, according to the Department roster, has 15 sergeants on staff. Some responsibility to investigate other assaults might be transferred to the district investigative teams and some to a reconfigured unit in CID. The goal should be to raise significantly the closure rate for homicides, which has hovered at 30 percent or less in the past few years.

FROM: CHIEF HOWARD JORDAN
TO: ALL DEPARTMENT PERSONNEL
SUBJECT: **COMPSTAT MEETINGS AND REPORTING REQUIREMENTS**

Date: XX/XX/2013

OVERVIEW

The core mission of the Oakland Police Department is to reduce crime, fear and disorder in our city. I am proud of the work the men and women of all ranks in this Department are doing as we seek to accomplish this mission. In order to continuously improve our ability to deliver police service, we have re-engineered our CompStat process and will soon begin conducting our refocused biweekly CompStat meetings. The OPD CompStat process is designed to empower District Captains and patrol and investigative unit supervisors to take the lead in devising and implementing effective crime reduction strategies and tactics in their areas of responsibility.

CompStat evolved from crime strategy meetings beginning in 1994 in the NYPD under the leadership of Police Commissioner William Bratton. In a short time, the process developed into one of the most significant factors in that city's dramatic reduction in crime. Initially, CompStat meetings were conducted with virtually no technology. Crime was tracked by hand counts and plotted on flip chart maps with acetate overlays. The important ingredient were the people who were engaged in the process and the process itself, an intensive forum where crime patterns and conditions were closely examined and strategies and tactics were developed to counter them. CompStat brought supervisors from patrol, investigations, narcotics teams and other specialized units together with command staff to ensure a coordinated effort in our primary business of fighting crime.

From that beginning, CompStat has been greatly enhanced and widely adopted. High-tech crime mapping is now commonplace, and progressive police departments throughout the country have implemented similar crime strategy meetings with positive results. I am very confident of the capabilities of all ranks in our Department and I believe that well-run CompStat meetings will help us to reduce crime, especially violent crime, in our city. The four principles of CompStat are:

1. **Accurate and Timely Information**
2. **Effective Tactics**
3. **Rapid Deployment of Personnel and Resources**
4. **Relentless Follow-Up and Assessment**

Accurate and Timely Information: *Effective crime fighting begins with officers and supervisors of all ranks knowing the details of crime: the where, when, how and*

eventually the who of crime. This information will be generated from multiple sources, primarily from crime reports, but also including, but not limited to, crime maps, field interviews, statistics, CAD/RMS data and the debriefing of arrested subjects.

Effective Tactics: District Captains will be responsible, as much as possible, for sharing information across ranks and units and for the development and coordination of effective tactics and strategies to deal with crime and the conditions that contribute to crime. Tactics must be comprehensive, flexible and adaptable to changing trends. The tactics must be collaborative, and not only between units in the DPD. When appropriate, they may involve other law enforcement components such as the District Attorney's Office, the Alameda County Sheriff's Office, Parole, Probation, the FBI, the DEA and our various federal partners. District Captains should also continuously seek, encourage and facilitate input from subordinates when devising crime solution and crime prevention strategies.

Rapid Deployment of Personnel and Resources: Once a tactical plan to reduce a spike in a particular crime has been developed, the deployment of personnel and resources must be rapid and focused. The response to pattern crime, especially shootings, robbery and burglary, demands that patrol and special units know complete details of these pattern crimes, coordinate their resources and expertise and proceed with a sense of urgency.

Relentless Assessment and Follow-Up: All plans must be relentlessly followed-up and assessed to ensure that the desired results are being achieved. Action items from the prior CompStat meeting will be a key component of each bi-weekly session.

PROCEDURE

CompStat Meetings will be held biweekly on the same day of the week and at the same time, i.e. the second and fourth Wednesday of every month at 1000 hours. The primary interviewers conducting the Compstat meeting will be Assistant Chief Anthony Toribio and Deputy Chief Eric Breshears. I also intend to be an active presence at each CompStat meeting. As part of our re-engineered CompStat process, we are transitioning away from formal presentations by the Captains to a more focused question-and-answer, information-exchange format. The Chiefs will direct questions to the District Captain and the members of his/her team at the podium. The Captain will provide a comprehensive analysis of crime issues in his/her District AND the specific details of his/her plans to reduce these crimes. CompStat meetings will be focused in depth on our primary business of delivering police service, especially reducing crime and addressing quality-of-life issues. The meetings are designed to improve communication, coordination, strategic planning and accountability at all ranks in our Department. The exchange of information and

the identification of best practices designed to fight crime are also essential elements of the CompStat process.

