



AGENDA REPORT

TO: Oakland Police Commission

FROM: Michelle N. Phillips,
Inspector General

SUBJECT: Office of the Inspector General (OIG)
Progress Report

DATE: July 13, 2023

PURPOSE

The Inspector General reports to the Police Commission and members of the public. This report outlines updates from the OIG, since the Inspector General reported out on May 11, 2023. This informational report is intended to answer OIG specific questions raised at the last meeting, by members of the public and the Police Commission.

CITY CHARTER AND NEGOTIATED SETTLEMENT AGREEMENT (NSA, MEASURE S1 OIG MANDATE)

Task 42 Compliance Evaluation

The OIG conducted a compliance evaluation of the Field Training Officer (FTO) program. On Tuesday June 20, 2023, the draft compliance evaluation was submitted to Interim Chief Allison for response by August 2, 2023. The OIG will conduct an exit conference with OPD, upon receipt of their response. The OIG is also conducting a thorough review of Departmental General Order (DGO) B-08: Field Training Program and will follow up with any policy or procedural recommendations associated with this compliance evaluation.

Additional Task Evaluations

The OIG has begun the background and research phases of Task 34: Vehicle Stops, Field Investigations and Detentions and Task 8: Classifications of Citizen Complaints. These projects will be reflected on the OIG project work plan for Fiscal Year 2024. Given the OIG observations over the last year, we believe these two tasks will inform the OIG's work in reviewing OPD operations. Particularly, OPD's ability to assess compliance and identify systemic issues that may contribute to an internal culture that does not focus on equity, fairness, constitutional policing, and public service.

Lastly, the OIG was present at the May 2023 independent monitoring team site visit and continues to attend risk management meetings and internal affairs meetings regularly.

Police Commission Meeting
July 13, 2023

THE BEY MATTER

Prior to the appointment of the current Inspector General, in November of 2021, the Oakland Police Commission voted to refer the Bey matter to the newly created OIG. On June 13, 2023, the OIG sent a letter via email to the Commission requesting authorization for subpoenaed documents, provided exclusively to the Inspector General, be extended to her staff.¹ At the June 26, 2023, Police Commission meeting the OIG received a verbal response from the Commission granting OIG staff access to the subpoenaed documents. The Inspector General has assigned a Program and Performance Auditor to assist the Inspector General in this matter. To move these projects along, the OIG will complete reports for each individual complaint. A draft report for 07-0538 is currently being reviewed and edited with the program and performance auditor under the supervision of the Inspector General.²

CITY COUNCIL AUDIT

On June 26, 2023, the City Council adopted Mayor Thao's 2023-2025 "One Oakland" Budget, as amended by the Council President Fortunato-Bas's Budget Team. In its adopted iteration, the City Council put forth the following policy directive:

Direct the City Administrator or their designee (Office of the Inspector General) to conduct a **staffing study and resource analysis of the Oakland Police Department (OPD)**. This study would help to --

- a. Identify current resources
- b. Determine the number of officers needed in a particular geographic area
- c. Decide how staffing and operational resources should be allocated

Calls for service audits and resource allocation reviews are best when tied to a staffing study. If the City of Oakland's objective is to determine if police are responding to calls for service in an efficient timeframe, it is critical to first know the number of available officers, target timeframes, and how alternate resources can be used to supplement services. \$200,000 shall be allocated for this study (\$100,000 designated in the FY 2021-2023 budget and \$100,000 designated in the proposed budget amendments).

The policy directive was in response to the OIG's recommendation, provided to the City Council and Police Commission in March 2023. Prior to the adoption of the budget the OIG continued its background research in this area by seeking guidance from Dr. Jeremy Wilson, Director of the [Police Staffing Observatory](#) at Michigan State University. In the coming weeks the OIG will be

¹ On November 18, 2021, the Police Commission Agendized item number 10: *Referral of Prior-Subpoenaed Records to the Inspector General*. The agenda and meeting minutes can be found on <https://www.oaklandca.gov/meeting/police-commission-special-meeting-11-18>.

² Draft report is going through quality assurance process with program and performance auditor given the Inspector General has previously been the only one contributing to this project.

working on outlining a scope for this study and moving forward with the request for proposal process.

OTHER OIG PROJECTS

Strategic Plan

Over the past two months the OIG conducted community forums and requested comments and feedback on its strategic plan from all stakeholders. The updated strategic plan has been finalized and is attached to this agenda item in English. The Spanish and Cantonese versions of the strategic plan will be available on the OIG website.

