



## MEMORANDUM

**TO:** Honorable Mayor & City Council

**FROM:** Adam Benson  
Director of Finance

**SUBJECT:** FY 2020-21 Midcycle Budget  
Development Questions/Responses #5

**DATE:** June 22, 2020

### PURPOSE

The purpose of this memorandum is to transmit to the full City Council and public, responses to questions raised by City Councilmembers related to the Fiscal Year (FY) 2020-21 Proposed Midcycle Budget. To the extent additional information becomes available on any of the responses below, updates will be provided.

### QUESTIONS AND RESPONSES

- 1. Calls for Service - What is the percentage breakdown of calls for service that are non-emergency and non-violent that could be answered by trained, civilian staff or community organizations? These include calls about homelessness, mental health, neighbor conflicts, and quality of life issues such as noise. [Bas]**

It will take deeper analysis of the call types to determine what percentage could be routed to trained professional staff. We would need to review a representative sample of calls for items such as noise complaints, mental illness, abandoned vehicles, vandalism, landlord/tenant disturbance, juvenile runaways etc. that did not involve an issue that required a sworn presence. Often, a call comes in with initial information on a relatively minor issue, and upon arrival, more serious matters become apparent. From this representative group, we would compare the initial call coding with the ultimate resolution of the call to help come up with an estimate of which calls can be transferred to trained civilians.

- 2. OPD O&M/Non-Personnel Expenses - This budget is nearly \$50M with significant amounts for vehicle rental (\$10M), settlements & legal fees (\$7.5M) and contract contingencies (\$3M). The proposed reduction is only \$341,949 or 0.6%. Please propose how additional reductions of 20% or \$10M can be achieved. In addition, what is the budget for capitalized equipment that does not appear among the O&M expenses and is any of this militarized equipment? [Bas]**

In order to provide a proposed reduction for O&M staff requires more information from the City Council as to which OPD services or operations it wishes to discontinue. The cost of OPD fleet is represented by the "vehicle rental" line-item and is necessary in order to ensure sufficient and safe vehicles. These costs are allocated to departments and pay for costs of regular maintenance and vehicle replacement through the City's internal service fund (Fleet Fund, Fund 4100). There is 1 Bearcat included in OPD's fleet of 769 vehicles. The "settlement & legal fees" represents OPD's share of the City's Self-Insurance Fund (Fund 1100) which covers the cost of citywide insurance policies and legal claims. It is not possible to cut these budgets and reallocate the savings into other services.

OPD relies on grant funding for capitalized equipment. Each grant is presented to Council for authority to appropriate funds for equipment including microscopes, vehicles, and Crime Analyst software upgrades.

**3. OPD Personnel Expenses -**

- a. Minimum Staffing - Measure Z requires minimum sworn officer staffing of 628. According to the Interim Police Chief at last week’s Police Commission meeting, there are 792 officers budgeted and 749 positions filled. How many of these current officers are retirement eligible over the next two years? What would be the cost savings of not filling these positions in order to fund other community safety investments?**

Measure Z requires a minimum staffing of 678 sworn officers, not 628.

There will be no cost savings of not filling these positions unless there is an alternate responder identified. The communities in Oakland experience daily significant delays in service response based on our short staffing. OPD is aggressively filling our next several academy classes as we know keeping vacant positions open or delaying academy classes will set staffing back for years. OPD will perform the services on overtime if there are not available officers as it does currently, however officers are already experiencing fatigue and many positions remain unfilled causing significant needs for overtime and the cancelling of days off. We know that this leads to increased costs due to on job injuries and will negatively affect officer fatigue and efficacy.

There are a total of 104 sworn positions eligible for retirement between 2020 and 2022. The below table provides the number of eligible positions by year.

Year	Sworn Eligible for Retirement
2020	62
2021	21
2022	21

- b. Vacancies - There are 106 vacant positions, sworn and civilian.**
  - i. 22 positions are proposed to be frozen, all civilian. What is the service impact of freezing these positions?**

The proposed freezing of civilian positions within OPD does not eliminate any specific functions but reduces the level and timeliness of service. The Department would continue to offer the same services but due to limited staffing of the support functions, some duties will end up being redirected to sworn staff diverting them from their police functions. We anticipate that many administrative support functions will continue to be backlogged and abandoned. Vehicle towing, evidence collection, property and evidence management, crime scene processing, public records release and other patrol support services may be delayed.

