

## OAKLAND POLICE DEPARTMENT

### Methods for Reviewing Citizens Complaints/Task 7 Audit Report

Project No.: E2014OPDT7CCR

Project Manager: Christopher Figueroa, DPA, CGAP, CFE, CFS, CLEA, CRMA

Assistant Project Manager: Randy Khatami, CFE, CFS, CLEA, CRMA

Staff Auditor: Dawn Reynolds, JD, CLEA, CPO

Staff Auditor: Sergio Sais: CGAP, CFE, CLEA



**FINAL**

## Table of Contents

Executive Summary	
• Time Period	1
• Entities Audited	1
• Summary of Findings	1
• Conclusion	3
Audit Report	
• Purpose	1
• Background	1
• Prior Audits	2
• Reference Material	2
• Audit Scope and Population	3
• Audit Steps/Methodology	3
• Audit Steps	3
• Methodology	4
• Summary of Findings	4
• Detailed Findings	5
• <u>Objective 1 – Task 7.1</u> OPD establishes a recordable, toll-free complaint hotline. The hotline is staffed by OPD personnel and advises that the call is being recorded.	5
• <u>Objective 2 – Task 7.2</u> Citizen Complaint guidelines are properly posted and informational brochures are made available in key Departmental and municipal locations.	10
• <u>Objective 3 – Task 7.3</u> OPD accepts anonymous complaints and investigates them to the extent reasonably possible to determine whether the allegation can be resolved. To the extent possible, OPD asks anonymous complainants for corroborating evidence.	15
• <u>Objective 4 – Task 7.4</u> The OPD personnel have citizens complaint brochures in their vehicles at all times while on-duty.	15
• <u>Objective 5 – Task 7.4</u> Citizen’s compliant brochures are made available when requested by a citizen or wishing to make a complaint.	15
• <u>Objective 6 – Task 7.5</u> The IAD is located at a facility other than the Police Administration Building.	20
• <u>Objective 7 – Task 7.6</u> The OPD compliant form and brochure (TF-3208) comply with City policy.	20
• <u>Objective 8 – Task 7.7</u> OPD complaint forms are processed in accordance with state law.	20
• Recommendations/Action Taken	20
• Recommendations	20
• Actions Taken	20

ATTACHMENT #1: Task 7 Methodology Flow Chart

ATTACHMENT #2: Task 7 Methods for Receiving Citizens' Complaints (Summary)

**EXECUTIVE SUMMARY**  
**Methods for Reviewing Citizens' Complaints/Task 7**  
**Project No.: E2014OPDT7CCR**  
**Conducted by**  
**ELITE PERFORMANCE ASSESSMENT CONSULTANTS, LLC**  
**FOR**  
**OAKLAND POLICE DEPARTMENT**

**Date:** June 21, 2014

**TIME PERIOD:**

The time period for the Task 7/Methods for Reviewing Citizens' Complaints Audit was from March 1, 2014, to May 25, 2014.

**ENTITIES AUDITED:**

The audit population consisted of pertinent Internal Affairs Division (IAD) documents, and OPD and City personnel assigned to the following entities:

1. Police Administration Building (PAB);
2. Eastmont Station;
3. Internal Affairs Division;
4. City Clerk's Office;
5. Citizens' Police Review Board;
6. Office of Personnel;
7. Communications Division; and,
8. Neighborhood Services Division.

**SUMMARY OF FINDINGS:**

The mandates as set forth in the Negotiated Settlement Agreement (NSA) Task 7 and the Department General Order (DGO) M-3 were examined as identified in Objectives #1 through #8. The overall evaluation of each audit objective with its corresponding NSA task and DGO paragraph are summarized in Table 1.

All objectives for Task 7 were compliant except Objective 1.2/Task 7.1 (OPD establishes a recordable, toll-free complaint hotline). Oakland Police Department (OPD) personnel staff the hotline and they are required to advise that the call is being recorded. Auditors noticed several exceptions on how Communications Division administered the After Hour Complaint Hotline. The auditors' findings showed that some Communications Division personnel did not answer the calls appropriately or did not advise that the calls were being recorded. Also, on some calls, the hotline was not answered at the required seventh ring. Objective 1.2 was Non-Compliant at 70%. Table 2 summarizes the auditor's findings for Objective 1.2, Sub-Objective 1.2.1, 1.2.2 and 1.2.3.

The following exceptions were noticed for Objective 2/Task 7.2 by EPAC auditors. The auditors found the Police Administration Building was not compliant with Sub-Objective 2.1 (Compliant

## EXECUTIVE SUMMARY

### Methods for Reviewing Citizens' Complaints/Task 7

Project No.: E2014OPDT7CCR

Date: June 21, 2014

Page 2 of 3

guidelines on display) during their first visit, but it was found compliant during the second visit. For Sub-Objective 2.2 (The TF-3208 brochures were available at the locations), the Oakland City Clerk's Office and the Citizens' Police Review Board were not compliant during the first visit, but were compliant during the second visit.

**TABLE 1 – SUMMARY OF FINDINGS**

Objective No.	Objective Title	Task No.	DGO M-3 ¶	Objective %	Objective Compliance
1.	OPD establishes a recordable, toll-free complaint hotline. The hotline is staffed by OPD personnel and advises that the call is being recorded.	7.1	III. A. 5.		
1.1.	<i>Hotline established and staffed by OPD personnel.</i>	7.1	III. A. 5.	Yes	Compliant
1.2.	<i>Hotline answered and notice that calls recorded.</i>	7.1	III. A. 5.	70%	Non-Compliant
2.	Guidelines for filing a citizen's complaint are properly posted and informational brochures are made available in key Departmental and municipal locations.	7.2	IX. D.	100%	Compliant
3.	OPD accept anonymous complaints and investigates them to the extent reasonably possible to determine whether the allegation can be resolved. To the extent possible, OPD asks anonymous complainants for corroborating evidence.	7.3	III. A. 1. & 2.	The EPAC staff did not evaluate this task to determine compliance. The Independent Monitoring Team assesses the task.	
4.	OPD personnel have available complaint forms and informational brochures on the complaint process in their vehicles at all times while on duty.	7.4	IX. C.	100%	Compliant
5.	OPD members/employees distribute complaint forms and informational brochures when a citizen wishes to make a complaint and upon request.	7.4	IX. C.	100%	Compliant
6.	IAD is located in a dedicated facility remove from the Police Administration Building.	7.5	IX. A.	Yes	Compliant
7.	Complaint forms and informational brochures are translated consisted with City policy.	7.6	IX. B.	Yes	Compliant
8.	Complaint forms are processed in accordance with controlling state law.	7.7	III. B.	Yes	Compliant

## EXECUTIVE SUMMARY

Methods for Reviewing Citizens' Complaints/Task 7

Project No.: E2014OPDT7CCR

Date: June 21, 2014

Page 3 of 3

**TABLE 2 – OBJECTIVE NO. 1.2 FINDINGS**

Objective No.	Objective	Hotline	Calls Made	Results	Objective %	Objective Compliance
1.2.	Hotline answered and notice that calls recorded.				70%	Non-Compliant
1.2.1	Call answered	IAD	6	6	100%	Compliant
		After hr.	13	8	62%	Non-Compliant
		TOTAL	19	14	74%	Non-Compliant
1.2.2	Answered call in the appropriate manner	IAD	6	6	100%	Compliant
		After hr.	13	7	54%	Non-Compliant
		TOTAL	19	13	68%	Non-Compliant
1.2.3	Caller advised that the call is being recorded	IAD	6	6	100%	Compliant
		After hr.	13	7	54%	Non-Compliant
		TOTAL	19	13	68%	Non-Compliant

### **CONCLUSION:**

The EPAC staff addressed Objective 1.2's findings with OPD staff. The OPD staff addressed the non-compliant issues with Communications Division regarding their overseeing of the After Hour Complaint Hotline. The OPD's solution was to re-rout the phone line through the Communications Division supervisor's office. Also, OPD staff met with the division's supervisors to discuss the appropriate After Hour Complaint Hotline procedures.

**Methods for Reviewing Citizens' Complaints/Task 7 Audit Report**  
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**Conducted by**  
**ELITE PERFORMANCE ASSESSMENT CONSULTANTS, LLC**  
**FOR**  
**OAKLAND POLICE DEPARTMENT**

**Date:** June 21, 2014

**PURPOSE**

This audit is being conducted in order to assess compliance of the Oakland Police Department (OPD) adherence to established policies and procedures, and Task 7 (Methods for Reviewing Citizens' Complaints) of the Negotiated Settlement Agreement between Delphine Allen, et al. (plaintiff) and the City of Oakland, et al. (defendant) (NSA).

