



Oakland Police Department

Office of Inspector General

Annual Report Year 2007



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INTRODUCTION

The Office of Inspector General's (OIG) *Management and Annual Report* summarizes performance data for the Division. It also reflects activities and efforts to assess the success and efficiency of the Department's operations within the parameters of the Negotiated Settlement Agreement (NSA). The reporting period covered is January 1, 2007 through December 31, 2007. This report fulfills the reporting required by Departmental General Order A-7, *Annual Management and Department Reports*, and incorporates its seven mandatory content elements.

The OIG continues to provide compliance management for the NSA, and conduct NSA-mandatory audits and reviews. These efforts aid the Department's focus on implementation through compliance, observations, audits and reporting efforts.

ROLE OF THE OFFICE OF INSPECTOR GENERAL

The OIG is designated with the responsibility to oversee the reform of the Department in a manner that is viewed as effective and of value to Department operations, while providing support and guidance to relevant personnel. The OIG is also responsible for conducting independent audits and reviews of the Department's practices and procedures and assesses whether the NSA goals and objectives are reachable and sustainable. OIG's oversight of the Department's reforms work and its independent analysis assures the Department is building its own internal capacity to monitor itself in the future.

The OIG Division is comprised of two units, Audit/Inspections and Compliance. The Audit Unit assesses compliance with NSA requirements, and investigates and recommends policies to improve efficiency and management accountability. Moreover, the OIG facilitates the collection and processing of data and documents; provides the Independent Monitoring Team (IMT) access to Department personnel as needed; and ensures documents and records are maintained as in accordance with the Agreement. Finally, the OIG continually works to enhance the public's confidence in the integrity of the officers that honorably serve the citizens of Oakland.

OIG STAFFING

Period Covered: January, 2007 to December, 2007

CLASSIFICATION	AUTHORIZED	FILLED	LOANED	VACANT
Captain of Police	1	1	0	0
Lieutenant of Police	1	1	0	0
Sergeant of Police	2	2	0	0
Policy & Performance Auditor	1	1	0	0
Administrative Analyst II	3	3	0	0
Police Records Specialist	2	2	0	0
Technical Communications Specialist	1	0	0	1
Totals	11	10	0	1

OIG staffing experienced many personnel changes throughout the year. Lieutenant Demetrio Lozares was promoted in February from an acting position. The OIG received grant money for a fourth Administrative Analyst (AAII) position, which was filled by Ms. Rebecca Johnson, who transferred from the Fiscal Division. Ms. Josie Montoya of the Auditing Unit resigned to accept the position of police officer trainee in the Department’s 162nd Police Academy. Ms. Dara Wiseman returned to OIG in April to reassume her position in the Auditing and Inspections Unit. Ms. Van Peteghem was hired as an AAII from her position in OIG as a contract limited duration employee. Three annuitants were hired to assist with performance audits and the Department’s efforts to seek accreditation from the Commission on Accreditation of Law Enforcement Agencies (CALEA); Captain Rod Yee, Sergeant Jay Crawford and Sergeant Patricia Melara. Ms. Danica Larsen was transferred to the Traffic Division in July and replaced by new hire, Ms. Laurie Allanson. At the end of the fiscal year the division lost one unfilled AAII position when the grant funding expired. The OIG assumed the vacant position of Technical Communications Specialist that was previously supervised by the Training Section. The OIG has worked with the City’s Office of Personnel Resource Management to refine the position qualifications and test materials for this position.

The OIG faced unusual staff challenges in the last quarter of 2007. Captain Figueroa was on special assignment in Quantico, VA for 11 weeks attending the Federal Bureau of Investigation’s National Academy. Lieutenant Lozares served as the Acting Inspector General in Captain Figueroa’s absence. During the same time period, the

Program and Performance Auditor was away on authorized leave. Sergeant Carranza served as the Acting Audit Manager in Manager Burgess' absence.

OIG Fiscal Management Report

This *OIG Annual Report* covers the calendar year of 2007. The City of Oakland's Fiscal Year reporting period is from June to July. As a result these numbers reflect activity from the Fiscal Year and not calendar-year periods. The expenditures for the fiscal year 2006-2007 are listed below.

Fiscal Management of Expenditures

Appropriation Categories	Budget Appropriation	Actual Expenditures	Difference
O&M	1, 037, 988.19	1,023,476.17	14,512.02
Grants	0	39,381.94	-39,381.94
Personnel (excluding O/T)	1,488,272.46	1,470,213.30	18,059.16
Overtime	28,016	36,248.94	-8.232.94

Grants Summary

Two of OIG's AAI positions were grant funded. The Fiscal Services Division did not transfer the funds into that portion of OIG's budget. This resulted in a negative balance in the amount of grant funding available. The balance was charged to the appropriate grant.

