



CITY OF OAKLAND

Oakland Police Commission
Office of the Inspector General

AGENDA REPORT

TO: Tyfahra Milele, Chair
Oakland Police Commission

FROM: Michelle Phillips
Inspector General

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

DATE: September 22, 2022

PURPOSE

The Inspector General reports to the Police Commission and members of the public. This report outlines updates from the OIG since the Inspector General reported to the Police Commission on July 7, 2022. The information comprised in this report is also intended to answer OIG specific questions raised at the last Police Commission meeting.

NEGOTIATED SETTLEMENT AGREEMENT (NSA, MEASURE S1 MANDATE)

Site Visit and Oakland Police Department (OPD) Meeting Observations

The OIG attended the two-day virtual independent monitoring team site visit held on August 16, 2022, and August 17, 2022. The OIG holds meetings and will continue to connect with members of the IMT as needed. The OIG continues to observe OPD meetings, to include Risk Management, Force Review Boards, and Internal Affairs among others. The IG will ensure that there will continue to be relevant discussions and workgroups with OPD and City stakeholders as the City moves through the sustainability period.

Task 42 Audit Review

The Field Training Officer (FTO) program, outlined in Task 42, is an important area for review for the OIG. The FTO program review is of significance as it presents new officers the first opportunity to work in the field, post-academy.¹ It is also a critical aspect of training for new officers in department culture, community interactions, and job execution. The OIG informed OPD in July of the intent to review the FTO program. The OIG has since completed the Entrance/Engagement Conference and has begun scheduling interviews for OPD personnel to communicate the scope and methodology that will be used to assess the data. The data collected will assist in meeting the audit objectives.

¹ Negotiated Settlement Agreement with stipulations regarding pattern and practice claims revised December 2008 can be found at <https://oaklandca.s3.us-west-1.amazonaws.com/government/o/OPD/a/publicreports/oak060142.pdf>

THE BEY MATTER

Prior to the appointment of the Inspector General, the Oakland Police Commission voted in November of 2021 to refer the Bey matter to the newly created OIG to review specific records and report to the Commission with any policy recommendations for changes to procedures and practices going forward. This review is active and ongoing therefore the OIG will not be able to provide any lessons learned or recommendations until the review is complete.

CITY COUNCIL AUDIT

Prior to the appointment of the Inspector General, the City Council requested an audit of OPD's calls for service. The OIG has offered additional guidance regarding supplemental tools that may be required to assist and compliment the Calls for Service Audit. There continues to be ongoing communication regarding this matter.

OIG STAFF UPDATE

The OIG welcomed aboard Ms. Shayleen Morris as an exempt limited duration employee (ELDE)-Inspector General Audit Manager, on July 23, 2022. Ms. Morris relocated to the City of Oakland from Seattle, Washington. In Seattle Ms. Morris was the Director of Policy for the Seattle Community Police Commission. Ms. Morris has experience in reviewing police department policies and procedures, collaborating with communities heavily impacted by policing, collecting and analyzing data, publishing reports that include recommendations based on findings, and presenting to governmental and community stakeholders. In a previous position, she participated in the launch and development of a newly formed public safety section within the Inspector General's office for a major Metropolitan area.

The OIG is currently waiting for a response from the Human Resources Department regarding a feasible timeline to hire into the remaining four vacant positions - three Auditors and one Policy Analyst. All the vacant positions will have permanent employees hired into them.

TRAINING UPDATES

Mandated and other Continuing Education Trainings

The IG has mandated all professional staff to complete required trainings outlined in Municipal Code section 2.45.190 - Commissioner training. While the IG is mandated to complete the trainings, the Municipal Code does not require the IG staff to complete the trainings. The IG has completed all required trainings under this mandate and newly hired staff are currently completing those training modules.

Additionally, the OIG management team is working on a professional training plan for Fiscal Year 2023 for all incoming staff to include relevant professional certifications.

OPD Trainings

The OIG has observed and will continue to observe OPD trainings as applicable. The OIG has observed the Race and Equity block, DUI training, Use of Force, and Pursuit trainings among others. These observations will allow the OIG to visually observe how new officers and promoted officers are being taught OPD policies, how the policies are understood in practical application and if there are recommendations the OIG may have for different content or ways of instruction.

Additionally, members of the OIG staff will be attending the National Association for Civilian Oversight of Law Enforcement this month, along with a few the Commissioners.

