



Berkeley Police Department

INFORMATION CALENDAR  
May 21, 2024

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Jennifer Louis, Chief of Police  
Subject: Audit Recommendation Status - Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities

CURRENT SITUATION AND ITS EFFECTS

The City Auditor's report included 12 recommendations. 10 of the recommendations have been implemented and 2 of the recommendations are in progress. We anticipate the next status update report to be in November 2024.

Included in this item is a status update for;

*Recommendation 1.2 - Fill vacancies deemed necessary and/or reallocate staff pending the reimagining process and a determination of appropriate staffing levels.*

The selected consultant, Citygate, is on track and on budget with this project. Citygate provided a mid-project summary to Police Command Staff in mid-April and is on schedule to deliver a final report by June 2024. As part of their report, Citygate will make recommendations about patrol staffing levels based on their assessment of calls and public safety service delivery expectations.

*Recommendation 2.3 - Document the results of staffing assessments along with the assessment criteria. Incorporate results into staffing projections for budgetary decision making, including establishing a sufficient and appropriate overtime budget.*

Citygate has completed its assessment of call volumes and staffing levels and has made some preliminary recommendations regarding staffing levels in patrol operations as well as several other areas of the department. Some of these

recommendations have driven budget priorities for this budget cycle. Delivery of the final report is expected in June 2024.

### BACKGROUND

On March 3, 2022, the City Auditor's Office issued its audit, *Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities*<sup>1</sup>. This audit report included 12 recommendations. The purpose of this report is to update the City Council on the Police Department's progress on implementing the City Auditor's recommendations. This is the fourth status report for this audit, the first being in November 2022, the second in May 2023 and the third in November 2023.

### ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

### FISCAL IMPLICATIONS

Staff time in addition to the contract costs. The contract for CareWare, approved in 2022 is \$191,740 (5-year contract). This software is being utilized throughout the whole Police Department.

### CONTACT PERSON

Captain Kevin Schofield, Police Department, (510) 981-5815

### ATTACHMENTS

1. Police Overtime Recommendation Table

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<sup>1</sup> City Auditor's Office Overtime Audit (3/3/2022)  
<https://berkeleyca.gov/sites/default/files/2022-04/Berkeley%20Police%20-%20Improvements%20Needed%20to%20Manage%20Overtime%20and%20Security%20Work%20for%20Outside%20Entities.pdf>

<b>Audit Title: Berkeley Police: Improvements Needed to Manage Overtime and Security Work for Outside Entities</b>						
<b>Finding</b>	<b>Recommendation</b>		<b>Department</b>	<b>Expected or Actual Implementation Date</b>	<b>Status of Audit Recommendations, Corrective Plan, and Progress Summary</b>	<b>Last Period: Status</b>
Overtime is used to maintain minimum patrol staffing set by BPD.	1.1	Collect and monitor data on how often compensatory time leads to additional backfill overtime and develop a plan to monitor it.	Police	9/29/2023	Implemented	Implemented
Overtime is used to maintain minimum patrol staffing set by BPD.	1.2	Fill vacancies deemed necessary and/or reallocate staff pending the reimagining process and a determination of appropriate staffing levels.	Police	11/1/2024	<u>Started:</u> The selected consultant, Citygate, is on track and on budget with this project. Citygate provided a mid-project summary to Police Command Staff in mid-April and is on schedule to deliver a final report by June 2024. As part of their report, Citygate will make recommendations about patrol staffing levels based on their assessment of calls and public safety service delivery expectations.	Started
Minimum staffing levels in BPD's Patrol Unit could cause unnecessary overtime if not regularly updated.	2.1	Establish a procedure to regularly assess minimum staffing and overall staffing needs of the department. This process should document and incorporate criteria to assess staffing levels, such as calls for service, other workload, community input, and other relevant factors. As BPD prepares for the rollout of a new software system, BPD should consider how to best align the program's capabilities with this assessment process.	Police	9/29/2023	Implemented	Implemented

Minimum staffing levels in BPD's Patrol Unit could cause unnecessary overtime if not regularly updated.	2.2	Document and define the Patrol Unit's minimum staffing levels in a publicly assessable format.	Police	9/2/2022	Implemented	Implemented
Minimum staffing levels in BPD's Patrol Unit could cause unnecessary overtime if not regularly updated.	2.3	Document the results of staffing assessments along with the assessment criteria. Incorporate results into staffing projections for budgetary decision making, including establishing a sufficient and appropriate overtime budget.	Police	11/1/2024	<u>Started:</u> The vendor for the staffing assessment, Citygate, has completed its assessment of call volumes and staffing levels and has made preliminary recommendations regarding staffing levels in patrol operations and several other areas of the department. Some of these recommendations have driven budget priorities for this budget cycle. Delivery of the final report is expected in June 2024.	Started
Officers work excessive overtime, increasing health and safety risks.	3.1	Update the department overtime policy to address the fact that there currently is no limit to the number of consecutive days worked and determine the appropriate limit for overtime that is enforceable with the goal of avoiding officer fatigue. The department may examine other jurisdictions' overtime limits as possible criteria.	Police	8/23/2023	Implemented	Implemented

<p>Officers work excessive overtime, increasing health and safety risks.</p>	<p>3.2</p>	<p>Work to implement a staffing software solution that integrates overtime management and scheduling software. Develop management reports that provide timely, accurate, and complete information on overtime usage. Develop a process for filling overtime shifts on a voluntary and mandatory basis, including supervisor approval. Build in warnings for when an individual is approaching overtime limits and an approval process for allowing individuals to exceed limits when deemed necessary according to the policy.</p>	<p>Police</p>	<p>3/8/2023</p>	<p>Implemented</p>	<p>Implemented</p>
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<p>BPD has no contracts for overtime security with outside entities.</p>	<p>4.1</p>	<p>Update A.R. 2.10 and other department policies to explicitly include guidance around department agreements for work for outside entities, which is paid for by reimbursements to the City from the outside entities. Internal procedures should include appropriate criteria to identify and document the benefit to the City gained by work for outside entity agreements, and to allocate resources in a way that does not negatively impact City operations. Additionally, BPD should document their criteria for when officers are not available or eligible for work for outside entities.</p>	<p>Police</p>	<p>5/4/2023</p>	<p>Implemented</p>	<p>Implemented</p>
<p>BPD has no contracts for overtime security with outside entities.</p>	<p>4.2</p>	<p>In consultation with the City Attorney, create contracts with outside entities in compliance with City policies and applicable laws.</p>	<p>Police</p>	<p>8/31/2023</p>	<p>Implemented</p>	<p>Implemented</p>

BPD has no contracts for overtime security with outside entities.	4.3	Develop an application for BPD's services that is publicly available and accessible online to any interested party. Set pay uniformly according to rank and hourly rate and include a reasonable fee that covers the expenses of administering work for outside entities including workers compensation, fuel, use of equipment, and any other actual or potential costs to the City.	Police	4/19/2023	Implemented	Implemented
BPD has no contracts for overtime security with outside entities.	4.4	BPD should reconcile invoices with the amounts received for work with outside entities at regular intervals. BPD should also implement procedures to check invoices for errors prior to billing outside entities.	Police	3/29/2023	Implemented	Implemented
BPD has no contracts for overtime security with outside entities.	4.5	Explore ways to clearly account for different funds to track revenues and expenses.	Police	9/29/2023	Implemented	Implemented

