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Item: (d) 5

Office of the City Auditor

Report to the City Council
City of San José

POLICE DEPARTMENT STAFFING: OPPORTUNITIES TO MAXIMIZE THE NUMBER OF POLICE OFFICERS ON PATROL

Report 10-13
December 2010

CITY OF
SAN JOSE
CAPITAL OF SILICON VALLEY

Office of the City Auditor
Sharon W. Erickson, City Auditor

December 9, 2010

Honorable Mayor and Members
of the City Council
200 East Santa Clara Street
San Jose, CA 95113

Police Department Staffing: Opportunities to Maximize the Number of Police Officers on Patrol

In June 2010, the City of San Jose narrowly escaped having to lay off patrol officers. Faced with a $118 million Citywide budget shortfall, SJPD had proposed cuts to services ranked most important by the community. In a search for alternatives, the City Council received Budget Documents (BDs) that proposed restructuring specific aspects of the Department and using the savings to increase Patrol staffing. Due to challenging budgetary choices and proposed cuts to the Police Department's Patrol function, the City Auditor's Office was asked to review the budget proposals and to identify additional efficiencies that would help maximize the number of police officers on Patrol.

SJPD's recent reorganization of the Special Operations Division returned 40 positions to Patrol. Within the Bureau of Field Operations, SJPD identified the Special Operations Division as a source from which to redeploy sworn staff back into Patrol service. Two of the budget proposals we reviewed were directly impacted by the restructuring (proposals to combine gang enforcement and investigations, and to convert MERGE to a collateral duty). Although potentially worthy of reconsideration in the future, it seems only logical to allow the current reorganization and reductions in the Special Operations Division to settle in before considering additional changes. To promote transparency and provide the public with information about how resources are allocated, we recommend SJPD report changes in staffing to the Public Safety, Finance, and Strategic Support Committee of the City Council at each shift change (every six months).

Additional opportunities for efficiencies can mitigate the impact of budget reductions and better match staffing to workload. The City's budget outlook for next year remains negative and SJPD, along with all other City departments, will likely continue to be asked to do more with less. In Patrol several options are possible: (1) increasing the number shift start times could potentially provide the same level of service with fewer officers, (2) decreasing the number of divisions could reduce supervisory costs by up to $2.9 million, and/or (3) changing the Patrol schedules to a more efficient schedule other than the 4-10. In addition, modifications to investigative schedules would provide on-duty coverage on weekend days for investigations and free day detectives (another of the proposals we reviewed) for redeployment.

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The SJPD's low span of control has a profound impact on costs. Span of control refers to the number of employees per supervisor. Many factors influence decisions about the appropriate span of control within an organization. There is no definitive correct span nor is it necessarily appropriate to strive for consistent span of control across the board. We calculated data related to SJPD's span of control as well as the related costs and provide that information to demonstrate the impact that such supervision choices have on operational costs. As of November 2010, SJPD had an overall ratio of 1 sergeant to 4.5 officers, 1 lieutenant to 4.6 sergeants, and 1 captain to every 5.2 lieutenants. We estimated the cost of this level of supervision (the cost of captains, lieutenants, and sergeants) to be about $54 million per year. We further estimated that with a shift to a higher span of control, those costs would instead range from $21 million (a span of control of 1 to 10) to $39 million (a span of control of 1 to 6), or $15 million to $33 million less than now.

The Police Department needs a staffing and resource allocation framework that reflects today's economic realities. The Police Department's *Proposed Five-Year Staffing Plan: 2007-2012* (issued in November 2006) called for an additional 598 positions in the Police Department, including an additional 332 in front-line patrol, 146 sworn in specialized, investigative, administrative, and preventive capacities and 120 non-sworn staff in technical, operational and administrative support roles. At the time of that report, SJPD's authorized staffing was 1,805; today it is 1,623.

The economic reality today is that hiring more staff is not likely. Given this, the Department needs a framework for the future that focuses on more efficient use of existing staff, and measures of success other than the number of police officers per 1,000 residents. We recommend that in addition to the recommendations in this report, the new framework include a plan to redeploy to Patrol street-ready officers who are in positions that could be filled by civilians (per a previous audit recommendation).

We will present this report at the December 16th, 2010 meeting of the Public Safety, Finance, and Strategic Support Committee. We would like to thank the Police Department staff for their time and insight during the audit process. The Administration has reviewed the information in this report and their response is shown on the yellow pages.

Respectfully submitted,

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Introduction

Due to challenging budgetary choices and proposed cuts to the Police Department's Patrol function, the Mayor's June 2010 Budget Message directed the City Auditor to review several budget proposals, Budget Documents or BDs, related to the Police Department and to also prioritize an audit of the Police Department that would identify efficiencies to maximize the number of police officers on Patrol.

The BDs included:

(1) Combine the Violent Crimes Enforcement Team (VCET) with the Gang Investigations Unit (GIU) (BD #16)

(2) Eliminate the day detectives (BD #17)

(3) Restructure Patrol from four divisions to three (BD #18)

(4) Convert MERGE from a full-time to a collateral (part-time) unit (BD #19)

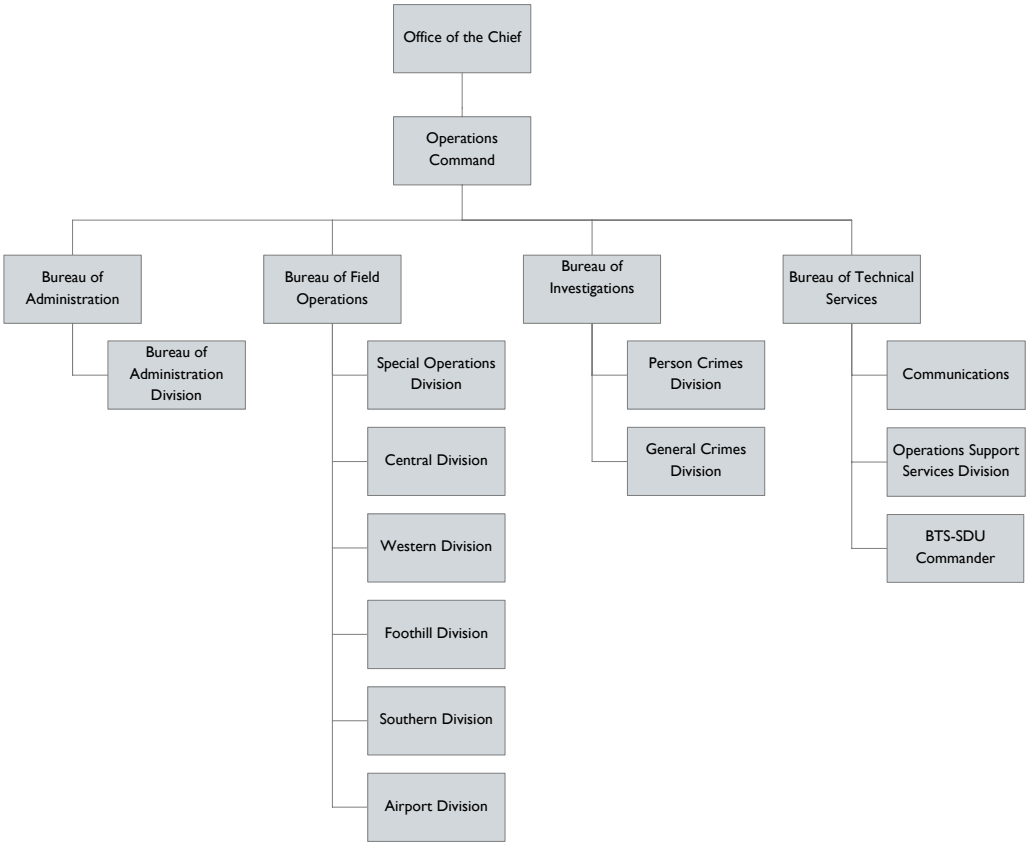
In addition to reviewing the budget documents, we reviewed past audit and consultant recommendations and compiled additional information related to improving efficiency of the Police Department. We found that there are a number of possibilities for increasing efficiency of the Department as it exists today. This report is intended to help inform future budget choices and point out ways that efficiencies might be gained in an environment where the ability to add additional sworn staff is limited.

The City Auditor's Office thanks the Police Department staff for their time and insight during the audit process.

Background

The Police Department is organized into four bureaus as shown in Exhibit 1.

Exhibit 1: San José Police Department Organizational Chart



Source: SJPD website

Operating Budget

Exhibit 2 below shows that over a 10-year period, the Department's total authorized staffing decreased by 14 percent, with much of that decrease in the current year. The Department's operating budget increased by 47 percent.

Exhibit 2: 10-Year SJPD Authorized Staffing and Budget History

Fiscal Year	Police Department Authorized Staffing	Police Department Operating Budget
2001-02	1,887	$203,155,712
2002-03	1,870	$219,568,006
2003-04	1,862	$220,285,375
2004-05	1,826	$239,342,283
2005-06	1,789	$239,689,372
2006-07	1,805	$258,288,796
2007-08	1,814	$283,905,102
2008-09	1,830	$284,086,639
2009-10	1,807	$299,397,775
2010-11	1,623	$299,654,617
10-year change	**-14%**	**+47%**

Source: Adopted Budgets, FY 2001-02 through FY 2010-11

The City of San José had a $118 million budget deficit for FY 2010-11 that affected all departments, including the Police Department. The Proposed FY 2010-11 Police Department budget included the elimination of 162 sworn positions.[1] Of the 162 positions, 90 were Patrol officers.

Concessions agreed to by the San José Police Officers Association (SJPOA), after the adoption of the 2010-2011 Operating Budget, resulted in the restoration of 70 filled officer positions in Patrol (90 that were proposed for elimination minus 20 vacancies). Another 3 positions in the Bureau of Investigations (Sexual Assaults Unit) were reinstated by the City Council as part of the adopted budget. As a result of these actions, there were no sworn layoffs in the Police Department in 2010-2011.

However, only 8 of the restorations were permanent; the remaining 65 were restored one-time in FY 2010-11 only. Based on the 2011-2012 Preliminary General Fund Forecast (November 2010) of a projected deficit of nearly $70 million, the possibility of more reductions in FY 2011-12 is high.

Actual Staffing by Bureau (November 2010)

As of November 2010, there were 1,692[2] total staff assigned throughout SJPD, of whom 1,271 (or 75 percent) were sworn as shown in Exhibit 3. It should be noted that at any point throughout the fiscal year, actual Department staffing allocations across its Bureaus, Divisions, Units, and Details are subject to change due to shifting needs and priorities, community response, and the sworn staffing rotation policy, to name a few. Formal shift changes take place twice a year, in March and September.

Exhibit 3: Overall Police Department Authorized Staffing as of November 2010

	Sworn	Civilian	Total
Bureau of Field Operations	964	55	1,019
Bureau of Investigations	212	26	238
Bureau of Administration	50*	48	98
Bureau of Technical Services	3	270	273
Office of the Chief	42	22	64
TOTAL	**1,271**	**421**	**1,692**

Source: SJPD Fiscal Unit – Authorized Staffing as of November 2010
*Includes three positions in the City Attorney's Office

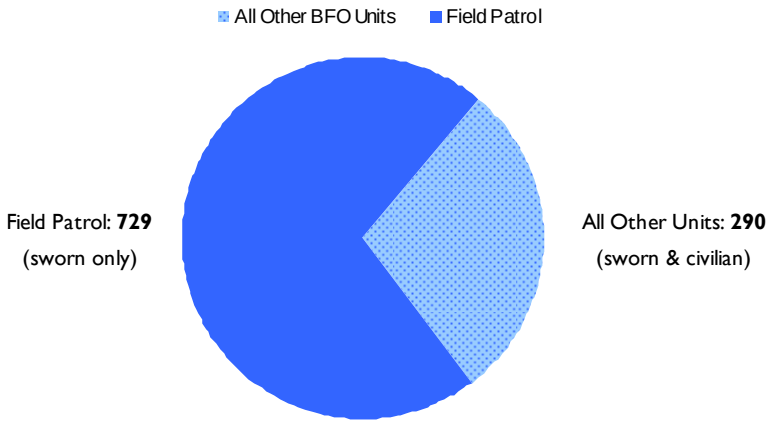
[1] The 162 positions consisted of 146 officers Department-wide, 14 sergeants, and two lieutenants.

[2] The 1,692 includes the additional positions that were "bought back" for FY 2010-11. In contrast, Exhibit 2 shows 1,623 to be consistent with the Budget Document.

Bureau of Field Operations

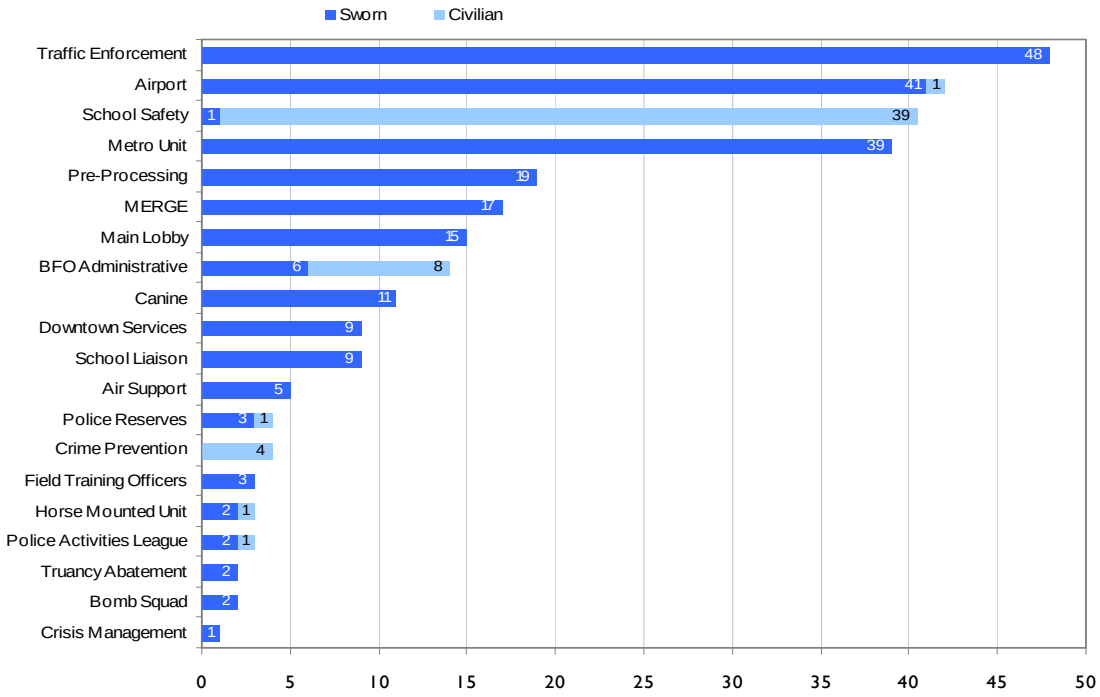
As of November 2010, 1,019 sworn and civilian staff allocated to the Bureau of Field Operations, of whom 729 sworn staff were assigned to Field Patrol duties. As shown in Exhibit 4, excluding Field Patrol, the largest units in the Bureau of Field Operations were the Traffic Enforcement Unit, Airport Division, and the recently consolidated Metro Unit. Exhibit 5 shows the units other than Patrol.

Exhibit 4: Bureau of Field Operations – Authorized Unit Staffing as of November 2010



Source: SJPD Fiscal Unit – Authorized Staffing as of November 2010

Exhibit 5: Breakdown of Bureau of Field Operations' Units (excluding Patrol) – Authorized Staffing as of November 2010

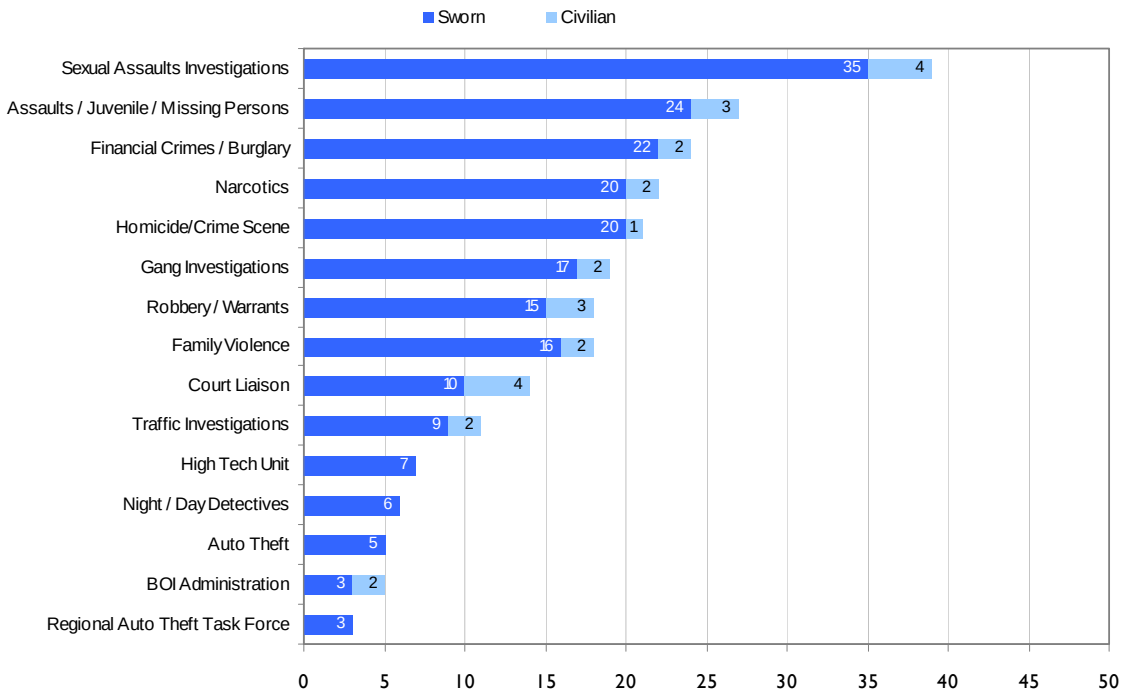


Source: SJPD Fiscal Unit – Authorized Staffing as of November 2010

Bureau of Investigations

As of November 2010, there were 238 staff in the Bureau of Investigations, of whom 212 were sworn. As shown in Exhibit 6, the investigative units with the largest staffing included the Sexual Assaults Unit, the Assaults / Juvenile / Missing Persons Unit, and the newly consolidated Financial Crimes & Burglary Unit.