Annual Report

The OIG is actively working on our first annual report, which we are completing in house. The OIG annual reports will align with the City of Oakland's fiscal year and is expected to be released in September 2023.

Project Work Plan

The OIG is developing its Fiscal Year 2024 project work plan that will be in alignment with the strategic plan. We are soliciting feedback from stakeholders and community members with a [survey](#), that can be found in our quarterly newsletter, on the OIG website and on all social media platforms. The survey will be available for 30 days. Data will be reviewed and taken into consideration to inform the OIGs work for fiscal year 2024.

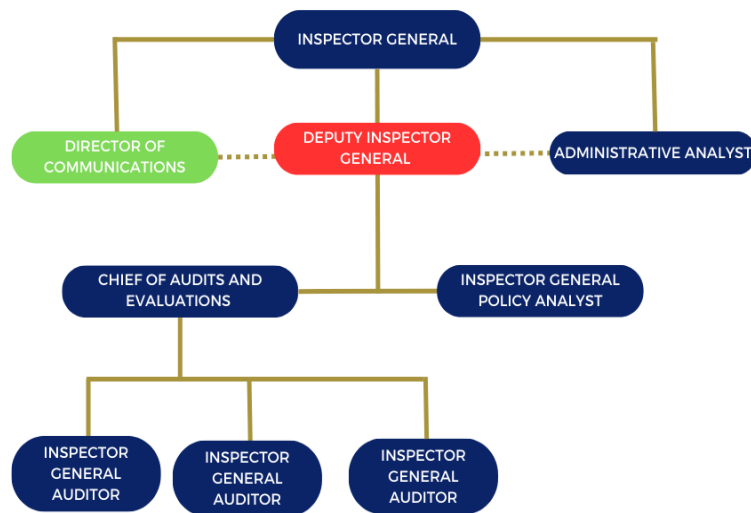
OIG STAFF UPDATE

The OIG has been working closely with the City's Human Resources Department and City Administration to ensure the office is able to move forward with filling currently vacancies and replacing exempt limited duration employees with permanent full-time employees, via the civil service process. The recruitment for the Inspector General Audit Manager has closed and exam assessments are in progress.

Additionally, the OIG has two summer interns from the [Center for Youth Development through Law](#). They have been assisting with smaller projects, while learning more about civilian oversight in City government. They are also providing youth prospective on policing in Oakland, which is helping to inform the OIGs work.

With the City Council's adoption of Mayor Thao's 2023-2025 "One Oakland" Budget, as amended by the Council President Fortunato-Bas's Budget Team, the OIG is able to retain seven full time positions. While the Deputy Inspector General position remains frozen (highlighted in red), we also received a Public Information Officer II (highlighted in green). Under the City's fiscal circumstances, the OIG understands and supports the Council's budget decisions. The organizational chart, included below, reflects OIG's current available positions.

Figure 1 OIG Org Chart July 2023



OIG COMMUNITY ENGAGEMENT AND OUTREACH

The OIG is working diligently to educate residents and community stakeholders on the importance of civilian oversight. From our engagement with Oaklanders, it is evident that there is a distinct knowledge gap around the existence and functions of our current public safety and oversight structures. Furthermore, how each of these entities can and should work together to provide optimal service to members of the public.

In terms of engagement, the OIG hosted or participated in the following activities (*partial list*):

- **Youth Safety Conference**, which was an intergenerational discussion on how the City of Oakland and community can come together to create a safe environment for the next generation.
- **OIG Strategic Planning Sessions**, to generate insight and feedback from community members prior to the finalization of the draft plan. These workshops were hosted in partnership with the Unity Council and Allen Temple Baptist Church’s Public Ministry.
- **Bay View News Awards**, where Inspector General Philips provided a keynote address about the history of police accountability and its intersection with media.
- **Oakland Town Nights**, family-friendly events hosted by the Department of Violence Prevention (DVP) and credible community-based organizations.
- **Oakland Peace Summit**, hosted by Violence Prevention Coalition.

Additionally, the OIG continues to engage with community via its digital channels: quarterly newsletter, social media (Facebook, LinkedIn, Twitter, and Instagram).

For questions regarding this report, please contact Michelle N. Phillips, Inspector General, at OIG@oaklandca.gov.