**BACKGROUND**

On January 22, 2003, the OPD was placed under a NSA, which was updated on February 4, 2004. The NSA's Task 7 requires that OPD:

*On or before December 1, 2003, OPD shall develop a policy to strengthen procedures for receiving citizen complaints:*

- 1. [Internal Affairs Division (IAD)] IAD or Communication Division personnel shall staff a recordable toll-free complaint phone line, 24-hours a day, and receive and process complaints in accordance with the provisions of Departmental General Order M-3. The complainant shall be advised that the call is being recorded when a complaint is taken by IAD. (Objective #1)*
- 2. Guidelines for filing a citizen's complaint shall be prominently posted and informational brochures shall be made available in key Departmental and municipal locations. (Objective #2)*
- 3. OPD shall accept anonymous complaints. To the extent possible, OPD shall ask anonymous complainants for corroborating evidence. OPD shall investigate anonymous complaints to the extent reasonably possible to determine whether the allegation can be resolved. (Objective #3)*
- 4. OPD personnel shall have available complaint forms and informational brochures on the complaint process in their vehicles at all times while on duty. (Objective #4)*  
*Members/employees shall distribute these complaint forms and informational brochures when a citizen wishes to make a complaint, or upon request. (Objective #5)*

5. *IAD shall be located in a dedicated facility removed from the Police Administration Building. (Objective #6)*
6. *Complaint forms and informational brochures shall be translated consistent with City policy. (Objective #7)*
7. *Complaint forms shall be processed in accordance with controlling state law. (Objective #8)*

The OPD established policies and procedures to implement the requirements of Task 7 under Department General Order (DGO) M-3, indexed as: Complaints Against Departmental Personnel or Procedures dated August 22, 2013.

### **PRIOR AUDITS**

This is the first audit conducted by Elite Performance Assessment Consultants, LLC (EPAC), a contracted external audit firm. The OPD conducted several reviews and assessments to determine compliance with Task 7 (see Reference Material).

### **REFERENCE MATERIAL**

The reference material utilized during this audit includes:

- Negotiated Settlement Agreement (NSA) between Delphine Allen, et al. (plaintiff) and the City of Oakland, et al. (defendant), updated: February 4, 2004
- Departmental General Order M-3: Complaints Against Departmental Personnel or Procedures (Rev. 25 Jun 13), August 22, 2003
- Internal Affairs Policy and Procedures Manual, Policy 10-01 (Formally 05-01), January 19, 2010
- Receiving and Logging Complaints Against Personnel Use of Force Incidents, COMMUNICATIONS DIVISION C-2, December 7, 2009
- Training Bulletin V-T.1, PART III INTERNAL INVESTIGATION PROCEDURE MANUAL, July 17, 2008
- Task 7 Methods for Receiving Citizens' Complaints Review Protocol, June 21, 2007
- Task 7.5 Methods for Receiving Citizens' Complaints Review Protocol, May 17, 2007
- Form TF-3208, Your Guide to Filing a Complaint Against the Police, January 2012
- Audit of Task 7: Methods for Receiving Citizen Complaints, December 26, 2007
- Methods for Receiving Citizens' Complaints Tasks 7.1, 7.2, 7.4, and 7.6-7.8 (S.A. III. G.), December 2008
- City of Oakland. (2008). *OPD Negotiated Settlement Agreement (NSA)*. Retrieved November 7, 2013, from Oakland City Attorney: <http://www.oaklandcityattorney.org/notable/Riders.html>

## **AUDIT SCOPE AND POPULATION**

The time period for this audit engagement was from March 1, 2014, to May 25, 2014. The audit scope was the objectives specified in NSA Task 7. The audit population consisted of pertinent IAD documents, OPD personnel assigned to patrol, IAD, Communications Division and Neighborhood Service Coordinators (NSC) to determine compliance with Task 7. Also, the following site visits were conducted:

1. Police Administration Building (PAB);
2. Eastmont Station;
3. Internal Affairs Division (IAD);
4. City Clerk's Office;
5. Citizens' Police Review Board; and,
6. Office of Personnel.

## **AUDIT STEPS/METHODOLOGY**

The EPAC staff used U. S. Government Auditing Standards as guidance when conducting this audit engagement.

### **Audit Steps:**

The following audit steps were conducted to complete this audit engagement within the specified due date of June 30, 2014. The EPAC auditing staff conducted an opening meeting with OPD staff to address the audit's procedures and to answer questions. The engagement was then assigned to an EPAC staff member as the Project Manager (PM) and contact person. This information was relayed to the OPD Audit Manager. The OPD Audit Manager was provided with the estimated due dates and time line for the audit.

The PM requested and received the following documents from OPD staff:

- The OPD brochure titled, *Your Guide to Filing a Complaint Against the Police* (TF- 3208) and the Complaint Form in English, Spanish, Chinese and Vietnamese languages
- All reference documents (see Reference Material)

The PM reviewed all the above listed documents and then prepared the Audit Work Plan Report and Task 7 Methodology Flow Chart (see Attachment #1) documenting the engagement's process. The PM then developed Compliance/Performance Testing Instruments (CPTI) that were used to assess the OPD's compliance with Objectives #1 through #8.

The EPAC audit staff then conducted fieldwork by reviewing pertinent documents, conducting site visits and interviewing appropriate personnel to determine the audit findings. The findings



were analyzed and documented on the Audit Report. The EPAC staff contacted OPD staff and discussed exceptions that were discovered during the audit engagement. This allowed OPD staff to respond and clarify the findings. A draft report was submitted to OPD staff for review and response to the findings. The EPAC staff requested that OPD staff respond to the draft audit report within five working days from receiving the document.

Upon receiving OPD's response, EPAC staff reviewed, considered and commented on them in the audit report. An exit conference was conducted with OPD staff to discuss the audit report. The EPAC staff then completed the audit report and was submitted to the OPD Audit Manager.

### **Methodology:**

The EPAC staff followed the described methodology as specified in the Task 7 Methods for Receiving Citizens' Complaints Review Protocol, dated June 21, 2007. The auditors made telephone calls, conducted site visits to the various OPD and municipal facilities, and interviewed OPD and City personnel.

The EPAC staff used CPTIs consisting of questions as a data collection instrument for Tasks 7.1 through 7.7. The questions were formatted into the following three types:

- Control – These questions direct the auditors actions by prompting them to the relevant Data Capture and Key Indicator Questions,
- Data Capture – These questions capture associated information which will assist in reporting on exceptions, or;
- Key Indicators - These questions measure compliance with the standard for each objective by identifying exceptions.

After the CPTIs were completed, the PM confirmed and tabulated the exceptions associated with the evaluated documents and site visit assessments. All documents and site visits containing confirmed exceptions were considered non-compliant and did not meet the standard for the corresponding objective. Documents that did not meet the standard for any one objective or any combination of objectives were considered non-compliant. The documents and site visit assessments considered non-compliant were totaled and reported on by objective. The total number of documents compliant in any one objective was identified by a percentage of documents compliant relative to the respective NSA and OPD DGO mandates.

## **SUMMARY OF FINDINGS**

### **Methods for Reviewing Citizens' Complaints (NSA Task 7) and (DGO M-3)**

The mandates as set forth in NSA Task 7 and DGO M-3 were examined as identified in Objectives #1 through #8 (see Attachment #2). The overall evaluation of each audit objective with its corresponding NSA task and DGO paragraph is listed in table 1.

**TABLE 1 – SUMMARY OF FINDINGS**

Objective No.	Objective Title	Task No.	DGO M-3 ¶	Objective %	Objective Compliance
1.	OPD establishes a recordable, toll-free complaint hotline. The hotline is staffed by OPD personnel and advises that the call is being recorded.	7.1	III. A. 5.		
1.1.	<i>Hotline established and staffed by OPD personnel.</i>	7.1	III. A. 5.	Yes	Compliant
1.2.	<i>Hotline answered and notice that calls recorded.</i>	7.1	III. A. 5.	70%	Non-Compliant
2.	Guidelines for filing a citizen's complaint are properly posted and informational brochures are made available in key Departmental and municipal locations.	7.2	IX. D.	100%	Compliant
3.	OPD accept anonymous complaints and investigates them to the extent reasonably possible to determine whether the allegation can be resolved. To the extent possible, OPD asks anonymous complainants for corroborating evidence.	7.3	III. A. 1. & 2.	The EPAC staff did not evaluate this task to determine compliance. The Independent Monitoring Team assesses the task.	
4.	OPD personnel have available complaint forms and informational brochures on the complaint process in their vehicles at all times while on duty.	7.4	IX. C.	100%	Compliant
5.	OPD members/employees distribute complaint forms and informational brochures when a citizen wishes to make a complaint and upon request.	7.4	IX. C.	100%	Compliant
6.	IAD is located in a dedicated facility remove from the Police Administration Building.	7.5	IX. A.	Yes	Compliant
7.	Complaint forms and informational brochures are translated consisted with City policy.	7.6	IX. B.	Yes	Compliant
8.	Complaint forms are processed in accordance with controlling state law.	7.7	III. B.	Yes	Compliant

## **DETAILED FINDINGS**

### **Objective 1 – Task 7.1 OPD establishes a recordable, toll-free complaint hotline. The hotline is staffed by OPD personnel and advises that the call is being recorded.**

#### **Criteria**

The IAD or Communication Division personnel shall staff a recordable toll-free complaint phone line, 24-hours a day (*Objective 1.1*), and receive and process complaints in accordance with the

provisions of Departmental General Order M-3. The complainant shall be advised that the call is being recorded when a complaint is taken by IAD (*Objective 1.2*).