Exhibit 6: Bureau of Investigations – Authorized Unit Staffing as of November 2010

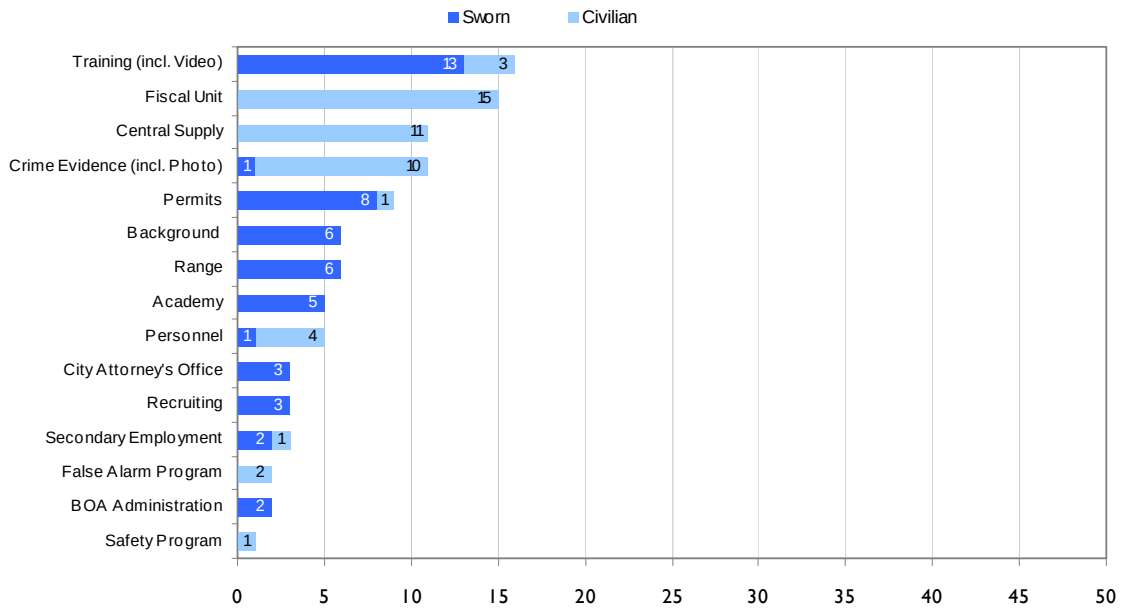


Source: SJPD Fiscal Unit – Authorized Staffing as of November 2010

Bureau of Administration

There were 98 sworn and civilian staff in the Bureau of Administration as of November 2010; about half of whom were civilians. Exhibit 7 shows the breakdown.

Exhibit 7: Bureau of Administration – Authorized Unit Staffing as of November 2010

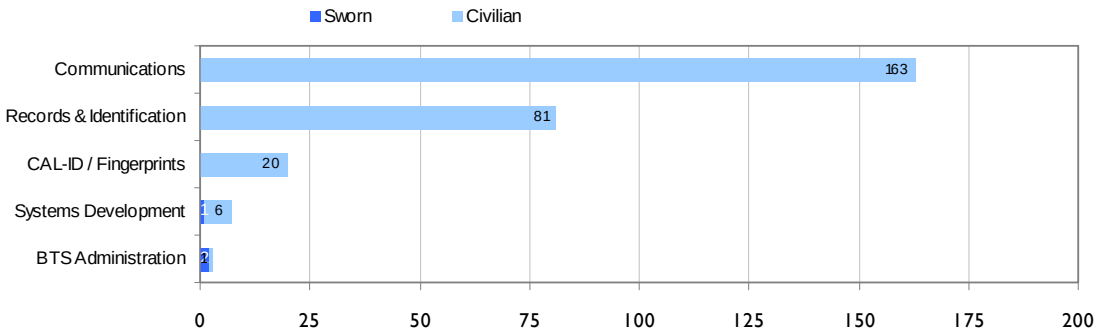


Source: SJPD Fiscal Unit – Authorized Staffing as of November 2010

Bureau of Technical Services

Exhibit 8 shows the 273 staff in the Bureau of Technical Services as of November 2010, 270 of whom were civilians. Sworn staff was assigned as management, as well as Communications and Systems Development.

Exhibit 8: Bureau of Technical Services – Authorized Unit Staffing as of November 2010

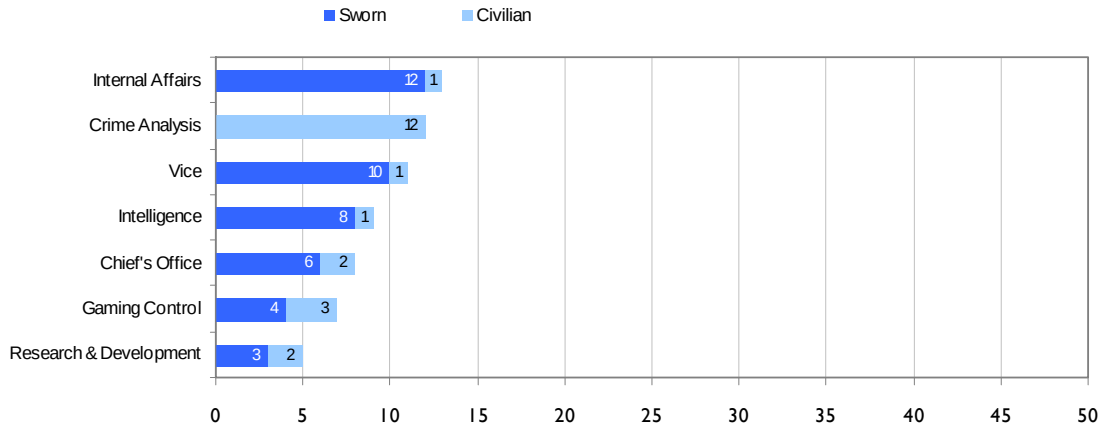


Source: SJPD Fiscal Unit – Authorized Staffing as of November 2010

Office of the Chief

As of November 2010, 64 staff were assigned to the Office of the Chief, 42 of whom were sworn staff. Exhibit 9 shows the breakdown. Most civilian staff were assigned to the Crime Analysis Unit and as support staff for other units.

Exhibit 9: Office of the Chief of Police – Authorized Unit Staffing as of November 2010



Source: SJPD Fiscal Unit – Authorized Staffing as of November 2010

Audit Objective, Scope, and Methodology

The objective of our audit was to identify opportunities for efficiencies and consolidations in the Police Department that would maximize the number of officers on patrol, including possible opportunities identified by Councilmember Constant (per the Mayor's *June Budget Message for Fiscal Year 2010-11*). These are referred to as Budget Documents (BDs).

During the course of our work related to the BDs that proposed combining the Violent Crimes Enforcement Team (VCET) and the Gang Investigations Unit (GIU) (BD #16) and also the BD to make the MERGE Unit a collateral assignment (BD #19), we learned that the Police Department was already planning a reorganization of the Special Operations Division that affected these units. To understand the units, their work, as well the reorganization, we: interviewed various Special Operations Division staff; went on ride-alongs with the MERGE and VCET Units; attended a MERGE training; analyzed budget data to understand impact on Patrol of the budget and of the Special Operations Division reorganization; and compiled data on the Units' workload to the extent it was available. To obtain an understanding of the related functions in the Bureau of Investigations, we interviewed a day detective and the Gang Investigations Unit commander.

To identify additional opportunities for efficiencies, we reviewed a recent consultant report by Corona Solutions, *Patrol Deployment Alternatives for the San José Police Department.* We interviewed Police Department staff in Research and Development as well the consultant to better understand the report. We also reviewed prior work by the City Auditor's Office related to Patrol deployment including a 2000 audit, *An Audit of the Police Department – Bureau of Field Operations Patrol Division's Staffing and*

Deployment and a 2007 follow-up memo, *Audit Recommendation Follow-Up: The SJPD's Staffing and Deployment.* We analyzed information from these reports in the context of BD #18 (to reduce the number of divisions from four to three).

To obtain an understanding of day detectives (BD #17) and their role within the organization, we interviewed Homicide Unit staff to understand the day detectives' role. We also compiled data on workload to the extent it was available.

We analyzed existing data on actual Police Department staffing as of November 2010 to calculate the Department's span of control. We calculated the cost of supervision (sergeants, lieutenants, and officers) based on this data and further calculated the costs to the Department if there were a broader span of control (fewer supervisory positions). We compiled external sources about span of control. We analyzed recent budget data to draw conclusions about the nature of certain budget cuts.

We reviewed the prior SJPD staffing plan. We reviewed prior audit recommendations and reports (Corona, ICMA) and we reviewed the current budget and available information about the upcoming budget year.

Finding 1 SJPD's Recent Reorganization of the Special Operations Division Returned 40 Sworn Positions to Patrol

In June 2010, the City of San Jose narrowly escaped having to lay off patrol officers. Faced with a $118 million Citywide budget shortfall, SJPD had proposed cuts to services ranked most important by the community. In a search for alternatives, the City Council received Budget Documents (BDs) that proposed restructuring specific aspects of the Department and using the savings to increase Patrol staffing. Meanwhile, within the Bureau of Field Operations, SJPD identified the Special Operations Division as a source from which to redeploy sworn staff back into Patrol service. As a result, the two BDs involving the Special Operations Division (to combine gang enforcement and investigations and to convert MERGE to a collateral duty) were impacted by the restructuring. Although potentially worthy of reconsideration in the future, it seems only logical to allow the current reorganization and reductions in the Special Operations Division to settle in before considering additional changes. However, we do recommend additional transparency about SJPD staffing in the future.

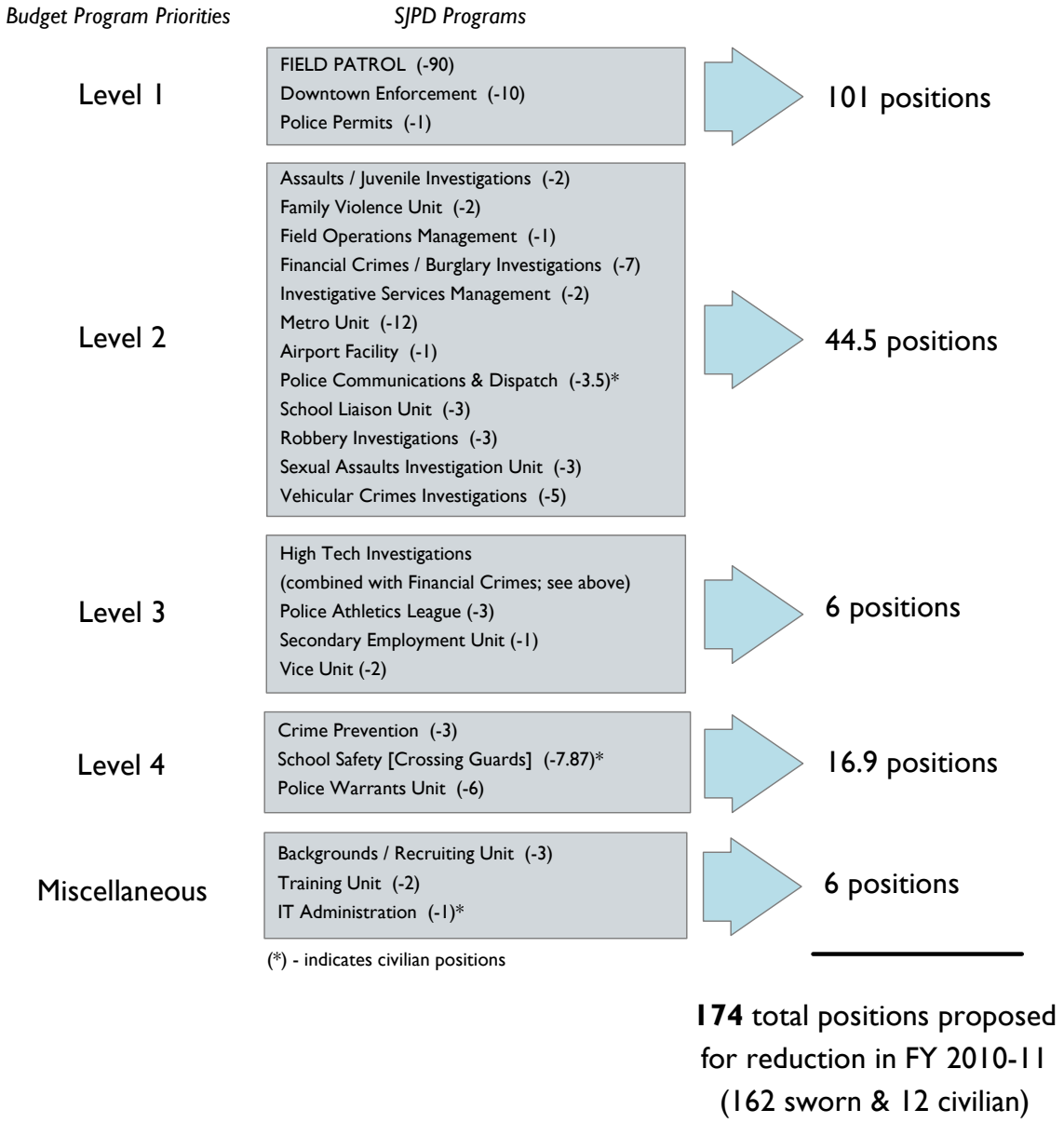
Faced with a Budget Shortfall, SJPD Proposed Cuts in the FY 2010-11 Budget to Services Ranked Most Important by the Community

Community meetings and a telephone survey of residents in late 2009 and early 2010 resulted in a pilot prioritization of programs that categorized direct community services into four levels by the City Manager's Office, with Level 1 services considered the most critical.

Programs were scored based on their alignment with four basic attributes (mandated to provide the program, cost recovery of the program, change in demand for service, and reliance on City to provide service) and five public priority results (safe city, prosperous economy, green and sustainable city, attractive and vibrant community, reliable and well-maintained infrastructure). The community ranked several Police Department services as Level 1 priorities, such as Field Patrol, the Violent Crimes Enforcement Team, and the Gang Investigations Unit, or as Level 2 priorities, such as the MERGE Unit and the Metro Unit.

The SJPD's proposed budget for FY 2010-11 included proposals to cut a number of Level 1 and Level 2 programs, including Field Patrol and Metro, as shown in Exhibit 10.

Exhibit 10: SJPD's Proposed FY 2010-11 Budget Reductions by Priority Level



Source: City of San José Proposed Budget Summary 2010-11 and City Council/Senior Staff Study Session: 2010-11 Budget Planning Update

The Search for Potential Alternatives

Prior to implementation of SJPD's internal restructuring of the Special Operations Division, the City Council also raised a number of questions about possible changes in the department related to the FY 2010-11 Adopted Budget proposals. During the City Council's budget study sessions, Council received Budget Documents (BDs) proposing changes in the Special Operations Division, such as making MERGE a collateral assignment and combining Violent Crimes

Enforcement Team (VCET) and Gang Investigations Unit (GIU). Additional questions were raised regarding eliminating a Patrol Division and implementing alternative shift deployment in Patrol. The overarching goal of these changes was to ensure that core services would continue to be provided in Patrol and Investigations. An overview of Council's Budget Documents (or BDs) related to the Special Operations Division of SJPD is also provided below.