Respectfully submitted,

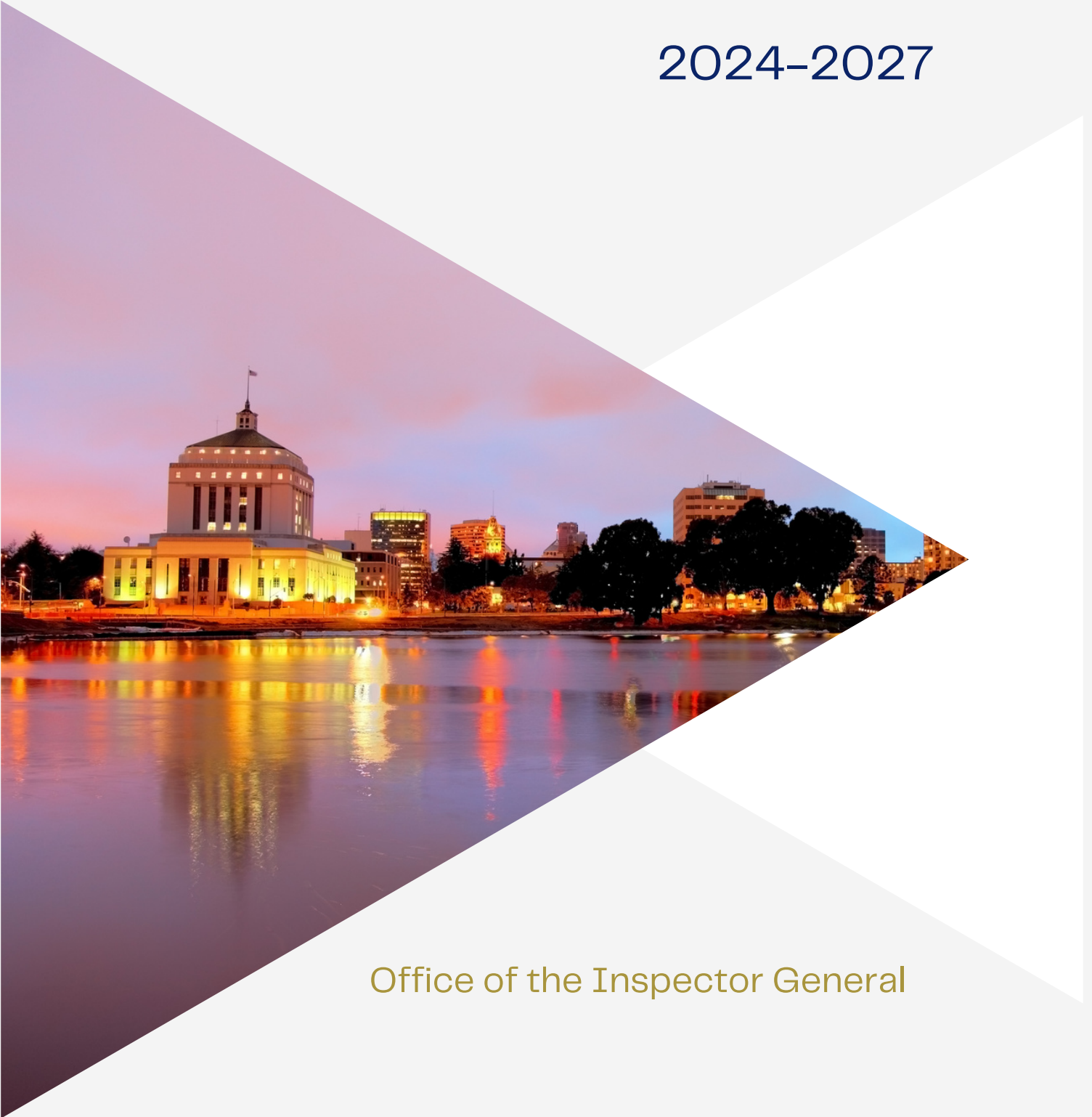


Michelle N. Phillips
Inspector General
Office of the Inspector General



Strategic Plan

2024-2027



Office of the Inspector General

A Message from the Inspector General

As the City of Oakland's newest department, it is with a great sense of responsibility and optimism that I present the Office of the Inspector General's 2024-2027 Strategic Plan. Over the past year, the Office of the Inspector General has made great headway in delivering on the public's mandate to provide effective independent civilian oversight of the Oakland Police Department. With 81% of Oakland voters approving the passage of Measure S1 in 2020, the office has a deep commitment to our mission. Which is to ensure accountability, enhance community trust, and increase transparency via fair and thorough assessments of the Oakland Police Department's compliance, with the law and departmental policies.

