



Office of the City Auditor
Ann-Marie Hogan, City Auditor

COUNCIL INFORMATION

April 30, 2002

To: Honorable Mayor and
Members of the City Council

From: Ann-Marie Hogan, City Auditor

Subject: POLICE STAFFING AUDIT

STATUS:

At the request of the City Manager, an audit of Police Department staffing was added to the City Auditor's audit plan for the year ending June 30, 2002. In a series of planning meetings with the City Manager, Chief of Police, and their deputies, the following concerns and requests for information and recommendations were put forward:

- Anticipated shortages of Police staff, especially because of the large number of officers expected to retire in the next year
- The progress made in the implementation of Community Involved Policing since its inception in the early nineties, and
- Evaluation of alternatives for the optimization of Police Department resources and improved service to the Berkeley community.

The auditors were asked to determine:

1. If Community Service Officers (CSOs) can perform tasks currently performed by sworn Berkeley Police Officers on a temporary or long-term basis to alleviate the sworn police staffing shortage.
2. If a civilian can effectively perform specific tasks currently held by five sworn Berkeley Police officers: Support Services Lieutenant (primarily information technology tasks), Bureau of Inspection and Control Lieutenant (budgetary tasks), Communications Center Lieutenant (supervises civilian dispatchers), Crime Scene Unit Sergeant (supervises civilian crime technicians), and Jail Sergeant (supervises civilian jail staff).

The answer to both of these questions is yes. Accordingly, the auditors recommend that the City open a recruitment for Community Services Officers and begin working with Human Resources to clarify the skills and new employee job classifications needed in order to allow performance of some of the duties of these Sergeants and Lieutenants by "civilians."

Additionally, the auditors recommend that other administrative or technical tasks in the Department, currently performed by sworn officers, be evaluated for possible re-assignment. We further recommend that the City Manager strongly consider creating a civilian Business Manager position, in order to effectively implement these recommendations.

A number of our recommendations were previously suggested by Police Executive Research Forum (PERF), in a report presented to Council in 1994. The Police Chief has suggested that this report should be re-studied as part of the implementation of the audit recommendations. Accordingly, the auditors have attached the 1994 report, as well as associated Council items, as an appendix to this report. The auditors have reviewed the PERF report, but do not express an opinion on the current relevance of the specific recommendations of the 1994 report.

As part of our audit work, we contacted PERF in order to obtain an opinion on whether non-sworn personnel could perform duties currently performed by lieutenants and sergeants in the five positions we studied. Their response stated that civilians could perform the duties, but also identified areas to be considered in making the determination. This letter is also included as an appendix.

In performing audit work related to the recommendation regarding the Communications Center, the auditors noted some potential for improvement, in the Police Department and Citywide, in the area of reporting on and managing sick leave usage and workers' compensation claims. Accordingly, we have included recommendations that the City more vigorously address these issues.

Service Implications

Police managers in other jurisdictions, as well as some of the City of Berkeley staff interviewed, felt strongly that significantly increasing the number of CSOs, and replacing certain other sworn positions with civilian specialists, could significantly enhance Police presence in the community, as well as overall quality of service.

Barriers to Implementation of our Recommendations

Significant barriers to effective deployment of civilians in the Department were revealed in the interviews and are documented in this report.

The feasibility of implementing our recommendations is dependent on how successful the City is in addressing the problem of tension between sworn and non-sworn employees in the Department. We recommend that this problem be addressed throughout the Department. We also recommend consideration of creation of a non-sworn Business Manager, reporting to the Chief of Police, as one step in creating a workplace where sworn and non-sworn employees can work together to most effectively deliver Police services to the Berkeley community.

In addition, the cost of the implementation of our recommendations depends on the number of budgeted and available sworn officers. If existing vacancies and other savings are not sufficient to fund the new positions, then the question of how many sworn officers should be budgeted once non-sworn employees are performing more routine duties, must be addressed by Council and the City Manager.

Due to the complexity of planning for implementation of some of the audit recommendations, the City Manager has developed a timeline for studying the issues. He has agreed to submit the first interim report back to Council by June 30, 2002, and a second report by December 31, 2002.

FINANCIAL IMPLICATIONS:

The cost of a patrol officer is nearly twice the cost of a CSO. The cost of professional staff in information systems and accounting/budget management, and of experienced civilian managers for the Communications Center, Crime Scene Unit, and Jail, appears to range between about 60% and 70% of the cost of each incumbent.

At the time the auditors worked with the Police Chief and the City Manager to finalize the audit objectives, it appeared that significant shortages of officers would continue for four or five years. If these conditions continue, hiring a large number of CSOs, as well as replacing sworn managers with civilian professionals, would be funded by the position vacancies in the short term.

If these conditions do not continue, the City would need to decide how to fund the new positions. Eliminating some vacant sworn officer positions, or reducing other expenses would be among the alternatives. Some of the potential funding alternatives may raise meet and confer obligations with the affected bargaining units.

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I. Executive Summary

At the request of the City Manager, an audit of Police Department staffing was added to the City Auditor's audit plan for the year ending June 30, 2002. In a series of planning meetings with the City Manager, Chief of Police, and their deputies, the following concerns and requests for information and recommendations were put forward:

- Anticipated shortages of Police staff, especially because of the large number of officers expected to retire in the next year
- The progress made in the implementation of Community Involved Policing since its inception in the early nineties, and
- Evaluation of alternatives for the optimization of Police Department resources and improved service to the Berkeley community.

The auditors were asked to determine:

1. If Community Service Officers (CSOs) can perform tasks currently performed by sworn Berkeley Police Officers on a temporary or long-term basis to alleviate the sworn police staffing shortage
2. If a civilian can effectively perform specific tasks currently held by sworn Berkeley Police officers. The specific positions chosen were the Support Services Lieutenant (who performs primarily information technology tasks), the Bureau of Inspection and Control Lieutenant (who performs budgetary tasks), the Communications Center Lieutenant (who supervises civilian dispatchers in the Communications Center), the Crime Scene Unit Sergeant (who supervises civilian crime technicians), and the Jail Sergeant (who supervises civilian jail staff).

The answer to both of these questions is yes.

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Civilian Community Service Officers (CSO's) can perform many of the duties currently performed by patrol officers. Other jurisdictions report extensive and highly satisfactory experience with implementation of similar programs. Significant cost reduction as well as improved service delivery were noted.

Civilians with the appropriate knowledge and experience can also perform many of the tasks currently being performed by Sergeants, Lieutenants, and Captains in the Berkeley Police Department. For many of the equivalent positions studied, police management in other jurisdictions felt that the tasks were performed more effectively by civilians, as well as at a lower cost.

Most jurisdictions contacted report that they have successfully replaced sworn officers performing information technology and budget duties with non-sworn employees possessing the appropriate professional qualifications. They also reported success with placing experienced civilians in charge of Communications Centers, as well as crime scene/lab/i.d. units. While some jurisdictions also had civilianized jail management, the small number of jurisdictions identified with comparable jails resulted in less clear-cut guidance from other cities regarding the jail management position.

Service Implications

Police managers in other jurisdictions, as well as some of the City of Berkeley staff interviewed, felt strongly that significantly increasing the number of CSOs, and replacing certain other sworn positions with civilian specialists, could significantly enhance Police presence in the community, and overall quality of service.

Budgetary Implications

At the time the auditors worked with the Police Chief and the City Manager to finalize the audit objectives, it appeared that significant shortages of officers would continue for four or five years. If these conditions continue, hiring a large number of CSOs, as well as replacing sworn managers with civilian professionals, would be funded by the position vacancies.

If these conditions do not continue, the City would need to decide how to fund the new positions. Eliminating some vacant sworn officer positions, or reducing other expenses, would be among the alternatives.

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The cost of a patrol officer is nearly twice the cost of a CSO. Accordingly, ten (10) entry-level patrol officer vacancies could, for example, fund the temporary or permanent hire of eighteen (18) entry-level CSOs who could relieve the sworn officers of certain types of routine duties.

The cost of professional staff in information systems and accounting/budget management, and the cost of experienced civilian managers for the Communications Center, appear to range between about 60% and 70% of the cost of each incumbent. It is not known whether the lieutenant positions would remain vacant, or be re-allocated to other work in the community. If the latter, about 4.5 patrol officer vacancies could cover the cost of hiring five civilians to cover these duties, while reassigning, instead of cutting, the Lieutenant positions.

Barriers to Implementation of our Recommendations

Significant barriers to effective deployment of civilians in the Department were revealed in the interviews and are documented in this report.

The cost of the implementation of our recommendations is closely linked to the number of budgeted and available sworn officers. If existing vacancies and other savings are not sufficient to fund the new positions, then the question of how many sworn officers should be budgeted once non-sworn employees are performing more routine duties, must be addressed by Council and the City Manager.

The feasibility of implementing our recommendations is also dependent on how successful the City is in addressing the problem of tension between sworn and non-sworn employees in the department.

There is a significant barrier in the attitude and perception about the skills, talents, and actual or potential disrespectful or uncooperative behavior of sworn vs. non-sworn employees in the workplace. Numerous statements supporting the existence of this problem were made by staff in the Department.

The auditors recognize that Berkeley is not the only police department to experience this problem. We also recognize that the police Department has engaged in actions aimed at improving relations between sworn and non-sworn employees over the years. However, we found substantial evidence of continuing problems in our research. Issues of perception, recognition, and

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respect for the capabilities and points of view of others remain an area where increased efforts are needed.

We recommend that these issues be addressed throughout the Department. We also recommend consideration of creation of a non-sworn Business Manager, reporting to the Chief of Police, as one step in creating a workplace where sworn and non-sworn employees can work together to most effectively deliver Police services to the Berkeley community.

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II. Objective And Scope

The objectives and scope of this audit were to determine:

1. If Community Service Officers (CSOs) can perform tasks currently performed by sworn Berkeley Police Officers on a temporary or long-term basis to alleviate the sworn police staffing shortage
2. If non-sworn employees can effectively fill 5 specific positions that are held by sworn Berkeley Police Officers. The specific positions chosen were the Support Services Lieutenant, the Bureau of Inspection and Control Lieutenant, the Communications Center Lieutenant, the Crime Scene Unit Sergeant, and the Jail Sergeant.

The audit was requested by the City Manager and the objectives were established in consultation with the Chief of Police. The audit was scheduled to be performed in the City Auditor's fiscal year 2002 audit plan.

III. Methodology

The following methodologies were used to meet our objectives:

- *Reviewing previous City of Berkeley studies and Council reports on police staffing, Community Involved Policing, and civilianization of police positions*
- *Reviewing studies and audits from other jurisdictions on these topics*
- *Interviewing staff in the Police Department, Human Resources, Budget Office, and City Manager's Office*
- *Reviewing budget documents and payroll/personnel reports*
- *Surveying and interviewing Police Department and Human Resources representatives in other jurisdictions*
- *Consulting with the Police Executive Research Forum (PERF)*

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- *Reviewing job classification descriptions for relevant positions in the City of Berkeley and in other jurisdictions*
- *Reviewing information from POST Certified Training academies*
- *Reviewing internal Police Department documents such as relevant General Orders, Field Training Manuals and internal memoranda.*

Our work was performed in accordance with Government Auditing Standards as prescribed by the Comptroller General of the United States. We limited our work to those areas specified in the Scope and Methodology sections of this report.

IV. Background

The City Manager and the Police Chief had expressed concern about Police staffing shortages, for which reason this audit was requested.

On January 29, 2002, a special Berkeley City Council Study Session was held on Crime Issues and Police Staffing. Police Department staff presented information about crime and traffic in the City of Berkeley, staffing shortages in the Police Department, and the history and future of the Community Involved Policing model.

Police management reported to Council on January 29, that significant progress was made in accelerating recruitment efforts, and that as of January 2002 there were no vacancies. However, there would be significantly more vacancies and unavailable officers in July 2002, due to retirements.

The “unavailable officer” numbers include officers off duty or on modified duty due to workers compensation injuries as well as officers in training and vacant positions.