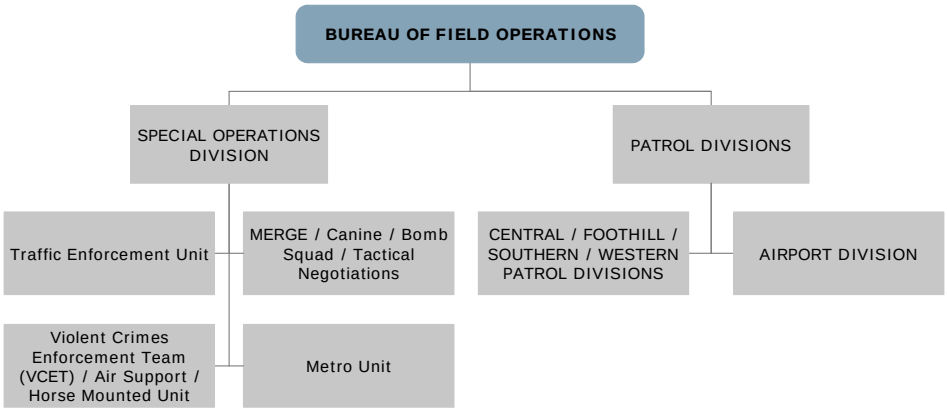
SJPD's Recent Reorganization of the Special Operations Division Returned 40 Sworn Positions to Patrol

In preparation for the September 2010 shift change when many staffing reductions would have been implemented, the Department considered how to increase Patrol staffing in order to meet the anticipated demand for calls for service. Within the Bureau of Field Operations, SJPD identified the Special Operations Division as a source from which to redeploy sworn staff back into Patrol service. According to SJPD, internal planning for the reorganization of the Special Operations Division began in March 2010.

Overview of the Special Operations Division

The Special Operations Division consists of teams of specially trained sworn employees who perform high-risk work including SWAT-team operations, gang enforcement, and surveillance of high-risk suspects. The Special Operations organizational chart prior to September 2010 is shown in Exhibit 11.

Exhibit 11: Special Operations Organizational Chart – Prior to September 2010 Shift Change

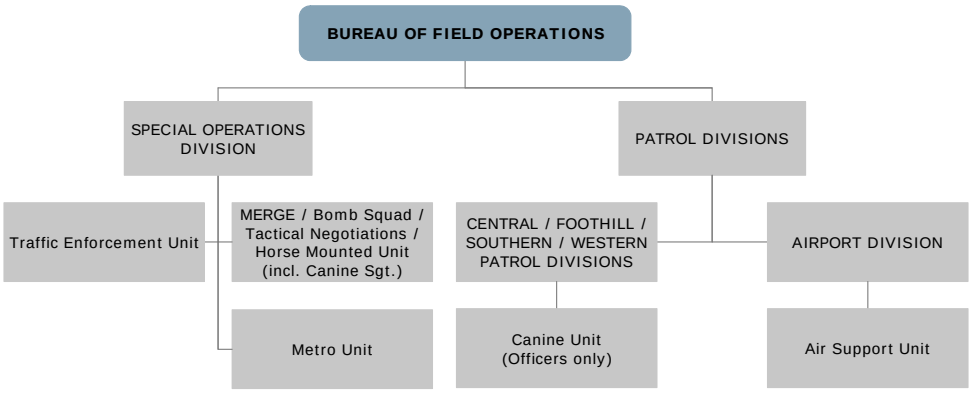


Source: SJPD website

Overview of the Special Operations Division Restructuring in September 2010

The Special Operations reorganization and associated staffing and operational changes were implemented in September and resulted in the redeployment of 40 sworn[3] positions to Patrol. The reorganization combined the VCET and Metro Units into a new unit called Metro (redeployed 20 sworn positions to Patrol), assigned the Canine Unit to Patrol (added beat patrol responsibilities to these 10 sworn officer positions), reduced the number of full-time MERGE members (redeployed 7 sworn positions to Patrol), and reduced the size of the Traffic Enforcement Unit and the Graffiti Abatement Detail (redeployed two officer positions to Patrol). The Special Operations organizational chart (after the September 2010 shift change) is shown in Exhibit 12.

Exhibit 12: Special Operations Organizational Chart – After September 2010 Shift Change



Source: SJPD website

Exhibit 13 describes the changes in more detail.

[3] The 40 sworn consisted of 35 officers and five sergeants.

Exhibit 13: Overview of Changes Due to Special Operations Reorganization

Unit/Function	Effect of Reorganization
Violent Crimes Enforcement Team (VCET)	**-20 sworn staff (4 sergeants and 16 officers from VCET & Metro) shifted to Patrol** -VCET combined with Metro to form the Metro Unit -New Metro Unit consists of 39 sworn (1lieutenant, 4 enforcement sergeants, 32 officers, 1 training/administrative sergeant, and 1 administrative/intelligence officer) -Gang suppression functions of VCET will continue as the priority and are now performed by the Metro Unit -Mid-level narcotics enforcement involving gang members will also be performed by the new Metro Unit -New Metro Unit is also now "Critical Response Team" (CRT) for MERGE. A CRT response is initiated whenever a large number of uniformed officers are needed to address a major emergency, protest, etc.
Metro	-Combined with VCET to form the Metro Unit -Reduced services for enforcement of street-level prostitution and narcotics (former Metro responsibilities); to be performed by the Metro Unit -No longer responsible for coordination of homeless encampment clean-ups
Canine Unit	**-10 officers in the Canine Unit were assigned to a regular Patrol team with beat responsibilities** -Canine officers will still be available for calls requiring a Canine Unit response throughout the City
MERGE	**-7 sworn officers shifted to Patrol** -MERGE unit now consists of two sergeants and 13 officers -Primary responsibilities will be critical incidents and service of high-risk search warrants -Unit will continue focusing on capturing fugitives through covert surveillance for the Bureau of Investigations -MERGE's administrative/training sergeant will be responsible for ongoing training of new Metro Unit's CRT officers. -MERGE will now be required to use CRT officers to assist with all critical incidents
Traffic Enforcement Unit (TEU)	**-2 officers shifted to Patrol** -Six officers to be deployed on motorcycles rather than in cars to increase efficiency and effectiveness for traffic control and enforcement (per SJPD). -Change will also allow full staffing on each of the enforcement teams that address the highest crash locations throughout the City, to conduct school and neighborhood enforcement and will provide additional assistance during major events and special event planning.
Graffiti Abatement Detail	**-1 sergeant returned to Patrol;** 2 officers moved to the Juvenile Unit in the Bureau of Investigations
Patrol	**-Patrol staffing increased by 40 sworn positions** (5 sergeants from VCET, Metro, and Graffiti Abatement, and 35 officers from VCET, Metro, MERGE, Canine, and TEU; see above.)

Source: City Manager's Memo to City Council, "Operational Changes in the Police Department" on September 23, 2010

Effect of Reorganization on Gang Enforcement Functions

One major result of the reorganization of the Special Operations Division was the combination of Metro and the Violent Crimes Enforcement Team (VCET) into one single unit—the Metro Unit—with the focus to remain on gang

enforcement and suppression. Prior to the reorganization, the VCET and Metro Units consisted of 60 sworn staff. The reorganized Metro Unit consists of 39 sworn staff.

Overview of Metro Unit

Prior to reorganization, Metro focused specifically on minimizing street-level alcohol, drug, and criminal activities, including gang-related activity, graffiti problems, and homeless encampments. Metro consisted of specially trained Bureau of Field Operations personnel who worked either in uniform or in plainclothes for covert operations, and were responsible for maintaining a rapport with business and neighborhood groups. In the FY 2010-11 Adopted Budget, Metro staffing consisted of one lieutenant, six sergeants and 30 officers, for a total of 37 sworn staff.

Overview of Violent Crimes Enforcement Team (VCET)

Prior to reorganization, VCET focused its efforts on criminal street gangs and violent offenders and served as a resource to the Patrol Division, as well as to the Bureau of Investigations. VCET was also a primary player in the "suppression" aspect of the prevention, intervention and suppression model addressing gang issues in San José as part of the Mayor's Gang Prevention Task Force. More specifically, VCET served as a uniformed street-level gang enforcement unit. VCET proactively patrolled targeted enforcement areas, known as "hot spots," looking for criminals and criminal suspects. As part of the Special Operations Division, VCET also augmented the MERGE unit on tactical missions through the Collateral Response Team (CRT) program and assisted with policing special events and festivals. Prior to the reorganization, VCET staffing consisted of one lieutenant, three sergeants and 19 officers, for a total of 23 sworn staff. In total, VCET and Metro consisted of 60 sworn staff prior to the reorganization of the Special Operations Division.

Overview of the Combined Metro Unit

As a result of the reorganization, the combined Metro Unit now consists of one lieutenant, five sergeants and 33 officers, for a total of 39 sworn staff. As noted above, this combined Metro Unit also redeploys 20 sworn staff (four sergeants, and 16 officers) back into Patrol service.

<u>The combined Metro Unit will continue gang enforcement and suppression responsibilities of the former VCET unit</u>, but will reduce some of the former Metro's responsibilities, such as street-level prostitution and narcotics. Exhibit 14 shows the expected impact, according to SJPD, of the VCET and Metro consolidation on each unit's workload.

Exhibit 14: VCET / Metro Workload Impact

Activities	FY 2009-10 Workload	Impact on workload in FY 2010-11 for new Metro Unit?
VCET Activities		
Gang-related Arrests (felony, misdemeanor warrants)	336	Will continue to be priority
Gang-related Searches (probation, parole, warrants)	1,206	Will continue to be priority
Gang-related Field Interviews	605	Will continue; may cross-over with Metro-related interviews
Assists to Gang Investigations Unit	44	Will continue
Assists to Bureau of Field Operations	382	Will continue
Other Assists	198	Likely to increase due to reduction of MERGE staff
Total Weapons Recovered (firearms, cutting instruments, etc.)	106	Will continue
Total Training Hours	3,367 hours	~20 hrs. of training per month
Metro Activities		
Narcotics Arrests	398	Will continue
Other Arrests	574	Will continue
Criminal Citations	519	Likely to decrease; most citations for prostitution (see below)
Bike/Foot Patrol Hours	973	Will decrease
Narcotics Search Warrants / Parole & Probation Searches	390	Will decrease
Community Policing Hours	1,153	Will decrease; graffiti and illegal homeless encampment abatements will no longer be done by Metro
Graffiti-related arrests	182	Will no longer be done by Metro
Prostitution-related arrests	310	Will no longer be done by Metro

Source: 2009-10 SJPD Program Management Reports and SJPD Interviews

SJPD estimates that more than half of the new Metro's time will be weighted towards gang enforcement activities, while the rest will go towards street-level drug enforcement, with some overlap between gang activity and drugs. SJPD also maintains that the new Metro Unit's main function will be to support Patrol, and that the combined unit will have both uniformed and covert capabilities, depending on the situation.

Overview of the Gang Investigations Unit (Bureau of Investigations)

The reorganization of the Special Operations Division, particularly the consolidation of VCET and Metro, did not directly affect the Gang Investigations Unit (GIU) in the Bureau of Investigations. In the San José Police Department, gang enforcement and gang investigation responsibilities have historically been housed under separate Bureaus and chains of command. GIU has typically worked very closely with the former VCET unit to address gang suppression issues, and expects to continue to do so with the new Metro Unit.

SJPD advises that under the Bureau of Investigations, the GIU also plays a role in the City's gang strategy of prevention, intervention, and suppression. GIU investigates all reported incidents of crime committed by members of criminal

street gangs as defined by the California Penal Code. SJPD describes GIU as a reactive unit that focuses on longer-term investigations involving gangs and gang-related crime. GIU typically receives cases from Patrol and/or the Court Liaison Unit in the Bureau of Investigations. Unlike VCET, GIU detectives are not assigned any patrol-related duties. GIU's cases, along with other investigations for which GIU may be providing support or assistance, can range from days to months. SJPD advises that GIU also provides trainings and informational presentations to schools, community groups, and law enforcement personnel as part of a coordinated approach to reduce overall gang activity, along with the Bureau of Field Operations, State Parole, and Juvenile Probation.[4]

GIU was not part of the reorganization of the Special Operations Division, nor was it included in any of the FY 2010-11 Adopted Budget actions. GIU staffing totals 17 sworn staff (one lieutenant, three sergeants, and 13 officers).

Analysis of Budget Document #16 – Proposal to Consolidate Gang Enforcement and Investigative Functions

Budget Document #16 (BD#16) suggested consolidation of gang enforcement and investigative functions by combining the VCET and the GIU Units under one bureau, since the units do similar work and interact with each other on a regular basis already. This was proposed prior to SJPD's announcement of the merger of the VCET and Metro Units. Budget Document #16 states:

> *Combining these two units within one bureau would enhance the synergy between the units, reduce redundancies and reduce the supervision and management needed while maintaining the number of officers allocated to do the work.*

BD #16 estimated that one lieutenant and two sergeant positions could be eliminated under this proposal – saving about $600,000, or the equivalent of four police officers that would be added back to Patrol.

Separation of Investigative and Enforcement Functions

The proposal challenges SJPD's existing separation of duties between investigative and enforcement functions. SJPD was unclear about how a combined VCET-GIU would work from a practical perspective. While both units interact often with gangs, the actual work differs: VCET focuses on gang-related enforcement and supports the Patrol Division in the Bureau of Field Operations, while GIU focuses on gang-related investigative cases (ex. gang-related assaults) within the Bureau of Investigations. Under the current paramilitary structure of the organization, each unit has its own unique

[4] We asked the Police Department to allow us to "shadow" or talk with gang investigators in GIU to better understand the work but we were not permitted to meet one-on-one with investigators. We did meet with the unit's lieutenant in the presence of a deputy chief.

functions and responsibilities that require them to be placed under separate bureaus and chains of command. We observed that Police management found it difficult to conceptualize combining an investigative function and an enforcement function.

Comparison to Other Jurisdictions

Some law enforcement agencies in other jurisdictions appear to keep enforcement and investigative responsibilities separate to a degree, while other have a more integrated approach to gang issues. For example, the Los Angeles Police Department has a Gang Support Section in its Special Operations Division, as well as a specialized group of investigating officers in the Detective Bureau to help locate and arrest violent gang members and career criminals. The Indianapolis Metro Police Department also keeps the enforcement duties separate from the investigative duties, with a Street Level Enforcement Detail and a Criminal Gang Investigation Section, respectively.

Alternatively, in 2008 the Police Executive Research Forum (PERF) recommended that the San Francisco Police Department utilize a different approach by realigning the Special Operations Division—including the Gang Task Force Section—and placing it under the command of the Deputy Chief of the Investigations Bureau. The Gang Task Force Section works to make San Francisco neighborhoods safe through enforcement activities and partnerships with local and federal agencies. The section had recently changed from an undercover capacity to working in uniform, saturating gang hot spots.

Comparison of SJPD Reorganization and Budget Proposal #16

As shown in Exhibit 15, BD #16 would have allowed SJPD to "buy back" four patrol officers through the elimination of 3 higher-cost management and supervisory positions in the Special Operations Division. The SJPD restructuring of the Special Operations Division slimmed down the Division and moved 20 positions (including supervisory positions) to patrol.

Exhibit 15: Comparison of Proposed Staffing Changes and Patrol Restorations

Staffing Changes	**BD #16 – Consolidate VCET & GIU**	**SJPD Restructure – Consolidate VCET & Metro Unit**
Positions to Eliminate	3 (1 Lieutenant & 2 Sergeants)	No eliminations; Transfers back to Patrol
Positions to Add to Patrol Division	**4** (Officers)	**20** (4 Sergeants, & 16 Officers)

Source: Budget Document #16 and City Manager's Memo to City Council, "Operational Changes in the Police Department" on September 23, 2010

Conclusion on Proposal to Consolidate Gang Enforcement Functions

The VCET-Metro consolidation into the Metro Unit has only been active since September 2010 and has kept the gang enforcement and suppression functions intact. It is too soon to assess how this reorganization is working. In October 2010, the City Manager's Office directed the Police Department to report to the Public Safety, Finance, and Strategic Support Committee every other month beginning in November 2010 on the ongoing gang suppression work of the new Metro Unit.

While the possibility still exists to combine the new Metro Unit with the Gang Investigations Unit—similar to the proposal in BD #16 to combine the old VCET with GIU—it would require a significant shift in SJPD's organizational culture to determine exactly how the field operations and investigative functions could be brought together under one chain of command.

Effect of Reorganization on MERGE Functions

Another major result of the reorganization of the Special Operations Division was the reduction of the Mobile Emergency Response Group and Equipment Unit—or MERGE Unit. The MERGE Unit is how San José refers to its "SWAT" team. It is part of the Bureau of Field Operations' (BFO) Special Operations Division.

Prior to the September 2010 shift change, MERGE consisted of 24 full-time team members.[5] The main duty of the MERGE Unit is fugitive apprehension and surveillance of violent criminals. The MERGE Unit classifies its work into the seven following categories:

- **Targeted Apprehensions:** Going out onto the streets and apprehending high-risk criminals.
- **Investigative Assists:** Tracking suspects to help gather evidence or in an attempt to witness a suspected criminal committing a crime. Often occur as the result of a BOI request.
- **High Risk Operational Assists:** Involvement and action regarding high risk search warrants.
- **Miscellaneous Felony Arrests**: Arrests that often occur when MERGE teams are on surveillance and witness other felonies unrelated to the line of their surveillance.
- **Special Assignments:** Catch-all category. One example would be dignitary protection.
- **Critical Incidents:** Hostage barricades or "call-out" operations.

[5] MERGE team members consisted of 20 officers, two sergeants, one officer on modified duty, and one lieutenant.

- **Tactical Training Hours:** Hours spent by the MERGE team doing tactical training.