Oakland has a rich history of police accountability and oversight, that is deeply rooted in community activism. From the Black Panther Party to the social justice groups we see today, the Office of the Inspector General recognizes that this office is a culmination of decades of hard work and advocacy. It is for this reason that every work product, including the enclosed strategic plan, centers Oakland's incredible community members.

This Strategic Plan is organized by four high-level goals: build sustainable relationships, deliver excellence, enhance transparency, and improve innovation. Embedded within each of these goals are objectives that provide a more detailed account of how the Office of the Inspector General plans to achieve its desired impact. The office values that shape our delivery and approach are integrity, impartiality, proactivity, and objectivity.

At a time when our nation is tackling a growing call to hold police officers accountable, the Office of the Inspector General is dedicated to helping create an optimal public safety system for every Oaklander. One where community members trust that police misconduct will not be tolerated, and officers are held to the highest standards of local, state, and federal law.

Through your ongoing partnership and support, I am confident that this office will not only achieve its mission but also become a national model for civilian oversight.

Sincerely,



Inspector General Michelle N. Phillips
City of Oakland, Office of the Inspector General



Introduction to the Office of the Inspector General

In 2016, 83.19% of Oakland voters were in favor of Measure LL. Measure LL established the Oakland Police Commission and charged it with overseeing the Oakland Police Department's policies and procedures as they relate to constitutional policing, procedural justice, equity, and accountability. Measure LL also established the Community Police Review Agency as the independent oversight body tasked with investigating complaints of police misconduct.

In 2020, Oakland residents also voted in favor of Measure S1, with an 81.27% approval rate. Measure S1 amended Measure LL to strengthen Oakland's police reform efforts by expanding the independence, authority, and staffing of the Police Commission and Community Police Review Agency. Measure S1 also created the Office of the Inspector General as an independent, non-partisan, civilian oversight agency to ensure accountability in the Oakland Police Department and increase community trust.

The Office of the Inspector General's primary charge is overseeing the city's compliance with the Negotiated Settlement Agreement. Additionally, after the conclusion of federal oversight, the Office of the Inspector General will continue to monitor the Oakland Police Department's compliance with policies, procedures, and the law. The presence of the Office of the Inspector General is intended to further strengthen the City's ability to identify systemic issues within the Oakland Police Department and decrease instances of police misconduct, through effective civilian oversight. The Office of the Inspector General's jurisdiction also includes auditing and reviewing the Community Police Review Agency's processes, procedures, and work products for compliance with the City of Oakland Charter, Municipal Code, laws, and national best practices.

The Office of the Inspector General will drive best practices by recommending improvements to policies and training as well as engaging in collaborative initiatives that promote systemic advancements. The Office of the Inspector General will provide reports and recommendations to the Police Commission, City Council, and other action holders such as the Mayor or City Administrator when deemed necessary. Action holders have the authority to accept or reject recommendations and are responsible for ensuring the implementation of any accepted recommendation. The Office of the Inspector General will provide reports to the public, in accordance with laws, policies, and applicable memorandums of understanding.

Lastly, the Office of the Inspector General executes its responsibilities in a neutral, apolitical environment free from interference from any person, group, or organization. The Office of the Inspector General is administratively, physically, and operationally independent from the Oakland Police Department. The Inspector General, the agency head for the Office of the Inspector General, is overseen by the Oakland Police Commission.

Mission, Vision, Values, and Purpose

The mission of the Office of the Inspector General is to be an independent, non-partisan oversight agency that will assist with increasing community trust and ensuring accountability in the Oakland Police Department. In its administration of duties, the Office of the Inspector General will implement a fair, thorough, and autonomous system of civilian oversight of law enforcement.

Vision

The Office of the Inspector General's vision is to build trust in civilian oversight of policing through encouraging, implementing, and preserving a culture of impartiality, transparency, and accountability.

Values



Purpose

The purpose of the Strategic Plan is to articulate the Office of the Inspector General's long-term goals, which are organized around the office's mission, values, operations, and community stakeholders. The plan also articulates several objectives for each of these areas, strategies for achieving these objectives, and associated performance measures. The detailed performance measures are published in the Office of the Inspector General Annual Performance Report.