Unavailable officers were projected to reach 42 in July 2002, improving to 36 in September, and were targeted to decline to 22 in July of 2003. An “optimistic” goal of reducing the number of unavailable officers to 12 by January 2004 was indicated. If this goal were achieved, this would bring the total available officers to 192 of the 204 currently budgeted. However,

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according to the Police Department, there would be no budget savings at this anticipated staffing level, since the 12 unavailable officers would be in training, or on workers compensation and, therefore, drawing salaries.

Staffing Issues and Community Involved Policing

Berkeley Police Department sworn staffing was significantly increased in 1994, from 183 to 198, primarily in response to concerns raised in a report issued by the Police Executive Research Forum, which made recommendations about how the City could implement Community Involved Policing. Their report is included as an appendix (D).

Two years earlier, Chief Daschel Butler had begun an examination of the movement toward Community Oriented Policing and Problem Solving that was then becoming popular among professional law enforcement agencies.

In meeting with police staff about the future direction of the Berkeley Police Department, the philosophy of Community Oriented Policing and Problem Solving (COPPS) was considered in terms of how it could fit into a policing style for the City of Berkeley.

According to the Police Department's July, 1994 report "The Implementation of Community Involved Policing", the title "Community Involved Policing" (CIP) was selected: *"This name reflected one of the basic philosophical goals, increased involvement with the community... The "involvement" also signifies that citizens would participate in setting priorities for police activities.*

The other aspect of CIP was a focus on problem solving as a dominant strategy for policing. Under CIP, officers would be expected to identify crime and order problems, analyze and then work to solve them.

By putting these two aspects together, officers would be doing problem solving in partnership with members of the community.

While the Police Department was in the early stages of defining and implementing Community Involved Policing, the City contracted with The Police Executive Research Forum (PERF) to prepare a report with recommendations related to staffing changes that would enhance the Department's ability to implement Community Involved Policing.

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In a 1994 memorandum presenting the final report of the PERF study, Dr. Sheldon Greenberg, Associate Director, makes this linkage between realignment of staffing and Community Involved Policing:

“The Police Department has areas that need improvement, as do most dynamic and complex organizations. These range from internal communication to making better use of civilian employees. With some changes, the department can achieve increased efficiency and maintain its position as one of the premier police agencies in the nation. To be fully effective, though, attention will have to be given to proper staffing. This is an area that has been neglected for too long.”

I am enthused about the potential that exists as the Police Department moves forward with community involved policing. The environment is perfect for establishing a model of community policing that other agencies will emulate.”

The City Manager’s report to Council on 7/26/94 (See Appendix C), “Community Involved Policing: Status Report re: Staffing, Deployment and Planning” provided a summary of the report, which included information about maximizing Police resources:

“Wherever possible, civilians should be utilized in support roles (to enable) maximum utilization of sworn officers directly involved in the core, patrol function. Additionally, alternative services delivery mechanisms need to be utilized in response to calls for service to allow patrol officers to have greater % of (self-initiated) time to spend on “pro-active”, problem solving activities in the community.”

The 1994 PERF report stated that:

“The Berkeley Police Department is a quality service organization of which residents and officials should be proud. When compared to the more than 50 agencies studies by the Police Executive Research Forum over the past seven years, the Berkeley Police Department is among the most effective.”

However, the PERF report also included a substantial number of recommendations. In a chapter on Resource Allocation, the report stresses the steps that could be taken to free up officer time so that more time can be spent on proactive, problem-solving activities, and less on answering calls

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for service and administrative duties such as follow-up on cold crimes and report writing. Among the “alternative service delivery mechanisms” recommended was establishment of a telephone reporting system.

In addition to recommending a number of structural and organizational changes, the report suggested that the City increase the number of officers available for patrol and bike patrol to 115 and improve service delivery by:

- Transferring about a dozen sworn officers from other Police Department divisions into patrol and hiring about 18 new sworn officers, for a total increase of 30 in the patrol division.
- Civilianizing 6 functions currently performed by sworn officers, and hiring a civilian planner and crime analyst, for a total of 8 professional civilian hires
- As one of the newly non-sworn positions, creating a new Administrative Services Division which “may” be headed by a civilian administrator;
- Hiring three additional Police Service Assistants (PSA’s) for the jail.
- Adding one non-sworn clerk typist to patrol, and one to investigations
- Hiring up to 18 civilian Community Service Officers, and
- Implementing a comprehensive telephone reporting system to be staffed by a combination of sworn officers and CSOs

According to staff in the Police Department and the City Manager’s Office, funds were not available to make all of these changes, but quite a few were made.

In approving the budget for the following year, the City Council voted to add 15 officers. In subsequent years, 6 more sworn positions were added, so that total new sworn hires were 21. Three CSOs were hired. Three other civilian professional/specialist positions (Supervisor for Report Review Unit, Information System Specialist, and Personnel Specialist) were authorized.

The auditors did not examine Police Department budgets in the years since 1994 in order to determine whether staff in other divisions were transferred to patrol, as recommended. The Police Chief did state that total patrol strength is not now at the recommended level, due to budgetary constraints.

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The auditors do not express an opinion on the viability or advisability of the specific recommendations of the PERF report. PERF's opinion about the ideal number of sworn officers, and the ideal number of sworn patrol officers, might not be the same in 2002 as it was in 1994, in any case.

It is, however, worth noting the general strategies recommended, which are very much in line with strategies suggested by the research recently performed by the auditors:

- Civilianization of those positions which do not require sworn skills, and
- Examining staffing throughout the department to determine whether sworn resources could be transferred from certain areas to others, and
- Augmenting the telephone reporting unit.

In making their recommendation to transfer officers from other divisions to patrol, PERF noted (p.128):

“Of course, the services of some support units will be slightly diminished. But, adequately staffing patrol is more important at this time than maintaining full staffing of some specialty functions, particularly as the department continues its commitment toward community involved policing.”

Regarding whether the optimal number of patrol officers might change in the future, PERF noted: (p.222)

“It will take at least one or two years to adequately assess the full potential of telephone reporting. If its potential of handling 20 per cent of calls for service is achieved, it may be a factor in reducing staffing needs.”

In December of 2000, Police Department staff discussed anticipated staffing shortages with City Council, during a presentation regarding traffic enforcement. A March 20, 2001 follow up report to Council stated that as of January 2002, 33 of the 204 budgeted officers were currently unavailable for assignment. The “unavailable” figures included 8 officers off duty or on modified duty due to workers comp incidents and 24 new hires engaged in academy of field training. The report explains the reductions in service that have taken place as a result.

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Police Department's Self-Study – 100% Staffing

The Department initiated a study aimed at developing a plan to maximize police resources, “How to Achieve 100% Staffing,” during the summer of 2001. Meetings and workshops were held with Police Department employees and representatives of the Berkeley Police Association, Local 790 (Union representing the Para-professional and Supervisory Clerical employees in the Police Department), Human Resources, and the City Manager's Office.

One key objective of the Police Department's effort was to review advertising, recruitment, testing, and hiring. Employee retention was a related objective; the Communications Center, which is staffed by non-sworn employees, was specifically targeted for improved operation and employee retention.

Strategies for improving retention of employees, identified by staff in the workshops, included clarifying expectations, developing career path training opportunities, and enriching Community Involved Policing opportunities for non-sworn classifications.

The Department also planned to study field staffing, since the last in depth Patrol Workload study was completed in 1985. Command coverage during evenings and weekends, as well as an assessment of number of personnel needed to provide necessary coverage, was also targeted.

Finally, a review of the potential for modifying Police services, and for civilianization (i.e. converting sworn police positions to non-sworn positions) was planned.

In study sessions on 100% staffing, staff were asked to discuss the possibility of implementing an expanded Community Service Officer (CSO) program, as well as civilianizing certain specific positions. A number of these positions had been previously recommended for civilianization in the various reports noted here.

After results of the study sessions were compiled, in the Fall of 2001, Police asked the auditors to follow up to determine whether non-sworn could perform certain of the duties performed by sworn officers.

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“Civilianization” of Sworn Police Positions: Berkeley’s History

A number of reports over the years have recommended that more positions in the Berkeley Police Department be civilianized, or have brought to management’s attention the difficulties the Department experienced in effectively managing relations between sworn and non-sworn employees in the workforce.

Civilianization is the practice of assigning police department work that does not require a sworn police officer’s special training or skills to non-sworn, (civilian) employees.

The Berkeley Police Department consisted entirely of sworn officers until the 1950’s, when non-sworn clerical positions were established. In the sixties, parking enforcement was re-assigned from sworn officers to non-sworn Parking Enforcement Reps. A Police Service Assistant (PSA) classification was then established, and used for assignments in the property room, ID bureau, jail, and community services.

In 1980, the Berkeley Police Department Management Study by the Commission on Peace Officer Standards and Training recommended civilianizing additional positions in the Department, stating:

“In the Berkeley Police Department, 17.5% of the authorized peace officer personnel (exclusive of division commanders) are assigned to tasks in either the Administrative or Service Divisions. Since a significant number of these tasks do not require peace officer powers, it is appropriate to examine the rationale traditionally used to justify the use of peace officers in administrative and clerical positions.

Often, the reason for using peace officers to complete clerical or records tasks is that it has always been done that way and the department has never changed the practice. Also, there is a rationale which holds that peace officers employed to complete clerical tasks will be available as a pool to draw upon in the event of a major emergency.”

The 1980 report’s recommendations included replacing some officers with PSA’s and employing a civilian manager for the Communications function. At the time, the Communications Center was staffed by a combination of sworn officers and PSA’s. The Public Safety Dispatcher classification was established in 1984.

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PSAs, PSDs, Parking Enforcement Reps, CSOs and Office Specialists (clerical staff), are the primary civilian, or non-sworn, employee classifications in the Police Department. These, and the supervising classifications for each group, are represented by the 790 bargaining unit, rather than by the Berkeley Police Association (BPA).

Difficulties experienced in managing relations between sworn and non-sworn employees were noted in a July, 1988 report to Council entitled "Organization Assessment of the City of Berkeley Police Department." Striking a note that the auditors found repeated in subsequent reports, and in current interviews, the authors noted:

"The relations between civilian and sworn employees need to be carefully addressed because they are the source of a tremendous amount of tension, conflict and demoralization. On the one hand, many civilian employees describe their feelings of being devalued and "second class" and a sense that the work they perform is devalued. On the other hand, many sworn employees perceive that civilians are incompetent. The Communications Center and the dispatch function probably highlight this conflict more than any other function in the Department."

A 1989 study, prepared by the City Manager, "Proposed Reorganization of the Public Safety Department", also identifies recurring issues between sworn and non-sworn employees in the case of Parking Enforcement Reps, who were at that time civilian employees assigned to the Finance Department. The report cites a "history of harassment of the Parking Enforcement Reps by Berkeley Police Officers." It also cites a history of harassment of the enforcement reps by Berkeley drivers.

In enumerating the "cons" of a possible decision to locate parking enforcement reps in the Police Department, the report stated:

The major disadvantage...is that the employees themselves do not wish to be transferred there...First, most Reps felt that the Police Department would be stricter about time and attendance...Second, they do not want to come under the Police General Orders...Third, they felt that the Police Department staff consider them second class citizens, and would not treat them with respect.

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In closing, the report made recommendations to implement reorganization, and recommended that a Police Department Task Force develop a “Plan to Address Friction Between Sworn and Non-Sworn”.

The 1994 PERF report included a number of recommendations for civilianization of positions. The report recommends establishment of a structured crime analysis program, stating that its absence “*will inhibit the implementation of community involved policing.*” It also recommends that the crime analyst be a non-sworn, but concedes that there may be a barrier to implementing this suggestion:

There was a dispute between Police Department officials and other city government officials over the past crime analysis function. Police officials perceived that the crime analyst lacked the skills required to support the department. City officials perceived that the Police Department did not use the analyst’s skills properly because of a traditional bias against civilians. Regardless of the claims, crime analysis was not used properly when it was available.

In discussing the Communications Center, this report also makes note of difficulties in the relationships between sworn and non-sworn employees in the Berkeley Police Department:

Tension exists between dispatchers and patrol officers. While this is not uncommon in police agencies, it is significant in Berkeley. The tension takes its form in inappropriate communications, some of which occurs during the handling of serious incidents. While it has its roots in the conversion from sworn to civilian dispatchers, the tension has grown worse since the implementation of CAD and the change in patrol and communications work schedules...