Because of the violent nature of the criminals they track, MERGE officers and sergeants receive training for specific skills, equipment, and tactics that aid in the surveillance and apprehension duties. For example, MERGE officers and sergeants are trained to use multiple types of weaponry and to respond a variety of types of high-risk situations; full-time MERGE members typically train about 30 hours per month. According to SJPD, having MERGE available for surveillance and apprehension decreases the risk that Patrol officers will encounter high-risk suspects. Additionally, the Department advises that MERGE helps investigators with their cases.

Before the September 2010 shift change, the MERGE Unit was divided into two teams—the fugitive apprehension team and the high-end tactical team. Both MERGE teams possessed expertise and training in special weapons and tactics to resolve hazardous or critical incidents. The fugitive apprehension team typically used unmarked cars and plainclothes officers, and was focused primarily on the task of fugitive apprehension, including surveillance of suspects. The high-end tactical team typically wore uniforms and used marked cars, and was primarily responsible for responding to the highest risk search warrants and hostage rescue operations. Day-to-day, the tactical team also assisted Patrol and helps train other units.

As a result of the Special Operations Division reorganization, MERGE now consists of 16 full-time members, including 12 officers, one intelligence officer, two sergeants and one lieutenant. Instead of two 10-officer teams, MERGE now consists of one 12-officer team and an administrative/intelligence officer. The single MERGE team will focus primarily on fugitive apprehensions and barricade/hostage situations, similar to the old fugitive apprehension team. The team will also continue to respond to critical incidents; however, day-to-day activities of the old high-end tactical team as described above will likely decrease. The Unit also retains both of its sergeants, one of whom will function as the primary enforcement supervisor while the other serves as the administrative/training sergeant. This reduction in MERGE staffing allowed for the redeployment of seven officers back into police Patrol services.

Collateral Response

Prior to the Special Operations Division reorganization, officers and sergeants in the former VCET and the Tactical Negotiations Unit (TNU) functioned as collateral (part-time as needed, in addition to their full-time duties with their respective units) MERGE members who aid the MERGE Unit whenever necessary, such as during critical incidents or "call-out" operations. In addition, officers and sergeants in the Canine Unit and the Bomb Squad provide aid to

the MERGE Unit as needed and during critical incidents. In total, there were 49 collateral members of MERGE available to assist the full-time MERGE staff when needed.

As the result of the reorganization and to help mitigate the loss of one MERGE team, the combined Metro Unit (up to 39 sworn staff, formerly VCET and Metro) will also receive Collateral Response Team (CRT) training as part of the unit's regular training schedule. The CRT training will allow Metro to support MERGE as needed in hostage or armed barricade situations and in serving high-risk search warrants. The Bomb Squad, TNU, and the Canine Unit will also continue to provide collateral aid for the MERGE Unit as needed, for a total of up to 67 sworn staff available for collateral response if needed.

Analysis of Budget Document #19 – Proposal to Convert MERGE Unit to a Collateral Assignment

Budget Document #19 (BD #19) suggested converting the full-time MERGE Unit to a collateral (part-time as needed) assignment and redeploying the officers and sergeants back to Patrol. This was proposed prior to SJPD's announcement of the Special Operations reorganization. It stated:

> *"Moving the MERGE Unit to a collateral assignment would re-assign these police officers to a primary patrol function, while keeping the officers available for immediate deployment when circumstances call for a tactical response."*

BD #19 recommended making the existing 22 full-time MERGE positions collateral while keeping the collateral positions from other units, resulting in 71 personnel with collateral MERGE assignments. In addition, BD #19 also suggested the possibility of adding an additional 20 collateral officers and 2 collateral sergeants for a total of 93 collateral MERGE assignments.

Under the BD #19 proposal, all MERGE collateral officers would spend most of their time on regular Patrol duty and would only perform MERGE duties on a part-time basis. For example, according to BD #19, proactive apprehension efforts would only be performed during the weekly overlap days (along with any necessary training). Otherwise, collateral MERGE personnel would only be deployed as needed to respond to critical incidents that call for a tactical response.

Comparison of SJPD Reorganization and Budget Proposal #19

In terms of staffing, the reorganization of the Special Operations Division reduces the MERGE Unit from two 10-member teams each led by a sergeant (24 sworn staff total) down to one single 12-member team (16 sworn staff total) as shown in Exhibit 16. Alternatively, BD #19 converts the MERGE Unit into a collateral assignment and redeploys the sworn staff back into Patrol.

Exhibit 16: Comparison of Staffing Changes and Patrol Restorations Under SJPD Reorganization and Budget Proposal to Make MERGE a Collateral Assignment

Staffing Changes	BD #19 – Convert Full-time MERGE Unit to Collateral (part-time) Assignment	SJPD Restructure – Reduce Full-time MERGE Unit
MERGE Unit Staffing (full-time)	1* (1 lieutenant maintains command; 2 sergeants and 20 officers in the Patrol Division below would perform collateral MERGE duties only during overlap days or as needed)	16* (1 lieutenant, 2 sergeants, 12 officers and 1 intelligence officer)
Positions to Add to Patrol Division	22** (2 sergeants & 20 officers)	7 (7 officers)

Source: Budget Document #19 and City Manager's Memo to City Council, "Operational Changes in the Police Department" on September 23, 2010
(*) – Under each scenario, the combined Metro Unit, Canine Unit, Bomb Squad, and the Tactical Negotiations Unit would continue to provide collateral response support to MERGE staff as needed.
(**) – MERGE full-time staff receive 5% premium pay for MERGE duties. BD #19 also proposes the possibility of adding another 20 officers and 2 sergeants on a collateral basis, or about $165,000 in associated premium pay.

Workload Impact

The time available to complete MERGE duties and responsibilities will vary significantly depending on whether the MERGE Unit is full-time or is a collateral assignment. Under BD #19, MERGE's workload would only be completed on a collateral or part-time basis, as the sergeants and officers would primarily serve a patrol function. Under the reorganization, the MERGE unit will reduce the number of full-time staff and will potentially do less of some activities compared to prior years, unless activities like fugitive apprehension are given higher priority than others. For example, under the BD #19 proposal the MERGE sergeants and officers would spend one day a week on targeted fugitive apprehensions, whereas under the reorganized MERGE Unit, targeted apprehensions would continue to be the team's primary focus on a full-time basis.

SJPD Concerns

SJPD raised a number of concerns about the proposal to convert MERGE into a collateral assignment. For example, SJPD suggested that MERGE call-outs and trainings would disrupt Patrol by pulling officers off their assigned beat or district. SJPD anticipates that if the MERGE officers were put in floating or assigned patrol positions with collateral MERGE duties, they would never actually work their patrol since they would continuously be pulled for high-risk assists and/or training, as well as the occasional call-out situation. Furthermore, according to the Department, making the MERGE Unit completely collateral would also negatively impact the targeted fugitive apprehension work that is

crucial to investigations. Training hours would also be limited by making MERGE duties collateral as training would occur less frequently than it does for full-time MERGE members (who typically receive about 30 hours of training each month).

During a ride-along with the MERGE Unit, we observed that most of the unit's work focused on the apprehension of high-risk (ex. homicide and robbery) suspects. The MERGE fugitive apprehension team spent a significant amount of time during our ride-along planning and conducting surveillance on two different homicide suspects. The MERGE supervisor emphasized the need for their specialized skills, training, and tactics to ensure officer safety while tracking and apprehending violent and dangerous criminals. Although critical incidents or "call-outs" are the more commonly assumed tasks related to similar SWAT teams, the bulk of the work for the full-time MERGE Unit actually consists of these fugitive apprehensions and investigative assists.[6]

MERGE / SWAT in Other Jurisdictions

The Jacksonville Sheriff's Office in Florida, the Indianapolis Metropolitan Police Department in Indiana, and the Charlotte-Mecklenburg Police Department in North Carolina are examples of law enforcement organizations in large cities with a part-time or dually assigned SWAT team. According to the California Commission on Peace Officer Standards and Training (POST), the majority of SWAT teams in the state have the SWAT duty as a collateral assignment. However, larger California cities such as Los Angeles, Sacramento, and San Francisco appear to be exceptions in that each has the SWAT duty as a full-time duty.

Conclusion Regarding Proposal to Make MERGE a Collateral Assignment

The reduction of the full-time MERGE Unit from 24 to 16 sworn staff occurred in September 2010. It is too soon to assess how this reorganization is working. The possibility of redeploying the remaining full-time MERGE Unit staff back into Patrol and making MERGE fully collateral remains, however the SJPD believes this would likely significantly reduce the amount of work MERGE would be able to complete.

The reorganization of the Special Operations Division has already returned 40 positions to Patrol duties, compared to the 26 positions that the BDs related specifically to VCET and MERGE have originally proposed. The reorganization has also kept the gang enforcement and MERGE functions intact on a full-time basis, albeit with some staff reductions. The proposals to make the MERGE

[6] According to the Police Department's 2009-10 MERGE Program Management Report, the MERGE Unit conducted 120 fugitive apprehensions and 205 investigative assists in FY 2009-10.

Unit fully collateral and to combine the enforcement functions of VCET/Metro Unit with the investigative functions of GIU are still possibilities to consider moving forward.

SJPD Should be More Transparent About How Budget Proposals and Actual Staffing Align with Community Priorities

As noted previously, the SJPD proposed cuts in FY 2010-11 to programs that were extremely important to the community. Specifically, the SJPD proposed significant position cuts to Level 1 and Level 2 programs – more than to Level 3 and Level 4 programs – and proposed cuts to core Patrol staffing services, which generated the Councilmember BDs we were asked to review.

Transparency at the Program or Unit Level

Police Department staffing levels by function constitute critical public policy choices about which the City Council and the public should have the opportunity for input. The Police Chief exercises discretion to redeploy Police Department employees as needs change. In our opinion, this flexibility is important in order for the Department to be able to respond quickly to changing conditions. However, we also believe it is also important that there be transparency and that changes in resource allocations over time be clear to the public. Because SJPD does not budget by unit, it is difficult to track such changes. As a result, decisions to shift resources do not necessarily show up in or coincide with the Council-approved budget.

Budget Policies establish levels of information publicly provided on staffing and services. The Adopted Operating Budget provides a way of tracking services and staffing at the core service level. Two major core services for the Police Department are "Respond to Calls for Service" and "Investigative Services." While such broad categories may be useful in certain contexts, they don't allow policy makers or the public to know, for example, how many positions are allocated to gang enforcement and how that number has changed from the prior year. When the Police Department recently combined the VCET and the Metro Units into one, for example, the change wasn't apparent in the budget process and the City Council ended up requesting that the Police Department provide information about the change and the impact.

In a September 23, 2010 memo to the City Council regarding the combination of the VCET and Metro Units, the City Manager stated:

> *As a whole, limited staffing resources continue to challenge how sworn staff is deployed throughout the Department. The Department continues to analyze trends in demand for services and staffing to determine the appropriate allocation of resources. As we move through this year, further administrative adjustments may be needed in order to*

> *account for attrition and to manage changes in service demands. The Department will communicate these efforts to the City Council before these changes occur…..*

SJPD has had recent efforts underway to better track staffing by unit. We encourage this effort. In our opinion, periodic reporting on changes in staffing allocations would assist with this effort.

Recommendation #1: To promote transparency and provide the public with information about how resources are allocated in the Police Department, the Police Chief should report to the Public Safety, Finance, and Strategic Support Committee of the City Council at each shift change (every six months) on the changes in staffing by unit and function.

Finding II Additional Opportunities to Mitigate the Impact of Budget Reductions and Better Match Staffing to Workload

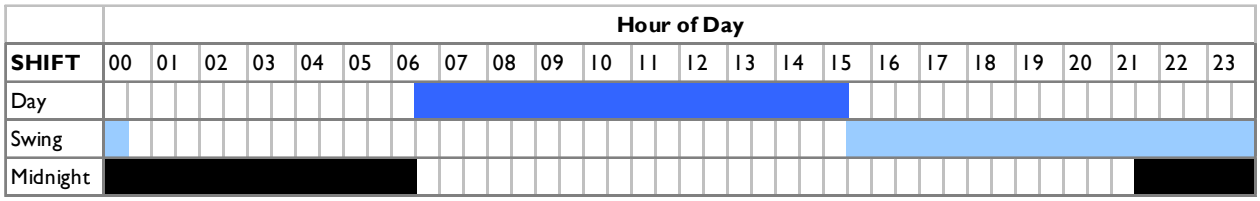
The City's budget outlook for next year remains negative and SJPD, along with all other City departments, will likely continue to be asked to do more with less. In Patrol several options are possible: (1) increasing the number shift start times could potentially provide the same level of service with fewer officers, (2) decreasing the number of divisions could reduce supervisory costs by up to $2.9 million, and/or (3) changing the Patrol schedules to a more efficient schedule other than the 4-10. In addition, modifications to investigative schedules would provide on-duty coverage on weekend days for investigations and free day detectives (another of the proposals we reviewed) for redeployment.

Optimizing Patrol Shift Schedules Could Mitigate the Impact of Budget Reductions

For Patrol purposes, the City is geographically divided into four divisions, 16 districts (four per division), and 83 beats. The level at which beats are staffed varies from day to day and shift to shift. Some beats require more than one officer to staff the beat. SJPD advises that this is determined by an annual analysis of calls for service. District supervisors maintain the ability to assign supplemental beat cars as needed. Therefore, beat patrol staffing levels generally range from about 90 to 122 but can go higher or lower depending on a number of factors.

The SJPD Patrol schedules currently consist of four 10-hour days per week with the three main 10-hour shifts starting at 6:30 a.m., 3 p.m. and 9 p.m. daily. One patrol officer per district starts at 6 a.m.; these are called the early cars. Each district has two teams working each of the three watches with the teams overlapping on one day of the week. The result is 96 teams (two teams per district times three watches times 16 districts). The overlap day is used for training or to cover for officers who are absent in other districts. Exhibit 17 shows the current Patrol staffing shifts for a sample day.

Exhibit 17: Current Patrol Shift Schedules



Source: SJPD

A Consultant Recently Recommended Increasing the Number of Patrol Shift Start Times to Better Match Staffing to Workload

Earlier this year the City hired a law enforcement consulting firm, Corona Solutions (Corona), to study Police Patrol deployment alternatives. Corona issued its report, *Patrol Deployment Alternatives for the San José Police Department,* in September 2010. Corona conducted its work using specialized software packages specific to patrol staffing, scheduling, and redistricting.

Corona noted that the advantages of the SJPD's current shift schedule are team cohesiveness (the team members consistently work the same schedule), consistent supervision, and shared training. However, the consultant further noted the disadvantages: reduced scheduling options, managing overlap days, and the supervisor/subordinate ratio.

The Corona report stated:

> *In this report, Corona has evaluated multiple options for coping with staff reductions with minimal disruption and damage to the existing police service levels. We believe relative minor adjustments to the patrol schedule would yield immediate and significant benefits. SJPD should change the shift hours to at least five shift starts per day…Fewer starts inhibit the matching of on-duty staffing with the demand profile and as a result requires significantly more officers to provide the same level of service…*
>
> *Corona found that the best course for SJPD at this point would be to modify the current deployment plan by adjusting and adding more shift start times per day…We see this as reasonable accommodation to balancing limited resources while maintaining the best and safest possible police service delivery levels for officers and the community.*

ICMA Center for Public Safety Also Generally Recommends More Start Times

A recent presentation at the ICMA conference by ICMA Center for Public Safety, a consulting group specializing in public safety, noted that if a jurisdiction uses 10-hour shifts, typically the most efficient way to match workload and staffing is with five start times.

A Prior Audit Also Recommended Modifying Shift Start Times

In February 2000, the City Auditor's Office had issued a report, *An Audit of the Police Department – Bureau of Field Operations Patrol Division's Staffing and Deployment* that recommended: "Negotiate with the San José Police Officers' Association to modify shift-starting times to provide sufficient flexibility to deploy officers in the most efficient and effective manner."

In September 2007, the City Auditor's Office issued a follow-up memo, *Audit Recommendation Follow-Up: The SJPD's Staffing and Deployment* related to the 2000 audit's recommendations. In that memo, the City Auditor restated that the SJPD and City Administration should implement the 2000 recommendation.

In its response to that memo, SJPD stated that it had generally agreed to consider the Auditor's recommendation but determined that even though the audit work "had utilized industry standard analytical tools available at the time and precise mathematical calculations to develop statistically optimal staffing and deployment models," the SJPD decided that the Auditor's conclusions had discounted the SJPD's professional experience.[7]

The 2000 recommendation to modify shift starting times was ultimately dropped by the City Auditor's Office based on an October 30, 2007 City Council vote to accept the Police Department's response to the audit recommendation follow-up memo. The City Council did recommend that the Police Department continue to use the police staffing software and to monitor the inputs and outputs for efficient and effective tracking purposes.

More recently, the Public Safety Budget Summary in FY 2010-11 Operating Budget stated:

> *The Police Department is currently exploring the use of alternative shift models, subject to meet and confer, to mitigate the impact of the remaining reduction in 2010-2011 and align staffing more efficiently with workload in 2011-2012 after the 62 sworn positions that were restored one-time in 2010-2011 are eliminated effective July 2011.*

The Police Department advises that it is monitoring the fluidity of the budget situation and would like to know the extent of likely cuts before changing Patrol shift start times.

