



AGENDA REPORT

TO: Honorable Oakland
Police Commission

FROM: Zurvohn Maloof
Inspector General

SUBJECT: Office of the Inspector General
Informational Report

DATE: January 23, 2025

PURPOSE

The purpose of this informational report is to provide the Oakland Police Commission (“Commission”) and members of the public with updates from the Office of the Inspector General (“OIG”), since the last presentation. In this document, the OIG provides a high-level outline of its prioritized projects and current activity. The OIG also attempts to address specific questions raised by Commissioners and community members at previous meetings. For additional context, the OIG has also included pertinent attachments that have been released since its last presentation. Through these reports, the OIG seeks to fulfill its commitment to providing transparent civilian oversight.

STAFFING

Internal Staffing

The Office of the Inspector General (OIG) faces a critical staffing shortage that severely hinders our ability to fulfill our mandatory functions. This deficit jeopardizes our oversight responsibilities, which include auditing and reviewing the operations and procedures of the Oakland Police Department, especially those outlined in the 52 tasks of the Negotiated Settlement Agreement, as well as auditing and reviewing the investigative processes and procedures of the Community Police Review Agency (CPRA).

The OIG currently lacks any dedicated auditors on staff. As previously highlighted in our reports, the OIG sought to address this by hiring a Chief of Audits and Evaluations and two Performance Auditors. However, these positions were frozen during the previous budget, remain frozen in the current fiscal year, and are set to continue to be out of reach during the next budget cycle (FY 25-27) due to the City's ongoing budget constraints.

To mitigate this immediate crisis, we have explored alternative staffing solutions, such as utilizing Exempt Limited Duration Employees or provisional employees. However, these options may not be feasible given the current budget limitations and potential labor union concerns.

Police Commission Meeting
January 23, 2025

The OIG's core functions have been undermined by persistent hiring freezes and ongoing budget cuts. These circumstances fall far short of the best practices established by the Association of Inspectors General (AIG) and the U.S. Government Accountability Office. Despite these significant challenges, the OIG remains committed to serving Oakland and continues to engage with the City to address this critical audit staffing shortage.

Police Performance Auditing Services

Due to the prolonged freeze on auditing staff positions, previous OIG leadership implemented a creative interim solution. In May 2024, the OIG submitted a Request for Proposals (RFP) to hire a qualified firm to conduct essential audits, evaluations and reviews of OPD and CPRA. This strategic measure aimed to ensure continued oversight while the OIG recruited and onboarded its own audit staff.

After a selection process, OIG staff chose a reputable firm that could conduct audits for Oakland's OIG. However, after my arrival in November 2024, the City cited budgetary constraints and denied approval for the proposed two-year \$245,000 contract with the selected firm. After consultation with the OIG budget analyst and City Administrator Johnson, I filed a Carryover Appeal Memorandum, which outlined the critical importance of the contract, emphasizing the OIG's urgent need for this external auditing support. The selected firm would have played a crucial role in conducting vital audits, inspections, and evaluations, ensuring OPD maintained constitutional policing policies and operations. Furthermore, this engagement would have positioned the OIG to effectively assume the performance compliance role currently held by the Independent Monitoring Team (IMT) of the Negotiated Settlement Agreement. Without adequate resources for independent audits, the City and OPD will be significantly impeded in their efforts to move beyond the constraints of the Negotiated Settlement Agreement.

At this time there has been no City response to the Appeals request. Unfortunately, as the City is asking for more cuts from the OIG and other departments, I feel it is highly unlikely that the appeals will be granted.

OFFICE OF THE INSPECTOR GENERAL BUDGET

As we all know, the City of Oakland is facing a significant budget crisis. I have been asked to move the important work of the OIG forward with significantly less monies than was allowed before. While I won't go into the specific numbers at this time, I will say that the OIG is looking at a potential 40% reduction for the FY 25-27 budget cycle. In order to meet the demands of the depleted budget, I am being required to make difficult decisions about all aspects of the OIG, including staff.

While I understand that Oakland needs everyone to be conservative in their fiscal management of taxpayers' money, the OIG should have a budget that ensures it can fulfill its vital functions. I am making the decisions necessary to meet the budgetary constraints, however I am also voicing my concerns that

the current allotted funding and future amounts do not meet the OIG needs to keep staff, conduct audits, and maintain the legal requirements of the office.

CURRENT WORK OF THE OFFICE OF THE INSPECTOR GENERAL (NSA, MEASURE S1 OIG)

The OIG is required to audit, evaluate, and inspect the compliance of OPD with its policies and procedures, as well as the investigative policies and procedures of the Community Police Review Agency. Without auditing staff these requirements are difficult.