This report, like the 1989 report, recommended a creation of a task force “*composed of representatives of communications, patrol and management*” to address the problems between sworn and non-sworn employees. The Police Chief subsequently stated that the Police Department created a morale squad and that Parking Enforcement Representatives were part of this group.

The City Manager agreed, in a 1994 report to Council, to return to Council with quarterly reports on the implementation of the PERF recommendations and of Community Involved Policing. According to the Police Chief,

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implementation of all of the PERF report recommendations were pursued and addressed and provided to the City Manager in the quarterly Project Management Reports.

Recently, the Chief stated that regarding the “non-sworn” issues:

“Substantial efforts have been made over the past several years. For example, starting with large non-sworn group workshops, the Deputy Police Chief has held many meetings and ‘managed by walking around’ to tackle sworn and non-sworn issues. Meetings have focused on perceptions and attitudes, as well as individual incidents. One positive outcome has been the establishment of the Morale Squad, which has completed a number of workplace successes. Examples include many special holiday events, an Employee Appreciation Day barbeque, a Fish Fry, September 11 ribbons, “Surprise” deliveries of candy, cakes, and cookies, and so forth. The Morale Squad has been led by non-sworn staff in collaboration with the Deputy Chief and a few officers.

Other efforts have included training with Berkeley Dispute Resolution Service to discuss how to deal with difficult people, training with Field Training Officers to discuss new officer relations with non-sworn employees; discussions with new officers during internal Mini-Basic workshops; workshops in August 2001 with officers and non-sworn staff to discuss 100% staffing; Labor-Management meetings with non-sworn representatives; weekly meetings between the Administrative/Traffic Captain and Parking Enforcement Reps to improve overall communication; implementation of “Bullwinkle” to share information department-wide; posting of photographs of new non-sworn and sworn employees to help introduce them to the workforce; implementation of a Non-Sworn/Sworn Move Committee to host a reception for current and retired employees in the new Tsukamoto Public Safety Building; meetings between the Chief of Police and Communications Center staff during 2001 and 2002 to improve the work environment and solve issues, etc. While more needs to be done, these are some of the examples of actions taken over the past few years.”

The “100% Staffing” workshops convened by the Police Department in the summer of 2001 included both sworn and non-sworn Police employees. Specific topics included whether or not to hire more CSOs, as well as whether or not to civilianize other positions currently held by sworn officers. It is clear from some of the comments in the summaries of these sessions

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that tension between sworn and non-sworn City employees is still an area that needs serious attention. Existing problems in this area were also evident in the auditors' recent interviews with Police staff.

Community Service Officers

The City of Berkeley's job descriptions states that:

“This is a non-sworn classification whereby incumbents perform non-hazardous law enforcement duties such as routine report writing, non-violent crowd control, non-injury traffic collisions, ordinance enforcement, and locating and interviewing witnesses. It is distinguished from Patrol Officer in that the latter perform a variety of peace officer duties involving the protection of life and property and routinely respond to hazardous police emergency calls.”

While the minimum requirement for a Patrol Officer in the City of Berkeley is “Completion of 60 college semester hours”, the CSO requirements are “equivalent to graduation from high school and one year of experience”. Patrol Officers must be able to obtain required P.O.S.T. certification and maintain firearms qualifications. CSOs must obtain P.O.S.T. certification specific to the Community Service Officer classification, and obtain a license for the use of self-defense propellants.

P.O.S.T. training for City of Berkeley peace officers as well as CSOs is performed for the City by the Sacramento Police Department Academy. The CSO Academy is seven weeks in length, consisting of approximately 280 hours of specified training. This compares to 23 weeks and 1080 hours for a patrol officer.

According to the course outline, the training includes report writing, law, evidence collection, cultural relations, interview techniques, crises intervention, first aid, traffic direction and control, issuing citations, and so on.

The 1994 PERF report recommended that up to 18 CSOs be hired. Only 3 CSO positions were established. The Police Department stated that this was due to budget constraints. Interviews with City staff who were hired as CSOs as well as interviews with officers who supervised CSOs, indicate that the program was quite successful.

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One criticism noted was that many CSO's were not assigned to perform the full range of work specified in their job descriptions, and instead were assigned clerical work and front counter work. According to the Police Chief, the front counter was previously staffed by a sworn officer. As a result of the continuing concern over the limited job duties of the CSO's, during the 1998 contract negotiations, the City and Local 790 agreed to freeze the CSO salary for 2 years. This had the effect of lowering the salary range by approximately 6%.

Effective Deployment of Police Resources

Civilianization of sworn positions has been suggested to the City of Berkeley, as well as in many other jurisdictions, primarily as a means to free police resources for more direct public service and specifically, as a way to free up police time for engaging in Community Involved Policing.

However, subsequent to our agreement to perform this audit, budget projections for the City caused the City Manager to ask that all Department Directors submit draft plans for cutting 5% to 10% of their budgets in order to address long term projected budget deficits. Most general fund dollars at the City of Berkeley are spent on Police and Fire Department Salaries. If negative trends continue, a 5% cut for the Police Department would be 1.7 million dollars, or approximately 15 patrol officers at top step, with benefits at the 2003 estimated rates.

If it is necessary to cut the Police Department's budget, it is possible that reassignment of duties could result in salary savings. The cost of an experienced CSO (step five, at the end of five years), with benefits, is just over half of the cost of a comparably experienced patrol officer. (See Appendix A). Civilianizing some of the duties of the sergeant and lieutenant positions currently under study could be done at a substantial cost savings. With benefits, a Lieutenant costs about \$157,000. Because of possible budget cuts the relative cost of sworn and non-sworn is of heightened interest.

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V. Results of Study

We found that expansion of the Community Service Officer program, as well as civilianization of duties currently performed by Sergeants, Lieutenants, and Captains, could enable the City to engage more sworn officers in police work, and Community Involved Policing efforts.

We found a potential for significant cost savings if certain positions were re-designed and partially or fully civilianized. Alternatively, replacing sworn officers with non-sworn can free up substantial resources, since the cost of salaries and benefits for officers are substantially higher than the cost of other employees.

We also found potential for improving the effectiveness and efficiency of operations by civilianizing certain positions, particularly in such areas as accounting, information technology, and management of the communications center.

Specific barriers to civilianizing positions were identified by Police Department employees in the study sessions and in interviews. Issues frequently raised by Police staff include:

- Berkeley needs a large number of armed police officers in case of riots and civil disturbances
- Sworn officers are better employees (more skilled, courteous, punctual, etc.) than non-sworn
- Only a sworn officer can understand the programmatic needs of the Police Department
- Police officers need the promotional opportunities provided by the positions under study which are currently held by higher ranking officers (Information Technology, etc.)
- Many sworn officers opposed any change that would result in a reduction of sworn officers
- Perception that sworn will not take direction from non-sworn

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Statements in favor of civilianization came from City staff in Human Resources and the Budget Office, 790 Police employees and some sworn Police employees, as well as Police management and sworn officers in other jurisdictions:

- The cost savings are substantial
- Non-sworn have more appropriate skills, knowledge, and experience for these positions
- Civilianizing police department positions demonstrates inclusiveness to the residents we serve
- The changes provide more and better service to the community
- These changes would provide promotional opportunities for the non-sworn Police Department employees

In our discussions with Police management in other jurisdictions, we noted two successful strategies for overcoming these barriers to realigning functions in the Department.

- Commitment of the Police management to resolving sworn/non-sworn tension by demonstrating an absolute commitment to making change.
- Creation of a high level civilian manager in the organization (i.e. as a direct report the Police Chief or Superintendent or, in a few cases, to a captain or deputy) may help ensure respectful treatment of non-sworn by sworn, among other advantages. It could be a powerful indicator of the Police Chief's acknowledgement of the skills that non-sworn may possess, and respect for the capabilities and points of view of others.

Given the positive experience of other jurisdictions, and confirmations from City staff and from the January 22, 2002 Police Executive Research Forum Letter (See Appendix B) responding to our inquiry regarding civilianizing the five positions, it appears that non-sworn personnel could effectively and efficiently perform duties currently performed by sworn officers, we are recommending that the Department take steps to allow for increased use of non-sworn employees.

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VI. Community Service Officers (CSOs)

The auditors recommend opening a recruitment for Community Service Officers. The number of positions to be filled, where they should be deployed, and whether the recruitment should be for permanent or project-based positions should be made by the City Manager upon recommendation by Police, Budget, and Human Resources.

This recommendation is based on the need to alleviate the sworn staffing shortage, and the need to deploy more of those officers in direct police services. In spite of concerns expressed by some sworn employees about non-sworn employees in general, most Police Department employees were supportive of expanding the CSO program. The annual cost of an experienced CSO, with benefits, is about \$59,000 or a little over half of the cost of an experienced patrol officer, which is over \$113,000. Because of this, substantially more total staff can be deployed with the same available resources.

CSOs: Police Workshop Results

The summary of the Police 100 % Staffing workshops indicated that there were 82 responses regarding CSOs. Most were in favor of hiring CSOs, but many were qualified by expressions of concern that if additional CSOs were hired that sworn positions would be cut.

Negative responses included a concern that “*Officers looking for special assignments may not get them*” a comment that CSOs have limited abilities when compared to sworn, and (regarding a question of whether to use CSOs to staff Neighborhood Watch-Business Watch) a statement that citizens usually want an armed officer to assure them they are safe.

While many participants suggested that additional positions should be filled permanently, others felt that they should only be filled during the current shortage of officers.

Additionally, CSOs could help the Department improve their overall quality of service and efficiency and open up avenues of opportunity for civilian employees, according to the summarized comments. If staffing shortages

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continue due to future officer retirements, CSOs are a recommended option to help alleviate this shortage.

Employees with CSO experience

The auditors conducted extensive interviews with two of the three CSOs originally hired in 1995, both of whom are now sworn officers with the City. We also interviewed the Lieutenant involved with developing and starting up the Berkeley CSO program, as well as a Sergeant who successfully utilized a CSO on his team in the patrol division. Finally, we interviewed the one CSO who remains on active duty with the City of Berkeley.

Those interviewed were in substantial agreement that:

- CSOs were very positive for the Police Department
- More CSOs should be hired, and
- CSO's skills were not being fully utilized in that they were frequently assigned clerical/administrative work and front counter work rather than performing their primary function as described in the job classification

Some advantages to utilizing CSOs mentioned in the interviews with Berkeley police were:

- Provides an opportunity to understand how the Police Department works, and to become an officer
- Almost all of the officers would like to see more CSOs
- CSOs are good not only because of the tasks they perform, but because they allow the Police Department to see the behavior of a possible future police officer before he is hired as a police officer
- The CSO position is a wonderful, efficient and worthwhile aid to the police mission
- The CSO would transcend beat boundaries, and go all over the City to where help was needed the most. Patrol officers generally stay in their assigned area
- Having both sworn and non-sworn uniformed personnel helps people see the "inclusion" represented by the Berkeley Police Department. This is a good option to have, especially since there might be situations where it is easier for citizens to relate to a non-sworn police employee than a sworn officer

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The interviewees were also asked if there were any disadvantages to CSOs. While all interviewees supported expanding the program, a few concerns were noted:

- Hiring a CSO might take away a job from a sworn officer
- CSOs can't perform sworn officer duties during an emergency activation such as a riot or an earthquake

Interviews with additional Police Department Managers

Senior management in the Department was also interviewed about CSOs. The auditors spoke with the Police Chief and his Deputy, all three captains, and the Lieutenants and Sergeants who are incumbents in the five positions being considered for civilianization, as well as the Sergeant who is president of the Berkeley Police Association.

CSOs were described as “great” if the number of sworn officers was not decreased. Other staff stated that CSOs were currently underutilized. The BPA President supported hiring at least a dozen CSOs, stating that CSOs “*free up the cops*” and are “*a cost effective force multiplier*”.

CSOs: Other jurisdictions results

Of the 28 jurisdictions who responded to our request for information about CSOs, most stated that their Police Departments employed CSOs or a similar classification.

Telephone interviews about the duties performed by CSOs and the level of satisfaction with CSOs were conducted with Police Department management-level employees in the cities of Fremont, Modesto, and Stockton, California and Cape Coral, Florida. Responses to faxed questionnaires were obtained from the Hayward Police Department and from Human Resources staff in Oakland and Sacramento. Job descriptions for CSOs and similar classifications were obtained from 14 jurisdictions.