OIG COMMUNITY MEETINGS AND OUTREACH

During the last few months, the OIG completed a presentation and Q&A session with the Coalition for Police Accountability. The IG also met with members from the District Attorney's office and the Community Policy Advisory Board to see how a better relationship can be established and fostered.

OIG has also attended several community events and community cleanups throughout Oakland. Many hosts afforded the IG the opportunity to address the attendees and inform them of the OIG's jurisdiction and how the OIG was established by the community to assist in the advancement of police accountability. These types of engagement activities have helped the OIG become a presence in the Oakland community and the Office will continue to participate, engage, and expand these efforts as the OIG grows.

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

Respectfully submitted,



Michelle N. Phillips
Inspector General
Office of the Inspector General



CITY OF OAKLAND

Oakland Police Commission

Office of the Inspector General

**OFFICE OF
INSPECTOR GENERAL
STRATEGIC PLAN
2022-2023**

AN INTRODUCTION TO OUR ORGANIZATION

The Inspector General Act of 1978, as amended, defines the primary responsibilities of the Office of Inspector General (OIG). Further, the City of Oakland Charter Measure S1, adopted in 2020 and Municipal Code defines the OIG duties for the City of Oakland Jurisdiction:

- ◆ To conduct independent, objective and timely audits, evaluations, inspections, and other reviews;
- ◆ To serve as the auditing arm of the Oakland Police Commission by conducting audits and reviews of the Oakland Police Department's (OPD) to include but is not limited to Internal Affairs Department, the Office of Internal Accountability and all departments, units and areas as outlined in the Negotiated Settlement agreement. These tools will assist in ensuring police accountability;
- ◆ To build trust in civilian oversight of policing through encouraging, implementing, and preserving a culture of impartiality, transparency, and accountability;
- ◆ To inform the Oakland Police Commission about opportunities, challenges, and deficiencies in Oakland Police Department programs and operations and the need for corrective action.

The OIG is responsible for monitoring the OPD compliance with policies, procedures, and laws intended to further strengthen the City's ability to decrease instances of police misconduct. The OIG is administratively, physically, and operationally independent from OPD. The OIG executes its responsibilities in a neutral, non-political environment free from interference from any person, group, or organization. The Inspector General reports directly to the Oakland Police Commission.

MISSION

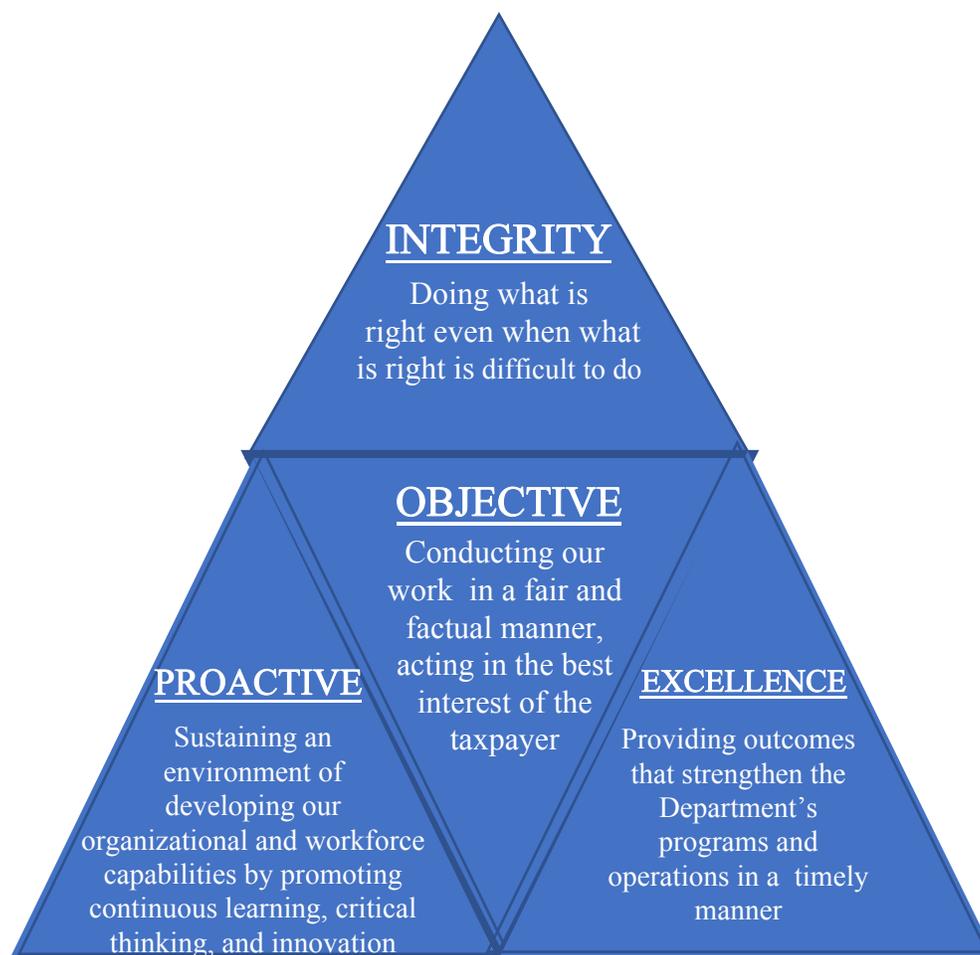
The mission of the Office of the Inspector General is to be an independent, non-partisan oversight agency, that will assist with increasing community trust and ensuring accountability in the City of Oakland's Police Department. In its administration of duties, the Office of the Inspector General will implement a fair, thorough, and autonomous system of civilian oversight of law enforcement. This is accomplished by conducting detailed, objective, and timely audits, reviews, inspections and evaluations of the Oakland Police Department and the Community Police Review Agency, to ensure compliance with laws and policies. The Office of the Inspector General will drive best practices by recommending improvements to policies and trainings as well as engaging in collaborative initiatives that promote systemic advancements.