**Objective 1.1 (Task 7.1) - Hotline established and staffed by OPD personnel. (Compliance Standard: Y/N)**

**Audit Steps**

The EPAC auditors called the IAD and Communication's Division hotlines to verify that OPD had established a dedicated hotline to report complaints to the Department. The calls were also used for verification that the hotline was staffed with qualified OPD personnel.

**Findings**

The auditors established that OPD personnel staffed both IAD and Communications Division hotlines via their identification when answering the calls.

**Analysis of Findings:**

The compliance analysis for Objective 1.1 found OPD in Compliance.

**Objective 1.2 – (Task 7.1) Hotline answered and notice that calls recorded. (Compliance Standard: 85%)**

**Audit Steps**

To assess compliance, the EPAC auditors called OPD's complaint hotline (866-214-8834) during off-hours (i.e., before 9:00 am and after 5:00 pm, as well as on weekends and holidays). The EPAC auditors also called the hotline during business hours (i.e. 9:00 am through 5:00 pm). A call that was not answered before the seventh ring and/or did not advise that the call was being recorded was considered not in compliance. Where a call was not in compliance, EPAC auditors made a second attempted to call again during a similar timeframe to determine whether the initial call was an aberration or reflected a systemic deficiency. A total of 19 telephone calls were made during the assessment period from April 7 through 24, 2014.

**Findings**

**Sub-Objective 1.2.1 (Call answered)**

The EPAC auditors found the following exceptions for Sub-Objective 1.2.1.

The IAD Line:

- None.

After Hour Line:

- WP# CPTI T7O1.2-01: The call was transferred to voicemail after seven rings.
- WP# CPTI T7O1.2-11: The auditor made two attempts and no one answered. On the first attempt, the phone rang 8 times and on the second attempt, the phone rang 7 times.
- WP# CPTI T7O1.2-15: The auditor allowed the phone to ring seven times before hanging up.

Analysis of Findings:

The following are the compliance analysis for Sub-Objective 1.2.1:

A total of 6 calls were made to the IAD Line and all were answered before 7 rings. The analysis of the IAD Line was 100% (Compliant). A total of 13 calls were made to the After Hour Line and 8 were answered before 7 rings. The analysis of the After Hour Line was 62% (Non-Compliant). The Overall sub-objective was 74% [19 total calls made and 14 answered before 7 rings] (Non-Compliant). (See Attachment #2 and Table 2.)

Sub-Objective 1.2.2 (Answered call in the appropriate manner)

The EPAC auditors found the following exceptions for Sub-Objective 1.2.2.

The IAD Line:

- None.

After Hour Line:

- WP# CPTI T7O1.2-01: The operator did not answer the call in the appropriate manner, but did identify him/herself.
- WP# CPTI T7O1.2-02: The operator did not identify him/herself.
- The following calls were not answered.
  - WP# CPTI T7O1.2-11
  - WP# CPTI T7O1.2-13
  - WP# CPTI T7O1.2-15

Analysis of Findings:

The following are the compliance analysis for Sub-Objective 1.2.2:

All 6 calls made to the IAD Line were answered appropriately, with the analysis being at 100% (Compliant). Of the 13 calls made to the After Hour Line, 7 were answered appropriately, thus

the analysis being at 54% (Non-Compliant). The Overall sub-objective was 68% [13 appropriately answered calls/19 calls made] (Non-Compliant). (See Attachment #2 and Table 2.)

Sub-Objective 1.2.3 (Caller advised that the call is being recorded)

The EPAC auditors found the following exceptions for Sub-Objective 1.2.3.

IAD Line:

- WP# CPTI T7O1.2-04: The auditor had difficulty understanding the operator. There was also poor reception on the line. As a result, the auditor asked the operator if the call was being recorded. His/her reply was "yes." The auditor found this call out of compliance, but after consultation with PM, the finding was changed to compliance because of the circumstances surrounding the call.

After Hour Line:

The operators did not inform the auditors that the calls were being recorded.

- WP# CPTI T7O1.2-01
- WP# CPTI T7O1.2-02
- WP# CPTI T7O1.2-04
- WP# CPTI T7O1.2-11
- WP# CPTI T7O1.2-13
- WP# CPTI T7O1.2-15
- WP# CPTI T7O1.2-16

Analysis of Findings:

The following are the compliance analysis for Sub-Objective 1.2.3:

On 6 occasions, EPAC auditors called the IAD Hotline and the operators advised them that the call was being recorded. As a result, the analysis was at 100% (Compliant). The After Hour Line was contacted on 13 occasions, but the operators advised the auditors that the call was being recorded only on 7 occasions. Thus the After Hour Line analysis was at 54% (Non-Compliant). The Overall sub-objective was 68% [13 callers received the advisement/19 calls made] (Non-Compliant). (See Attachment #2 and Table 2.)

Objective 1.2 Summary

The following are summaries of findings linked to this objective.

- WP# CPTI T7O1.2-01: The auditor called the After Hour hotline and the phone rang seven times before being transferred to an automatic voice-messaging center. The

automated message instructed the auditor to press “1” for non-emergency or press “2” to forward the call to Internal Affairs. The auditor pressed “2” and after three rings an operator answered and gave an identification number. When the auditor told the operator that he/she was trying to reach the complaint hotline, the operator replied that there was no complaint hotline. The operator told the auditor that he/she would transfer the call to Internal Affairs. The auditor also asked the operator for the phone number in the event they were disconnected. The operator gave the auditor the following number, 510-238-3161. The operator transferred the call, it rang twice, and the auditor reached another recorded message giving the hours of Internal Affairs and its location, or the option of filing a complaint. The auditor chose the second option and reached the complaint hotline. The operator requested the auditor’s information but did not say the call was recorded.

- WP# CPTI T7O1.2-03: The auditor called the IAD hotline and found that the officer answering the phone was very clear and professional.
- WP# CPTI T7O1.2-04: The auditor called the IAD hotline and discovered that the operator was friendly but difficult to understand. The auditor documented that it appeared the phone connection was poor and that the operator had difficulty hearing her. The difficulty with line made the auditor uncertain as to how the operator answered the call. The auditor was obligated to ask the auditor whether the call was being recorded and he/she replied that it was.
- WP# CPTI T7O1.2-05: The call was also with the Internal Affairs hotline. The auditor documented that the operator was courteous and professional.
- WP# CPTI T7O1.2-11: These calls were made to the After Hour hotline. The auditor made two calls and both of them were answered by an answering machine. The first call rang eight times and the second call rang seven times.
- WP# CPTI T7O1.2-13: These calls were made to the After Hour hotline. The auditor made two calls and both of them were answered by an answering machine. The first call rang seven times and the second call was answered on the third ring.
- WP# CPTI T7O1.2-16: This call was a follow-up to a call made to the After Hour line a week earlier and it went to a recorded message.

#### Analysis of Findings:

The compliance analysis for the Objective 1.2 was at 70% (Non-Compliant). (See Attachment #2 and Table 2.)

**TABLE 2 – OBJECTIVE NO. 1.2 FINDINGS**

Objective No.	Objective	Hotline	Calls Made	Results	Objective %	Objective Compliance
1.2.	Hotline answered and notice that calls recorded.				70%	Non-Compliant
1.2.1	Call answered	IAD	6	6	100%	Compliant
		After hr.	13	8	62%	Non-Compliant
		TOTAL	19	14	74%	Non-Compliant
1.2.2	Answered call in the appropriate manner	IAD	6	6	100%	Compliant
		After hr.	13	7	54%	Non-Compliant
		TOTAL	19	13	68%	Non-Compliant
1.2.3	Caller advised that the call is being recorded	IAD	6	6	100%	Compliant
		After hr.	13	7	54%	Non-Compliant
		TOTAL	19	13	68%	Non-Compliant

**Objective 2 – Task 7.2 Citizen Complaint guidelines are properly posted and informational brochures are made available in key Departmental and municipal locations. (Compliance Standard: 85%)**

### Criteria

Guidelines for filing a citizen's complaint shall be prominently posted and informational brochures shall be made available in key Departmental and municipal location.