Number of CSOs

Number of CSOs in the cities contacted ranged from a low of 9 (in Cape Coral, Florida, which also employees 14-15 civilian “code enforcers”) to a high of 60 in Oakland, California. Fremont reported 24 CSOs (and 213 sworn); Hayward, 30 (168 sworn): Modesto 40 (260 sworn) Sacramento 50 (700 sworn), and Stockton 33 (390 sworn).

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Tasks Performed

Berkeley Police Department management had asked the auditors to obtain as much information as possible regarding tasks performed by Community Service Officers in other jurisdictions. Among the tasks reportedly performed by civilian officers in other jurisdictions were the following:

- Generate cold reports including non injury accidents
- Staff telephone reporting unit
- Address issues regarding abandoned vehicles
- Investigate and issue non-criminal traffic citations related to crashes
- Enforce city ordinances (including conducting “neighborhood sweeps” for various kinds of code enforcement)
- Transport suspects and/or suspect’s children and animals
- Assist sworn officers in the field
- Transport and book suspects for drunk driving, perform traffic control
- Staff the Jail and the property & evidence rooms
- Work in investigations with domestic violence and the pawn detail, work in youth services with the diversion program
- Identification technicians; go to crime scenes, take photos, ids
- Oversee the Crime and Education program
- Grant applications and administration
- Recruiting, training
- Crime analysis
- Attend neighborhood watch and business watch meetings
- Maintain visibility by patrolling residential and commercial areas and making special checks in follow-up to citizen requests
- Act as liaison between the Police Department, other City departments, neighborhood watch groups, school districts and neighborhood betterment committees in the area of responsibility
- Respond to citizen letters to the Police Department; prepare data for crime prevention in targeted areas

The Fremont police chief reported that one CSO is trained as a Crime Scene Investigator, and another coordinates 300 volunteers. In Modesto, one does missing persons and another monitors all the pawnshops in the city.

It should be noted that in the City of Berkeley, some of these duties are performed by PSAs and other non-sworn classifications and that there are variances from one jurisdiction to another regarding duties assigned.

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How Satisfied are Other Jurisdictions With Their CSOs?

When asked to rate the CSO job performance on a scale of 1-10, responses were ranges from “8 or 9” to “9”, with comments “Excellent”, or “Great”. Relations between sworn officers and CSOs were described as “9”, great, supportive, or very good by all of the police department staff who responded. They also said that they would recommend establishing the CSO classification in their jurisdictions if they had it to do over again; several said they wanted “more CSOs”.

In our interviews, we asked for the advantages and disadvantages of having CSOs, as well as how the relations were between sworn and non-sworn:

- Ask any cop: Do you really enjoy going out on a three week old burglary or would you rather have hot calls? Now that we have it, they love it.
- It frees up sworn personnel and gives mundane tasks to non-sworn. You’re not taking bread out of the mouths of police officers. Cops love ‘em. If you took away the CSOs and officers had to do their own i.d. and accident reports, they would be really unhappy.
- Very good working relationship – in fact, many of the CSOs have married the officers they met on the job. They aren’t competitive with each other. Some CSOs work for one-two years and then take the test to become officers. Many CSOs really want to be CSOs, and don’t want to carry a gun. Most stay as CSOs, but some move to other positions in the city.
- They’re great. We’ve had them for 30 years; they work on the same teams, on the same shifts, 4/11 and 4/10 as the sworn.
- CSOs generate a lot of revenue for the city and allow the officers more time to perform their duties.
- Commanders are always asking for more. We expanded the number of positions; most started as grant-funded positions and we maintained them when the grants expired and then added more.
- CSOs are very cost effective and can help the department address the call workload at a much lower cost. It would be a waste of resources for a large jurisdiction not to use CSOs.

Several jurisdictions explained that the major advantage of using CSOs was that, for some, it’s a career path for becoming a sworn officer.

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An officer in one city noted that it was sometimes easier to find qualified CSOs than to find qualified officers. He also said that some officers who don't make probation the first time sign on as CSOs for a couple of years and then become police officers.

The Major (deputy) in another jurisdiction said his department *“sold the idea of CSOs instead of officers to the City Council”* based on recruiting and staffing issues, even though some Council Members wanted to hire police, instead. He said that the money and time required to recruit, screen, and train each new patrol officer was so substantial, compared to putting a CSO in place, that establishing the CSOs as a feeder program for police was a better choice. He also found that the CSOs were handling a high volume of incidents:

- I just recently audited the productivity of the unit. They account for 14% of the staff. Last month, they handled 28% of the workload we can measure through incident numbers and they only work 12 of the 24 hours in the day. This month, they handled 32%!

We also asked interviewees to identify disadvantages or problems with CSOs. One police manager noted that there were a few negatives:

- They take a little more time to manage. There is some conflict between sworn and non-sworn.

Suggestions for Implementation (CSOs)

A decision needs to be made about whether CSOs should be hired permanently, or as a temporary measure to relieve staffing shortages and overtime overages, should these persist. For a variety of reasons, including staffing shortages, a budget of about \$1.7 million has been allocated to Police overtime. Eighty-six percent of this budget has been spent 6 months into the year.

The auditors examined the question of whether CSOs who are hired now could be transferred to duties outside of the police department, should the department ever become fully staffed. While staff in Human Resources highly recommended hiring CSOs immediately, the Deputy Director did express some concerns about current budget and the potential for problems if a large number of CSOs had to be flexibly placed in the future, i.e. if they were hired as permanent employees, whose employment rights are protected by the Council's "no lay-off" policy.

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Other jurisdictions employ CSOs to do code enforcement. This suggests that there may be other work in the City that can be performed by CSOs in the future.

In discussions with the City Manager and Deputy City Manager, the auditor learned that the City was planning to allocate more resources to general code enforcement Citywide, and that it was possible that any excess CSOs might be absorbed in this area.

A number of suggestions were made, by sworn Police staff regarding how to make the CSO program work.

City staff suggested:

- For the CSO program to work, it needs to be staffed with a sufficient number of CSOs, and the CSOs need to be given the opportunity to do everything in their job description

A number of City staff, including the Captains, as well as those in other jurisdictions, felt it was important that CSOs be assigned to work closely with patrol:

- CSOs would be best received if they were actually assigned to specific teams as they were in the past
- CSOs should sign in at the same location as Police Officers
- CSOs should work the same hours as the Sergeants supervising them
- CSOs should attend patrol team meetings

The importance of supervision over the CSOs was also noted:

- When I was a CSO, my sergeant made a big difference because he wanted to use the CSO assigned to his team as much as possible

The value of cross training was also brought up. Several employees felt that giving the CSOs the opportunity to learn the jobs done by the PSAs and PSDs (Communication Center, Jail, and Crime Scene Unit) would also be valuable. In order to effect this, one captain suggested that the CSO and PSA job classifications should be combined. This way, new non-sworn hires could start at the jail (currently staffed by PSAs) and then be sent to the academy for CSO training after demonstrating good job performance at the jail. This would allow for more staffing flexibility.

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In a number of other jurisdictions, CSOs (or equivalent positions) are assigned to all of the non-clerical non-sworn positions in police, including dispatch (Communications Center) and Crime Scene Unit. In many cases, there are several levels of promotional categories for the CSOs, including supervisor.

More effectively incorporating CSOs into the Police workforce could benefit the City, and increase police visibility in the community. In addition, a study of patrol resource allocation would be beneficial.

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VII. Civilianizing Five (5) Sworn Management Positions

The auditors were asked to determine whether duties performed by the incumbents of five specific positions in the police department could be performed by non-sworn, rather than sworn, individuals.

Information obtained from other jurisdictions and from interviews with City staff indicate that many of the duties of these five positions should be performed by civilians. The auditors also sent information obtained from the incumbents to the Police Executive Review Forum, whose letter of response (See Appendix B), supports the information obtained from interviews.

Interviews with City staff, and a review of previous City reports on the subject, as well as a review of job descriptions, indicated that, in addition to the tasks of these five positions, there may be other tasks that sworn staff are performing that would more appropriately be performed by administrative personnel.

Although several studies of the Police Department support civilianizing key management positions, the Police Department does not appear to have consistently and successfully incorporated civilian managers into their workforce.

This report does not recommend that duties of any other specific positions be assigned to non-sworn at the present time, but does recommend that the Department take another look at how resources are being utilized.

A 1998 report “Special Report, Kansas City, Missouri Police Department Opportunities for Civilianization” by Kansas City Auditor Mark Funkhouser reviewed criteria and potential for civilianization of a number of positions in the Kansas City Police Department, and included a survey of 15 other jurisdictions. He found that most other jurisdictions surveyed used civilian

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managers for fiscal, information systems, and property & evidence management.

The Kansas City report also includes a letter of concurrence from the Police Executive Research Forum (PERF) with both the methodology used for determining whether a sworn officer is needed, and the appropriateness of civilianizing most of the 78 positions studied.

Our own interviews with other jurisdictions found non-sworn frequently or usually performed most of the duties performed by four of the sworn officers in the five positions we studied. Results on the jail were mixed, and are limited by the fact that many of the other cities did not have jails or comparable jails.

A number of jurisdictions had civilianized all business services, with non-sworn managers who report to the Chief (or Superintendent) of Police. Civilian managers or supervisors for such areas as Information Systems, Budget/Accounting, Personnel, and Records report to these civilian managers.

Some jurisdictions had civilian managers who supervised sworn employees, including detectives, and sergeants. In addition, they supervised non-sworn managers in areas such as Communications Center /dispatch, property and evidence, and i.d. technicians. These managers also reported directly to the Chief of Police or, in some cases, to a deputy or a captain.

Reasons for civilianizing these positions, according to sworn managers in these jurisdictions, included:

- Better candidates to choose from when we recruited civilians instead of officers.
- The biggest single advantage is putting officers back in the field.
- The obvious advantage is cost. Sworn personnel cost more.

Of those officers whose jurisdictions used primarily sworn staff in these positions, some mentioned that patrol experience can be a plus for Crime Scene and Communication Center Managers. Others said it was convenient to rotate an officer who was about to retire into a job where he could “*come in off the street*”.

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Responses from City of Berkeley Police Department sworn staff generally indicated that non-sworn could effectively perform most of the duties of the five positions. However, many sworn officers, even if they stated that non-sworn could perform the duties, indicated a preference for sworn, rather than non-sworn, staff, in all positions.

Responses of Human Resources management and staff tended to be supportive of civilianization of certain specific positions:

- If a civilian can do the work, a civilian can supervise the work
- Morale problems should not be addressed by anticipating that a sworn supervisor will rule with an iron hand.
- During the recruitment process scrutiny is crucial. The skills set offered by the civilian should match the skills set necessary to effectively perform the tasks required of the position.
- The premise for having higher-level positions should not be to provide a career ladder, but that people in those positions have the knowledge and experience that they need to do the job.
- Officers in management and supervisory positions are rotated on a cycle in some of these kinds of positions, so office support staff has at times seemed to know more about the work than did the person who makes 2 to 3 times their salary.

A police Captain in another jurisdiction stated that, in one case, *“based on our experience at the time, non-sworn don’t seem to command the same amount of authority. However, it may just be the individual.”*

The recognition by this Captain that either a sworn officer or a non-sworn officer may perform well, and may command respect, depending on the individual, demonstrates an approach that will be critical to ensuring successful civilianization of any Police tasks in the City of Berkeley.

Adopting this point of view, starting with the tone at the top, and working out to the entire organization, is a necessary step in addressing the historical and existing difficulties the Department is experiencing with employee productivity, retention, and job satisfaction.

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Support Services (Information Technology, Building Facility, and Records Bureau)

The Support Services Lieutenant assigned to Information Technology, Building Facility, and Records Bureau management stated, when interviewed, that about 90% of his time is spent managing all of the information technology functions in the police department. He stated that a civilian could perform those duties, as well as the facility manager duties and the management of the records bureau.

The Lieutenant recommended a senior analyst for the Information Technology function. In fact, he said, the Police Department and the Information Technology Department have been negotiating a plan since May 2001 to replace the budgeted Lieutenant position with 4.5 civilian employees, to be under the direction of Information Technology.