VISION

We serve the Community of Oakland through building trust in civilian oversight of policing through encouraging, implementing, and preserving a culture of impartiality, transparency, and accountability. We assist in fostering positive and sustainable change.

VALUES

The OIG values are deeply engrained principles used to guide our decisions and actions. These values serve as cornerstones of the OIG's organizational culture. The OIG values are:



ORGANIZATIONAL RESPONSIBILITIES

The Office of the Inspector General is physically located in Frank H. Ogawa Plaza, Oakland, California. The OIG's responsibilities are separated as follows:

AUDITS: conducts audits on OPD and CPRA programs and operations. Efforts are concentrated on providing policies derived from the Negotiated Settlement Agreement. There will be risk-based processes used to identify areas for audit coverage based on known or emerging policy or law violations, risks and areas of greatest vulnerabilities based on new or re-occurring data. This process ensures comprehensive coverage and continued compliance reviews over OPD and CPRA while meeting. Special reviews of high-profile, unplanned, or immediate matters can also be addressed by audits throughout the year.

INSPECTIONS, Evaluations and Reviews: conducts independent and thorough reviews of OPD and CPRA programs and operations to evaluate compliance, operational efficiency and effectiveness. Inspections consist of three types of assessments and reviews:

1. *Performance Based Inspections*- focused on fact-finding and analyses concerning specific issues and topics;
2. *Allegation-Based Inspections*- focused, fact-finding efforts that are typically responsive to allegations of violations of policy or law and/or mismanagement;
3. *Expedited Reviews* - responsive to requests from the Police Commission. These reviews typically concern high-profile or particularly sensitive matters and may be performance-based or allegation-based in nature.

PURPOSE

The purpose of the Strategic Plan is to articulate the OIG's broad strategic goals, which are organized around the mission, values, community, operations and stakeholders. The plan then articulates several objectives for each of these areas, strategies for achieving these objectives, and associated performance measures. The detailed performance measures are published in the OIG *Annual Performance Report*.

STRATEGIC CONTEXT

The 1-year period covered by this Strategic Plan will respond to a rapidly changing oversight environment.

- ◆ In 2022, the Mayor and City Council approved an increase to the OIG budget and staffing resources. This increase will allow the OIG to acquire additional staff and much needed resources to fulfill its statutory responsibilities.
- ◆ In January 2022, the Inspector General was appointed. The first calendar year the OIG has focused on agency structure, standard operating procedures and establishing goals and values. The OIG will establish an audit and review schedule for both OPD and CPRA. This work will be based on information observed and acquired during the first year of operation, progress with the NSA and areas of most risk or need.
- ◆ The OIG is expanding its capabilities to utilize data analytics across all divisions.

STRATEGIC GOALS OBJECTIVES & MEASURES



Be an employer of choice by cultivating a diverse, skilled, and engaged workforce and fostering an inclusive, collaborative environment.