- ii. Of the 106 vacant positions, how many have been vacant for more than one year? What positions are these? What would be the cost savings of freezing these positions? Rather than allocate this savings to overtime, we should redirect the savings to community safety services that help answer non-emergency, non-violent service requests. This would help focus the time of sworn officers on violent crime. [Bas]**

Measure Z requires a minimum staffing of 678 sworn officers which limits the number of freezes that can be implemented. Further there will be no cost savings of freezing these positions unless there is are services identified for reduction. To achieve savings to redirect other services, the City Council must identify an OPD service or service level for reduction.

There are a total of 12 positions out of the 106 vacant positions that have been vacant for more than one year, the table below provides a detailed list of the classification and vacated date.

Classification	Date Vacated
Deputy Chief of Police	1 Oct 17
Administrative Assistant I	25 May 19
Crime Analyst (3)	6-Apr-19
Criminalist II	20 Oct 18
Criminalist II	1 Jun 19
Criminalist III	15 Jun 19
Latent Print Examiner	28 Apr 18
Police Communications Dispatcher (13)	15 Jun 19
Police Evidence Technician	3 Apr 19
Police Property Specialist	12 Sep 15
Project Manager II (Ceasefire)	11 Sep 18

Please note that the salary savings resulting from vacancies are often used to fund the cost of overtime and/or temporary employees. This is especially true for positions that are difficult to fill due to the required skills and experience.

**4. OPD Overtime - What is the proposed Overtime budget? How does this compare to spending over the past 5 years? [Bas]**

The FY 2020-21 Midcycle Proposed Overtime Budget in OPD only differs from the FY 2020-21 Biennial Budget in the amount of \$136,164 due to the additional Overtime for the Homelessness response unit. Overtime is adjusted up based on the COLAs granted each year. Over the past five years COLA increases have averaged approximately 2.5% per year.

Historical actual overtime expenditures and budgeted expenditures for FY 2019-20 and FY 2020-21 can be found in the FY 2019-21 Adopted Budget Book (Page E-114) which can be accessed at the following link: <https://cao-94612.s3.amazonaws.com/documents/FY-2019-21-Adopted-Budget-Policy-Book-FINAL-WEB-VERSION.pdf>.

**5. OPD Carry-Forwards - What are the OPD project carry-forwards? What is the cost savings of eliminating projects that are more than one year old? [Bas]**

Staff will evaluate project and encumbrance carryforwards once we close the books on FY 2019-20, which usually happens in August. At that time, staff evaluates unspent appropriations and revenues to ensure that carryforwards can be supported. As explained in Questions/Responses #1 (question 16) staff will evaluate carryforward appropriations as part of the year-end close process in order to help close the projected \$17 million deficit in the GPF for FY 2019-20.

**6. How do we go about implementing controls on personnel expenditures (Overtime)? [Kaplan]**

In order to reduce personnel expense in OPD the City Council must identify an OPD service or service level for reduction. It is not possible to reduce expenditure in OPD from historic observed levels without a commensurate reduction in the services that OPD provides.

**7. Provide most recent Civilianization report. [Kaplan]**

The attached report on civilianization was produced in 2013. The structure and staffing of the units have changed over time. Staff are evaluating the status of each of these recommendations and will have an update available by Monday, June 22.

**8. What are options to civilianize street closure staffing during special events? [Kaplan]**

OPD uses both sworn and professional staff for street closures during special events depending on the size and scope of the event. Police enforcement powers are often needed to ensure compliance and motorists do not always follow command from non-sworn staff. Sworn staff is used as a safety measure for both staff and the community.

**9. Can we civilianize special event permit process? [Kaplan]**

The City Administrator's Office will explore the possibility of civilianizing the special event permitting process.

**10. Can we civilianize the homelessness outreach team? [Kaplan]**

There's an existing side letter between the City Administration and the Department of Public Works employee's union for OPD to escort OPW to all encampment clean-ups and encampment removals/closures for safety concerns. There would need to be further discussion about how to determine which calls and functions require a sworn safety presence and then discussions with the labor unions that have required higher levels of safety protection when responding to calls at encampments.