Recommendation #2: To better align staffing with workload, SJPD should propose additional shift start times.

[7] The Auditor's Office and the SJPD viewed several key assumptions differently in the model that affected the calculation of minimum required staffing. These included: the basis for calculating proactive patrol time, call saturation, and whether to use average hourly workload or the highest average hourly workload in calculating needed staffing. Each of these assumptions significantly impacts the results of the calculations. The 2007 Auditor's memo stated: "*Specifically, the SJPD should analyze the impact that differing assumptions, such as the number of shifts, shift-starting times, call saturation, proactive patrol time, and other model components, have on the number of patrol officers, within the constraint of the City's response time targets. After this has been accomplished, the SJPD should present the San Jose City Council (City Council) with several alternative staffing deployment options and their respective implications and costs.*" These reports can be accessed online at: http://www.sanjoseca.gov/auditor/AuditReports/0001/0001report.pdf and http://www.sanjoseca.gov/auditor/AuditMemos/0646/0646M.pdf.

SJPD Could Reduce the Number of Divisions Without Changing the Number of Districts and Consider Redistricting Later

The Police Department's Patrol function is based on three levels of geographic boundaries, from largest to smallest: divisions, districts, and beats. The Department currently has four divisions, consisting of four districts each and further consisting of yet smaller subdivisions, or beats.

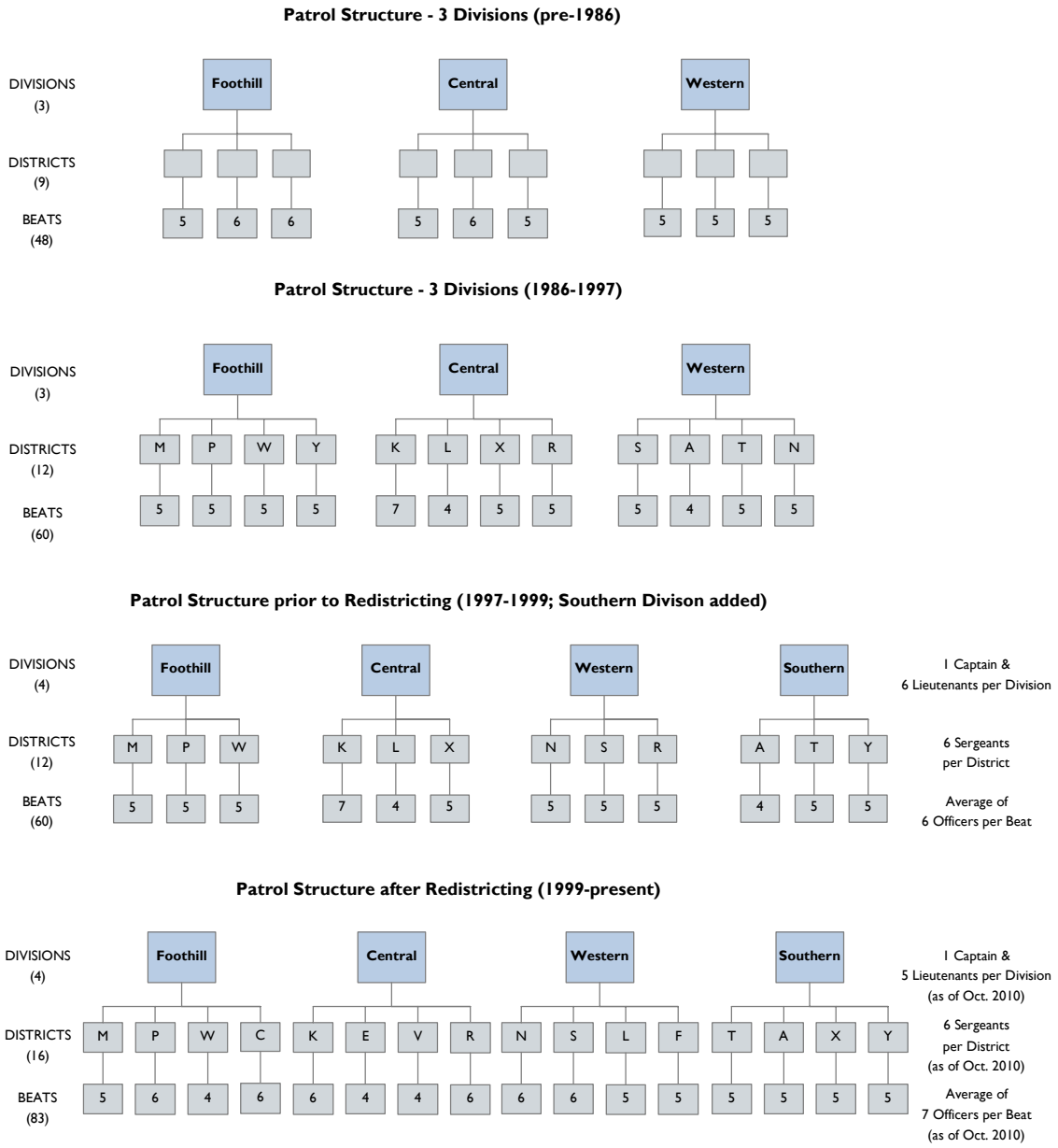
Over time, the Police Department has changed these geographic configurations as demographics and needs changed. These changes have included:

- Prior to 1986, the SJPD had three divisions each consisting of three districts and 48 beats.
- In 1986, the Department reconfigured to three divisions each consisting of four districts, for a total of 12 districts and 60 beats.
- In 1997, the Department created a fourth division in advance of also creating four additional districts in 1999.
- In 1999, the Department added the four additional districts, bringing the total number of districts to 16 and the total number of beats to 83.

Today there are 83 beats staffed with anywhere from about 90 to about 122 (and, in some cases, more or less) officers, depending on the day and the shift.

Exhibit 18 shows the current and past configuration of divisions, districts and beats along with corresponding staffing. Captains and lieutenants are allocated at the division level, sergeants at the district level and officers at the beat level.

Exhibit 18: Changes in SJPD Patrol Structure (1980-2010)



Source: SJPD, City Budget documents, and City Auditor's 1997 Analysis of the Number of Public Safety Dispatcher Positions

The SJPD Redistricting Project in 1999, according to SJPD, was intended to reduce the size of police districts and beats in order to enable beat officers to interact more closely with neighborhood residents, as well as to equalize the calls for service between districts and beats while enabling proactive patrol time.

City Made Past Decisions in Anticipation of Significant Growth that Didn't Occur

Adding a fourth Patrol division resulted in additional captain and lieutenant positions while adding four more districts resulted in additional sergeants. These decisions took place in a period when significant growth and development were expected in San José, especially in South San José. While the City's population has grown from 727,000 in 1986 to 852,000 in 1997 and more than 1,000,000 in 2010, some growth that was expected did not occur.[8]

Analysis of BD #18 to Reduce Number of Divisions from Four to Three and Districts from 16 to 12

Budget Document #18 (BD#18) proposed that SJPD revert to the three division, 12-district structure (in place prior to 1999) and eliminate a number of supervisory positions associated with a fourth division. The BD #18 estimated that savings would consist of 24 sergeants, 8 lieutenants and 1 captain for a total cost savings of about $6.5 million, or the equivalent of about 49 Patrol officers.

Increasing the Size of Districts Could Increase Required Staffing

As part of its recent review of SJPD's deployment alternatives, Corona considered the question of whether it would be more beneficial for SJPD to have 12 instead of 16 districts. Corona determined that 12 districts would require an increase in the number of officers due to a larger geographical area and concluded: "There is no immediately obvious benefit to changing the district plan while maintaining the current team plan without changing the shift schedule as well."

Based on Corona's conclusion, the 12-district plan would put more police officers on the streets and reduce the number of supervisory-level positions. The report further stated:

[8] For example, in September 2002, the Police Department issued its Neighborhood Police Operations Plan (NPOP) that described the cancellation of anticipated Coyote Valley development: "*Prior to the 2001 economic slowdown, Cisco Systems, San José's largest corporate employer, planned to establish its corporate headquarters on a $1.3 billion, 400-acre, 20,000-employee campus facility in Coyote Valley. The City Council approved the plan with the Coyote Valley Research Park in October 2000. The Council also anticipated $47 million for road, sewer, and water infrastructure improvements. The City's land use plan also called for 20,000 homes to be constructed near the campus. Under the City's plan, no residential building could take place in south Coyote Valley unless 5,000 jobs were established in the vicinity. However, the economic downturn has forced Cisco to postpone all expansion efforts. On October 24, 2001 Cisco announced it was no longer committed to building any structures in Coyote Valley, and stated if any development were to occur it would be scaled-down to a 135-acre parcel to accommodate 3,000 to 9,000 employees.*"

> *If there were a new district plan and the deployment of six teams per district were retained, then each team would be larger and fewer sergeants would be needed. For example, the 12-district plan would require 72 teams with an average size of 8.25. Although this team size is generally considered to be within the appropriate span of control for one supervisor, each team sergeant would experience a 25% increase in work and responsibilities. This increased workload would inhibit SJPD's efforts toward greater involvement and oversight by the first-line supervisors.*

One option is for SJPD to adjust the Patrol schedules as recommended by Corona and then conduct additional work on the appropriate number of districts. Though Corona noted that a broader span of control may not be acceptable to SJPD, we noted that a 1 to 8 ratio of sergeants to officers is consistent with the general recommendation of the Police Executive Research Forum's (PERF) guidelines for reasonable spans of control (see Finding 3 for additional information on span of control). Moreover, because of previous audit work in this area, we recommend SJPD reconsider not only its span of control assumptions, but other key assumptions in its staffing models. (See footnote 6 on page 27.)

Estimated Cost Savings

BD #18 had calculated the estimated savings of reducing supervisory positions in conjunction with eliminating one of the four Police Patrol divisions and four districts. The estimated savings totaled $6.5 million and could "buy back" 49 police officer positions.

Upfront, One-Time Cost of Redistricting

However, the likely one-time costs associated with switching to 12-districts, may be significant. According to SJPD, the 1999 Redistricting Project required significant staff time and resources leading up to implementation. The Department advises that it's not possible to simply revert to the prior 12 districts as the City's geography has since changed in significant ways, including the construction of Highways 85 and 87 as well as growth in North San José. Additionally, according to the Department, it took about a full year to complete, including reallocating existing sworn and civilian staff to assist with various aspects of the Project.[9]

[9] For example, SJPD noted that six civilians on the Communications staff were assigned full-time for six months exclusively on reconfiguring the necessary radio channels, computer-aided dispatch (CAD), and mapping systems related to the Project. The Redistricting Project also added two radio channels for a total of eight radio channels (two patrol districts per channel), each configured to some specificity depending on the assigned district. For example, the radio channels in North San José required additional towers in order to enhance the weak signal in the area.

Potential Alternative: Reducing the Number of Divisions Without Redistricting

While BD #18 proposed reducing the number of divisions and districts, as discussed above, redistricting may take significant time. As an alternative the Police Department could consider simply reducing the number of divisions to two or three without changing the district boundaries.

The number of required lieutenants and captains is linked to the number of divisions. Exhibit 19 shows the current divisions and related staffing as well as the difference in cost with fewer divisions.

Exhibit 19: Estimated Division Staffing and Costs

	CURRENT: Four Divisions		**Alternative 1: Three Divisions**		**Alternative 2: Two Divisions**	
	Staffing	**Costs**	**Staffing**	**Costs**	**Staffing**	**Costs**
Lieutenants	23	$5,098,456	18	$3,990,096	12	$2,660,064
Captains	4	$1,016,648	3	$762,468	2	$508,324
Total	**27**	**$6,115,104**	**21**	**$4,752,582**	**14**	**$3,168,388**
Difference Compared to Current		$0	6	$1,362,522	13	$2,946,716

Source: City Auditor's Analysis Based on SJPD Fiscal Unit – Authorized Staffing as of November 2010 and Sworn Position Cost Estimates from the Budget Office

Reducing the number of divisions from four to three divisions would result in reduced spending on supervision of about $1.4 million (the equivalent of about 10 officers). Reducing the number of divisions from four to two would result in savings of about $2.9 million (the equivalent of about 22 officers). This could serve as a shorter-term measure than redistricting and would result in immediate realized savings.

Recommendation #3: As an option to reduce costs in the near term and decrease span of control, SJPD should assess the feasibility of reducing the current number of divisions and associated supervisory positions without simultaneously redistricting.

Recommendation #4: If SJPD decides that redistricting is needed, the Department should conduct further study on the possibility of 12 districts and should reconsider its assumptions regarding span of control, proactive patrol time, call saturation, and hourly workload demand versus average hourly workload demand.

Another Option Is Changing the Patrol Schedule to a Schedule Other Than the 4-10

In its report, Corona compared five other common Patrol schedules to San José's current schedules and provided an overview of the benefits and drawbacks of each. Exhibit 20 summarizes this information. According to Corona, all five of the schedules would require fewer police officers than the current schedule.

Exhibit 20: Comparison of Current Patrol Schedule to Other Common Patrol Schedules

Schedule	Description	Advantages	Disadvantages
Six Teams/4-10 (Current)	Six teams of officers are scheduled to work together the same hours the same four days of the week.	Team cohesiveness; consistent supervision; shared training	Reduced scheduling options; managing overlap days; supervisor/subordinate ratio
4-10 Unlocked Days	Similar to Six Teams but officers may be scheduled to work different days of the week from others on their shift. Allows for a better match to the demand profile on different days of the week than a strict team system.	Improved scheduling options; consistency of some officers working the previous day; total staffing requirement may be reduced; vehicle and equipment requirement may be reduced	Inconsistent supervision through an officers' week; some loss of team cohesiveness
Dallas	A five days a week, eight hour plan with three shifts each with three start times for a total of nine start times per day. Allows for a better match of staffing to the demand profile on different days of the week and at different times of the day than a strict team system.	Very efficient; total staffing requirement may be reduced; vehicle/equipment requirement may be reduced.	Inconsistent supervision through an officer's week; more time lost to briefing, lunch breaks, etc.; increased commuting time and cost; some loss of team cohesiveness.
5-8-168	Eight-hour shifts on five consecutive days followed by two days off.	Extremely efficient; total staffing requirement may be reduced	Significant challenges for supervision during a shift; more time lost to briefing, lunch breaks, etc.; increased commuting time and cost; significant challenges for Communications; significant loss of team cohesiveness
4-10-168	Ten-hour shifts on four consecutive days followed by three days off. The shift can begin at any time of day and any day of the week; officers would work regular shifts but there would officers starting their shifts throughout the day and week, thus eliminating any team concept.	Extremely efficient; total staffing requirement may be reduced; vehicle/equipment requirement may be reduced; maintains the four-day week	Significant challenges for supervision during a shift; significant challenges for Communications; significant loss of team cohesiveness.
3-12-168	Three 12-hour days followed by four days off every week for a total of 36 hours per week so the additional four hours would need to be made up, potentially through training.	Can be extremely efficient; total staffing requirement may be reduced; vehicle/equipment requirement may be reduced; three-day week.	Significant loss of team cohesiveness; fatigue from long shifts and short rests between shifts; adjustments required to achieve the proper number of work hours per period.

Source: Corona Solutions

Recommendation #5: SJPD should assess and report on (to the Public Safety, Finance, and Strategic Support Committee of the City Council) the feasibility of changing the Patrol schedule to a potentially more efficient schedule.

Redeploy Day Detectives (BD #17) and Modify Investigative Schedules

BD #17 proposed eliminating the day detectives in the Homicide Unit and using the estimated $456,484 in savings (one sergeant and two officers) to fund three Patrol officers at an estimated cost of $400,491. The BD noted that the day detectives act as a liaison between the police patrol units and the Bureau of Investigations.

> *Prior to the establishment of the Day Detectives, on-duty detectives in the Bureau of Investigations responded to crime scenes to provide the same function as the Day Detectives currently provide. There is usually no overtime involved, since the detectives were already on duty. The department operated without the Day Detectives for decades.*

The conclusion of the BD was that the Department could again operate without day detectives and the savings could be used to restore Patrol positions.

Day Detective Staffing and Nature of Work

Two sergeants currently serve as the day detectives at an estimated annual cost of $379,000.[10] They are based in the Homicide Unit but frequently assist other investigative units, including Sexual Assaults and Robbery, among others, as well as provide ongoing assistance to Patrol (in the Bureau of Field Operations).[11] Day detectives respond to all homicides, suspicious deaths, officer-involved shootings, and in-custody deaths to provide investigative assistance and ensure proper notifications are completed.[12] They are also responsible for the initial investigation of all child deaths. Such child deaths are the only caseload that day detectives carry; according to the Police Department, this differentiates them from other investigators within the Bureau of Investigations, all of whom carry caseloads. Day detectives are available to "triage" many crime scenes or suspected crimes scenes and advise Patrol or other investigative units. In some cases, the Department advises, this spares the Department from sending out investigators who may receive overtime pay or who would otherwise be taken away from working on an existing caseload.

[10] The current day detectives are both on temporary duty assignments (TDY), with one from the Robbery Unit and one from the Family Violence Unit.
[11] The Department also has night detectives who perform the same functions during the night that the day detectives perform during the day.
[12] We asked the Police Department to allow us to "shadow" or otherwise meet with day detectives in the field to better understand the work but we were not permitted to do so. We did interview a day detective in the presence of a deputy chief as well as talked and corresponded with the Homicide Unit commander.