### Audit Steps

The EPAC staff conducted Department and City site visits listed in IAD P&P 10-01 to determine whether citizen complaint guidelines were on display, and complaint forms and a supply of *Your Guide to Filing a Complaint Against the Police* (TF- 3208) were available in those locations. If complaint forms or brochures were not evident, the EPAC staff asked personnel at that site whether they had brochures or complaint forms. If any location did not have all available materials, the EPAC staff made a second visit at a later date to determine whether the lack of availability was aberrational. The Police Administration Building, Oakland City Clerk's Office and the Citizen's Police Review Board required a second visit. The EPAC staff also interviewed seven of the eight NSCs to verify that each had complaint guideline brochures for distribution to interested community members, ensuring that at least two-thirds of them were interviewed.

Locations/Dates of Site Visits:

- Oakland Police Department website: 4/8/14 @ 8:10 PM;
- Police Administration Building, 1<sup>st</sup> Visit: 4/11/14 @ 7:15 AM;
- Oakland City Clerks Office, 1<sup>st</sup> Visit: 4/11/14 @ 10:00 AM;

- Citizens' Police Review Board, 1<sup>st</sup> Visit: 4/11/14 @ 10:30 AM;
- Oakland Office of Personnel: 4/11/14 @ 10:45 AM;
- Neighborhood Services Coordinators: 4/11/14 @ 11:00 AM;
- Eastmont Station: 4/11/14 @ 2:15 AM;
- Police Administration Building, 2<sup>nd</sup> Visit: 4/12/14 @ 2:15 PM;
- Oakland City Clerks Office, 2<sup>nd</sup> Visit: 5/13/14 @ 11:40 AM; and,
- Citizens' Police Review Board, 2<sup>nd</sup> Visit: 5/13/14 @ 11:42 AM.

## Findings

### Sub-Objective 2.1 (Complaint guidelines on display)

The following locations were found Compliant:

- Police Administration Building, 2<sup>nd</sup> Visit
- Eastmont Station
- City Clerks Office
- Citizens' Police Review Board
- Office of Personnel
- Neighborhood Service Coordinators
- Oakland Police Department website

The following locations were found Non-Compliant during the first visit:

- Police Administration Building, 1<sup>st</sup> Visit
  - WP# CPTI T7O2 00001: The EPAC auditors observed that the complaint procedure guidelines were not posted in the lobby. Auditors spoke with the desk officer. The guidelines were posted and observed by the auditors in the lobby during the second visit, thus making the finding compliant.

The following locations were Not Applicable:

- Fruitvale Resource Center.
- Chinatown Resource Center
- Oakland-Alameda County Coliseum Security Office

The above locations are no longer staffed by OPD, except the Oakland-Alameda County Coliseum, but only during scheduled events. There were no scheduled events from April 11 through 13, 2014; the dates EPAC auditors conducted their fieldwork.



Analysis of Findings:

The compliance analysis for Sub-Objective 2.1 was 100% (Compliant). (See Attachment #2 and Table 3.)

Sub-Objective 2.2 (The TF-3208 brochures were available at the locations)

The following locations were found Compliant:

- Police Administration Building
- Eastmont Station
- Office of Personnel
- Neighborhood Service Coordinators
- Oakland Police Department website
  - WP# CPTI T702 000001: Both the TF-3208 and complaint form were on the website under “Contact Us” and “Quality of Service” tabs. Although both forms were on the website, it required the auditor to search through it to find the documents.

The following locations were found Non-Compliant during their first visit:

- City Clerks Office
  - WP# CPTI T702 0000003: The City Clerks Office was missing the English brochures.
- Citizens’ Police Review Board
  - WP# CPTI T702 000004: Only the Chinese and Vietnamese brochures were displayed.

During the second visit, auditors found that all brochures were on display at both locations thus making the findings Compliant.

The following locations were Not Applicable:

- Fruitvale Resource Center
- Chinatown Resource Center
- Oakland-Alameda County Coliseum Security Office

Analysis of Findings:

The compliance analysis for Sub-Objective 2.2 was 100% (Compliant). (See Attachment #2 and Table 3.)

Sub-Objective 2.3 (The TF-3208 brochures were provided when asked)

The following locations were found Compliant:

- Police Administration Building
- Eastmont Station
- Office of Personnel
- Neighborhood Service Coordinators

The following locations were found Non-Compliant during their first visit:

- City Clerks Office
  - WP# CPTI T702 000003: The English brochures were out of stock.
- Citizens' Police Review Board
  - WP# CPTI T702 000004: The office clerk retrieved the English brochures; bid did not have the Spanish ones in stock. The office manager indicated that they would order additional brochures.

During the second visit, auditors found that all brochures were on display at both locations thus not necessary to ask for the brochures. The findings were changed to Not Applicable.

The following locations were Not Applicable:

- Fruitvale Resource Center.
- Chinatown Resource Center
- Oakland-Alameda County Coliseum Security Office
- Oakland Police Department website

Analysis of Findings:

The compliance analysis for Sub-Objective 2.3 was 100% (Compliant). (See Attachment #2 and Table 3.)

Objective 2 Summary

The following is a summary of findings linked to this objective.

WP# CPTI T702 000009 and WP# CPTI T702 000010: during the second visit, the brochures were on display in both facilities (City Clerks Office and Citizens' Police Review Board).

The overall compliance analysis for Objective 2 was at 100% (Compliant). (See Attachment #2 and Table 3.)

# Methods for Reviewing Citizens' Complaints/Task 7 Audit Report

Project No.: E2014OPDT7CCR

Date: June 21, 2014

Page 14 of 21

**TABLE 3 – OBJECTIVE NO. 2 FINDINGS**

Objective No.	Objective	Site Visit Location	Date of 1 <sup>st</sup> Visit	Date of 2 <sup>nd</sup> Visit	Objective %	Objective Compliance
2.	Citizen Complaint guidelines are properly posted and informational brochures are made available in key Departmental and municipal locations.				100%	Compliant
2.1.	Complaint guidelines on display.	<ul style="list-style-type: none"> <li>Police Administration Building*</li> <li>Eastmont Station</li> <li>City Clerks Office</li> <li>Citizens' Police Review Board</li> <li>Office of Personnel</li> <li>Neighborhood Service Coordinators</li> <li>Oakland Police Department website</li> <li>Fruitvale Resource Center.</li> <li>Chinatown Resource Center</li> <li>Oakland-Alameda County Coliseum Security Office</li> </ul>	4/11/14 4/11/14 4/11/14 4/11/14 4/11/14 4/8/14 N/A N/A N/A	4/12/14	100%	Compliant
2.2.	The TF-3208 brochures were available at the locations	<ul style="list-style-type: none"> <li>Police Administration Building</li> <li>Eastmont Station</li> <li>City Clerks Office*</li> <li>Citizens' Police Review Board*</li> <li>Office of Personnel</li> <li>Neighborhood Service Coordinators</li> <li>Oakland Police Department website</li> <li>Fruitvale Resource Center.</li> <li>Chinatown Resource Center</li> <li>Oakland-</li> </ul>	4/11/14 4/11/14 4/11/14 4/11/14 4/11/14 4/8/14 N/A N/A N/A	5/13/14 5/13/14	100%	Compliant

# Methods for Reviewing Citizens' Complaints/Task 7 Audit Report

Project No.: E2014OPDT7CCR

Date: June 21, 2014

Page 15 of 21

Objective No.	Objective	Site Visit Location	Date of 1 <sup>st</sup> Visit	Date of 2 <sup>nd</sup> Visit	Objective %	Objective Compliance
		Alameda County Coliseum Security Office				
2.3.	The TF-3208 brochures were provided when asked	<ul style="list-style-type: none"> <li>Police Administration Building</li> <li>Eastmont Station</li> <li>City Clerks Office*</li> <li>Citizens' Police Review Board*</li> <li>Office of Personnel</li> <li>Neighborhood Service Coordinators</li> <li>Oakland Police Department website</li> <li>Fruitvale Resource Center.</li> <li>Chinatown Resource Center</li> <li>Oakland-Alameda County Coliseum Security Office</li> </ul>	4/11/14 4/11/14 4/11/14 4/11/14 4/11/14 N/A N/A N/A N/A	5/13/14 5/13/14	100%	Compliant

Note: \*Site not compliant in first visit but compliant in second Visit.

**Objective 3 – Task 7.3 OPD accepts anonymous complaints and investigates them to the extent reasonably possible to determine whether the allegation can be resolved. To the extent possible, OPD asks anonymous complainants for corroborating evidence. (Compliance Standard: 95%)**

## Criteria

OPD shall accept anonymous complaints. To the extent possible, OPD shall ask anonymous complainants for corroborating evidence. OPD shall investigate anonymous complaints to the extent reasonably possible to determine whether the allegation can be resolved.

## Audit Steps

The EPAC staff did not evaluate this task to determine compliance. The Independent Monitoring Team assesses the task.