OPD has 3 Officers assigned to Homeless Outreach Services that are specially trained with Critical Incident Response and De-escalation training as well as being equipped with resource and service referrals. Should we discontinue this unit we would reabsorb these officers back into patrol to handle other calls for service. The Communications Center receives a significant number of calls from the encampments, the adjacent neighborhoods and merchant areas where illegal activity is taking place within encampments near residential or commercial areas. OPD responds to calls at homeless encampments the same way we respond to any other call for service. Dispatch prioritizes the call and we respond based on the nature of the call.

**11. Can we civilianize traffic enforcement? [Kalb]**

Traffic Enforcement and Investigations must be performed by sworn staff per Penal Code 830. Non-sworn Police Service Technicians can only issue parking citations. If there is an incident that requires an arrest or other action related to a moving violation, a sworn officer is required.

**12. OPD Finances - There has been a call to reduce funding to the Oakland Police Department as part of our overall budget reductions. Please share (with specificity) what reductions (including freezing of vacant positions), if any, are already in the Administration's proposed FY 20-21 budget for OPD. In answering that question regarding personnel, please distinguish between sworn and non-sworn employees. Since a portion of the overall reductions in the Administration's budget proposal are projected to come from yet-to-be agreed-upon employee concessions, do those possible concessions include sworn OPD personnel? IF cuts to OPD, beyond freezing a few vacant positions, were to be instituted, where specifically would the Administration or the Chief propose to make those reductions. Is there a way to make proportional cuts to OPD that will NOT lead to increased 911 response times? Is there a way to make proportional cuts to OPD that will NOT reduce OPD's investigative capacity in terms of investigating serious and violent crimes? [Kalb]**

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OPD has several specialized units with the potential of being collapsed back into patrol. Freezing the specialized unit positions has the potential to lead the Department into being a reactive call driven agency with a focus on responding to crime rather than preventing crime. A list of potential units and approximate costs is provided below for Council consideration of which services should be retained. Many of these units provide our intelligence led policing which has demonstrated reducing stop disparities.

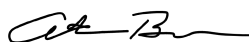
Specialized Unit	Sworn				Civilian (Non-Sworn)								Total FTE	Cost
	Capt	Lt	Sgt	Ofc	PST	AAIL	CG	PA III	Ofc Asst	NSC	PRS	PPOP		
CRT			5.0	40.0									45.0	10,222,800
Ceasefire	1.0	1.0	6.0	32.0		1.0							41.0	9,627,199
CRO			5.0	35.0									40.0	9,127,210
Foot Patrol Unit			4.0	30.0									34.0	7,740,004
Motors			2.0	15.0									17.0	3,870,002
Recruiting and Backgrounds			1.0	8.0		1.0					1.0	1.0	12.0	2,700,731
NSCs					2.0			2.0	0.5	10.0			14.5	2,111,299
Traffic Investigations			1.0	6.0									7.0	1,606,324
Crossing Guards							29.2						29.2	1,700,411
Mental Health Unit			1.0	5.0									6.0	1,387,206
Vehicle Enforcement			1.0	4.0									5.0	1,168,088
Unhoused Unit			1.0	2.0									3.0	729,852
													253.7	51,991,126

**13. If OPD were tasked to produce \$2M of budget reductions (fully burdened) and directed to focus reductions at the management level (vs. the officer level), What positions would you suggest freezing/ eliminating? [Taylor]**

OPD has limited vacancies in management level positions. The NSA has requirements regarding the span of control for officers working in the field at the Sergeant and Lieutenant level. We don't have a recommendation for any high-level positions for elimination. There is a significant problem with bandwidth of at all ranks, particularly with the significant tracking and administrative responsibilities and accountability of the NSA. Reductions at the management level may impede OPD's efforts toward NSA compliance.

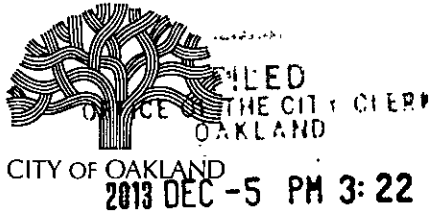
For questions, please contact Lisa Agustin, Budget Administrator, at (510) 238-2989.