While the day detectives may assist Patrol in lieu of bringing an investigative unit on the scene, the day detectives are still required (by the Homicide Unit's guidelines) to notify the appropriate on-call investigator from the Bureau of Investigations. So even if an investigator is not required to come to the scene in person, he or she still is involved in each incident and accordingly required to take time away from other work. Specifically, the guidelines state:

> *While assisting patrol with field investigations, the Night and Day Detectives will notify the appropriate Bureau of Investigations on-call investigator. The Night and Day Detectives will provide the investigator with the necessary details of the event so he/she can give patrol officers the essential instructions to ensure proper investigative procedures are completed.*

The Police Department told us it does not track specific workload of the day detectives as it relates to each specific investigative unit nor does it track data regarding the varying complexity of cases.

Only on Weekend Days Are Day Detectives on Duty Without Investigators Simultaneously on Duty

According to the Police Department, the presence of the day detectives reduces overtime costs because investigators would otherwise need to be called in on weekends. The Department has not, however, attempted to estimate or track such avoided overtime costs (i.e., how many times the day detectives have responded on the weekends when an investigator would otherwise have had to).

Exhibit 21 shows how the day detectives' schedules overlap with the investigative units. While the day detectives may serve a helpful liaison role within the Department, Exhibit 21 shows that it is only on Saturday and Sunday that day detectives' shifts do not overlap with investigators.

Exhibit 21: Schedules for Day Detectives and Investigative Units

	Su	M	T	W	Th	F	S
Day Detective A	5:30a-3:30p	5:30a-3:30p	5:30a-3:30p	5:30a-3:30p			
Day Detective B				5:30a-3:30p	5:30a-3:30p	5:30a-3:30p	5:30a-3:30p
Crime Scene Unit		7a-5p	7a-5p	7a-5p	7a-5p	7a-5p	
Homicide Investigators		7a-5p	7a-5p	7a-5p	7a-5p	7a-5p	
Sexual Assault Investigators		7a-5p	7a-5p	7a-5p	7a-5p	7a-5p	

Source: SJPD Interviews
Investigators work either Monday through Friday 7 am to 5 pm or 8 am to 6 pm.
Shaded boxes indicate times when day detectives are on duty and no investigative units are on duty.

As an alternative to day detective positions, we asked the Department about the possibility of staggering the work schedules of investigators in the various investigative units to provide for seven-day coverage. Police Department management said that such a schedule change could result in the frequent call-back on overtime of investigators to make court appearances and that this would likely increase overtime costs. The SJPD, however, advised that such schedule changes may become a practical option if budget cuts to the Department continue.

Recommendation #6: In order to better match investigative staffing to workload, SJPD should redeploy day detectives elsewhere in the organization and reconfigure schedules for investigative units to provide investigative coverage during nights and weekends.

Finding III The SJPD's Low Span of Control Has a Profound Impact on Costs

Span of control refers to the number of employees per supervisor within an organization. A low span of control (fewer employees per supervisor) results in an organization with many layers of management whereas a higher span of control results in a flatter organization. Many factors influence decisions about the appropriate span of control within an organization. There is no definitive correct span nor is it necessarily appropriate to strive for consistent span of control across the board. We calculated data related to SJPD's span of control as well as the related costs and provide that information to demonstrate the impact that such supervision choices have on operational costs. As of November 2010, SJPD had an overall ratio of 1 sergeant to 4.5 officers, 1 lieutenant to 4.6 sergeants, and 1 captain to every 5.2 lieutenants. We estimated the cost of this level of supervision (the cost of captains, lieutenants, and sergeants) to be about $54 million per year. We further estimated that with a shift to a higher span of control, those costs would instead range from $21 million (a span of control of 1 to 10) to $39 million (a span of control of 1 to 6), or $15 million to $33 million less than now.

SJPD's Current Span of Control

We calculated the SJPD span of control (the ratio of supervisors to employees) for the Department overall and also by Bureau. Exhibit 22 provides a summary.

Exhibit 22: SJPD Sworn Span of Control by Bureau as of November 2010 Based on Authorized Staffing*

	Sergeants to Officers	Lieutenants to Sergeants	Captains to Lieutenants
SJPD Overall	1 to 4.5	1 to 4.6	1 to 5.2
Bureau of Field Operations Overall	1 to 5.2	1 to 4.8	1 to 6.2
Bureau of Field Operations – Patrol Only	1 to 5.5	1 to 4.7	1 to 5.8
Bureau of Investigations	1 to 3.3 1 to 4.5 (excluding 12 Homicide sergeants who function as detectives)	1 to 4.6	1 to 5.0
Bureau of Administration	1 to 5.0	1 to 2.3	1 to 3.0
Bureau of Technical Services	No sergeants	No lieutenants	No lieutenants
Chief's Office	1 to 1.6	1 to 4.7	No captains

Source: Auditor's Analysis Based on SJPD Fiscal Unit – Authorized Staffing as of November 2010

*Calculations do not include civilian positions. Most civilians are in the Bureau of Technical Services and are supervised by civilians. Other civilians by bureau are: Bureau of Field Operations (55 civilians, 39 of whom are crossing guards); Bureau of Investigations (26); Bureau of Administration (48).

No Definitive Standards on the Appropriate Span of Control

There are no definitive standards on the appropriate span of control for a police organization. We reviewed various articles and studies to compile data on span of control as shown in Exhibit 23. The Police Executive Research Forum (PERF) uses a general ratio of 1 to 8 for sergeants to officers.

Exhibit 23: Information on Span of Control for Police Departments

Source	Ratio of Sergeants to Officers
Police Executive Research Forum (PERF), *Organizational Assessment of the San Francisco Police Department: A Technical Report*	1 to 8 (general ratio)
CALEA article, *"Structural Dimensions of Community Oriented Police Departments"*	- 1 to 7.7 (based on a sample of community-oriented police departments - 1 to 8.4 (based on a sample of traditional police departments)
Detroit (per independent monitor/consent decree)	1 to 10 (for patrol and specialized units)
Phoenix (operations manual)	1 to 10 through 15
Dallas (audit)	1 to 8 through 10
San Francisco (Patrol) (PERF report)	1 to 7
San Mateo County, *Recommended Budget Supplemental Item – Interim Span of Control Report* (Data for Sheriff's Office)	1 to 6.1 (FY 2009-10 ratio of supervisors to staff) Report also provides data for Sheriff's departments in Alameda County (1 to 18.2); Contra Costa County (1 to 10.3); Marin (1 to 3.9) and Santa Clara (1 to 10.6)

Source: Various Sources as Cited

How Changing the Span of Control Impacts Costs

The span of control has a profound impact on costs. Using the current, Department-wide spans of control for SJPD, we calculated the cost of supervision (that is, the cost of sergeants, lieutenants, and captains). Exhibit 24 shows the cost of supervision currently and also shows varying assumptions for span of control. We assumed a constant number of officers (based on November authorized staffing) but a varying number of supervisors.

Exhibit 24: SJPD Supervision Costs With Varying Spans of Control

	Supervision Costs	Difference from Current		Number of Police Officers	Number of Sgts.	Number of Lts.	Number of Cpts.	Total
Current	$53,825,372	$0		988	217	47	9	1261
1 to 6 Span of Control	$38,743,476	$15,081,896		988	165	28	5	1186
1 to 8 Span of Control	$27,551,836	$26,273,536		988	124	16	2	1130
1 to 10 Span of Control	$20,819,230	$33,006,142		988	98	9	1	1096

Source: Auditor's Calculations Based on SJPD Fiscal Unit – Authorized Staffing as of November 2010

The actual number of supervisors in a given part of an organization depends upon many factors (see Factors to Consider in Establishing Spans of Control). The purpose here is not to suggest an across the board of span of control for SJPD but to demonstrate the impact on operational costs of varying spans of control and to encourage the department to assess and thoughtfully determine a reasonable span of control.

As shown in Exhibit 24, increasing the Department's overall span of control to 1 to 6 would reduce supervisory costs by $15.1 million and would also reduce the number of supervisory positions by 75. Similarly, a change to a 1 to 8 span of control would reduce supervisory costs by $26.3 million and would reduce supervisory staffing by 131 positions. A change to a 1 to 10 span of control would reduce supervisory costs by $33.0 million and would reduce supervisory staffing by 165 positions. The tradeoff is between costs and supervision and such questions are difficult not to consider in challenging economic times but must be carefully weighed.

In our opinion, the Department needs to consider, going forward, what constitutes a reasonable span of control in various operational areas especially if budget cuts continue to be necessary (as appears likely at this time).

FY 2010-11 Cuts by Rank

In the FY 2010-11 budget, 84% of the Police Department's position cuts were to the Police Officer rank as shown in Exhibit 25. If future budget cuts focus on Police Officer positions as opposed to supervisory positions, the organization will become weighted more towards supervisory positions and the span of control will be further reduced.

Exhibit 25: Proposed FY 2010-11 Police Department Cuts by Rank

Rank	Number of Positions Cut	Cuts to This Rank as Percent of Total SJPD Positions Cut	Cuts to This Rank as Percent of Total Positions in This Rank
Police Officer	153	84%	14%
Police Sergeant	15	8%	6%
Police Lieutenant	3	2%	6%
Police Captain	1	1%	10%
Civilians	11	N/A –various classifications	N/A –various classifications
Total	183		

Source: Auditor's Calculations Based on FY 2010-11 Budget

Factors to Consider in Establishing Spans of Control

An October 2006 article from *The Police Chief* magazine described factors that can allow for an increased span of control and those that can require a narrower span of control. These are listed in Exhibits 26 and 27.

Exhibit 26: Factors Allowing for an Increased Span of Control

The simplicity of the work	The simpler the task, the less need there is for supervision. Traditionally, the Patrol function has a larger span of control since the work is similar on each beat, and one supervisor can oversee the work conducted on several beats.
Efficient use of information technology	Readily available information technologies can obtain needed information to do the job as well as receive direction from supervisor increases the span of control. In-car computers, cameras, and individual communication systems enable officers to be in constant touch with supervisors.
The quality, skills, and capabilities of subordinates	Recruiting quality employees having the necessary education, training, and experience to be able to learn and do the assigned work requires providing less supervision by the department. In contrast, hiring the less educated and unskilled subordinates will require extensive coaching by the supervisors to teach these employees on the job.
The skills and capabilities of the supervisor	Departments that invest in developing supervisors and managers find that the more knowledgeable and skillful the supervisor – along with the ability to clearly communicate the work the more people he or she can supervise.
The quality of the department's training program	Subordinates fully knowledgeable of the laws, procedures, and administrative processes require less supervision.
The harmony of the workforce	When the subordinates are of like minds and working towards the same objectives in harmony, fewer incidents require supervision intervention.

Source: "Span of Control for Law Enforcement Agencies," The Police Chief, October 2006

Exhibit 27: Factors Narrowing the Span of Control

Change taking place in the work environment	When the workforce is forever changing, and new procedures and processed are introduced into the work, the greater the need for narrow supervision.
Dispersed workforce, either by time or geographically	The greater the geographic distances and the difference in time that the force works, the smaller the supervision ratio. This is often observed in the investigative division, which frequently requires more supervisors in relation to the number of investigators.
New and inexperienced workforce	Law enforcement in the next few years is experiencing significant retirement numbers in the supervisory and management ranks. This requires promoting younger persons with little experience directing the work of others as well as a short time on the job.
Administrative requirements	The greater the administrative burden on each level of management, the greater the need for a narrow span of control. Jobs free of bureaucratic requirements can focus on the work.
The extent of coordination	When employees' work must be coordinated and the subordinates depend upon each other to accomplish the work, the narrower the supervision requirements. This relationship exists in many of the tactical and technical positions in a police department.
Employees' expectations	The higher the employees' expectations for feedback, career and development coaching, and management interaction, the narrower the requirement for supervision. Many observe that the new workforce entering policing today looks for immediate feedback from management on their progress.

Source: "Span of Control for Law Enforcement Agencies," The Police Chief, October 2006

Similarly, the International Association of Chiefs of Police stated:

> *The Commission on Accreditation of Law Enforcement Agencies recommends a supervisor be responsible for no more than twelve officers or eight beats. This standard is useful but requires skillful adaptation. To prescribe the number of supervisors required, it is essential to consider entry level selection standards, quality and experience of patrol personnel, the process used to select supervisors, quality of supervisory training, time available for supervisors to supervise, and preferred supervisory style – control-oriented, coach-facilitating, coaching, or a combination. Fewer supervisors are required when an agency has an experienced field force and experienced supervisors. More are needed when an agency has a young, inexperienced field force. Well trained officers require less supervision than modestly or poorly trained officers.*

Some police departments have incorporated general guidance and criteria about span of control in their operations manuals. For example, the City of Louisville Police Department's operations manual, *Standard Operating Procedures for the*

Louisville Metro Police Department, includes a section (1.12.5) titled Span of Control that states:

> *To achieve effective direction, coordination and control, the number of members under the immediate control of a supervisor shall not be excessive. The exact number of personnel supervised by any one supervisor shall be dependent on the nature of the job being performed, the complexity of the task, the size of the area to be supervised, the experience level of the members and other factors that may influence the work environment. Each supervisor shall continually review the number of personnel under his/her command to ensure that appropriate limits are not exceeded.*

The Phoenix Police Department specifically states that the ideal span of control is less than 10 and that it may not exceed 15. Its manual also provides guidance on determining span of control:

> *A. To ensure effective direction, coordination, and control of employees, the following guidelines are to be followed by all levels of supervision when establishing span of control:*
>
> - *Complexity of the supervisor's duties and nature of other tasks*
> - *Complexity of the subordinate's duties*
> - *Number and effectiveness of control measures*
> - *Stability of operations*
> - *Capabilities of both the supervisors and their employees*
>
> *B. The number of employees under the immediate control of a supervisor is ideally less than 10 and may not exceed 15.*
>
> *1) This policy relates to personnel regularly assigned to a particular supervisor.*
>
> *2) This does not apply during temporary periods of adjustment or emergency.*

Recommendation #7: To ensure that span of control is reasonable from both a safety and a cost perspective, the San José Police Department should develop a policy that provides guidance on how the department determines appropriate spans of control. The policy should incorporate criteria such as: complexity of work; quality, skills, and experience of supervisors and employees; administrative requirements; dispersed workforce; stability of the organization, etc.

Finding IV The Police Department Needs a Staffing and Resource Allocation Framework That Reflects Today's Economic Realities

The Police Department's *Proposed Five-Year Staffing Plan: 2007-2012* (issued in November 2006) called for an additional 598 positions in the Police Department, including an additional 332 in front-line patrol, 146 sworn in specialized, investigative, administrative, and preventive capacities and 120 non-sworn staff in technical, operational and administrative support roles. The staffing at the time of that report, SJPD's authorized staffing was 1,805; today it is 1,623.

The economic reality today is that hiring more staff is not likely. Given this, the Department needs a framework for the future that focuses on the more efficient use of existing staff and measures of success other than the number of police officers per 1,000 residents.

Framework Should Focus on Community Goals and the Best Allocation of Current Resources

SJPD has historically stated that the need for more staffing is due to the fact that San José, compared to other cities of comparable size, has fewer officers per 1,000 residents. While this is interesting, various police researchers assert that it is not a meaningful basis upon which to determine staffing levels. A March 2004 article by John Campbell, Joseph Brann, and David Williams (see Appendix A for full article) in PM Magazine, a publication of the International City/County Manager's Association (ICMA), entitled "Officer-Per-Thousand Formulas and Other Police Myths" stated:

> *The authors of this article have worked with many communities across the United States – some of the smallest and largest, the most dangerous and safest. We have worked with chiefs who "require" 2.0 officers per thousand to begin community policing, and for managers with 3.6 officers per thousand who declare they cannot do proactive policing without more cops. In every town – regardless of crime rate, regardless of department size – we hear about comparable jurisdictions with more officers and about how local officers are overworked, going from call to call. We have yet to find a department that thinks it could do with fewer personnel. Overseeing it all are city and county leaders allocating resources among crime, water, parks, and public works while trying to weigh arguments for more police that often hinge on workload measures and the perceived need to have as many officers as another community. It is time to challenge the assumptions and practices guiding these staffing requests.*

> *The questions aren't "How busy are we?" or "Do we have as many officers as the next town?" The question should be "What will it take for us, in this community to achieve our public safety goals?"*

According to the authors, resource decisions should hinge on three questions:

> *(1) Are we achieving the results desired in the community?*
>
> *(2) Are we using our resources efficiently?*
>
> *(3) (Once resource use has been optimized), given that our organization is using its resources well, how much closer to the community goal can we move with a given amount of added resources? And is this benefit worth the cost (including the need to trim other budgets or defer other tasks?*
>
> *These questions must be asked, and answered, in order. Note that these questions are unrelated to officer-per-thousand measures or measures of relative workload. This is because such counting methods do not correlate well with crime rate. Consider the cases of these three cities:*
>
> *1. New York City enjoyed comparatively low crime rates and saw substantial drops in crime during the latter half of the 1990s. It had a ratio of about 5.0 officers per thousand during the time period – the second highest ratio in the nation among larger cities.*
> *2. San Diego, whose overall crime index and rate of crime reduction closely matched New York's in the late 1990s had a ratio of 1.7 officers per thousand, one of the lowest ratios among the 30 largest cities. It enjoyed approximately equal success with fewer than half of the officers per thousand.*
> *3. Portland, Oregon, where the crime rate was higher than both San Diego's and New York's, saw large crime reductions in the late 1990s, with an officer-per thousand ratio close to 2.0.*
>
> *There is a point, well before zero crime, at which a community consensus is reached that…a community would rather spend on other priorities or enjoy lower taxes than pay for additional increments of safety.*

Questions such as *"what are the results the public expects from the Police Department and are those results being achieved?"* should be the focus of a staffing framework that focuses on the short-term (the next one to three years).