OBJECTIVES

- ◆ Recognize and celebrate employees for successes
- ◆ Establish employee engagement and effective communication
- ◆ Establish a culture of inclusiveness by fostering an open, diverse, equitable and cooperative work environment
- ◆ Prioritize training, development, and opportunities for advancement

MEASURES

- Demonstrated progress in developing and maintaining a proactive communications plan
- Demonstrated completion of training and development plans for staff

**GOAL 2:
OUR
WORK**

Conduct independent oversight to strengthen the public trust, integrity, transparency and efficiency for OPD and CPRA

OBJECTIVES

- ◆ Conduct independent and impactful oversight programs that are accurate and timely
 - Audits
 - Inspections and Evaluations
 - Reviews
- ◆ Ensure that OIG oversight reviews are based on a solid legal foundation
- ◆ Utilize a team-based, cross functional approach to oversight for the most challenging high-risk projects

MEASURES

- Percentage of high impact written projects delivered to stakeholders within established time frames
 - Audits
 - Inspections and Evaluations
 - Reviews
- Demonstrated results in holding OPD and CPRA accountable through high impact administrative remedies
- Demonstrated effective use of a team-based, cross functional approaches to oversight for the more challenging areas of oversight

**GOAL 3:
OUR
STAKEHOLDERS**

Enhance mission success through effective outreach, stakeholder engagement, and coalition building

OBJECTIVE

- ◆ Continue to improve communications with stakeholders

MEASURES

- Demonstrated results in improved communication with the Police Commission and external stakeholders
- Demonstrated results in improved community partnerships, community outreach and engagement and community service

Office of the Inspector General Police Commission City of Oakland



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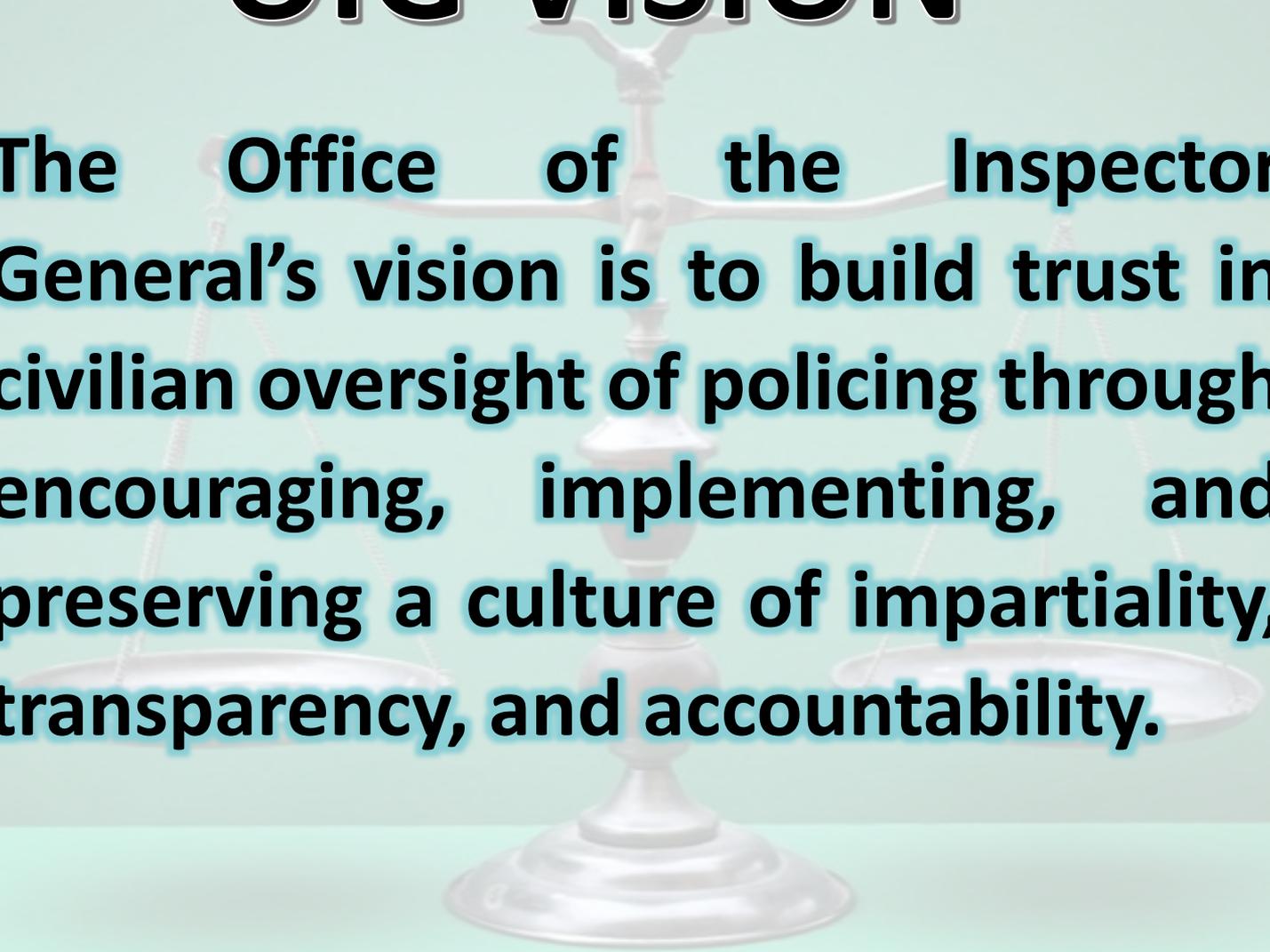
Mission Statement