**Objective 4 – Task 7.4 The OPD personnel have citizens complaint brochures in their vehicles at all times while on-duty. (Compliance Standard: 85%)**

**Criteria**

The OPD personnel shall have available complaint forms and informational brochures of the complaint process in their vehicles at all times while on duty.

**Audit Steps**

Over different days and all three watches, the EPAC auditors interviewed on-duty officers and sergeants at the Police Administration Building and Eastmont Substation to determine whether these members had available both complaint forms and informational brochures (TF-3208) in their vehicles or on their person. A total of (37) officers were interviewed. The EPAC staff did not interview the same officer more than once.

Locations/Dates of Site Visits:

- Police Administration Building:
  - 4/10/14 – Graveyard Shift
  - 4/11/14 – Day Shift
  - 4/12/14 – Swing Shift
- Eastmont Station
  - 4/11/14 – Swing Shift
  - 4/11/14 – Graveyard Shift
  - 4/12/14 – Day Shift

**Findings**

**Sub-Objective 4.1 (OPD personnel have the TF-3208 available)**

The following sites were found Compliant

- Police Administration Building – All shifts.
- Eastmont Station – All shifts.

The EPAC auditors found that all personnel on all watches had possession of the TF-3208 forms in all four languages.

**Analysis of Findings:**

The compliance analysis for Sub-Objective 4.1 was 100% (Compliant). (See Attachment #2 and Table 4.)

Sub-Objective 4.2 (OPD personnel provided the TF-3208 when asked)

The following sites were found Compliant

- Police Administration Building – All shifts.
- Eastmont Station – All shifts.

All personnel on all watches presented the TF-3208 form when requested by the EPAC auditors.

Analysis of Findings:

The compliance analysis for Sub-Objective 4.2 was 100% (Compliant) (See Attachment #2 and Table 4.)

Objective 4 Summary

The Overall compliance analysis for Task 4 was 100% (Compliant). (See Attachment #2.)

**TABLE 4 – OBJECTIVE 4 FINDINGS**

Objective No.	Objective	Site Visit Location	Date of 1 <sup>st</sup> Visit	Date of 2 <sup>nd</sup> Visit	Date of 3 <sup>rd</sup> Visit	Objective %	Objective Compliance
4.	The OPD personnel have citizens complaint brochures in their vehicles at all times while on-duty.					100%	Compliant
4.1.	OPD personnel have the TF-3208 available.	<ul style="list-style-type: none"> <li>• PAB</li> <li>• Eastmont Station</li> </ul>	4/10/14-G 4/11/14-S	4/11/14-D 4/11/14-G	4/12/14-S 4/12/14-D	100%	Compliant
4.2.	OPD personnel provided the TF-3208 when asked.	<ul style="list-style-type: none"> <li>• PAB</li> <li>• Eastmont Station</li> </ul>	4/10/14-G 4/11/14-S	4/11/14-D 4/11/14-G	4/12/14-S 4/12/14-D	100%	Compliant
Note: D = Day Shift, S = Swing Shift, G= Graveyard Shift							

**Objective 5 – Task 7.4 Citizen's complaint brochures are made available when requested by a citizen or wishing to make a complaint. (Compliance Standard: 85%)**

**Criteria**

Members/employees shall distribute complaint forms and informational brochures (TF-3208) when a citizen wishes to make a complaint or upon request.

## Audit Steps

The EPAC auditors tested OPD members'/employees' provision of information to individuals seeking to file complaints. Nine site visits were conducted; three to PAB, Eastmont, and IAD. The EPAC staff conducted their visits during different watches and on different days of the week, accounting for the scheduled hours of operation of the Internal Affairs Division. The Chinatown, East Oakland, and Fruitvale community resource centers were not visited because OPD no longer deploys personnel at these facilities.

The tests consisted of EPAC staff following a script that begins: "Hello. I would like a complaint form, please," and proceeding as appropriate based on the response given.

### Locations/Dates of Site Visits:

- Police Administration Building:
  - 4/10/14
  - 4/11/14
  - 4/12/14
- Eastmont Station
  - 4/11/14 (Twice)
  - 4/12/14
- Internal Affairs Division
  - 4/11/14
  - 4/13/14
  - 5/13/14
- Fruitvale Resource Center
  - Site closed
- Chinatown Resource Center
  - Site close
- East Oakland Resource Center
  - Site closed

## Findings

### Sub-Objective 5.1 (The officer/police employee provided the TF-3208 upon request)

The following locations were found to be Compliant:

- Police Administration Building
- Eastmont Station
- Internal Affairs Division

# Methods for Reviewing Citizens' Complaints/Task 7 Audit Report

Project No.: E2014OPDT7CCR

Date: June 21, 2014

Page 19 of 21

Sub-Objective 5.1 was not applicable to the following locations:

- Fruitvale Resource Center
- Chinatown Resource Center
- East Oakland Center

All personnel provided the TF-3208 form when requested by the EPAC auditors.

## Analysis of Findings:

The compliance analysis for Sub-Objective 5.1 was 100% (Compliant). (See Attachment #2 and Table 5.)

*Sub-Objective 5.2 (A supervisor is requested by OPD personnel when they do not provide the TF-3208 form) and Sub-Objective 5.3 (The supervisor provided a TF-3208 form to take home or complete later)*

These sub-objectives were not applicable due to OPD personnel providing the TF-3208 to EPAC auditors. (See Attachment #2 and Table 5.)

## Objective 5 Summary

The Overall Compliance analysis for Objective 5 was 100% (Compliant). (See Attachment #2 und Table 5.)

**TABLE 5 – OBJECTIVE 5 FINDINGS**

Objective No.	Objective	Site Visit Location	Date of 1 <sup>st</sup> Visit	Date of 2 <sup>nd</sup> Visit	Date of 3 <sup>rd</sup> Visit	Objective %	Objective Compliance
5.	Citizen's complaint brochures are made available when requested by a citizen or wishing to make a complaint.					100%	Compliant
5.1.	The officer/police employee provided the TF-3208 upon request	<ul style="list-style-type: none"> <li>• PAB</li> <li>• Eastmont Station</li> <li>• IAD</li> <li>• Fruitvale*</li> <li>• Chinatown*</li> <li>• East Oakland*</li> </ul>	4/10/14 4/11/14 4/11/14	4/11/14 4/11/14 4/13/14	4/12/14 4/12/14 5/13/14	100%	Compliant
5.2.	A supervisor is requested by OPD personnel when they do not provide the TF-3208 form)	<ul style="list-style-type: none"> <li>• PAB+</li> <li>• Eastmont Station+</li> <li>• IAD+</li> <li>• Fruitvale*</li> <li>• Chinatown*</li> </ul>	N/A N/A N/A N/A N/A	N/A N/A N/A N/A N/A	N/A N/A N/A N/A N/A		Not Applicable



# Methods for Reviewing Citizens' Complaints/Task 7 Audit Report

Project No.: E2014OPDT7CCR

Date: June 21, 2014

Page 20 of 21

Objective No.	Objective	Site Visit Location	Date of 1 <sup>st</sup> Visit	Date of 2 <sup>nd</sup> Visit	Date of 3 <sup>rd</sup> Visit	Objective %	Objective Compliance
5.3	The supervisor provided a TF-3208 form to take home or complete later	<ul style="list-style-type: none"> <li>• East Oakland*</li> <li>• PAB+</li> <li>• Eastmont Station+</li> <li>• IAD+</li> <li>• Fruitvale*</li> <li>• Chinatown*</li> <li>• East Oakland*</li> </ul>	N/A	N/A	N/A		Not Applicable
Note: * Resource centers were not visited because OPD no longer deploys personnel at these facilities. +These sub-objectives were not applicable due to OPD personnel providing the TF-3208 to EPAC auditors.							

## **Objective 6 – Task 7.5 The IAD is located at a facility other than the Police Administration Building. (Compliance Standard: Y/N)**

### **Criteria**

IAD shall be located in a dedicated facility removed from the Police Administration Building.

### **Audit Steps/Findings**

The EPAC auditors conducted an on-site inspection of the IAD facility at 250 Frank H. Ogawa Plaza, Suite “C,” Oakland, California 94612.

### **Analysis of Findings:**

The compliance analysis found Objective 6 in compliance.

## **Objective 7 – Task 7.6 The OPD complaint form and brochure (TF-3208) comply with City policy. (Compliance Standard: Y/N)**

### **Criteria**

Complaint forms and informational brochures shall be translated consistent with City policy.

### **Audit Steps**

In conjunction with the Task 7.2 review, EPAC staff reviewed complaint forms and information brochures to ensure both the complaint form and brochure were available in English, Chinese, Spanish, and Vietnamese, as required by City policy

### **Findings**

The EPAC auditors observed that all brochures (TF-3208) were in the appropriate languages including the complaint form contained within the brochures.