Strategic Goals

The Office of the Inspector General identified four goals that align with its mission, values, and desired service outcomes. These goals will be used as a guide to create a solid and sustainable oversight foundation for the office, over the next four years.



Audits, Inspections, Evaluations, and Reviews: Goals, Objectives, and Measures

Aligned with its core values of transparency and accountability, the Office of the Inspector General provided a brief overview of each function of the office identified to achieve its Charter mandates. Listed below are also the Office of the Inspector General's objectives, with specific measurement tools.



Differences between Audits and Inspections, Evaluations, and Reviews

Inspections, Evaluations, and Reviews	Audits
Provide reports and recommendations to stakeholders that may provide justification for procedural changes or enhanced internal controls.	Provide audit reports and recommendations to stakeholders that may provide justification for policy reform or the need for more internal controls.
Strive to be compliant with Charter and Municipal Code mandates.	Utilize data analytics to examine large data sets during audits and pinpoint trends, anomalies, and potential risks. Analyze policies and procedures for possible gaps and policy recommendations.
Provides outcomes in a more timely manner than audits .	Make recommendations to stakeholders that leverage existing resources, tools, and technology.



Audits

As a primary function of the Office of the Inspector General, auditing is a crucial component in ensuring transparency, and accountability. The office's audits can cover a wide range of areas, such as the internal affairs process, risk management, training, and recruitment. In conducting regular audits of the Oakland Police Department and Community Police Review Agency, we can help to ensure compliance, identify areas of improvement, and make recommendations where necessary.

The audit team can also perform special reviews for high-profile or immediate matters, as needed. The Office of Inspector General will align with its mission and values by providing comprehensive coverage and ongoing compliance audits.

Goals	Objectives	Measures
Deliver Excellence	<ul style="list-style-type: none"> • Provide audit reports and recommendations to stakeholders that may provide justification for policy reform or the need for more internal controls • Abide by the Office of the Inspector General mission, vision and values 	<ul style="list-style-type: none"> • Number of audits conducted • Number of recommendations submitted • Number of recommendations accepted • Number of recommendations implemented • Establish a quality assurance process for reviews of all deliverables
Enhance Transparency	<ul style="list-style-type: none"> • Keep stakeholders and community members informed about Office of the Inspector General completed audits • Inform the public and stakeholders of audits in progress 	<ul style="list-style-type: none"> • Track number of reports made public vs. the total number of reports completed in a Fiscal Year. • Make audit status public on the Office of the Inspector General website
Improve Innovation	<ul style="list-style-type: none"> • Utilize data analytics to examine large data sets during audits and pinpoint trends, anomalies, and potential risks. • Make recommendations to stakeholders that leverage existing resources, tools, and technology 	<ul style="list-style-type: none"> • Track audit trends • Track risk assessments • Track audit follow-up metrics • Create data visualizations and dashboards to reinforce audit data.

Inspection, Evaluations, and Reviews

The Office of the Inspector General's inspections, evaluations, and reviews are critical to the success of the Oakland Police Department and the Community Police Review Agency. By identifying areas for improvement and monitoring compliance with legal and ethical standards, the Office of the Inspector General helps to ensure that these programs are effective and efficient in serving the public.

Goals	Objectives	Measures
Deliver Excellence	<ul style="list-style-type: none"> • Provide reports and recommendations to stakeholders that may provide justification for procedural changes or enhanced internal controls • Strive to be compliant with Charter and Municipal Code mandates • Provide outcomes in a timely manner 	<ul style="list-style-type: none"> • Number of inspections, evaluations or reviews conducted • Number of recommendations accepted • Number of recommendations implemented • Assessment of Charter and Municipal Code compliance
Enhance Transparency	<ul style="list-style-type: none"> • Keep stakeholders and community members informed about Office of the Inspector General completed audits • Educate members of the public and action holders in progress 	<ul style="list-style-type: none"> • Track the number of reports made public vs. the total number of reports completed in a FY • Make audit statuses public on the Office of the Inspector General website

	Definition
Evaluations	Evaluations are formal assessments of the operation of a police program or process.
Reviews	Reviews of allegations, completed investigations, and other means help to identify high-risk areas and determine where internal controls should be strengthened.
Inspections	Inspections focus on fact-finding and analyses concerning specific issues and topics.