Overtime Summary

Funding allocated/budgeted for both civilian and sworn salaries were fully expended. Additionally, civilian salaries are budgeted at 96% and when a unit is fully staffed all year a 4% over expenditure occurs. Overtime costs were higher than last year and were attributed to time sensitive projects associated with NSA Compliance plans and associated issues. Overtime costs were also impacted due to the special assignment of the Captain and the authorized absence of the Audit Manager. As a result two sworn members acted at higher rank for a considerable portion of the 4th quarter of the calendar year. Both members were eligible for overtime compensation at their higher acting rank, although the positions they were filling are salaried, non-overtime positions. Funds that were overspent and/or not budgeted for the year will be extracted from other accounts within the OIG budget during the up-coming fiscal year.

OIG TRAINING RECEIVED AND / OR PROVIDED

- Captain Figueroa attended the FBI's National Academy from September 30th through December 14th. The FBI National Academy is a professional course of study for American and international law enforcement leaders that serves to improve the administration of justice in police departments and agencies at home and abroad and to raise law enforcement standards, knowledge, and cooperation worldwide. Course work is accredited by the University of Virginia and encompasses the following areas: Law, Behavioral Science, Forensic Science, Leadership Development, Communication, and Health/Fitness. Officers participate in a wide range of leadership and specialized training as they share ideas, techniques, and experiences with each other, creating lifelong partnerships that span state and national boundaries.
- Lieutenant Lozares attended Peace Officer Standard and Training (POST) Management School in San Diego, which was broken up into three week long courses (104 hours); March, April, and May. He also attended the Incident Command System Course (32 hours), in Oakland, August and September.
- Lieutenant Lozares, Sergeant Carranza, and OIG auditing staff (2 civilians) attended the POST Basic Law Enforcement Auditor Course (32 hours) hosted by the Los Angeles Police Department in July. The course focused on auditing standards, sampling, capturing and analysis of fieldwork, and report writing. The course was graded and attendees received two semester hours credit from the College of the Canyons.
- Sergeant Carranza attended the Americans for Effective Law Enforcement (16 hours) in April, which covered Internal Affairs (IA) investigations and case law related to IA. Sergeant Carranza also conducted Department wide training for DGO J-4, *Emergency Driving and Pursuit Regulations* (15 hours), Ethics Training for the Sergeants Transition course (6 hours), and provided supervisory vehicle pursuit training to sergeants, officers, and newly promoted sergeants (32 hours).
- In July, Manager Burgess provided four hours of training to the Department's compliance assessors. Training was provided on basic audit techniques and practical exercises on compliance matrices.
- In November, OIG facilitated a command and compliance assessor retreat that focused on NSA compliance. Emphasis was given to the compliance assessors and their role in providing critical internal evaluations of the Department's efforts to implement NSA Tasks. Additionally, attendees were given refresher training on auditing techniques.

- The OIG's *Management Assessment Program* (MAP) continues to be held bi-weekly and attended by Commanders. During these meetings, the Inspector General discusses material and/or issues related to the Agreement and conducts necessary training. Additionally, this year the Department's 22 Compliance Assessors are participating in the MAP meetings and providing updates on their assigned tasks.
- The OIG staff provided remedial training for Department personnel on NSA related material when necessary. Lieutenant Lozares provided NSA training to the 159th and 160th Police Academy and Ms. Van Peteghem from the Compliance Unit conducted the same training for the 161st Police Academy in his absence. In addition, OIG staff provided technical assistance to OPD staff when appropriate.
- In addition to the above listed specific training, OIG staff attended Department training, as required for their positions, including: In-Service Firearms Qualifications, Field Based Reporting, TeleStaff, and Law Enforcement Response to Terrorism (LERT).

SIGNIFICANT OIG ACCOMPLISHMENTS

During this reporting period, the OIG achieved a number of accomplishments. Those accomplishments are identified below.

- Developed new policies and processes and expedited publication and training on Agreement related subject matter;
- Achieved and exceeded substantial policy and training compliance in published policies for all NSA tasks;
- The OIG worked with agency counsel to negotiate more clearly identified monitoring standards, methodologies, and audit protocols with the IMT. The negotiations resulted in the establishment of more formal auditing procedures with entrance and exit interviews, and improved methodologies that more accurately reflect the Department's true reform efforts;
- The OIG and the City Attorney partnered together to explore and begin the process of accreditation from the Commission on Accreditation of Law Enforcement Agencies (CALEA). CALEA is an organization that was created to advance the best practices in the law enforcement profession, and to develop and administer a process for recognizing such excellence. The benefits of becoming an accredited agency include: offering greater accountability within the agency; liability reduction and a stronger defense against civil lawsuits; support from government officials; and increased community advocacy. CALEA provides a proven and effective total management model for professional police agencies;
- Continued success with the Management Assessment Program (MAP);
- Continued facilitation of technical support throughout the Department; and