There is substantial support in the Police Department for replacing this Lieutenant position with a non-sworn employee and, in fact, work on accomplishing this for the 90% of his time devoted to Information Technology is moving forward.

According to a January 8 memorandum to the City Manager from the Chief of Police and the Director of Information Technology (IT), which was provided by the IT Director, about 6 full-time equivalent (FTE) employees are currently working on Police IT projects, and they could be replaced by 4.5 civilian employees with IT skills. Regarding the current allocation of the Lieutenant's duties, Police Department management stated that an unusual amount of time was being devoted to IT because of the workload of moving to new software systems. Police Management also stated that the Records Bureau management and Building facility management account for much more than 10% of the Lieutenant's time. These duties are currently being performed by other sworn staff, including a captain and a lieutenant. Because of the extra work caused by the move to the newly completed Public Safety Building, one officer estimated that the time spent, temporarily, on Building Management might be as high as 70% of an FTE. It is not known how much police time is currently devoted to managing Records.

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Other jurisdictions

In other jurisdictions, information technology and records management are generally performed by non-sworn staff. We found two cities with sworn records managers (of 15) and only three (of 16) cities with sworn Information Technology managers or staff. The Chief of one of the three cities with sworn IT management said that he would probably civilianize the position when the incumbent retires “*because of the skills needed.*”

Interestingly, only two jurisdictions had transferred control of Police information technology to the Citywide IT department, as the City is currently contemplating.

- We asked the jurisdictions we surveyed to tell us the advantages and disadvantages of civilianizing this position (or a similar group of responsibilities). In addition to general observations about professional skills needed for information systems managers and the substantial cost savings involved, there was one comment specific to the Records Management function: “*There are professional records management people who were training in the proper handling of records, imaging and the like. They are doing a job they like, not a job that was an alternative to some other less favorable assignment.*”

Negative comments from City of Berkeley staff included concerns that the Department would “*lose police control and hands on.*” Another comment echoed one of the previously identified concerns of officers:

- Conceptually good, but not to replace sworn.

The Deputy Director of HR thought it would be most likely, if the primary function is IT knowledge, that the classification Senior Systems Analyst would be used. She also felt that, if recording and distribution of police reports is a routine clerical function, it should be supervised by an Office Specialist Supervisor.

Auditor’s Analysis

The current plan for re-assigning the IT duties appears to be placing all of them outside of the Police Department, in Information Technology. Certainly, if only one or two positions are contemplated, there is something to be gained from placing them with a larger pool of IT professionals, in

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order to ensure sufficient back-up and cross training. However, there is reason to re-consider this choice, especially if a larger number of positions are planned.

There was a substantial minority of Berkeley police department employees, including top managers, who felt that it was better to have sworn staff manage the computer function. Some of these officers appeared to be simply opposed to any civilianization, and their comments were supportive of the six barriers we have identified. However, some points worth noting were raised:

First, it was pointed out that there is a need for those responsible for designing systems for the department to have a good understanding of the department's operational needs. Other employees expressed the concern that civilian IT professionals may not be as responsive to Police concerns. The Captain's comment that the entire Police experience is needed when it comes to configuring the automated systems in the Police Department deserves serious consideration.

Sworn Police staff expressed very high levels of concern that non-sworn can't perform many of the tasks under review because only a sworn police officer can understand the needs of the department. A number of officers objected to assigning any computer tasks to non-sworn, for this reason. Given that some feel that this is the case even for clerical and administrative positions, it is important for the Department to resolve how operational knowledge and technical knowledge can be combined to sustain the mission-critical systems in the Police Department. If Police staff feel that civilian professionals, even working under the direction of command staff, will not understand the needs of the department, this is an argument for working together more closely, not for reassignment to another department.

Secondly, police department employees expressed concern that, if these positions are located in Information Systems, the service may not be as good as if the positions are under Police control. This is particularly a concern given the difficulty in establishing how many positions are needed to do the work. The internal report states that the two police department employees with major responsibilities for the systems say that "*despite their efforts, both report that they feel they are barely keeping the system afloat and cannot devote adequate time to improving and tuning systems.*" IT states that by standardizing BPD's hardware and software, they might be able to

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perform the IT function with 4.5 FTE, rather than the 6 that they state are currently in place. To the extent that the number of positions needed is still a matter of disagreement, there appear to be risks to both parties in transferring resources.

Third, although other jurisdictions are pretty much in agreement that all of the Lieutenant's duties should be performed by non-sworn, most have located the position within the Police Department, according to our limited survey of other jurisdictions.

Based on our research, the auditors feel that the basic problem to be solved, with the IT positions as well as with other positions, is that non-sworn who are subject-matter experts in their own areas need to work closely with other Police staff who have experience in patrol, or overall Police administration.

Finally, based on our analysis of the barriers to civilianization of any positions in the Department, it may be that locating a civilian IT unit within the Police Department could be an important part of an overall strategy to realign duties so that they are performed as effectively as possible. Based on the study and the interviews, most Police employees do appear to recognize that information systems work requires some very specific expertise that they themselves may not possess. As with the interviews about CSOs, there were fewer negative comments about non-sworn in general when the discussion turned to IT. For this reason, if the Department is interested in civilianizing any positions, or in improving relations between sworn and non-sworn staff, locating the new, non-sworn IT group within the Police Department might actually be part of an overall plan to accomplish this. We would recommend that IT be placed under direction of a civilian Business Manager, as many of the other jurisdictions have done.

Duties of Information Technology, Records Bureau and Facilities Management currently performed by sworn can be performed by non-sworn with equal or better effectiveness, at less cost. The Police Department should move forward with civilianizing the position or positions needed to maintain the Department's computer systems, but should also seriously consider maintaining these positions in the Police Department. This decision should be made in the context of hiring a civilian business manager to whom these positions would report.

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Bureau of Inspection and Control (Budget)

The auditors recommend that the Police Department assign substantial portions of the budgetary and fiscal duties now being performed by the Lieutenant to a non-sworn employee who has successfully completed college coursework in accounting, budgetary accounting, and statistics and who has a good command of the FUNDS\$ (the City's financial management information software system) general ledger, purchasing/inventory, and payroll software, the city's contracts, payments, and budget systems, as well as proficiency with spreadsheet software.

Primary tasks performed by the Inspections and Control Lieutenant, according to an interview with the Lieutenant, are:

- Reviewing and authorizing invoices for expenditure, preparing and monitoring the budget, filling out forms for grant reimbursement, monitoring the police department's 13 grants and invoicing them
- Completing research projects such as providing the ICMA Center for Performance Measurement with information about BPD service-delivery performance
- Reviewing background of police department hires and making hiring recommendations to the Chief of Police
- Performing the bi-annual staff audit and annual inspection of the property room
- Coordinating update of the General Orders, monitoring and maintaining all asset forfeiture accounts, and working on contracts, including updating and maintaining mutual aid agreements, and managing the Crowd Management Team

The range of duties in the fiscal/administrative/budget area appears appropriate for a number of possible classifications, ranging from Senior Accounting Office Specialist III or Accounting Technician to a Senior Management Analyst with an accounting background and good computer skills.

Police Staffing Audit

BIC (Budget) Lieutenant: Other Jurisdictions

Our inquiries of other jurisdictions focused on the budget, fiscal management, and accounting/administration portions of this position. The Lieutenant estimated that budget duties account for 50% of her time.

It was unusual, in the jurisdictions surveyed, to find sworn officers performing these particular duties. We found only two out of 16 cities with sworn staff performing budget duties; in thirteen cities, these duties were performed by non-sworn employees. Regarding grants, these duties were performed by non-sworn staff in six jurisdictions, and by sworn in two. The Kansas City study of 15 other jurisdictions reported that only two other cities had sworn Fiscal Unit staffing at that time.

Police staff in other jurisdictions stated that there was no need for fiscal/budgetary/grant monitoring responsibilities to be performed by sworn officers, and also that these tasks required special skills unlikely to be found among sworn officers.

Budget/Fiscal tasks: City of Berkeley Staff Interviews

The auditors interviewed the Budget Manager, the Deputy Director of Human Resources, and the budget analyst in the City Manager's Office who is assigned to work with the Police Department on budget monitoring.

According to the Budget Office, college level courses in accounting, including cost accounting, fund accounting, and fundamentals of public budgeting, as well as proficiency in the city's FUNDS financial management system and proficiency in spreadsheets and database applications are key requirements for budget staff in the departments.

Budget Office staff also stated that familiarity with the operational issues of the department was an important component of budget monitoring; however, in his opinion, while some of the budget tasks of the Police Department required "some accounting units", most of the tasks were clerical in nature, and should be performed by an analyst.

He also mentioned the importance of having good cooperation between police management and the person performing the task: *"The attitude of police staff could be a problem for a civilian budget person. If the police don't cooperate with the budget analyst/accountant, he or she will fail."*

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Human Resources also suggested that an analyst with some college accounting or budgeting background could perform all of the budget-related duties.

One barrier to filling the budget position with an analyst is that there is no requirement in the City's job classifications for analyst that those assigned to budget duties may be required to complete college accounting classes and demonstrate proficiency in FUNDS. The auditors would recommend that, if Police wish to civilianize these duties, such language be added to the current minimum qualifications for the management analyst classification, or a separate budget analyst classification be developed.

Since Department Directors have been asked to proposed 5 to 10% cuts in their General Fund Budget, it seems likely that there will be a number of mandatory positions cuts in all departments. Because of the Council's no-layoff policy, and protection offered in the Memorandae of Understanding with the various employee budget cuts, incumbents of cut positions are generally the subject of involuntary transfers to other departments. If the Police hired an analyst with an accounting background, and he or she was "bumped" by an analyst without an accounting education, implementation of our recommendation would not achieve the intended results.

Police Department Interviews

The Lieutenant assigned to these duties stated that she felt that a non-sworn employee could perform some of her current tasks. However, she felt that a sworn officer was needed in order to develop and monitor the budget, and review and approve all invoices, as well as updating General Orders, research projects, and applicant background review.

Captains interviewed generally were unenthusiastic about civilianizing this position, and stated:

- A non-sworn "*could*" perform the budget duties, but that "*lots of officers have the experience needed to perform the budget duties*"
- A sworn manager means another sworn officer that is available to go out in the field in an emergency
- If Berkeley replaces any of the five positions with non-sworn, these non-sworn managers will have to be given the same managerial power

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- When a non-sworn analyst was working with the BIC Manager, the analyst's lack of police officer experience was a problem

The Sergeant who serves as President of the Berkeley Police Association (BPA) stated that the position should be a civilian financial officer. Responses from both the Police Chief and the Deputy Police Chief indicated that this particular position was the one, of the five, that should absolutely not be civilianized.

Auditors Analysis

It appears that non-sworn could perform many if not most of the Lieutenant's fiscal and budgetary duties. It also seems likely that certain tasks would be more effectively performed if a combination of appropriately qualified people could work together.

According to the Budget Officer, a combination of skills in accounting, FUNDS knowledge, and facility with spreadsheets, databases, and review and reconciliation of quantitative information needs to be combined with a knowledge of the operations of the department, in order to improve the effectiveness of the Police Department's budget monitoring, grants monitoring, and the like.

We would recommend civilianizing certain aspects of this position only, as part of the civilianization of the other positions. Clerical accounting duties should be assigned to skilled clerical accounting staff (possibly at the Accounting Technician level) and/or all of the fiscal duties could be assigned to an analyst with some college level accounting, and the requisite computer experience and expertise. Management, whether that is the Lieutenant, a Captain, the Chief or Deputy Chief simply needs to ensure that the individual assigned to these responsibilities either has or gets the information, and the training, needed. Management also needs to review and approve the summary results of the work.

It may be that existing clerical and analyst individuals in the department could be encouraged to acquire the necessary college courses and fiscal/computer experience skills to take on more of these responsibilities. If the Police Department can promote and hire from within, they may find staff with a better programmatic understanding of the department, who will be a "better fit." This would help address the concern voiced by staff that non-

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sworn who take on responsibilities in the Department sometimes “don’t work out.”