Commitment to the Community

The Office of the Inspector General is committed to expanding its community through building strong partnerships. By working alongside stakeholders, the Office of the Inspector General hopes to improve external communication and encourage community engagement. Via the Office of the Inspector General's social media and website platforms, community outreach, and special projects, the office intends to increase resident's awareness of its mission and vision.

Goals	Objectives	Measures
Build Sustainable Relationships	<ul style="list-style-type: none"> • Create pathways to engage with the community in a two-way dialogue • Engage Office of the Inspector General staff on outreach strategies and best practices to drive better outcomes 	<ul style="list-style-type: none"> • Number of Community Outreach attended • Increased awareness of the Office of the Inspector General
Enhance Transparency	<ul style="list-style-type: none"> • Build a diverse portfolio of communication channels, including web-based and in-person events, press releases, social media, and printed material • Develop data analytics to communicate the work of the Office of the Inspector General, community insights and stakeholder trends • Continue using strategies such as social and newsletters to keep stockholders and community members informed 	<ul style="list-style-type: none"> • Number of Community Outreach attended • Increased awareness of the Office of the Inspector General

The Office of the Inspector General is committed to strengthening community awareness and trust. During FY2023, the Office of the Inspector General established a social media presence to actively engage Oakland community members. The Office of the Inspector General has an established social media presence on the following platforms:

CONTACT INFORMATION

Social Media

FACEBOOK & LINKEDIN: City of Oakland Office of the Inspector General

TWITTER & INSTAGRAM: @OaklandOIG

Office of the Inspector General

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Office of the Inspector General

MICHELLE N. PHILLIPS
JULY 13, 2023

Charter Section 604(f)5

1. The OIG **shall** audit the Department's compliance with the fifty-two (52) tasks described in the Settlement Agreement in United States District Court case number C00-4599, Delphine Allen, et al., v. City of Oakland, et al., and make recommendations to the Department, the Commission, and the City Council based on its audit(s), even after the Settlement Agreement expires.
2. The OIG **may** review legal claims, lawsuits, settlements, complaints, and investigations, by, against, or involving the Department and the Agency, to ensure that all allegations of police officer misconduct are thoroughly investigated, and to identify any systemic issues regarding Department and Agency practices and policies.

Municipal Code 2.45.120 (D)

1. Completing all audits or reviews requested by the Mayor, the City Administrator, and/or the City Council by an affirmative majority vote. The Inspector General shall report all findings to the office that requested the audit or review.

Charter Mandated Responsibilities: Negotiated Settlement Agreement Tasks

TASK 42-FIELD TRAINING UNIT

- Report sent to OPD on June 20, 2023
 - Response due on August 2, 2023
 - 30 business days for a response
- OIG will schedule an exit conference in August 2023

DGO B-08 POLICY REVIEW

- The OIG determined a policy review of Departmental General Order B-08 is required
- OIG policy and/or procedural recommendations, should there be any, will be forwarded to the appropriate stakeholders



Charter Mandated Responsibilities: Negotiated Settlement Agreement Tasks

UPCOMING NSA COMPLIANCE AUDITS OR REVIEWS

- Task 34: Vehicle Stops, Field Investigations and Detentions
- Task 8: Classifications of Citizen Complaints

DGO M-19 POLICY REVIEW

- Department General Order M-19: Prohibitions regarding racial profiling and other bias-based policing
 - Bey Matters



City Council Directive Under the Charter: Police Staffing Study and Resource Analysis

CITY COUNCIL POLICY DIRECTIVE

- Direct the City Administrator or their designee (Office of the Inspector General) to conduct a **staffing study and resource analysis of the Oakland Police Department (OPD)**. This study would help to --
 - a. Identify current resources
 - b. Determine the number of officers needed in a particular geographic area
 - c. Decide how staffing and operational resources should be allocated

NEXT STEPS

- Develop a scope of work for the Request for Proposal (RFP)
- Advertise the RFP for this study
- Communicate with OPD on who will be the liaison for this study, to ensure the timely delivery of information

OIG Active Audits, Reviews or Evaluations

CHARTER MANDATED TASKS

- Task 42: Field Training
 - OPD Response
 - Exit Conference
- Review and Analysis of DGO B-08
 - Result of Task 42 Compliance Evaluation
- Task 34: Vehicle Stops, Field Investigations and Detections