Analysis of Findings:

The compliance analysis found Objective 7 in compliance.

**Objective 8 – Task 7.7 OPD complaint forms are processed in accordance with state law.**  
**(Compliance Standard: Y/N)**

**Criteria**

Complaint forms shall be processed in accordance with controlling state law.

**Audit Steps**

The EPAC auditors reviewed DGO M-3 and California Penal Code section 832.5 to evaluate compliance with controlling state law.

**Findings**

The EPAC auditors found that DGO M-3 was consistent with California Penal Code 832.5.

Analysis of Findings:

The compliance analysis found Objective 8 in Compliance.

**RECOMMENDATIONS/ACTIONS TAKEN**

**Recommendations**

None.

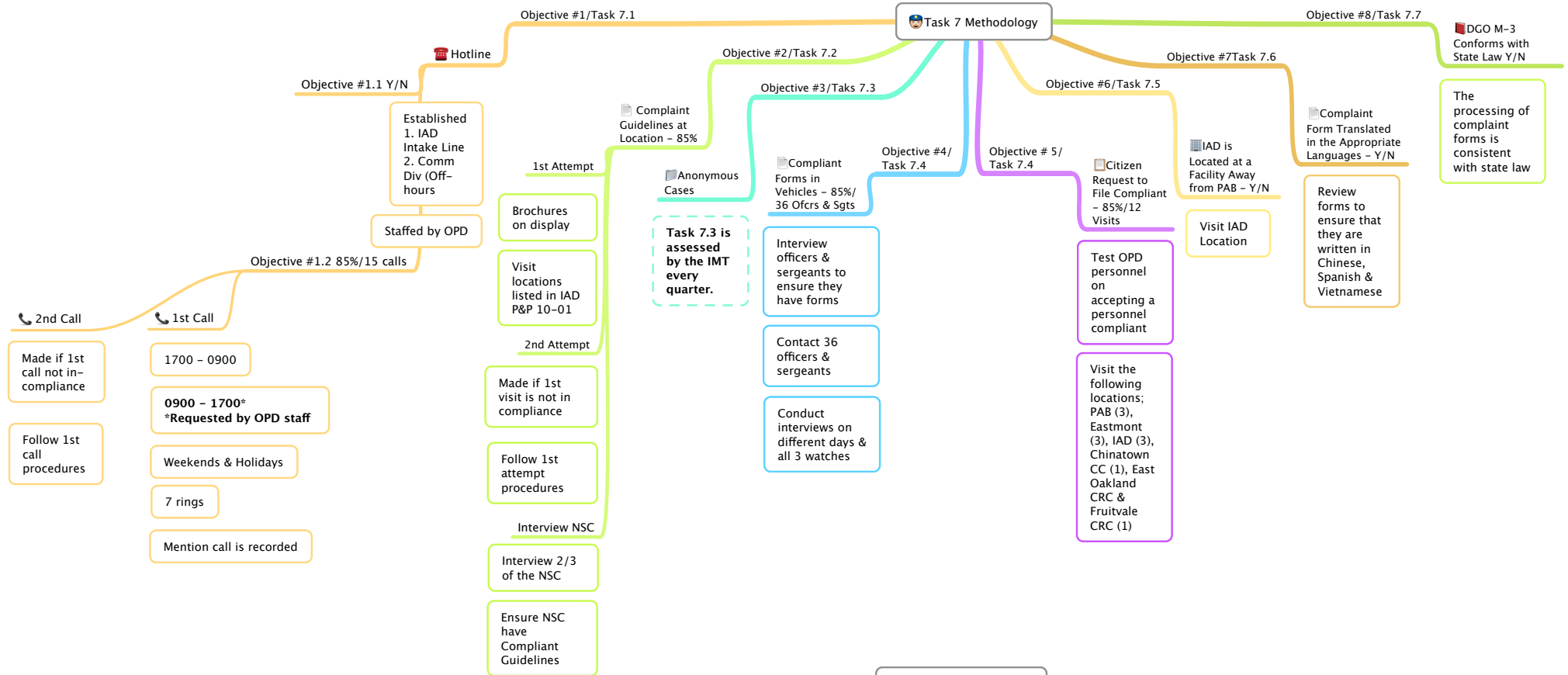
**Actions Taken**

Objective 1.2:

During this audit engagement, the EPAC auditors found Objective 1.2 out of compliance. The EPAC staff addressed these findings with OPD staff. The OPD staff addressed the non-compliant issues with Communications Division regarding their overseeing of the After Hour Complaint Hotline. The OPD's solution was to re-route the phone line through the Communications Division supervisor's office. Also, OPD staff met with the division's supervisors to discuss the appropriate After Hour Complaint Hotline procedures.

## TASK 7 METHODOLOGY FLOW CHART

Project No.: E2014OPDT7CCR



ATTACHMENT #1

# **TASK 7 Methods for Receiving Citizens' Complaints (Summary)**

**conducted for**

## **Oakland Police Department**

**Document No.**

WP# CPTI T7 000002 S

**Audit Title**

Task 7 - Methods for Receiving Citizens' Complaints Review (Summary)

**Conducted on**

4/29/14 7:33 PM

**Prepared by**

Christopher Figueroa

**Location**

455 7th Street  
Oakland, California 94607

**Personnel**

Project Manager: Christopher Figueroa, DPA, CGAP, CFE, CFS, CLEA, CRMA  
Assistant Project Manager: Randy Khatami, CFE, CFS, CLEA, CRMA  
Staff Auditor: Dawn Reynolds, JD, CLEA  
Staff Auditor: Sergio Sais, CGAP, CFE

**Completed on**

5/19/14 11:38 PM

**Score**

41/49 - 83%

### **Disclaimer**

The assessors believe the information contained within this risk assessment report to be correct at the time of printing. The assessors do not accept responsibility for any consequences arising from the use of the information herein. The report is based on matters which were observed or came to the attention of the assessors during the day of the assessment and should not be relied upon as an exhaustive record of all possible risks or hazards that may exist or potential improvements that can be made.

Information on the latest workers compensation and OHS / WHS laws can be found at the relevant State WorkCover / WorkSafe Authority.

### **Confidentiality Statement**

In order to maintain the integrity and credibility of the risk assessment processes and to protect the parties involved, it is understood that the assessors will not divulge to unauthorized persons any information obtained during this risk assessment unless legally obligated to do so.

WP# CPTI T7 000002 S  
Task 7 - Methods for Receiving  
Citizens' Complaints Review  
(Summary)

## Table of Contents

<b>TASK 7 METHODS FOR RECEIVING CITIZENS' COMPLAINTS (SUMMARY) - 41/49 - 83%</b>	<b>1</b>
Disclaimer	2
Confidentiality Statement	2
<b>AUDIT - 41/49 - 83%</b>	<b>4</b>
Objective 1: Task 7.1 The Oakland Police Department establishes a recordable, toll-free complaint hotline. The hotline is staffed by OPD personnel and advises that the call is being recorded.	4
Objective 1.1: Task 7.1 Hotline established and staffed by OPD personnel. (Compliance: Y/N)	4
Objective 1.2: Task 7.1 Hotline answered and noticed that calls recorded. (Compliance: 85%)	4
Objective 2: Task 7.2 Guidelines for filing a citizen's complaint are properly posted and informational brochures are made available in key Departmental and municipal locations. (Compliance: 85%)	7
Objective 3: Task 7.3 OPD accept anonymous complaints and investigates them to the extent reasonably possible to determine whether the allegation can be resolved. To the extent possible, OPD asks anonymous complainants for corroborating evidence. (Compliance: 95%)	10
Objective 4: Task 7.4 OPD personnel have available complaint forms and informational brochures on on the complaint process in their vehicles at all times while on duty. (Compliance: 85%)	10
Objective 5: Task 7.4 OPD members/employees distribute complaint forms and informational brochures when a citizen wishes to make a complaint and upon request. (Compliance: 85%)	11
Objective 6: Task 7.5 The IAD shall be located at a facility other than the Police Administration Building (PAB). (Compliance: Y/N)	13
Objective 7: Task 7.6 The OPD complaint form & brochure complying with City policy. (Compliance: Y/N)	14
Objective 8: Task 7.7 Department General Order (DGO) M-3 conforms with applicable state Law. (Compliance: Y/N)	14
<b>OTHER RELATED MANNER</b>	<b>15</b>
<b>ATTESTATION OF AUDIT</b>	<b>16</b>

## Audit - 41/49 - 83%

Question	Response	Details
<b>Objective 1: Task 7.1 The Oakland Police Department establishes a recordable, toll-free complaint hotline. The hotline is staffed by OPD personnel and advises that the call is being recorded.</b> <span>Score (3/6) 50%</span>		
<b>Objective 1.1: Task 7.1 Hotline established and staffed by OPD personnel. (Compliance: Y/N)</b> <span>Score (3/3) 100%</span>		
1.1.1) Has OPD established a dedicated hotline to file complaints with IAD?	YES: Compliant	
1.1.2) Does IAD staff the complaint hotline during business hours?	YES: Compliant	
1.1.3) Does Communication Division staff the compliant hotline during non-business hours & weekends/holidays?	Yes	
NARRATIVE:	Auditors called the IAD for verification. Auditors also called the off-hours hotline for verification.	
<b>Objective 1.2: Task 7.1 Hotline answered and noticed that calls recorded. (Compliance: 85%)</b> <span>Score (0/3) 0%</span>		
1.2.1) Was the call answered?	NO: Non Compliant	IAD Line: [6/6] 100% (COMPLIANT), After Hour Line: [8/13] 62% (NON-COMPLIANT), Overall: [14/19] 74% (NON-COMPLIANT)  AFTER HOUR LINE: WP# CPTI T7O1.2-01: Call was transferred to voicemail after 7 rings. WP# CPTI T7O1.2-11: Auditor made two attempts and no answer. 1st attempt, 8 rings & 2nd attempt, 7 rings. WP# CPTI T7O1.2-15: Auditor allowed phone to ring 7 times before hanging up.