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Communications Center

The auditors determined that civilianizing the management of the Communications Center would not only free up a Lieutenant for police work, but could potentially result in less staff turnover and absenteeism.

- The Lieutenant currently managing the Communications Center, and all of the command staff interviewed (Lieutenants, Captains, Chief of Police and Deputy Chief) stated that a civilian could do the job, if they had the right skills.
- Most Jurisdictions we surveyed use civilian managers for their Communications Centers. Fremont, currently sworn, is about to move to non-sworn because they are merging with fire; two, Oakland and Modesto, are still managed by sworn.
- Most of the employees participating in the Department's "100% staffing" workshops felt that this position should be civilianized.
- Human Resources staff supported serious consideration of civilianization, and provided information about the history of problems with the Communications Center and the actions that should be taken to address these problems.
- The attitudes and behavior of sworn officers was the most frequently mentioned barrier to this change. It was also a frequent argument for civilianizing the position.

Communications Center: Other Jurisdictions

We asked Police managers in other jurisdictions who had civilian Communication Center managers to explain the advantages and disadvantages. None noted any disadvantages. A number of cities civilianized this position when Police and Fire dispatch were merged. In one city which took this action, there were sworn police dispatchers and non-sworn fire dispatchers reporting to the civilian manager. The captain interviewed stated that there were "growing pains" when sworn officers were first assigned to report to non-sworn, but that the transition had been successfully accomplished.

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Advantages mentioned included:

- Well-trained telecommunicators handle the supervision. These are people who like doing the job, are trained for the job, and have extensive experience doing the job. There are obvious cost benefits.

Background – Communications Center

As noted in the background section, recurring problems in the Communications Center have been observed over the years, many related to the behavior of both sworn and non-sworn employees. Tensions between sworn and non-sworn have been periodically targeted for improvement according to the Police Chief. The Police Department moved toward improving relations by not only holding staff workshops but also establishing a morale squad.

Problems of staff shortages, due to staff turnover and to a high level of sick leave and workers' compensation leave was observed. The Lost Time Report from the City's payroll system for the period 1/01/2001 to 10/31/2001 shows that the communication center division had an 10.49% lost time rate due to sick leave, workers compensation, etc. This compares with a 6.24% rate in Patrol at that time, 2.08% among 790 PSAs at the jail, and rates of .96 and .55 % for some of the smaller units outside of the Police Department which are primarily staffed by 790 clerical staff.

In December of 1999, the Berkeley Police Department was issued five Cal-OSHA citations, including "*a serious citation for violation of the state's ergonomics regulation*" at the Communications Center, which was then located at 2151 McKinley Avenue. Abatement measures which had not yet been implemented as of February 2, 2000, according to a letter from the OSHA, included equipment modification, lighting, and two additional areas which are cited in our January 2002 interviews with staff:

- Ensuring that the years-long understaffing of the Communications center, which has resulted in substantial mandatory overtime for dispatchers, is eliminated by fully staffing the unit.
- Ensuring that the Communications Center in the new building has the equipment, work procedures, and employee training required to minimize hazardous ergonomic exposures and resultant injuries.

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As the report also noted, the Communications Center was scheduled to move to a new building in mid-2000. According to the City's Employee Safety Coordinator, in a January interview, new equipment was installed "about a year ago."

According to subsequent City reports back to OSHA, as well as interviews with the dispatchers, their union representatives, and Human Resources, it appears that steps were taken aimed at alleviating the conditions noted in the OSHA report.

In addition, according to Chief Butler, in a meeting with the auditors on February 5, he has been aware that there were problems at the Communication Center and he and the Lieutenant have taken the unit under their wings to make positive changes during the previous 3-4 months.

One indicator that conditions may have improved during the last few months is the Lost Time reports for the months of December 2001 and January 2002, which show lost time for the unit at 3.06% and 5.05% respectively. Continued improved was noted in the February Lost Time report which showed lost time for the unit at 3.26%.

These numbers are still high compared to some of the other desk jobs we sampled. In addition, statements made to the auditors from Human Resources and 790 staff indicate that there is more work to be done.

In our review of Lost Time reports, the auditors noted that there are other divisions in the Police Department which demonstrate significant levels of "lost time" during the period studied (January 2001 through February 2002). Most notable are the Traffic/Safety division (sworn officers) and the Traffic/parking enforcement division (non sworn employees supervised by sworn).

According to the budget office, workers' compensation costs for the Police Department for the next fiscal year is estimated at nearly \$1.7 million dollars. These costs are in addition to the costs represented by the cost of salary and overtime needed to provide coverage for the employee "lost time."

We commend the Chief of Police for demonstrating that the lost time rate can be reduced by management action, in the case of the improvement in the

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Communications Center. At the same time, we recommend that the Department, and, indeed, the City, increase their efforts to reduce avoidable lost time due to illness and injury.

Human Resources

The Safety Coordinator for the City (HR) indicated that, now that the Communications Center has moved and there is new equipment, he believes that the issue of the equipment itself has been resolved. He felt that, after a year, staff were getting used to the new equipment.

However, he identified an ongoing need for individual adjustments or special equipment in some cases. The most important need currently, he said, is a training need. Since September, he has performed three employee work station evaluations in the Communications Center, one for each of the three shifts, and provided information informally to staff who were available at the time.

He indicated that short staffing in the Communications Center may contribute to the high rate of sick leave and workers' comp leave among the employees.

All of the Human Resources staff interviewed felt that this position should be civilianized, or should be strongly considered for civilianization. Their reasons included:

- It is important that people in these particular supervisory positions have been there, and have done the job themselves. That is not necessarily the case when a law enforcement officer has been made the supervisor simply because he/she has a background in law enforcement.
- The supervisor should be *specially trained* to manage in a high stress environment. It does not logically follow that the training need have been acquired in a police academy setting or on the job as a police officer.
- We should develop a new classification for this position. The individual should have experience working in dispatch.
- Having a civilian dispatch manager may help employee morale

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Police Non-Sworn Staff Interviews

Interviews conducted with 790 representatives and Communications Center staff on January 24 and January 31 acknowledge progress has been made. The dispatcher who serves as the Local 790 Shop Steward for the Communications Center noted that some positive changes had recently happened in the work place: a 4 day/10 hour work week was implemented, and some dispatchers have returned to work after being on workers' compensation.

However, she, and other union representatives, stated that there were more improvements to be made, and that dispatchers felt that introducing a skilled, experienced civilian as manager, and giving that person the authority to manage, would help improve conditions in the Communications Center. A number of specific areas were noted:

Ergonomics:

The 790 representatives expressed concerns about the ergonomics quality of the equipment. (Note: The Police Chief subsequently stated that the new equipment is of the highest quality). As previously noted, the Safety coordinator has stated that he is continuing to address any individual needs for adjustments or special equipment. Both expressed confidence that past problems in this area are being or have been resolved.

The 790 representatives also noted that the Occupational Health and Safety Coordinator had recently provided ergonomic training to the day shift dispatchers, but not the graveyard and swing shift. (Note: While Human Resources has stated that the equipment problems have been resolved, they do note that the ergonomic training is still in progress).

Supervisor's responsibility to staff and to train (obtain resources):

Dispatcher stated that trainers for sworn staff were sent to Certified Training Officer school, but trainers for dispatchers were not, and that this fueled a perception that sworn officers did not "care about" the dispatchers. They also noted that managers had allowed dispatcher staffing levels to fall below required levels, and that dispatchers were not allowed to take required breaks. (Note: the latter is a condition that the Police Chief states has now been resolved).

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Experience needed by Communications Center Managers:

The dispatchers noted a number of specific problems with sworn managers, some of which they specifically linked to lack of experience. In explaining why the Department should “*hire from within*” and promote an experienced dispatcher to run the Communications Center, they suggested:

- The Communications Center gets a new sworn manager about every three to four years. A civilian manager would provide continuity and a career track.
- A civilian manager, with dispatcher experience/knowledge, could identify and correct equipment and staffing problems more quickly than the sworn managers have
- They (sworn managers) do not know what the Dispatchers do.
- The sworn managers always want to implement a police structure

(Note: In response to his review of the auditors’ draft report, one captain noted that the Police Chief, Deputy, and Captains had previously worked in the Communication Center)

Perception issues:

Dispatchers and 790 representatives also stated:

- When half the dispatcher positions are vacant, the dispatchers stress out and need mental days off. It would help if the Communications Center had a manager that was more sympathetic to this stress.
- Supervisors too often wait until the last minute to schedule a dispatcher to fill in for someone, even though the condition was known weeks ago.
- The Communications Center is always the last area thought of, even though it is at the heart of the Police System.

Protection against other sworn officers

Dispatchers stated that sworn managers do not stand up for the dispatchers. They also expressed concern that, if a non-sworn manager is not properly empowered by Police Management, he or she will be “*over-ridden by the sworn officers*”. (Note: The Police Chief stated in a subsequent interview that management has addressed problems with the sworn officers, and that he believes conditions have improved.)

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Interviews with Sworn Staff

The perception that sworn managers in the Communications Center don't support the dispatchers was supported by one captain who stated:

- Supervising sergeants are responsible for stopping bad police behavior. However, they too often defend the members of their team, rather than focusing on resolving communications problems

Interviews with sworn police staff, including command officers and one sergeant, revealed that many of the same concerns expressed by the dispatchers were shared by the officers. Previous reports on Police staffing indicated that tensions between the patrol officers and the dispatchers were a serious problem and that it interferes with service delivery. Based on our interviews, the problem, or the perception that there is or may be a problem, has not gone away.

Although all of the command staff interviewed felt that a civilian could do the job, provided she or he had the right combination of skills and experience, one sergeant had another point of view. He said:

- This manager needs to be sensitive to the needs of the cops on the street. Many cops feel like the cops and the dispatchers are not on the same team, and to have a civilian...would be a step in the wrong direction.
- The radio is the police officer's link to safety, and I want a cop to run it. Dispatchers need to think like a cop...take orders without questioning.
- When an officer is chasing a suspect, and is yelling at a dispatcher, dispatchers get upset. This is something that a cop would not do and cops should not have to deal with this.

Command staff who felt that the position could be civilianized, but felt that a civilian would have trouble getting cooperation from the officers, remarked:

- The Communications Center Manager does not have to be a sworn position, but a sworn manager carries more clout...if officers intimidate the dispatchers (Patrol Officers do not always treat non-sworn dispatchers well), it can ruin the Communications Center

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- The Communications Center staff has had behavioral issues. A lieutenant is more effective than a sergeant in managing this unit.
- Having a sworn manager at the Communications Center also helps get rid of the sworn officer versus non-sworn dispatcher problems
- Berkeley should implement a much tighter radio policy, similar to what is used in San Jose and Oakland, with severe consequences for improper behavior. A sworn officer could enforce a tighter radio policy than a non-sworn employee...a Police Sergeant should work on the radio, have the opportunity to hear what is going on, and tell officers and dispatchers to stop improper behavior right when it occurs.

Effective use of resources

For some time, the manager of the Communications Center was a Sergeant. The position was re-classified as a Lieutenant position in order to resolve problems with the unit, some of which are documented above. The Chief stated that conditions in the Communications Center were greatly improved and that more improvements were ongoing.

The City Manager has expressed concerns about lack of availability of Lieutenants and Captains for certain shifts such as weekends. This situation is likely to be exacerbated due to the upcoming retirements. If the position were civilianized, this Lieutenant could be assigned to other duties, doing direct police work.

Auditor's Analysis

Non-sworn interviewed, including staff in Human Resources, are suggesting that the best supervisor for the Communications Center is a person with extensive experience working as a dispatcher. Police Command staff, as well as dispatchers, are concerned about abuse of dispatchers by patrol officers, and the possibility that a civilian manager may have even more difficulty than a Lieutenant in stopping it.

It is worth noting that other jurisdictions employ a large number of Community Service Officers and that, in many cases the CSOs are cross-trained as dispatchers and jailors. In some jurisdictions, all of the non-sworn who perform tasks performed by our PSAs (Crime Scene Unit and Jail) and PSDs (dispatch) fall under the Community Service Officer classification, which has a variety of promotional levels, including supervisory. It may be that the use of CSOs in these cities and the civilianization of the

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Communications Center and other management are two mutually supportive actions.