The Proposed Framework Should Take Into Account Prior Recommendations Not Yet Implemented

Several prior reports by auditors and consultants offered proposals for increasing efficiency in the Police Department without adding more sworn staff. These should be revisited and implemented.

Audit of Civilianization Opportunities in the San José Police Department
Proposed Potential Savings of About $5.1 Million[13]

As of October 2010, two of the recommendations were partly implemented. Some of the recommendations that have yet to be implemented include:

- Develop short, medium, and long-term plans to civilianize the positions identified in this audit and/or other positions identified by the Police Department.
- Adopt a civilianization policy based on that of the International Association of Chiefs of Police or other best practices the Police Department identifies.
- Seek to increase the number of positions allowed to be civilianized in the Memorandum of Agreement with the SJPOA.
- Consider how Community Service Officers and Investigative Aides might be used in the future in San José and meet and confer with the SJPOA regarding this provision.
- Identify partial administrative roles filled by sworn and consider options for civilianization.
- Consider outsourcing the helicopter pilot duties as well as the fixed-wing airplane assignments on an hourly basis.

Potential Efficiencies Identified by Public Safety Services of ICMA Consulting Services (October 2009)

A scan of Police Department operation by Public Safety Services of ICMA Consulting Services concluded: *"Based upon the ICMA Team's initial review, ICMA is confident that a number of efficiencies can be identified within this department, which would result in a significant reduction in operational expenditures, without any consequential reduction in overall service or threat to the public's safety."*

The report proposed development of a Comprehensive Five-Year Strategic Plan, *"Creating a realistic and useful strategic plan to guide police operations based upon current economic realities."* The consultants recommended further study of alternative staffing and scheduling options. [Note that after receipt of the study, the City hired Corona Solutions to conduct work on alternative staffing and scheduling as described earlier.] The consultants further recommended additional analysis of overtime expenditures, supervisory staffing, potential use of non-sworn personnel to handle low-priority calls, and potential utilization of "part-time" officers to support Police operations during "peak" periods using abbreviated shifts.

[13] Issued January 2010, the audit report is online at http://www.sanjoseca.gov/auditor/AuditReports/1002/1002.pdf. Also note that in October 2010, the City Auditor's Office issued a report, *Take-Home Vehicles: The City Has Allowed More Take-Home Use of City Vehicles Than Necessary,* which identified $900,000 in costs Police Department costs related to commuting in City vehicles. The report included recommendations aimed at tightening controls over and use of City vehicles, especially for commuting.

Recommendation #8: The San José Police Department should develop a high level staffing and resource allocation framework that:

a) Reflects today's economic realities and focuses on improving efficiency of existing staffing levels

b) Includes both an assessment of community priorities determined via community involvement and management's staffing priorities by unit or function

c) Incorporates span of control guidance and targets

d) Considers how prior recommendations regarding civilianization, outsourcing, and use of alternative personnel and schedules will be implemented.

Conclusion

In June 2010, San Jose's Police Department cut positions and narrowly escaped having to lay off patrol officers; the budget outlook for 2011 is grim. To mitigate the impact of staffing cuts, SJPD's recent reorganization of its Special Operations Division returned 40 positions to patrol. Other opportunities to mitigate the impact of staffing reductions and better match staffing to workload include: (1) increasing the number of shift start times, (2) decreasing the number of divisions, and/or (3) moving off the 4-10 Patrol schedule. SJPD's low span of control has a profound impact on operating costs. Given all this, the Police Department needs a staffing and resource allocation framework that reflects today's economic realities.

RECOMMENDATIONS

Recommendation #1: To promote transparency and provide the public with information about how resources are allocated in the Police Department, the Police Chief should report to the Public Safety, Finance, and Strategic Support Committee of the City Council at each shift change (every six months) on the changes in staffing by unit and function.

Recommendation #2: To better align staffing with workload, SJPD should propose additional shift start times.

Recommendation #3: As an option to reduce costs in the near term and decrease span of control, SJPD should assess the feasibility of reducing the current number of divisions and associated supervisory positions without simultaneously redistricting.

Recommendation #4: If SJPD decides that redistricting is needed, the Department should conduct further study on the possibility of 12 districts and should reconsider its assumptions regarding span of control, proactive patrol time, call saturation, and hourly workload demand versus average hourly workload demand.

Recommendation #5: SJPD should assess and report on (to the Public Safety, Finance, and Strategic Support Committee of the City Council) the feasibility of changing the Patrol schedule to a potentially more efficient schedule.

Recommendation #6: In order to better match investigative staffing to workload, SJPD should redeploy day detectives elsewhere in the organization and reconfigure schedules for investigative units to provide investigative coverage during nights and weekends.

Recommendation #7: To ensure that span of control is reasonable from both a safety and a cost perspective, the San José Police Department should develop a policy that provides guidance on how the department determines appropriate spans of control. The policy should incorporate criteria such as: complexity of work; quality, skills, and experience of supervisors and employees; administrative requirements; dispersed workforce; stability of the organization, etc.

Recommendation #8: The San José Police Department should develop a high level staffing and resource allocation framework that:

a) Reflects today's economic realities and focuses on improving efficiency of existing staffing levels
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FEATURES

Officer-Per-Thousand Formulas and Other Policy Myths

John Campbell, Joseph Brann, and David Williams

"We added 200 more officers, and to be honest, I can't really tell you that anything changed in the community at all."
An assistant chief from a major city

The concepts for solving the police resource questions described in this article are simple. However, few leaders apply them fully. We think we know why. The concepts are simple, even obvious. But the degree of political will and administrative leadership required to carry them out can seem almost revolutionary.

The authors of this article have worked with many communities across the United States—some of the smallest and largest, the most dangerous and safest. We have worked with chiefs who "require" 2.0 officers per thousand to begin community policing, and for managers with 3.6 officers per thousand who declare they cannot do proactive policing without more cops.

In every town—regardless of crime rate, regardless of department size—we hear about comparable jurisdictions with more officers and about how local officers are overworked, going from call to call. We have yet to find a department that thinks it could do with fewer personnel.

Overseeing it all are city and county leaders allocating resources among crime, water, parks, and public works while trying to weigh arguments for more police that often hinge on workload measures and the perceived need to have as many officers as another community. It is time to challenge the assumptions and practices guiding these staffing requests. The questions aren't "How busy are we?" or "Do we have as many officers as the next town?" The question should be "What will it take for us, in this community, to achieve our public safety goals?"

This article is about how local leaders can connect this question to their own resource decisions. We begin with a brief discussion of the types of policing and their expected impacts.

Three Elements of Effective Policing

Across the nation, a debate on policing has raged, complete with competing terminologies, philosophies, and habit patterns. While the debate is not over, there is a growing consensus that three elements are common to effective departments. While some departments emphasize one element over others, we have found that it is the combination of the three that holds the greatest potential. The three include:

Orient toward crime, not just criminals. Traditional policing focuses on whether a perpetrator can be identified and arrested. Effective policing focuses on how to reduce crime, fear, and disorder to elevate community livability. The question is not simply "Can we catch the criminal?" It is also "What can we do so that there is less crime?" This effort will include making arrests as well as working to change the proximate factors that enable crime. Those who emphasize this approach often consider themselves proponents of problem-oriented policing.

Ask citizens to reassert their role. It is only a slight caricature to say that, under traditional

policing, responsible citizens are seen as naïve noncombatants whose job is to stay out of the way. Effective policing recognizes that when citizens understand and practice their role in keeping a neighborhood safe, then community safety and livability will improve.

In too many local governments today, the concept that police and citizens are part of one continuum, sharing a common set of duties in the interest of community welfare, has become a fading memory. In many localities, however, the idea of reasserting this shared responsibility and moving away from the myth of 911 as a cure-all is beginning to take root.

Champions of this strategy often consider themselves proponents of neighborhood watch programs and community partnerships. Some use the term "community policing" to describe community partnering efforts, while we use the term to encompass a more comprehensive definition of effective policing.

Assume responsibility. Surprising as it may sound, we still hear from police managers or officers who insist that police cannot influence the local crime rate. Yet effective policing hinges on a willingness to take personal responsibility for the level of crime in a community. One oft-cited example in police accountability is New York City's CompStat model. The approach makes use of crime analysis, examines crime trends, and requires commanders to develop strategies accordingly. In the authors' view, the core innovation in New York was not any one technique but the commitment made to establishing an accountable mindset.

In most communities, the debate continues over the value of these three elements. Confusion about the role of citizens and skepticism about problem solving can still be found, but arguments in favor of these two elements have gained ground. Curiously, acceptance of the third element, accountability, has met with the most resistance. Yet this third element must be in place for the power of the other two to be realized.

If this is the direction in which your community desires to move, then read on for a discussion of police resource decisions. Here is a hint to start with: Running a department on the principles of accountability, problem solving, and the ability to ensure citizen involvement does not have to cost a penny more.

Accountable Decision-Making Model

Ideally, resource decisions should hinge on these three questions:

- Are we achieving the results desired in the community? If yes, make no change, or consider reducing resources. If no, . . .
- Are we using our resources efficiently? If no, improve management first. Adding resources to an ineffective system will cause little change, as in the popular definition of insanity: doing the same thing repeatedly while expecting a different result. Once resource use has been optimized, then . . .
- Given that our organization is using its resources well, how much closer to the community goal can we move with a given amount of added resources? And is this benefit worth the cost (including the need to trim other budgets or defer other tasks)?

These questions must be asked, and answered, in order. Note that these questions are unrelated to officer-per-thousand measures or measures of relative workload. This is because such counting methods do not correlate well with crime rates. Consider the cases of these three cities:[1]

1. New York City enjoyed comparatively low crime rates and saw

substantial drops in crime during the latter half of the 1990s. It had a ratio of about 5.0 officers per thousand during the time period—the second-highest ratio in the nation among larger cities.

2. San Diego, whose overall crime index and rate of crime reduction closely matched New York's in the late 1990s, had a ratio of 1.7 officers per thousand, one of the lowest ratios among the 30 largest cities. It enjoyed approximately equal success with fewer than half of the officers per thousand.

3. Portland, Oregon, where the crime rate was higher than both San Diego's and New York's, saw large crime reductions in the late 1990s, with an officer-per-thousand ratio close to 2.0.

These changes are not simply byproducts of generalized national trends. Unfortunately, it is easy to find other big cities with staffing levels similar to those given here that saw smaller changes during the same time period.

Similar issues are evident in smaller towns. In one review conducted of cities that are home to "Big 12" Conference universities, we found these results.

There is a point, well before zero crime, at which a community consensus is reached that . . . a community would rather spend on other priorities or enjoy lower taxes than pay for additional increments of safety.

In the year 2000, Waco, Texas, had 1.9 officers per thousand and, based on reported crime data, had the highest crime rate among the Big 12 cities. Norman, Oklahoma, had the lowest officer ratio (1.3) and yet one of the lowest crime rates. Lubbock, Texas, reported the fastest-increasing crime trend and a ratio of 1.5 per thousand.

Two of the better performers in terms of trends—Boulder, Colorado, and Columbia, Missouri—are listed by the Bureau of Justice Statistics as having 1.7 and 1.6 officers per thousand, respectively. Big city or small, no meaningful correlation has been found between the number of officers and the crime rate.

What do the more successful communities have in common? Certainly not the relative sizes of their police forces. If a community wishes to reduce crime, additional officers can help only when added to an effective, mission-focused department, one that has instilled throughout the organization an accountability for community livability and for the level of crime.

The following steps outline how these concepts can guide staffing choices.

Step 1. Set Community Goals

Take this pop quiz: Name the top three community goals your police department intends to achieve this year. Now, name the community goals your department plans to accomplish within three to five years. Your answers should be automatic. Effective organizational management begins with a clear focus on a shared mission and a concrete set of goals.

Without a clear set of measurable, community-oriented goals, a sort of "mission drift" sets in. Activities within units and divisions develop around diverse agendas, and coordination among units becomes difficult. Frustration with department management, among both officers and citizens, climbs.

Curing such dysfunction requires strong leaders who can reignite a mission-driven approach. Doing

the heavy lifting necessary to achieve this cure, which requires both cooperative planning and leadership directive, is a first step toward effective policing.

Success also hinges on developing goals in partnership with the community served. Goals developed at the stroke of a pen by a police chief or a civilian administrator are often changed just as quickly and do not reflect a shared commitment from the citizenry.

Further, to be effective, goals must define a desired outcome, not an intended process. For instance, "Reduce crime and fear in a specific area by X percent" is a legitimate goal. "Do more problem solving" may be a great strategy to support the goal, but it is not the goal.

Significantly, the goal is also not the absence of crime. There is a point, well before zero crime, at which a community consensus is reached that the marginal return is not worth the cost—that is, that a community would rather spend on other priorities or enjoy lower taxes than pay for additional increments of safety. The relevant questions, therefore, are "What is acceptable?" and "What are we willing to do to achieve it?"

Also, the question is not "How does our crime rate compare with those of other cities?" This question, like its companion, "How does our officer-per-thousand ratio compare?," is not relevant. These are stand-ins, easier to answer than the real question: "What is the vision we have for our community, and what will it take to get there?"

Step 2. Review Efficiency

If your law enforcement leaders tell you that, with added resources, they will improve livability and reduce crime in specific neighborhoods by predicted amounts, you may have a department ready to make great use of the new resources. If police officials ask managers for more officers without promising a community benefit, however, an efficiency review may be in order.

The challenge lies in determining whether resources are being used well. This task often requires better use and additional development of management information. And because management information is often poorly aligned with goals, assessing effectiveness is best done in three phases: 1) act on what is already known, 2) make better use of existing information, and 3) develop measures for untracked goals.

Here's how it works:

Act on What Is Already Known

This work can happen the moment your goals are clear. No new data are required. This is simply a frank, clear-eyed assessment of current practices. For effective managers, the territory is familiar:

- Align tasks for greater accountability. For example, many agencies change priorities so that patrol supervisors and officers no longer focus only on activities during a shift, but also assume ongoing responsibility for results in a specific neighborhood.
- Infuse a "mission focus" throughout the organization. We have spoken with chiefs and sheriffs who realize that they have become so mired in administrative issues that they no longer ask commanders to account for crime trends and other public safety concerns. If leaders do not routinely ask their subordinates to account for community safety, then adding resources will not help.
- Review and improve community contact points. The contact points (calls for service, drug complaints, and others) are critical opportunities. To the degree that such contacts leave

citizens without a sense of what else they can do to improve neighborhood livability, the best crime-fighting resource that any community has will further atrophy.

- Evaluate responses to false alarms, repeat calls to the same location, repeat calls involving the same parties, and other tasks that do not advance the mission efficiently.
- Assess training, recruitment, performance, and promotion standards. As a simple example, the officer whose performance is measured in the number of tickets written is not motivated to make an intersection safer. We have seen multiple instances in which officers reduce crime through problem solving yet earn negative reviews because their arrest or citation counts are down.

Make Better Use of Existing Information

The next section of the efficiency review involves making a better analysis of available data. Examples are:

Patrol Deployment

A key resource is discretionary patrol time, or the time available for officers to make self-initiated stops, advise a victim in how to prevent the next crime, or call property owners, neighbors, or local agencies to report problems or request assistance. Understanding discretionary time, and how it is used, is vital. Yet most departments do not compile such data effectively. To be sure, this is not easy to do and, in some departments' may require improvements in management information systems.

If police officials ask managers for more officers without promising a community benefit, an efficiency review may be in order.

Crime Analysis

This technique gives agencies a more accurate method of identifying crime patterns, hot spots, year-to-year trends, suspect information, and community concerns. Yet crime analysis is not routine work at most departments and is used well by few. Crime analysis helps remove the intuitive guesswork and shift-to-shift differences in perceptions that can inhibit effectiveness.

Set Measures for Untracked Goals

The third part of the efficiency review involves measuring performance on goals for which data are not traditionally tracked. These statements reflect issues that many departments face:

- We want to reduce the length of time for which chronic problems affect a neighborhood, but how will we know if we have succeeded? Do we have a method for counting hot spots and other chronic problems? Do we have a method for tracking how long they exist?
- We want to work more closely with citizens and encourage them to get involved in problem solving. But how do we know if it is working? What indicators for involvement can we track?
- We say we want to reduce crime, as well as crime-enabling fear

and disorder. We can measure changes in reported crime, but what about the levels of these two factors? A department that tracks only call-response time and clearance rates will have difficulty in fulfilling a mission to cut crime and enhance livability.