Question	Response	Details
1.2.2) Did the operator answer the call in the appropriate manner>	NO: Non Compliant	<p>IAD Line: [6/6] 100% (COMPLIANT), After Hour Line: [7/13] 54% (NON-COMPLIANT), Overall: [13/19] 68% (NON-COMPLIANT)</p> <p>AFTER HOUR LINE:            WP# CPTI T7O1.2-01: The operator did not answer in the appropriate manner, but did identify herself.            WP# CPTI T7O1.2-02: The operator did not identify them self.            WP# CPTI T7O1.2-11: No answer.            WP# CPTI T7O1.2-13: No answer.            WP# CPTI T7O1.2-15: No Answer.            WP# CPTI T7O1.2-15: No answer.</p>
1.2.3) Did the operator advise the auditor that the call was being recorded?	NO: Non Compliant	<p>IAD Line: [6/6] 100% (COMPLIANT), After Hour Line: [7/13] 54% (NON-COMPLIANT), Overall: [13/19] 68% (NON-COMPLIANT)</p> <p>IAD LINE:            WP# CPTI T7O1.2-04: The auditor had a difficult time understanding the operator. There was also poor reception on the line. As a result, the auditor asked the operator if the call was being recorded. His reply was yes. The auditor found this call out of compliance, but the PM reversed the finding to compliant because of the call situation.</p> <p>AFTER HOUR LINE:            The operators did not inform the auditors that the calls were being recorded.            WP# CPTI T7O1.2-01            WP# CPTI T7O1.2-02            WP# CPTI T7O1.2-04            WP# CPTI T7O1.2-11            WP# CPTI T7O1.2-13            WP# CPTI T7O1.2-15            WP# CPTI T7O1.2-16</p>



Question	Response	Details
NARRATIVE:		<p>Overall Compliance: <math>[74\%+68\%+68\%/3] = 70\%</math></p> <p>WP# CPTI T7O1.2-01:  This call rang seven times then was transferred to an automatic voice messaging center. An automated message instructed the auditor to press "1" for non-emergency or press "2" and it would forward the call to Internal Affairs. The auditor pressed "2" and after three rings an operator answered giving her ID number. When the auditor told the operator that she was trying to reach the compliant hotline, the operator replied that there was no compliant hotline. The operator told the auditor that she would transfer the call to Internal Affairs. The auditor also asked the operator for the phone number in the event they were disconnected. The operator gave the auditor the following number 510-238-3161. The call was then transferred, it rang twice and the auditor reached another voice recording giving the IA office hours and location, the option of filing a complaint. The auditor chose the second option and reached the complaint hotline. The operator requested the auditor's information but did not say the call was recorded.</p> <p>WP# CPTI T7O1.2-03:  The officer was very clear and professional.</p> <p>WP# CPTI T7O1.2-04:  The call-taker was friendly but spoke very quickly and was difficult to understand, but it may have been the connection as he appeared to have difficulty hearing the auditor as well. The difficulty in understanding him made the auditor uncertain as to how the operator answered the phone. The auditor felt obligated to ask the operator whether the call was being recorded and he replied that it was.</p> <p>WP# CPTI T7O1.2-05:  The officer was courteous and professional.</p> <p>WP# CPTI T7O1.2-11:  Both calls were answered by an answering machine. The first call rang eight times, while the second call rang seven times.</p> <p>WP# CPTI T7O1.2-13:  The first call went to an answering machine after seven rings and the second call was answered on the third ring.</p> <p>WP# CPTI T7O1.2-16:  This call was a followup call from the last Friday call and the call went to a recorded message.</p>

Question	Response	Details
<b>Objective 2: Task 7.2 Guidelines for filing a citizen's complaint are properly posted and informational brochures are made available in key Departmental and municipal locations. (Compliance: 85%)</b>		
<p>Score (17/22) 77%</p> <p>INFORMATION: Auditors will check the following facilities to assess whether the citizen complaint guidelines are on display at the location, and (Your Guide to Filing a Complaint Against the Police (TF-3208) forms are available.</p> <p>1. Police Facilities:</p> <ul style="list-style-type: none"> <li>a. Police Administration Building (PAB);</li> <li>b. Eastmont Station</li> <li>c. Fruitvale Resource Center; and,</li> <li>d. Chinatown Resource Center.</li> </ul> <p>2. City Hall</p> <ul style="list-style-type: none"> <li>a. City Clerk's Office (First floor);</li> <li>b. Citizens' Police Review Board (11th floor); and,</li> <li>c. Office of Personnel (150 Frank H. Ogawa (Second floor).</li> </ul> <p>3. Oakland-Alameda County Coliseum Security Office (Brochures Only).</p> <p>4. Neighborhood Service Coordinators (NSC).</p> <p>5. On the Oakland Police Department website.</p>		
DATES OF SITE VISITS:	<p>Oakland Police Department website: 4/8/14 @ 8:10 PM</p> <p>Police Administration Building: 4/11/14 @ 7:15 AM</p> <p>City Clerks Office: 4/11/14 @ 10:00 AM</p> <p>Citizens' Police Review Board: 4/11/14 @ 10:30 AM</p> <p>Office of Personnel: 4/11/14 @ 10:45 AM</p> <p>Neighborhood Services Coordinators: 4/11/14 @ 11:00 AM</p> <p>Eastmont Station: 4/11/14 @ 2:15 PM</p> <p>Police Administration Building, 2nd Visit: 4/12/14 @ 2:15 PM</p> <p>City Clerks Office, 2nd Visit: 5/13/14@11:40 AM</p> <p>Citizens' Police Review Board, 2nd Visit: 5/13/14@11:42 AM</p>	
2.1) Were the citizen complaint guidelines on display at the location?	Compliant	
Police Administration Building	Compliant, Non-Compliant	
Eastmont Station	Compliant	
Fruitvale Resource Center	Not Applicable	
Chinatown Resource Center	Not Applicable	
City Clerk's Office	Compliant	
Citizens' Police Review Board	Compliant	
Office of Personnel	Compliant	

Question	Response	Details
Neighborhood Services Coordinators	Compliant	
Oakland-Alameda County Coliseum Security Office (Brochures Only)	Not Applicable	
Oakland Police Department website	Compliant	
NARRATIVE:	<p>Overall Compliance: 100% [7/7] (Compliant)</p> <p>WP# CPTI T7O2 000001: Guidelines were posted on the website.</p> <p>WP# CPTI T7O2 000002: During first visit to PAB, No guidelines were posted. Spoke with the desk officer.</p> <p>WP# CPTI T7O2 000008: During second visit to PAB, auditors observed the guidelines posted on the wall via the elevators.</p> <p>Not Applicable locations are no longer staffed by OPD, except the Oakland-Alameda County Coliseum, but only during scheduled events. There were no scheduled events from April 11 through 13, 2014, the dates that the auditors were conducting their field work.</p>	
2.2) Were the TF-3208 brochures available at the location?	Compliant	
Police Administration Building	Compliant	
Eastmont Station	Compliant	
Fruitvale Resource Center	Not Applicable	
Chinatown Resource Center	Not Applicable	
City Clerk's Office	Compliant, Non-Compliant	
Citizens' Police Review Board	Compliant, Non-Compliant	
Office of Personnel	Compliant	
Oakland-Alameda County Coliseum Security Office (Brochures Only)	Not Applicable	
Neighborhood Services Coordinators	Compliant	
Oakland Police Department website	Compliant	