TASKS DIRECTED TO OIG TO COMPLETE

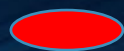
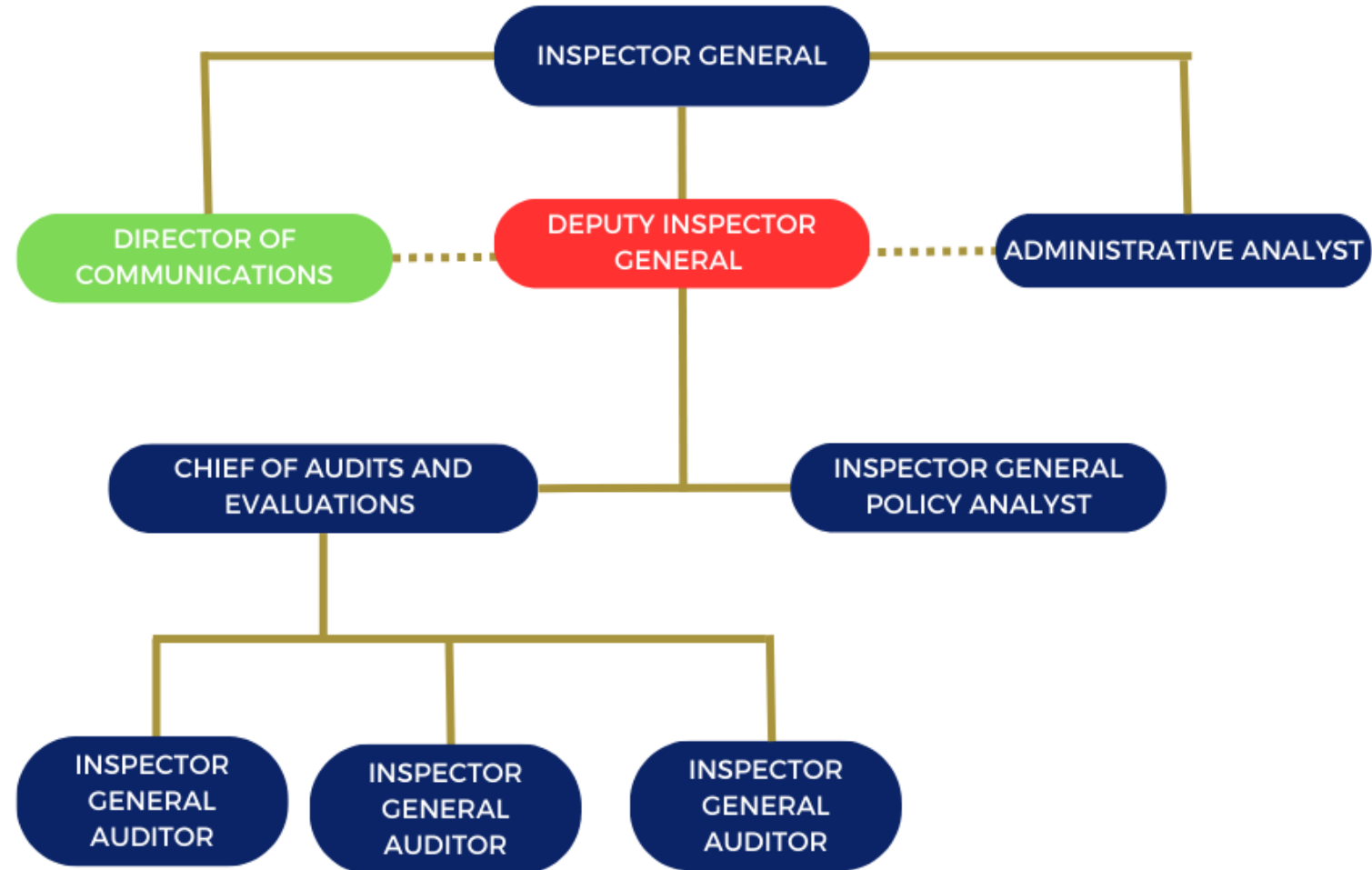
- Bey Matters
 - Review of multiple complaints
- City Council Audit

TASK SELECTED BASED ON COMMUNITY INPUT

- Department General Order M-19: Prohibitions regarding racial profiling and other bias-based policing

OIG Staffing Update

Positions based on approved City Council Budget



Frozen Position



New Position

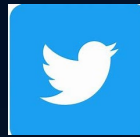
OIG Contact Information



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Office of the Inspector General



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