The mission of the Office of the Inspector General is an independent, non-partisan oversight agency that will assist with increasing community trust and ensuring accountability in the Oakland Police Department. In its administration of duties, the Office of the Inspector General will implement a fair, thorough, and autonomous system of civilian oversight of law enforcement. This is accomplished by conducting detailed, objective, and timely audits, reviews, inspections and evaluations of the Oakland Police Department and the Community Police Review Agency, to ensure compliance with laws and policies. The Office of the Inspector General will drive best practices by recommending improvements to policies and trainings as well as engaging in collaborative initiatives that promote systemic advancements.

Impartiality.

OIG VISION

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



OIG Goals

- 1. Be an employer of choice by cultivating a diverse, skilled, and engaged workforce and fostering an inclusive, collaborative environment.**
- 2. Conduct independent oversight to strengthen the public trust, integrity, transparency and efficiency for OPD and CPRA.**
- 3. Enhance mission success through effective outreach, stakeholder engagement, and coalition building.**

Negotiated Settlement Agreement (NSA)

Site Visit and OPD Meeting Observations

- ▶ Attendance at IMT Site Visits
 - ▶ August 16 and August 17
- ▶ Weekly IAD meetings
- ▶ Risk Management Meetings
- ▶ E/FRB
- ▶ Garner information and be informed in real time
- ▶ Identify potential areas of risk for future review

Task 42 Audit Review

- ▶ FTO program review is of significance as it presents new officers the first introduction to field work after the academy
- ▶ Critical aspect of training for new officers in department culture, community interactions, and job execution
- ▶ Not one of the 11 tasks the IMT is reviewing

Project Priority Updates: Bey Matter and City Council Audit

The Bey Matter

- ▶ November of 2021 referred to the OIG
- ▶ Review specific records and report to the Commission any policy recommendations for changes
- ▶ Additional follow up has been conducted

The City Council Audit

- ▶ Verbal communications via meetings have been fruitful
- ▶ The OIG identified a study that should be conducted prior to the commencement of the audit
- ▶ The OIG is formalizing that information and will be making recommendations

STAFFING UPDATE

SHAYLEEN MORRIS, AUDIT MANAGER



- Relevant Experience and Skills
 - Former Director of Policy for the Seattle Community Police Commission
 - Reviewing police department policies and procedures
 - Collaborating with communities heavily impacted by policing
 - Collecting and analyzing data and publishing reports
 - Making recommendations based on facts and findings
 - Assisted in launching and developing a newly formed public safety section within the Inspector General's office for a major Metropolitan area

Training Updates

- Mandated and other Continuing Education Trainings
- Municipal Code section 2.45.190 - Commissioner training mandated for OIG professional staff
- OPD Trainings: Observed and participated in OPD trainings
 - Race and Equity
 - Use of Force
 - Pursuit trainings
 - Arrest and Control
- Purpose of Observations
 - See how new officers and promoted officers are being taught OPD policies
 - how the policies are understood in practical application
 - Make recommendations based on observations

COURAGE
FAIRNESS OBJECTIVITY
INTEGRITY
PROFESSIONALISM
FORTHRIGHTNESS RESPECT TRUST
ACCOUNTABILITY HONESTY
COMPETENCE
INDEPENDENCE
CONFIDENTIALITY

*The Office of the Inspector General
carries with it a responsibility to apply the
integrity necessary to maintain the public
trust.*

OIG Contact Information



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<https://www.oaklandca.gov/departments/inspector-general>