Civilianizing management of the Communications Center can free up resources for police work, and may be part of a larger effort to improve service delivery.

Suggestions for Implementation

If the Department is to hire or promote an experienced dispatcher who is currently working for the City of Berkeley, as has been suggested, there will be a need for evaluating the requirements of the job, and for transmitting clear expectations to potential candidates in the department regarding what skills, knowledge, and training they will need to have or obtain in order to be considered for promotion.

Police Department sworn managers suggested:

- If Berkeley replaces any of the five positions with non-sworn, these non-sworn managers will have to be given the same managerial power that the sergeant or lieutenant had that they are replacing. It would have to be made clear to all officers that they will be insubordinate, as if disobeying a sergeant or lieutenant, if they do not do what the non-sworn managers instruct them to do. This directive will have to come from the Chief.
- Now the unit is operating well and the staff is content. The Lieutenant is doing a good job of enforcing the rules. However, a non-sworn manager could manage the division if the right person was hired. That person would have to be assertive, a good listener, and rules oriented.
- Command presence eliminates a lot of the inappropriate police staff behavior. If a non-sworn were hired, the department would have to develop some way to establish a command presence between the officers and this manager.
- For all four managerial positions, civilian managers would need to be given the authority to manage, or they would be set up to fail. They would also have to have, or be provided with, the necessary power skills (management training).

Human Resources staff advised:

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- The individual needs a strong management background: strong in the understanding of motivational techniques, teambuilding, and the analysis of work methods.

In order to facilitate potential hiring from within, the Department should prepare to civilianize the Communications Center management by clarifying the skills, knowledge, and abilities needed for promotional opportunities, implementing a program of civilian staff training, and re-deploying civilian staff positions enabling the department to fill the Communications Center manager position with a skilled, experienced, civilian employee.

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Crime Scene Unit

The Crime Scene Unit/ID Sergeant supervises the Crime Scene Unit (CSU), Property Room, and Warrant Detail. Duties include the following:

- Supervises four PSAs, who work as investigative technicians, in the CSU. At major crime scenes and fatal automobile accidents, videotapes / photographs the scene, and makes sure that all important evidence is identified and collected.
- Performs fingerprint comparisons and some specialized lab work, such as serial number restoration.
- Manages the CSU budget, deciding what to buy, replace, etc. Prepares monthly CSU activity reports for his supervisor.
- Spends approximately 25% of time on special projects.
- Supervises the Sr. PSA in the Property Room. Proposes and implements (if approved) policy changes to correct problems in the Property Room.
- Investigates whether guns can be returned to their owners, or need to be destroyed.
- Arranges for suspects, that have been arrested in other jurisdictions under a Berkeley warrant, to be 1) transported to Berkeley or 2) issued a citation (court date) and released. Supervises the Warrant Officer.

The Police Department should re-assign most of the duties of this position to non-sworn staff in order to free up resources for other priorities. Police should address the perceived difficulty that civilians may experience a lack of cooperation from sworn officers at crime scenes, by analysis and by management action, before the realignment of work is effected.

We based our recommendation on an analysis of the duties of the position, including the number of people supervised, the potential for cost savings/freeing up an officer for other duties, the preponderance of civilianization in other jurisdictions, and the degree of concurrence from Police Department staff.

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Except for warrants, most City staff interviewed, including the incumbent Sergeant, felt that a civilian could perform the Sergeant's duties, and, in most jurisdictions surveyed, the Crime Scene Unit management and Property Room management are currently being performed by civilians. Supervision of the warrant function was half and half in our survey.

Redeployment of Resources

Police staff suggested creating a Supervising PSA position, which presumably would be paid more than the Senior PSA classifications, who currently supervise the PSAs. We compared the cost of a sergeant at the top step to the salary of the Supervising Public Safety Dispatcher (SPSD), at top step.

If staffed at the SPSD level, the Crime Scene Manager would be paid somewhat less than 56 percent of the sergeant or about \$57,360 dollars less than the sergeant.

If the newly-created classification is paid at the same rate as the current Supervising Public Safety Dispatcher, annual salary with benefits will be \$73,500, compared to \$130,860 for the Sergeant, a savings of \$57,360.

This would be enough to fund:

- 1 Community Service Officer
- Over 60% of a new (first step) patrol officer, or
- Over 50 % of an experienced (step five) patrol officer

City Staff Results

Sworn City staff raised general concerns about the benefits of freeing up a Patrol Sergeant, vs. the concern that, if the end result were to eliminate the Sergeant position, there would be fewer officers in case of emergency, and one less promotional opportunity for patrol. Non-sworn employees interviewed were enthusiastic about the creation of a promotional opportunity for the PSAs.

Regarding the specific responsibilities of this position, some staff commented that the functioning of the unit might be improved because a civilian would probably stay in the position longer. Some stated that, since Sergeants had to be trained, civilians could be trained, and felt that the PSAs

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in place were more knowledgeable than the Sergeants who rotate into the position to supervise them.

The issue of whether patrol officers would treat a civilian manager respectfully was raised again. The concern was that, at a crime scene, a Patrol Officer might not take direction from a non-sworn supervisor, and would request that the Crime Scene Manager make requests of the officer's sergeant, rather than of the officer at the scene.

One officer, who felt that the Crime Scene Manager should be sworn, stated:

Sworn have field experience that helps them know what evidence to collect at a crime scene. A sworn manager can also help keep a crime area secure after the other sworn officers have left. Otherwise, Crime Scene staff would be left to collect evidence unprotected. Additionally, a sworn Crime Scene Manager can provide training to the PSAs so that they know how to stay safe and feel safe if they are alone out in the field.

In an interview with PSA and other Local 790 staff, however, an alternative viewpoint was offered:

A civilian could manage the Crime Scene Unit because the PSAs are basically doing that now. PSAs are not having any problems with their Sergeant manager. PSAs are handling all the crime scenes, even some of the murder crime scenes, by themselves. The sergeant that manages the unit is seldom out in the field.

Suggestions Regarding Implementation:

1. One captain suggested that the Crime Scene Unit, Property Room, and Jail could be managed by civilians, and that they could report to the same sergeant, freeing up one sergeant position.
2. The Captain, and also the incumbent Sergeant, suggest that the Crime Scene Manager should be sent to a POST certified class in fingerprint comparisons, to become a court-qualified expert.
3. Regarding warrants, Human Resources states that, "*at one time, the warrants were served by sworn personnel, but the office work involved was performed by clerical staff.*" The suggestion is that

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clerical staff can prepare warrants, and patrol staff, rather than one dedicated warrant server officer, can serve them.

4. An alternative for filling this position would be to create more flexibility between the CSO, PSA, and PSD classifications, so that the position could be a promotional opportunity for a CSO with extensive patrol experience. This might address the concern that the Crime Scene Supervisor should have patrol experience.

Assuring that there are enough experience officers out in the community was one of the concerns that the City Manager hoped to address by targeting positions for civilianization. This concern was brought forward in the PERF report as well:

“Lieutenants and sergeants should play a greater role in direct field supervision and spend less time in the police building performing administrative tasks...As a byproduct of spending more time in the field, lieutenants and sergeants should respond to an increased number of calls for service to assist officers and observe their performance.”

Most staff interviewed did not indicate that they thought anything would change in the Support Service Unit if a nonsworn supervised the unit. Alternatively, it appears likely that a sergeant can be freed up for police duties, with little impact to service delivery in the Support Service unit, if this position is civilianized.

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Jail

The Jail Sergeant is responsible for the supervision of three Supervising PSAs at the jail. These supervisors, in turn, supervise 12 PSAs.

In our interviews and research, the auditors found a basis for considering civilianization or restructuring of the position. According to the Police Chief, the planned move of the County courthouse will necessitate considering changes to this unit, in any case.

Our ability to form an opinion as to whether the jail manager position had been successfully civilianized in other cities was limited by the fact that many of the other cities surveyed did not have jails, or did not have comparable jails. Of those who responded to our surveys, three jurisdictions were managed by non-sworn employees (Hayward and San Bruno in California, and King County, Oregon) and four by sworn (Chicago, Oakland, Fremont, and Roanoke, Virginia.)

Some of the civilian staff and 790 representatives felt that some of the sergeant's responsibilities were already being performed by staff when he was unavailable, and others could be learned and successfully performed by an experienced PSA. The sergeant acknowledged that, when he is off-duty, the jail is supervised by Senior Police Service Assistants.

However, the Sergeant felt that a civilian could not perform his duties. Many of these reasons he gave had to do with his experience about how sworn officers relate to non-sworn employees.

One PSA currently working at the jail, who was present during the interview with the Sergeant, confirmed that he liked having a Jail Sergeant because, if Patrol Officers will not listen to him, the Jail Sergeant will step in and deal with the police officers.

Another PSA recommended a civilian manager, stating that the PSAs have been at the jail for a long time and perform much of the work the Sergeant

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does, especially when the Sergeant position is vacant and inexperienced patrol officers are assigned to run the jail.

Union representatives also stated that they felt civilian managers can handle situations where the Patrol Officers try to get away with not following jail rules, as long as they have been given the authority to direct the Patrol Officers.

The jail instructor we interviewed (who performed training for Berkeley Jail Sergeant) felt that there was no reason why a non-sworn employee could not manage the jail, as long as they received proper training. However, he stated that sworn officers would treat civilian jailors as “second-class citizens.”

In the case of the situation in Berkeley at present, he recommended that the Sergeant remain as the jail manager and report directly to the Police Chief, because he felt that the Berkeley jail was only minimally staffed, even when there were no position vacancies.

According to the Jail Sergeant, 4 of the 12 PSA positions in the jail are currently vacant, for which reason he is personally filling in on their shifts. He stated that there is not a pool of qualified PSA applicants to choose from, or a current eligibility list. In addition, PSAs who work in the jail are sent to the Sacramento Police academy, where they receive 176 hours of training in jail operations. Including the month or more of Academy training, the Sergeant stated that it takes about 4 months to train a PSA to operate the jail. This means that staffing shortages in the jail will not be quickly resolved, even if recruitment begins immediately.

Since the jail instructor felt that the current budgeted staffing level was insufficient, he suggested that Berkeley hire 2 more Supervising PSAs for the Jail, so there would always be a supervisor on site. Then the Sergeant could be a general manager, but have other duties outside the jail. (Note: At a meeting with the auditors on April 9 to discuss the draft of this report, the Police Chief stated that a current eligibility list has been provided and the vacancies should be filled by May 31.)

Most City of Berkeley sworn staff interviewed felt that a civilian “could” handle management of the jail, or were open to the idea, though many raised some concerns specific to the requirements of the jail.

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The auditors recommend that the City Manger consider civilianizing or restructuring the Jail Sergeant position. The auditors further recommend that, if the City decides to keep the jail function, it should be fully staffed.

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VIII. Conclusion

There are significant opportunities for the Police Department to provide a stronger Police presence in the community, by implementing our recommendation that a careful and coordinated plan to re-assign appropriate tasks to non-sworn employees be developed and implemented.

A number of the jurisdictions who had successfully civilianized their fiscal, budgetary, accounting, grants, information systems, records management, and, in some cases, i.d. bureau, property room, communications center management, and other skilled technical positions, had these units reporting to civilian managers at a very high level. Some of these civilian business managers reported directly to the Chief of Police/Superintendent of Police, with a rank of Deputy, Captain, or Commander. Others reported to Captains. In many cases, these civilian business managers had oversight over a combination of sworn and non-sworn employees.

Other communities have successfully civilianized many of the duties of the positions we were asked to study. Police management in other cities, in our telephone interviews, were highly enthusiastic about expanded Community Service Officer programs, as well.

The City Manager needs to work with the Police Department to determine how to implement these recommendations within current budget constraints, as well as to establish a methodology for addressing concerns about staffing specific to emergencies.

The Human Resources Department will need to continue to provide expertise in evaluating, amending, and establishing the required job classifications and recommended salary levels. Human Resources, with help from Information Technology, can also provide management reports that can help address significant issues in time lost due to sick leave and workers' comp.

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The greatest challenge will be for the Police Department to address the existing and future conflicts between its sworn and non-sworn employees, for better delivery of service to the Berkeley Community.