Respectfully submitted,




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ADAM BENSON  
Director of Finance



# AGENDA REPORT

TO: DEANNA SANTANA  
CITY ADMINISTRATOR

FROM: Sean Whent  
Interim Chief of Police

SUBJECT: Informational Report from OPD  
Regarding Civilianization

DATE: December 2, 2013

City Administrator  
Approval

*Deanna Santana*

Date

12-5-13

COUNCIL DISTRICT: City-wide

## RECOMMENDATION

Staff recommends acceptance of this informational report from the Oakland Police Department (OPD) which covers the Department's efforts to civilianizing sworn positions where feasible, and deploying sworn members to the field.

## BACKGROUND/LEGISLATIVE HISTORY

This informational report identifies the number of Full Time Employee (FTE) positions and the sworn classification supplanted by civilian.

In November 1995, the Police Executive Research Forum (PERF) completed a management study of OPD recommending several sworn administrative positions be civilianized in order to reallocate sworn members to law enforcement functions.

- In April 2008, an informational report was completed, reporting on the progress and the cost assessment for the newly created civilian positions.
- In September 2010, a supplemental report was published detailing OPD's strategic goals as outlined in the five year strategic plan addressing the issue of civilianization in OPD.

There were 47 potential positions which were identified in the 2008 report that were suitable for civilianization; see the following table:

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Table 1 2008 Recommendations for Civilianization

FTE Count	Sworn Classification	Civilian Classification	Assignment	*Cost
4	Sergeant of Police	Police Communications Dispatcher, Sr.	Communications	\$430,376
5	Police Officer	Police Evidence Technician	Patrol	\$442,118
6	Police Officer	Police Services Technician II	Desk Officer	\$438,630
1	Captain of Police	Police Services Manager II	Internal Affairs	TBD
2	Lieutenant of Police	Police Services Manager I	Internal Affairs	TBD
7	Sergeant of Police	Complaint Investigator III	Internal Affairs	\$935,007
10	Police Officer	Complaint Investigator II/Intake Technicians	Internal Affairs	\$1,153,641
3	Police Officer	Range Master	Recruit Training	TBD
1	Lieutenant of Police	Police Services Manager I	Recruit Training	TBD
2	Sergeant of Police	Police Personnel Operations Specialist	Recruiting & Backgrounds	\$230,675
4	Police Officer	Administrative Analyst II	Recruit Training	\$398,679
2	Police Officer	Systems Analyst III	Information Technology	\$267,145
47			Total	\$3,857,641

\*All salaries were calculated at Step One and fully burdened according to Administrative Instructions 1303 (A1) (Fringe Benefits and Organizational Overhead Rates). Costs did not include any Operations & Maintenance (O&M), overtime or premiums associated with these classifications.

### ANALYSIS

An analysis was conducted of the current need related to the civilianization full-time employee (FTE) positions and the sworn classifications supplanted by civilian employees as well as a cost assessment to report on the progress made to date, see table below.

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There were 25 potential positions which were identified in the recent review that would be suitable for civilianization. In addition, there is a need to increase the administrative support based on increase sworn staffing. Several of the requested administrative support positions were removed from the budget during the financial crisis; however the workload did not decrease but increased with less staff, therefore increasing overtime demands.

### Recommendations for Civilianization and Administrative Support Needs:

The implementation timeframe for each priority is defined by categories and listed below. All salaries are calculated at Step Five and fully burdened according to AI 1303 (Fringe Benefits and Organizational Overhead Rates). These are unfunded positions that have been identified to add the necessary administrative support for the Agency.

Short Term - to be implemented within 1 year

1. Intake Technicians (5), Internal Affairs to perform intake duties within the Internal Affairs Division, replacing (5) Police Officers that will be deployed to other sworn assignments. Cost: **\$550,800.**
2. Police Services Technician II
  - a. (3) Traffic Investigation to manage traffic cold cases, replacing (3) Police Officers that will be deployed to sworn assignments.
  - b. (4) Patrol Desk - replacing (4) Police Officers that will be deployed to other sworn assignments, to perform desk services to the community and public. Cost: **\$533,400.**
3. Additional Administrative Support for the Police Services Agency
  - a. Assistant to the Agency Director (1) to provide policy and program development, planning and preparation of reports and proposed legislative policy for the Office of the Chief of Police agency. Cost: **\$207,742.**
  - b. Administrative Analyst II (4) to provide dedicated administrative support for each Deputy Chief. Cost: **\$510,145.**
  - c. Public Information Officer II (1) to provide communication expertise, community relations, and the full range of professional public information duties involving the Agency, the City and the Community. Cost: **\$147,615.**
  - d. Police Records Specialists (5) to support the increase in sworn staffing and provide administrative support. Cost: **\$426,220.**
  - e. Crime Analyst II (4) to provide crime analysis duties to all districts and the specialty units. Cost: **\$510,145.**
  - f. Accountant II (1) to provide difficult accounting and auditing tasks in the Fiscal Services Division. Cost: **\$123,932.**