The following personnel/units will attend and play key roles in the CompStat process:

- Chief of Police
- Assistant Chief
- Deputy Chiefs
- District Captains and at least one supervisor from each District
- Captain, Criminal Investigation Division
- Homicide Lieutenant
- Robbery Lieutenant
- Patrol and investigative unit supervisors who have direct knowledge and roles that support crime fighting
- All other OPD Captains including Training, Internal Affairs and Support Operations

The above supervisors and all patrol supervisors should be prepared to discuss in detail crimes that occur in their respective areas of responsibility. In addition, all supervisors attending CompStat should come to the meeting prepared to contribute to the process if called upon and ready to discuss their respective units' activity and/or functions.

Investigative Unit supervisors should be prepared to discuss and respond to questions about the progress of investigations and/or other enforcement activities, especially investigations or activities focused on trends or pattern crimes identified in the CompStat report. They should also be ready to discuss the status of pending cases and their recent and current proactive activities to identify and capture suspects, especially those involved in violent crime.

Crime Analysis personnel will attend and provide mapping technology illustrating locations under discussion where crime has occurred, arrests have been made or calls for service have originated.

THE COMPSTAT REPORT

Crime Analysis personnel will prepare weekly crime reports that will provide accurate timely information for the bi-weekly CompStat meetings. These reports will be used to identify crime trends and performance data (i.e., enforcement activity) to serve as for the basis for discussion and to help identify issues that may require tactical and strategic planning.

The following procedures will be complied with to ensure that the CompStat Report is prepared and distributed on a weekly basis. Accurate and timely data are critical elements in this process:

CompStat Weekly Reporting Period: The CompStat weekly reporting period starts on Monday at 0001 hours and ends on Sunday at 2400 hours. Discussion at CompStat meetings will focus on all crime and enforcement activity occurring prior to the previous Sunday at 2400 hours. The weekly CompStat Report will consist of six pages: five single-page summaries that track crime and enforcement data for each of the five Districts and one page that provides a citywide recap of this information.

Shooting Information: For the purpose of the CompStat process, shootings will now be classified into three separate categories: shooting incidents, shooting victims and confirmed shots fired as follows:

- **Shooting Incidents** – A shooting incident is recorded when a shot is fired from a weapon, other than a BB gun or pellet gun, and the shot strikes a person, or persons, breaking the skin of the victim(s). There must be at least one victim struck to record a shooting incident for CompStat reporting purposes.
- **Shooting Victims** – This category records the number of persons who are actually struck by a shot as defined above under the shooting incident heading. Every CompStat shooting incident must have at least one shooting victim and may have multiple shooting victims.

Note: Shooting incidents as described above will also be counted as assaults or, if victims die, as homicides. For example, if four persons are standing on the corner and the occupants of a passing car fire several shots striking two people, this incident would be reported as one shooting incident, one assault and two shooting victims. If one of the two people shot were to die, the incident would be reported as one shooting incident, two shooting victims, one homicide and one assault.

- **Confirmed Shots Fired** – This category records incidents in which shots have been fired but no person(s) have been struck by a bullet.

Note: For the purposes of CompStat and deployment, Confirmed Shots Fired incidents will be mapped separately from the other two shooting categories.

Although the CompStat meeting will be biweekly, a weekly CompStat Report will be prepared by the Crime Analysis Section and copies distributed by 1200 hours on Tuesday of every week.

Crime reports are counted only once, according to the top charge only. For example, a home invasion armed robbery should be counted once as a robbery, not once as a robbery and once again as a burglary. Shooting incidents and shooting victims are not Penal Code crime classifications and should be additionally counted as either an assault or, if the victim dies, a homicide.

Arrests, like crime reports, will be counted by top charge only. A person arrested for multiple charges will only be counted as a single arrest based on the highest charge. For example, a person arrested for both rape and burglary, occurring during the same incident, will be counted as a rape arrest only.

Lieutenants and Sergeants shall ensure that officers prepare and submit crime reports prior to the end of their tours and that these reports are reviewed for accuracy, completeness and correct crime classification by a supervisor.

As an integral component of the CompStat process, District Captains must read and analyze crime reports daily. CompStat relies upon the "turf-based" accountability of commanders who take ownership of the crime problems in their respective areas of responsibility. These commanders then formulate plans to reduce these crimes and improve the safety, security and quality of life of the people we serve. CompStat is not just a MEETING. It is a continuing PROCESS that should take place throughout the intervening two weeks between each meeting. We will be continuously improving the quality of our crime reporting and intelligence gathering, sharpening our focus as we devise effective tactics, responding swiftly to conditions in the streets as they develop and assessing our successes and failures to improve our overall effort against crime.

Keep up the good work and stay safe.

Howard Jordan
Chief of Police

The Data on the Following Sample Reporting Mock-up if filled only; It does not represent actual data and is only intended to show the format of the report and content areas.