However, with the limited staff, the OIG is still in the process of conducting evaluations, inspections, and policy analysis. I have had to make strategic changes in the work that was in process under the previous OIG administration. The OIG is currently working on:

- **Oakland OIG Audit Plan:** Before my arrival, the OIG did not have a formal audit manual to contain its policies and procedures for conducting audits in compliance with Generally Accepted Government Auditing Standards (GAGAS). This is the standard created by the Government Accountability Office to inform how government agencies conduct audits, evaluations, and inspections. The OIG plans to have a draft of the manual completed by the end of February 2025.
- **DGO B-08: Field Training Program (Task 32):** The OIG previously evaluated DGO B-08 (OPD’s Field Training Program) and submitted recommendations, which the OPD favorably received. The OIG is following up and conducting a comprehensive policy analysis of DGO B-08. The OIG has drafted an analysis and it is currently in the edit and review stage.
- **Inspections of NSA Section III: Internal Affairs Division (IAD) “inactive” (Tasks 3, 4, 7, 8, 9, 11, 13):** The OIG intends to conduct inspections on these seven (7) “inactive” tasks, to ensure that OPD is still in compliance, and make recommendations for any changes if necessary.

The OIG can make changes to planned work based on changes in issues and priorities. The upcoming OIG Audit Work Plan for fiscal year 2025 will contain more specifics about each audit and review planned for the year.

CITY COUNCIL POLICY DIRECTIVE: OPD STAFFING STUDY

In consultation with City Administration, the OIG selected PFM Financial Advisors, LLC (“PFM Financial”) to conduct an Oakland Police Department staffing study and resource analysis. The City Council unanimously approved the contract, which has been fully executed and is in its final stage of compliance review.

In November 2024, PFM submitted to the OIG its final “draft” version of the staffing study. The OIG reviewed the study and had discussions with PFM, to request corrections, clarifications, and an executive summary of the contents. In addition, the OIG requested that PFM provide the study to OPD for their

review and comment. OPD is expected to complete their review on or about January 24, 2025. After OPD's review, PFM should provide the OIG with its final version and executive summary. Once we receive that information, we will be able to provide more details about the contents of the staffing study.

We expect that PFM will provide a formal presentation of the staffing study to the City Council's Public Safety Committee at the end of February or in March, depending on the availability of the committee.

COMMUNITY ENGAGEMENT AND OUTREACH

The OIG believes that community engagement and outreach is imperative in providing an understanding of the work of the OIG, as well as providing transparency and building community trust in civilian oversight in Oakland. Since the last report out in November, the OIG has engaged in a significant number of community engagement and outreach projects.

- **Oversight Collaboratives:** The OIG Director of Communications and Engagement has initiated and participated in several outreach collaboratives with local, regional, and national oversight agencies. These collaborations aim to enhance our network and leverage our limited resources to effectively and efficiently reach communities members. At the local level, the OIG meets monthly with the City Auditor's Office and Public Ethics Commission to discuss how to pool our limited resources and build awareness of the importance of oversight in our local government. Regionally, the OIG has engaged with the Bay Area Regional Oversight Collaborative. Nationally, the OIG is networking with OIGs from Chicago, New York, and Los Angeles to discuss best practices in civilian oversight and community engagement.
- **Public Presentations:** During my first 90 days, I have presented to several constituencies about the OIG's mission, purpose, and procedures. In December 2024, I presented to the 194th OPD Academy so that new officers are aware of the OIG and the importance of civilian oversight. This month, I presented to the Oakland Metro Leadership Conference about the OIG's work and to the newly elected City Council about the Office's successes and challenges. I also made public comments at special City Council meetings on December 16, 2024 and January 21, 2025, supporting the new Enabling Ordinance that would offer the OIG more autonomy and independence.
- **Community Service:** At the end of November 2024, I participated in the 33rd Annual Community Day of Thanks, distributing meals to local seniors. In December 2024, I participated in a Be-A-Mentor program to connect with Oakland youth and offering them advise on how to fulfill their full potential. OIG's Director of Communications and Engagement has also attended several Oakland High School events aimed at offering students career pathway mentorship.
- **Event/Conference Attendance:** This month I attended community programs aimed at informing Oakland residents about OIG projects and OPD policies. On the 8th, I attended a Maxwell Park Neighborhood Council meeting where residents asked the City Auditor and I about the correlation and compatibility between their OPD audit and the OPD staffing study. I also attended the Police Commission's Town Hall on the 15th in relation to OPD pursuit policies. Lastly, OIG staff attended

the Public Sector Network Conference in Sacramento (at no cost to Oakland residents) in order to learn more about how the OIG could leverage AI to improve our work.

ADDITIONAL PROJECTS

In addition to the usual work of the OIG, our staff has also participated in conversations with the City Attorney's Office regarding OPD's sexual misconduct policy, discussions with the City Council on changes to the Enabling Ordinance, and reviews of the new vehicle pursuit policy. The OIG will also provide an interview on the challenges of implementing police reforms. The OIG is also prioritizing the OIG Audit Work Plan for fiscal year 2025, where we will indicate our audit and strategic goals for the year. For questions regarding this report, please contact the Office of the Inspector General, at OIG@oaklandca.gov.

Respectfully submitted,

Zurvohn Maloof
Inspector General
Office of the Inspector General