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**Mid-Term - to be implemented within 2 to 3 years**

- a. Systems Programmer II (3) Police Information Technology to provide information technology expertise to the Agency in all aspects of technology needs, replacing (3) Police Officers that would be deployed to sworn assignments. Cost: \$360,681.
- b. Management Assistant
  - a) (1) Identification Detail, replacing (1) Sergeant of Police who would then be deployed to other sworn assignments. Cost: \$120,227.
  - b) (1) Property and Evidence Unit, replacing (1) Sergeant of Police who would then be deployed to other sworn assignments. Cost: \$120,227.

**Long-Term - to be implemented within 4 to 5 years**

- a. Police Services Manager II (1) Internal Affairs, replacing (1) Captain of Police who would then be deployed to other sworn assignments. Cost \$205,674.
- b. Management Assistant (3) BFO Admin, replacing (3) Sergeant of Police who would then be deployed to other sworn assignments. Cost: \$360,681.

Costs do not include any overtime or premiums associated with these classifications. The O&M (computers, phone lines, work stations, email, training, etc) cost for these positions is approximately \$164,000, based on an estimated cost of \$4,000 per employee.

In order to implement the recommendations for civilianization, the City would have to meet and confer with the Oakland Police Officers' Association, Local 21 and/or Local 1021 SEIU. Such meetings have not occurred and may impact the outcome of the above list. In addition, the City's Compliance Director would need to approve this effort.

In December 2008 and September 2010, the Department reported to the Council on its efforts to civilianize several sworn positions within the Department, decreasing (1) Sergeant of Police in the Communications Division, and (1) Sergeant of Police and (1) Police Officer in the Training Division.

There has been progress made on civilianizing a number of sworn positions since the 2010 report:

- \* Lieutenant of Police – Police Services Manager I, Personnel
- \* Police Officer – Police Services Technician II
  - o Traffic Investigations
  - o Patrol Desk
- \* Police Officer – Intake Technicians, Internal Affairs in progress

**KEY ISSUES AND IMPACTS**

The challenges faced by OPD are directly affected by the City of Oakland's current budget constraints that will have a significant impact on the hiring of additional civilian staff to supplant

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sworn positions. If sworn positions are moved out into the field, then the total number of civilian positions funded by the city will increase.

### PUBLIC OUTREACH/INTEREST

OPD continues to actively dialogue with community members in regards to civilianizing positions and increasing police presence in the City.

### COORDINATION

The Budget Office and the City Attorney's Office were consulted in preparation of this report. Prior to implementing these recommendations, a meet and confer with Local 21 and Local 1021 will be required.

### COST SUMMARY/IMPLICATIONS

The salary, benefits and O&M costs associated with any civilianized positions would require additional appropriation to the Oakland Police Department budget. The Agency cannot effectively support and provide services to the City and Community without additional staffing.

### SUSTAINABLE OPPORTUNITIES

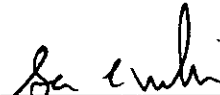
**Economic:** Civilianizing OPD will increase the number of sworn officers on the streets, making it safer and more attractive to those looking to live, work and visit the City.

**Environmental:** By increasing the number of sworn officers patrolling the City, it is anticipated that crime will decrease and environmental conditions associated with crime will be improved.

**Social Equity:** With more officers responding to calls for services and proactively addressing neighborhood issues, the quality of life will improve throughout the City of Oakland.

For questions concerning the contents of this report, please contact Donna Hoppenhauer, Acting Captain of Police at 238-3552.

Respectfully submitted,



Sean Whent  
Interim Chief of Police  
Oakland Police Department

Prepared by:  
Donna Hoppenhauer  
Acting Captain of Police

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