- Under the direction of the Chief, the OIG prepared the Department’s three year Strategic Plan. The Strategic Plan was created to focus Department efforts in becoming a high performing organization and directs commanders and managers to meet in focus groups, conduct interviews, and work with staff to identify our common purpose. The plan further amplifies the Department’s mission and serves as a guiding document for achieving this work during the period of August 2007 through July 2010. The Strategic Plan focuses on four strategic directions that will serve as the pillars of the plan:
 - 1) Reduce Crime and Fear of Crime
 - 2) Improve Accountability and Achieve Organizational Excellence
 - 3) Develop and Implement a Master Plan for Technology
 - 4) Achieve Fiscal Responsibility

OIG PRODUCTIVITY PERFORMANCE DATA

During this reporting period, the OIG generated the following work products:

- Tracked progress for all 51 NSA Tasks;
- Continued tracking of Task activity in the form of monthly progress reports, by all compliance assessors for each tracked Agreement Task;
- Facilitated 10 Monitors’ meetings with NSA stakeholders;
- Conducted NSA training for commanders, supervisors, members, and employees;
- Hired an outside Consultant to assist with the Department’s Community Policing Plan;
- Conducted seven internal audits and one review;
- Provided weekly compliance updates to the Chief of Police regarding status of Agreement Tasks;
- Provided status reports to the City Council and Public Safety Committee;
- Prepared the 1.8 million dollar IMT contract extension and presented the resolution to the City Council for approval;
- Facilitated internal policy and stakeholder meetings;
- Provided oversight to various working groups charged with developing or revising policies;
- Provided policy reviews for compliance with the Agreement;
- Completed a combined Semi-Annual Report for the Court and an Annual Report as required by the Agreement; and
- Coordinated compliance issues for all tasks and document requests for the 13 tasks audited by the Independent Monitoring Team in 2007.

OIG OTHER PERFORMANCE DATA

During this calendar year, there was one complaint against a member of OIG. After review by the Internal Affairs Division, the complaint was administratively closed. None of the OIG members were involved in a use of force incident during 2007. There were no major attendance and/or performance employee matters, and minor infractions were handled through the normal supervisory procedures. Additionally, in accordance with the Patrol Division Mandatory Overtime Policy, sergeants assigned to the OIG worked their required amount of shifts. The OIG had no other performance information to report during this calendar year (no vehicle pursuits, preventable vehicle collisions or firearms discharges).

OIG PLANS AND GOALS FOR YEAR 2008

This year showed significant progress towards the full implementation of the NSA; momentum that will undoubtedly be carried into 2008. As the OIG, we eagerly move forward and are working hard to achieve actual practice compliance and implement systems that represent some of the best in the Nation. OIG was significantly involved in policy development during 2007. Two significant policies modified this year were the Personnel Assessment System (PAS) and Use of Force policies. Additionally, a number of tasks are believed to be close to reaching actual practice compliance and the Department is in a position to ensure audits conform to industry standards. The OIG audits and Compliance Assessor reviews will help to ensure compliance with the NSA. The audits have identified our strengths as well as our shortcomings and we have made many of the necessary corrections as a result. We remain committed to this process and remain confident that the hard work will leave a positive legacy for future generations of OPD.

While document management, staffing, and lack of resources remain problematic, we will aggressively seek solutions. The Department remains dedicated to seeing the provisions of the NSA fully implemented in a manner that will allow us to re-establish ourselves as a premier law enforcement agency but also continue to preserve the rights of the citizens of Oakland. It will require patience, perseverance, and optimism on the part of OPD personnel. The OIG's goals and plans for the forthcoming year are as follows:

Goal 1: Provide the Chief with thoughtful and unbiased analysis of OPD's policies and procedures.

- Recognize Departmental successes and provide specific recommendations for improvement;
- Focus on the root causes of Departmental inefficiencies along with solutions; and

- Ensure OIG staff conducts audits and reviews consistent with industry standards, (e.g., Certified Government Auditing Professionals, Institute of Internal Auditors).

Goal 2: Ensure compliance with the NSA.

- Facilitate MAP meetings;
- Continually evaluate the Compliance plan, track its progress and revise as necessary;
- Conduct competent audits to assess the Department’s compliance with the NSA and/or other topic areas assigned by the Chief of Police;
- Provide independent and objective information about the Department’s compliance status and challenges it faces; and
- Increase the recognition given to an OIG audit, culminating in the OIG’s ability to make a compliance determination with the Court.

Goal 3: Assume the Research and Planning functions of OPD.

- Seek to become the central repository of historical documents and new policy formulation via the Policy and Publications Unit;
- Network with other law enforcement agencies to ensure the Department’s policies and programs reflect the highest levels of police accountability;
- Maintain OPD’s commitment to teaching, and to the identification and dissemination of innovative ideas; and
- Research, initiate and coordinate the CALEA process.

Goal 4: Provide a safe, respectful, and professional place to work.

- Practice ethical law enforcement;
- Provide competent, and effective public safety services; and
- Encourage professional development of members and employee through academic and professional training.

Goal 5: Assume Responsibility for the Department Website.

- Work with City Department of Information Technology and private contractor to re-design the Department website;
- Improve website functionality and accessibility; and
- Ensure website content is updated as necessary.