Question	Response	Details
NARRATIVE:	<p>Overall Compliance: 100% [7/7] (Compliant)</p> <p>WP# CPTI T7O2 000001: Yes, both the TF-3208 &amp; complaint form were on the website under "Contact Us" and "Quality of Service" tabs. Although both forms are on the website, it required a little search to find these documents.</p> <p>WP# CPTI T7O2 000002: The brochures were available.</p> <p>WP# CPTI T7O2 000003: City Clerks Office was missing the English brochures. (1st visit)</p> <p>WP# CPTI T7O2 000004: Only the Chinese and Vietnamese brochures were displayed at the Citizens' Police Review Board. (1st visit)</p> <p>WP# CPTI T7O2 000009: During the second visit to the City Clerks Office, the auditor observed all brochures on display.</p> <p>WP# CPTI T7O2 000010: During the second visit to the Citizens' Police Review Board, the auditor observed all brochures on display.</p>	
2.3) Did personnel at the location provide the TF-3208 when asked?		
Police Administration Building	Compliant	
Eastmont Station	Not Applicable	
Fruitvale Resource Center	Not Applicable	
Chinatown Resource Center	Not Applicable	
City Clerk's Office	Non-Compliant, Not Applicable	
Citizens' Police Review Board	Non-Compliant, Not Applicable	
Office of Personnel	Compliant	
Oakland-Alameda County Coliseum Security Office (Brochures Only)	Not Applicable	
Neighborhood Services Coordinators	Compliant	
Oakland Police Department website	Not Applicable	

Question	Response	Details
NARRATIVE:	<p>Overall Compliance 100% [3/3] (Compliant)</p> <p>WP# CPTI T7O2 000003: In the City Clerks Office, the English brochures were out of stock.</p> <p>WP# CPTI T7O2 000004: In the Citizens' Police Review Board, the office clerk retrieved the English brochures, but did not have the Spanish ones in stock. The office manager indicated that they would order additional brochures.</p> <p>WP# CPTI T7O2 000009 &amp; WP# CPTI T7O2 000010: During the second visit, the brochures were on display in both facilities (City Clerks &amp; Citizens' Police Review Board).</p>	
<b>Objective 3: Task 7.3 OPD accept anonymous complaints and investigates them to the extent reasonably possible to determine whether the allegation can be resolved. To the extent possible, OPD asks anonymous complainants for corroborating evidence. (Compliance: 95%)</b>		
EPAC staff did not evaluate this task to determine compliance. The task is assessed by the Independent Monitoring Team.		
<b>Objective 4: Task 7.4 OPD personnel have available complaint forms and informational brochures on on the complaint process in their vehicles at all times while on duty. (Compliance: 85%)</b>		Score (14/14) 100%
INFORMAATION: Auditors will interview on-duty officers and sergeants at the Police Administration Building and the Eastmont substation parking lots to assess whether they have available (Your Guide to Filing a Complaint Against the Police {TF-3208}). The assessment will be conducted over different days and all three watches. Auditors will not attempt to interview the same officer more than once.		
DATES OF SITE VISITS:	<p>Police Administration Building: 4/10/14 Graveyard Shift 4/11/14 Day Shift 4/12/2014 Swing Shift</p> <p>Eastmont Station 4/11/15 Swing Shift 4/11/14 Graveyard Shift 4/12/14 Day Shift</p>	
4.1) Did the OPD personnel have the TF-3208 available?	YES: Compliant	
Police Administration Building		
Day Shift	Compliant	

Question	Response	Details
Swing Shift	Compliant	
Graveyard Shift	Compliant	
Eastmont Station		
Day Shift	Compliant	
Swing Shift	Compliant	
Graveyard Shift	Compliant	
NARRATIVE:	Overall: 100% [6/6] (COMPLIANT)  All personnel on all watches had possession of the TF-3208 forms in all four languages.	
4.2) Did the OPD personnel provide the TF-3208 when asked?	YES: Compliant	
Police Administration Building		
Day Shift	Compliant	
Swing Shift	Compliant	
Graveyard Shift	Compliant	
Eastmont Station		
Day Shift	Compliant	
Swing Shift	Compliant	
Graveyard Shift	Compliant	
NARRATIVE:	Overall: 100% [6/6] (COMPLIANT)  All personnel on all watches had possession of the TF-3208 forms in all four languages.All personnel presented the TF-3208 forms when requested by auditors.	
Objective 5: Task 7.4 OPD members/employees distribute complaint forms and informational brochures when a citizen wishes to make a complaint and upon request. (Compliance: 85%)		

Question	Response	Details
<p>INFORMATION: Auditors will visit the following facilities to request complaint forms and brochures (Your Guide to Filing a Complaint Against the Police (TF-3208). A total of 12 facility visits.</p> <ol style="list-style-type: none"> <li>1. Police Administration Building (3 visits);</li> <li>2. Internal Affairs Division (3 visits);</li> <li>3. Eastmont Station (3 visits);</li> <li>4. Fruitvale Resource Center (1 visit);</li> <li>5. Chinatown Resource Center (1 visit)</li> <li>6. East Oakland ( 1 visit)</li> </ol> <p>In addition, auditors will approach officers who do not appear urgently busy (e. g. they are completing paperwork, not driving, talking to citizens, or talking on the radio) on the street in different City neighborhoods to request complaint forms and informational brochures. The approaches will be conducted during different watches and on different days of the week. Auditors will conduct a total of six approach test.</p> <p>The test will consist of the following script, "Hello, I would like a complaint form, please." Auditors will then act as appropriate based on the response given.</p>		
DATES OF SITE VISITS:	<p>Police Administration Building 4/10/14 4/11/14 4/12/14 Internal Affairs Division 4/11/14 4/13/14 5/13/14 Eastmont Station 4/11/14 4/12/14 (Twice) Fruitvale Resource Center Site Closed Chinatown Resource Center Site Closed East Oakland Resource Center Site Closed</p>	
5.1) Did the officer/police employee provide the TF-3208 upon your request?	Compliant	
Police Administration Building	Compliant	
Internal Affairs Division	Compliant	
Eastmont Station	Compliant	
Fruitvale Resource Center	Not Applicable	
Chinatown Resource Center	Not Applicable	
East Oakland Resource Center	Not Applicable	

Question	Response	Details
5.2) If the officer/police employee did not provide the TF-3208 upon your request, did he/she summon or request a supervisor?	Not Applicable	
Police Administration Building	Not Applicable	
Internal Affairs Division	Not Applicable	
Eastmont Station	Not Applicable	
Fruitvale Resource Center	Not Applicable	
Chinatown Resource Center	Not Applicable	
East Oakland Resource Center	Not Applicable	
5.3) If the officer/police employee requested or offered to request a supervisor, did he/she provide a TF-3208 to take home/complete later?	Not Applicable	
Police Administration Building	Not Applicable	
Internal Affairs Division	Not Applicable	
Eastmont Station	Not Applicable	
Fruitvale Resource Center	Not Applicable	
Chinatown Resource Center	Not Applicable	
East Oakland Resource Center	Not Applicable	
NARRATIVE:	Overall: 100% [3/3] (Compliant) OPver All personnel provided the TF-3208 forms upon auditors requests	
<b>Objective 6: Task 7.5 The IAD shall be located at a facility other than the Police Administration Building (PAB). (Compliance: Y/N)</b>		Score (1/1) 100%
6.1) Is IAD located at a facility other than PAB?	YES: Compliant	
6.2) What is the IAD facility address.	250 Frank H. Ogawa Plaza, Suite "C," Oakland, California 94612	



Question	Response	Details
6.3) Did auditor(s) conduct a site visit to the IAD facility?	Yes	
NARRATIVE:	Overall Compliance: Yes	
<b>Objective 7: Task 7.6 The OPD complaint form &amp; brochure complying with City policy. (Compliance: Y/N)</b>		Score (1/1) 100%
7.1) Is the OPD complaint form & brochure (Your Guide to Filing a Complaint Against the Police) available in Chinese, Vietnamese & Spanish per City policy.	YES: Compliant	
NARRATIVE:	<p>Overall Compliance: Yes</p> <p>Yes, all brochures were in the appropriate languages, including the complaint form contained within the brochure.</p>	
<b>Objective 8: Task 7.7 Department General Order (DGO) M-3 conforms with applicable state Law. (Compliance: Y/N)</b>		Score (1/1) 100%
8.1) Is OPD DGO M-3 is providing for the processing of complaint forms in a manner consistent with state law?	YES: Compliant	
NARRATIVE:	<p>Overall Compliance: Yes</p> <p>Yes, DGO M-3 is consistent with California Penal Code section 832.5.</p>	

## Other Related Manner

Question	Response	Details
Were there any other issues that needed attention that the Compliant/Performance Testing Instrument (CPTI) did not address?	N/A	

## Attestation of Audit

Question		Response	Details
I the undersign attest to findings of this audit within the document as being true and accurate to my best knowledge.	Christopher Figueroa, DPA, CGAP, CFE, CFS, CLEA, CRMA	4/29/14 9:46 PM	