To make communities safer, we must measure the complete picture of safety issues that matter most, yet few departments do this well. While Uniform Crime Reporting (UCR) statistics are one indicator, relying exclusively on these data will miss societal changes that have occurred since UCR standards were adopted long ago.

Step 3. Tie Recommendations to Results

With clear goals and an organization aligned to them, a department can more easily make recommendations to civilian leaders regarding the outcomes expected, based on the staffing level being considered.

Graphically, the decision model looks like the diagram found in Figure 1.

Examples of key questions that police management should consider when applying this model are shown in Figure 2. For these data points, the decision about what is acceptable must be made. The arbiter of acceptability should never be a police chief or local civilian leader alone. The answers gain legitimacy only when they are discussed openly with an involved community and policymakers.

If the answers to the key questions call for improving certain unacceptable conditions, it is police management's job to determine how to get this job done. For example, management may wish to boost discretionary patrol time, cut crime in a high-impact neighborhood, and increase citizen involvement. These will become outcomes that will guide resource decisions. Staffing increases should be considered only when management can say reliably that such changes will advance these goals.

At the conclusion of Step 3, local leaders will receive resource recommendations from police management that are directly tied to anticipated results in the community—results that police managers are prepared to account for at given levels of funding.

Figure 1. Staffing Decision Model

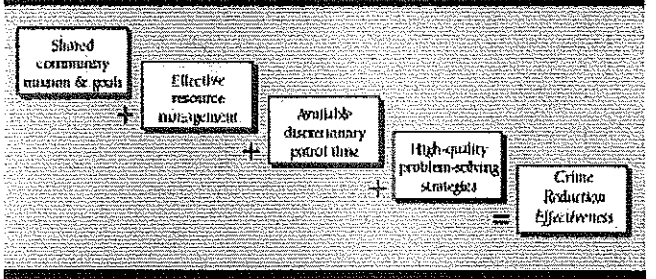

Figure 2. Sample Decision Points: Connecting Outcomes to Resources

Use of Resources

- Response time to emergency calls averages X minutes. Is this acceptable? If not, what should it be? If so, is a higher number also acceptable?
- Response time to lower-priority calls is X. Is this acceptable? If not, what should it be? If so, could a higher number also be acceptable?
- Average time spent per shift on false alarms and other calls not related to the police mission is X. Is this acceptable? If not, what is?
- Average discretionary patrol time is X percent. Is this acceptable? If not, how much time is needed? If acceptable, would a lower percentage of time work?

Crime and Livability

- Part 1 and 2 index crime rate for our city is X. Is this acceptable?
- Crime rate for our most affected neighborhoods is X. Is this acceptable?
- The number of chronic-call locations in our affected neighborhoods is X. Is this acceptable?
- The fear level in our most affected neighborhoods is X. Is this acceptable?
- Number of injury and fatality traffic accidents per year is X. Is this acceptable?
- Clearance rate for major crimes is X percent. Is this acceptable?
- Confidence/trust levels between our most affected communities and police are at X level. Is this acceptable?
- The percentage of citizens in our affected neighborhoods who are engaged in community policing and problem-solving activities is X percent. Is this acceptable?

Step 4. Make Decisions, Hold Accountable

With agreements reached on the results desired and the staff necessary to achieve it, budget realities must be weighed to determine the speed with which change can happen. This final trade-

off is up to policymakers, who, in the fourth step, will compare the priorities, expected results, and resource requirements of various agencies, allocate resources, and hold these agencies accountable for the results expected.

The method for holding departments accountable is based on the same kind of questions asked to make resource decisions (as listed in Figure 2). For example:

- If the level of crime has not decreased, why not?
- If problem-solving effectiveness has not increased, why not?
- If awareness of the role that neighbors play in crime reduction hasn't been raised, why not?

The answers to these and similar questions relate to the original decision points, giving policymakers tools for holding police accountable for results and resources. Using this accountable, mission-driven approach, elected and appointed leaders, police administrators, and the communities they serve can work together more effectively to ensure an acceptable—even desirable—level of safety and livability for all. PM

[1] These examples use the Uniform Crime Reporting (UCR) statistics to provide some level of comparability among jurisdictions. This is simply a means of comparison and should not be construed as an endorsement of the UCR standard as the optimal measure of crime and public safety in a community. Effective crime reduction and public safety goals should take into account more information than reported crime in the specific UCR categories.

John Campbell is president of Campbell DeLong Resources, Inc. (www.cdri.com), Portland, Oregon. Joseph Brann is chief executive officer, Joseph Brann & Associates, LLC (jbrann@jballc.com), Palos Verdes Peninsula, California, and a retired police chief. He served as the first director of the COPS Office in the U.S. Department of Justice. David Williams is a criminal justice management consultant and adjunct professor in criminal justice administration at the University of Portland, Portland, Oregon (williamsd@k-com.net), and also a retired assistant chief of police for Portland.

PSFSS Committee: 12-16-10
ITEM:

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: PUBLIC SAFETY, FINANCE & STRATEGIC SUPPORT COMMITTEE

FROM: Christopher M. Moore

SUBJECT: SEE BELOW

DATE: December 9, 2010

Approved Deanna Santana Date 12/9/10

COUNCIL DISTRICT: City-Wide

SUBJECT: RESPONSE TO AUDIT "POLICE DEPARTMENT STAFFING: OPPORTUNITIES TO MAXIMIZE THE NUMBER OF POLICE OFFICERS ON PATROL"

RECOMMENDATION

Accept this response to the Audit "Police Department Staffing: Opportunities to Maximize the Number of Police Officers on Patrol."

BACKGROUND

As result of the FY 2010-2011 budget process the City Auditor was directed by Council to evaluate several Budget Documents (BDs) related to maximizing the number of patrol officers within the Police Department. These suggestions were an attempt to minimize the staffing impacts to patrol as the Department was reducing its budget by 10%. The Department must also reduce its budget by 10% for FY 2011-2012.

ANALYSIS

The Department has reviewed the analysis and recommendations in the Auditor's report and responses can be found below:

Responses to Audit Findings and Recommendations

The Audit contains four findings and 8 recommendations. The Police Department is in agreement with all eight of the recommendations presented by the City Auditor.

Recommendation #1: To promote transparency and provide the public with information about how resources are allocated in the Police Department, the Police Chief should report to the Public Safety, Finance, and Strategic Support Committee of the City Council at each shift change (every six months) on the changes in staffing by unit and function.

The Department agrees there must be transparency regarding the allocation of resources. Shift change occurs twice a year in March and September. Reorganization of staff is determined by budget impacts that affect the Department with the Adopted and Mid-Year budgets and is made at the direction of the Chief of Police. As such, the Chief of Police needs to have the flexibility to make any organizational changes based on operational needs beyond the budget year.

The Department will ensure that the Quarterly Reports that are presented to PSFSS in March, May, June, and September of each year provide updates on changes in staffing by unit and function.

Recommendation #2: To better align staffing with workload, SJPD should propose additional shift start times.

The Department partially agrees with this recommendation. Given the current fiscal climate, the Department is faced with the challenge of increased demands and decreased staffing levels. As such, the Department will continue to propose improvements to increase the effectiveness of the Department's limited resources.

As the Department evaluates new staffing realities and attrition projections, the assumptions currently made in the Corona report will need to be validated. The Corona report will provide insight on feasible shift changes, but changes must be made in the context of current staffing realities and recent efforts the Department has made to reorganize.

The consolidation of Metro and VCET at the September 2010 shift change serves as an example of efforts the Department has undertaken to not only ensure staffing is aligned with workload, but to also redeploy as many officers to patrol as possible. The Department also altered the duties of officers in the Canine Unit and re-assigned them to regular patrol beats which allowed the Department to increase the number of officers assigned to patrol.

The Department agrees that shift start times should be aligned with workload. The Department completes an analysis of staffing levels at each shift change (March and September). This analysis takes into consideration the level of actual staffing within the Department and allows time for current staffing reorganization and shortages to be analyzed prior to implementing changes. Through this analysis, the Department has established a patrol structure of 4 divisions, 16 districts and 83 beats which requires 90 to 120 sworn patrol positions for full deployment depending on the day of the week or time of day.

Currently, the Department is unable to fully staff all 83 beats at the desired levels. Staffing levels fluctuate from shift to shift on a daily basis due to personal time off, illness, special assignments, administrative leave, or illness. This requires the Briefing Sergeant to review

staffing assignments at the beginning of every shift and to prioritize deployment of patrol officers.

The Department analyzed the total amount of frontline staffing (Officers, Sergeants and Lieutenants) from July 1, 2010 to November 16, 2010 and discovered the following:

	Maximum Staffing Level Achieved	**Average Staffing Levels**	**Minimum Staffing Level Achieved**
Day Shift	129	106	85
Swing Shift	134	114	98
Midnight Shift	110	93	79

The Department also tracked the number of sworn positions assigned to frontline duties that were unable to work due to illness, disability and being placed on modified duty and found the following:

	Maximum Staff Not working	**Average Staff Not Working**	**Minimum Staff Not Working**
Day Shift	21	9	2
Swing Shift	19	12	3
Midnight Shift	14	7	1

By having all patrol staff begin their shift at the same time, as opposed to staggered hourly start times, the Briefing Sergeant is able to redeploy resources to ensure adequate coverage of beats, giving priority to those with higher calls for service. The beginning of shift briefing also allows all patrol staff members to receive consistent and pertinent law enforcement information regarding their beat. It is critical that all beat officers receive the information provided at briefings so they have the most current information on criminal investigations and other events occurring within the City, their respective districts and assigned beats.

The Department currently deploys 14 "early car officers." These officers start 30 minutes earlier than regular dayshift officers. The Department utilizes this deployment to ensure staff is available to cover the gap for the midnight shift (ending) and the day shift (beginning) since the shifts do not overlap. The number of early cars that are deployed is determined by the availability of vehicles and officers. The "early car officers" receive their daily briefing from the Day Shift Briefing Sergeant.

As outlined in the Department's *Response to Audit- SJPD Bureau of Field Operations Patrol Division's Staffing and Deployment* from February 2000, a partial fourth watch was implemented in 1997 through 2002 which began between the swing and midnight shift with a shift time of 5pm to 3am. The intent was to ensure sufficient staff is available to respond to calls for service during peak demand for service hours between the overlap of the swing and midnight shifts. The fourth watch was not continued due to several issues: (1) supervisory control, (2) lack of resources (i.e. cars), and (3) the inability to disseminate pertinent law enforcement information to the fourth watch officers because there was no structure set in place to provide these officers

with the daily briefing that officers from the other shifts received. The additional watch did increase the availability of resources during peak times for calls for service; however it also resulted in inadequate staffing during non-peak hours. Officers from the midnight shift were realigned to staff the fourth watch. This ultimately created an officer-safety issue.

Recommendation #3: As an option to reduce costs in the near term and decrease span of control, SJPD should assess the feasibility of reducing the current number of divisions and associated supervisory positions without simultaneously redistricting.

The Department agrees with the need to assess the span of control and division structure. However, all assessments must be completed within the context of the City's current budget realities. With the projected cuts, the Department is facing an unprecedented reduction in the number of sworn officers. Until the Department has a firm figure on the extent of these reductions, any changes would be premature. To implement changes now could dramatically increase the span of control for patrol supervisors at a time when resources are limited. As the Department is downsizing, it is critical that the Department preserves a strong management structure that will allow the Department to move forward.

Additionally, as management leads the change to an inevitable downsized organization, the added collateral duties of the management staff must be factored into the supervisory span of control. Organizational changes will necessitate a multi-dimensional evaluation of a manager's work portfolio that is inclusive of core responsibilities, the number of staff they supervise, additional work duties such as special projects, specific skill sets, and shared duties based on law enforcement structures such as rotating duties.

Recommendation #4: If SJPD decides that redistricting is needed, the Department should conduct further study on the possibility of 12 districts and should reconsider its assumptions regarding span of control, proactive patrol time, call saturation, and hourly workload demand versus average hourly workload demand.

The Department agrees that further analysis is needed to determine if and how the Department can operate under a twelve district model. This analysis has begun with the Corona Solutions study (Attachment A) that was completed in September of 2010. However, the Department has made organizational changes since the report was completed and is currently updating attrition projections and potential budget reductions to staffing levels. Once the impacts of these factors are known, the Department will need to validate the analysis that was presented in the Corona report based on new realities of the Department's structure, future and budget.

The previous CAD system was completely replaced without data conversion. Therefore, all data was deleted regarding the old patrol beat structure. Consultants were retained to revamp the Department beat structures, support staff was needed to remap districts, and fourteen full-time Communications staff members worked full-time for two years to restructure radio and CAD interfaces.

The Department has begun this analysis with the Corona Solutions report, but as the last restructuring demonstrates, this is only the initial phase of a very long process that must be completed to ensure any changes would not weaken the patrol structure.

Recommendation #5: SJPD should assess and report on (to the Public Safety, Finance, and Strategic Support Committee of the City Council) the feasibility of changing the Patrol schedule to a potentially more efficient schedule.

The Department agrees with this recommendation; however, this analysis must be completed within the context of the City's current fiscal challenges and staffing limitations. The Corona report will guide the analysis; however, it must be validated based on the Department's reorganization, new staffing realities and attrition projections.

The Department stills affirms that the 4-10 patrol schedule is the most efficient model that balances limited resources with the need for a cohesive team structure. However, the Police Department will continue to analyze whether the potential to alter start times exists and if it will increase patrol efficiencies.

The Department bases the assertion that the Department should maintain its structure while budget impacts remain unknown because, "Corona anticipates that such changes would be disruptive to operations, supervision and management at a time when the agency is already under stress from ongoing budget issues." (pg. 39)

With diminishing resources and competing priorities, the Department must continue to preserve core services. Any changes must be consistent with the Police Department's priorities, which are:

- calls for service,
- gang enforcement,
- critical response, and
- narcotics enforcement.

Recommendation #6: In order to better match investigative staffing to workload, SJPD should redeploy day detectives elsewhere in the organization and reconfigure schedules for investigative units to provide investigative coverage during nights and weekends.

The Department is in agreement with the assessment of Day Detectives and is currently evaluating assignments to maximize resources. The Department will analyze the detective structure within BOI to ensure the most productive investigative coverage is utilized. The Department will continue to work with the City Manager's office to identify if and where cost-savings and efficiencies can be achieved. As noted in Recommendation #1, the Department will provide the Council with information on reorganization efforts at PSFSS quarterly.

Recommendation #7: To ensure that span of control is reasonable from both a safety and a cost perspective, the San José Police Department should develop a policy that provides guidance on how the department determines appropriate spans of control. The policy should incorporate criteria such as: complexity of work; quality, skills, and experience of supervisors and employees; administrative requirements; dispersed workforce; stability of the organization, etc.

The Department agrees with the establishment of a policy regarding span of control. The policy will take into account a variance in span of control from unit to unit and will use the criteria suggested by the Auditor to serve as a framework for span of control.

The Department must continue to view span of control as more than just oversight of individuals. The supervisor is tasked with managing incidents. As shown in the Auditor's report and in accordance with the Corona report, the current span of control for patrol is 1 sergeant to 5.59 officers.

While a patrol supervisor may be able to effectively manage 6 patrol officers, they can only effectively manage one scene at a time. The current beat structure and span of control has proven to be manageable due to other supervisors being in close proximity to assist when multiple incidents occur. It is typical for numerous incidents to occur simultaneously within one shift at multiple locations throughout any given district.

Recommendation #8: The San José Police Department should develop a high level staffing and resource allocation framework that:
a) Reflects today's economic realities and focuses on improving efficiency of existing staffing levels
b) Includes both an assessment of community priorities determined via community involvement and management's staffing priorities by unit or function
c) Incorporates span of control guidance and targets
d) Considers how prior recommendations regarding civilianization, outsourcing, and use of alternative personnel and schedules will be implemented

The Department agrees that staffing and resource allocation framework must be inclusive of the City's budget realities and the factors listed above.

The Department has accepted the Civilianization audit and is working with the City Manager's Office and the Police Officer's Association (POA) to implement the recommendations as outlined in the report.

The report recommended that the Police Department develop short, medium, and long-term plans for civilianizing positions. Fifteen was the maximum number permitted under the current MOA. However, no positions were added (civilianized) through the FY 2010-11 budget process due to limited funding and potential layoffs.

The Department will continue to propose staffing and resource allocation strategies that maximize the number of sworn officers assigned to front-line policing duties. The Department

has identified an 35 positions from the audit that could be civilianized however; the funding is not currently available to fill these positions with civilians.

CONCLUSION

The Department appreciates the efforts of the Auditor's Office in preparing this report. The Department has benefited from its collaboration with members of the Auditor's Office on a variety of issues and recommendations. These collaborative efforts have resulted in improvements in day-to-day operations and efficiencies.

/s/
CHRISTOPHER M. MOORE
Acting Chief of Police

For questions please contact Lt. Tom Sims, at 277-5200.

Attachment A: Patrol Deployment Alternatives for the San José Police Department

Corona Solutions

CORONA SOLUTIONS

Patrol Deployment Alternatives

for the San Jose Police Department

DRAFT FINAL REPORT

Dale Harris

March, 2010

FULL REPORT LINKED TO CITY WEBSITE

ATTACHMENT A

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