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IX. Findings and Recommendations

Community Service Officers (CSOs)

More effectively incorporating CSOs into the Police workforce could benefit the City, and increase police visibility in the community. In addition, a study of patrol resource allocation would be beneficial.

Recommendation 1: Recruitment of CSOs

The Police Department should open a recruitment for Community Service Officers. The number to be hired, and the decision as to whether to hire them as temporary, or as permanent employees, should be made by the City Manager after joint evaluations are prepared by Human Resources, the Police Department, and the Budget Office.

We recommend that once additional CSOs are hired, and after a reasonable period of time, perhaps two years, the use of CSOs be evaluated to determine whether they were used effectively by the Police Department. We further recommend that after the two-year period the number of CSOs to be hired or maintained be evaluated to optimize their effective integration into the Police Department.

Police Department's Response:

Agree. If funding exists to temporarily or permanently staff CSO positions, as the Police Department has been approved to overfill vacant positions (see 1994 P.E.R.F. study). Will report back to Council on feasibility of funding by September 30, 2002.

The Police Department has converted the below listed positions from sworn to non-sworn over the past few years. This was done as part of routine evaluations and organizational improvement efforts.

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Summary Of BPD Non-Sworn Classification Converted/Established (Per BPD)	
Original Position	Non-Sworn Position
✓ Police Sergeant (Administration)	FY 01/02: <ul style="list-style-type: none"> ✓ Senior Management Analyst ✓ Assistant Management Analyst
✓ New Non-Sworn Position	FY 99/00 <ul style="list-style-type: none"> ✓ Established Volunteer Coordinator
✓ New Non-Sworn Position	FY 98/99 <ul style="list-style-type: none"> ✓ Associate Management Analyst
✓ New Non-Sworn Position	FY 97/98 <ul style="list-style-type: none"> ✓ PSD I (call taker)
✓ Police Officer (Personnel & Training)	FY 94/95 <ul style="list-style-type: none"> ✓ Assistant Management Analyst
✓ Police Sergeant (Report Review)	FY 94/95 <ul style="list-style-type: none"> ✓ Supervising OAH (Data Entry/RR)
✓ Police Officer (Computers)	FY 94/95 <ul style="list-style-type: none"> ✓ Information System Specialist
✓ New Non-Sworn Position	FY 95/96 <ul style="list-style-type: none"> ✓ Community Service Officer
✓ New Non-Sworn Position	FY 1980's <ul style="list-style-type: none"> ✓ Alarm/Community Services PSA
✓ Police Sergeants (Communications Center)	FY 89/90 <ul style="list-style-type: none"> ✓ Senior Public Safety Dispatcher
✓ Police Sergeants (functional supervision)	FY 86/87 <ul style="list-style-type: none"> ✓ Senior Police Service Assistant
✓ Police Officers (Communications Center)	FY 1985/86 <ul style="list-style-type: none"> ✓ Public Safety Dispatcher
✓ Police Officers (Report Review)	FY 1980's <ul style="list-style-type: none"> ✓ OSII Report Review
✓ New Non-Sworn Position	FY 1970's <ul style="list-style-type: none"> ✓ OSIII (Microfilm/Optical Imaging)
✓ Police Officers (Jail)	FY 1974/75 <ul style="list-style-type: none"> ✓ Police Service Assistant
✓ New Non-Sworn part-time position	FY 1960's <ul style="list-style-type: none"> ✓ Police Aide/Trainee

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Recommendation 2: Patrol Workload Study

The City Manager should conduct a study to evaluate the best ways of balancing the community's public safety needs under emergency conditions with the City's capacity and resources.

We further recommend that the Police Department conduct a resource allocation study, to match patrol resources, including CSOs, to workload demand. The design of the study should include participation of appropriate staff in the City Manager's office and other departments.

Police Department's Response:

Not opposed. Keeping in mind special events and the extraordinarily high number of periods of civil disorder that we face. Will report back by June 30, 2002 on the cost impact on the FY 2003 budget of the resources needed to perform the study.

Recommendation 3: Administrative Work Assignment/Restructuring Study

The Police Department should work with Human Resources and the Budget Office to review job descriptions and tasks performed throughout the department, in order to target areas, including those that extend beyond the five positions under review, where work may be assigned more appropriately and more economically.

Police Department's Response:

In substantial agreement. However, it is critical that we also review the PERF study done in 1994 and consider it along with any new findings. Will report back on the study by December 31, 2003.

Civilian Business Manager

Significant management duties related to Support Services, Communication Center, and Bureau of Inspections and Control currently performed by sworn can be performed by non-sworn with equal or better effectiveness, at less cost. The Police Department should move forward with civilianizing these

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management positions. This decision should be made in the context of hiring a civilian business manager to whom these positions would report.

Recommendation 4: Create and Empower a Civilian Business Manager Position

The auditors recommend that the City Manager strongly consider creating a civilian Business Manager position, to report directly to the Chief of Police. A skilled business manager could take lead responsibility for ensuring the implementation of many of the recommendations contained in this report. Making a direct report to the Chief could send a strong message that civilians with specialized skills are highly valued.

Police Department's Response:

Requires further study. The feasibility of a non-sworn business manager reporting directly to the Chief of Police will require further study. Will report back by December 31, 2002.

Support Services

Information Technology, Records Management, and Facility Maintenance duties of the Support Services Manager currently performed by a sworn can be performed by a non-sworn with equal or better effectiveness, at less cost.

Recommendation 5: Location of the Police's Information Systems Function

The Information Technology needs of the Police Department should be handled by staff who collectively possess the skills needed to manage their complex systems. Consideration should be given to continuing to locate the function in the police department as part of a general reorganizing of business, administrative, and analytical services for the Department, possibly under a civilian business manager. Records management and Facilities Maintenance management should also be civilianized.

A realistic analysis of resources needed, and of barriers to successful integration of civilian technical specialists into the department, and of

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alternatives for dealing with those barriers should be provided to the City Manager by Police and Information Technology management.

Police Department's Response:

Partially agree. This has been considered over a period of time.

- (1) Information Technology staff will be physically located in the Police Department but will report to the Information Technology Department at this time. The Information Technology function will be civilianized. It is critical at this point that the Information Technology Department take over the function in the Police Department, and we are proceeding along that track.*
- (2) We agree that the Support Services Lieutenant's other management duties would be ideal for a Non-Sworn Manager (i.e. Customer Service, Front Counters, Records, Report Review, Data Entry, Imaging, liaison with Information Technology Department, Building Maintenance, and related management tasks and responsibilities).*

Bureau of Inspections and Control

A non-sworn could perform many if not most of the Lieutenant's fiscal and budgetary duties. It also seems likely that certain tasks would be more effectively performed if a combination of appropriately qualified people worked together.

Recommendation 6: Budget/Fiscal Duties

The Police Department should develop a plan to ensure that clerical, fiscal, and accounting responsibilities currently performed by the Lieutenant are assigned to staff in the appropriate civilian job classifications. That portion of the Lieutenant's time which is spent on these tasks should be deployed elsewhere.

We further recommend that Human Resources work with the Budget Manager and Finance Director to clarify accounting requirements for analysts assigned to budget duties in the Police Department. This may involve creating a separate classification, or adding language to explain that certain kinds of positions in the City require an accounting/budget

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background. This should be accomplished before budget cuts are implemented.

Police Department's Response:

Agree. Such a position currently exists in the Bureau of Inspections in the Police Department. The position is vacant, and if the recommended budget position is approved, the police Department would be open to the change. Will report back by December 31, 2002.

Communication Center

The auditors determined that civilianizing the management of the Communications Center would not only free up a Lieutenant for police work, but could potentially result in less staff turnover and absenteeism.

Recommendation 7: Communication Center: Preparing to Civilianize

The Department should prepare to civilianize the Communications Center management with a skilled, experienced, non-sworn employee. As a first step, Police should work with Human Resources to clarify the skills, knowledge, and abilities needed for the position.

In order to facilitate potential hiring from within, the two departments should consider whether changes should be made to job duties and responsibilities in order to provide more opportunities for growth, and should explore a program of non-sworn staff training.

In order to address perceived problems with patrol officers and their sergeants, this employee should report to a high-level police department manager, possibly a civilian business manager, and be fully empowered to monitor and resolve dispatcher and patrol officer conflict.

Police Department's Response:

Requires further study. We will consider this issue and bring back a report by June 30, 2003.

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Recommendation 8: Communication Center Injuries/Lost Time – Human Resources

Human Resources should complete ergonomic evaluations and training for Communications Center staff, and further investigate statements from staff regarding any perceived deficiencies with the new equipment

Human Resource's Response:

Substantial work has been performed in this area over the past 12 months by Human Resources. Workstation ergonomic evaluations and training will be substantially completed by June 30, 2002. The workstation ergonomic evaluations and training will be ongoing.

Recommendation 9: Police Department Injuries/Lost Time – Human Resources and IT

Information Technology should provide the Police Department with improved Lost Time Reports, and provide access to the Police payroll clerks so that Police Management can better utilize this information.

Human Resources should provide Police Department management, as well as the City Manager and other Department Directors, the analytical reports needed to identify specific areas and types of injuries which are contributing to lost time due to sick leave and workers' compensation.

The Police chief should ensure that Police managers review these reports, compare their results with divisions in other departments in the City, and take action to reduce lost time.

Human Resources should also conduct training for all Police Department supervisors in steps management can take to minimize workplace injuries and excessive use of sick leave and workers' compensation leave.

Information Technology's Response:

Reports should be substantially completed by May 31, 2002.

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Human Resource's Response:

Recommendation will be substantially completed by June 30, 2002 and training will be ongoing.

Police Department's Response:

Agree. The work is in progress, and should be completed shortly.

Crime Scene and Identification Unit

It appears likely that a sergeant can be freed up for police duties, with little impact to service delivery in the Support Service unit, if this management position is civilianized.

Recommendation 10: Reassignment of Duties

The Police Department should re-assign most of the duties of this position to non-sworn staff in order to free up resources for other priorities. Police should address the perceived difficulty that non-sworn may experience a lack of cooperation from sworn officers at crime scenes, by analysis and by management action, before the realignment of work is effected.

Police Department's Response:

Disagree. Disagreement based on the information provided in the January 20, 2002 Police Executive Research Forum (see attached letter). We think that the risk and exposure to the City are too high in this environment. We will include the Crime Scene and Identification Unit Manager position in the workload study.

Jail

The auditors found a basis for considering civilianization or restructuring of the jail manager position. However, our ability to form an opinion as to whether the jail manager position had been successfully civilianized in other cities was limited by the fact that many of the other cities surveyed did not have jails, or did not have comparable jails.

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Recommendation 11: Civilianizing or Restructuring

The auditors recommend that the City Manger consider civilianizing or restructuring the Jail Sergeant position, to free up a Sergeant for other priorities. The auditors further recommend that, if the City decides to keep the jail function, it should be fully staffed.

Police Department's Response:

Requires further study. We simply do not know at this time whether there are requirements from the Bureau of Corrections or whether from a liability standpoint this would be reasonable or appropriate. Additionally, if this is done, we will need to make sure that this position is not lost to the Police Department. We have a current list of candidates for the PSA's (non sworn jail staff). Background reviews are in progress and the three vacant positions should be filled by May 31, 2002. We will get back to Council with a report by December 30, 2002.

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The City of Berkeley City Auditor's Office would like to thank the Berkeley Police Department, the Department of Human Resources, and the Budget Office/City Managers Office for their cooperation and professional contributions during the course of this audit.

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Henrico, Virginia
Kansas City, Missouri
King County, Oregon
Livermore, California
Long Beach, California

Modesto, California
Oakland, California
Orlando, Florida
Redding, California
Richmond, Virginia
Roanoke, Virginia
Roseville, California
Sacramento, California
San Bruno, California
San Jose, California
Santa Rosa, California
Stockton, California
Tallahasee, Florida
Tampa, Florida

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Appendices

- A. Fiscal Year 2003 Salaries**
- B. Police Executive Research Forum Letter (January 22, 2002)**
- C(1). Community Involved Policing: Status Report
(July 6, 1994)**
- C(2). Community Involved Policing: Status Report
(September 20, 1994)**
- D. Police Executive Research Forum Report (April 8, 1994)**