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CITY OF PORTLAND, OREGON

Department of Justice Agreement Cost Analysis

Date: February 6, 2013

FY 2012-13 Summary

Total recommended funding for the current fiscal year is just under **\$552,000** citywide, out of \$1.24 million requested. Funding recommendations were made in the context of extremely limited available resources. Recommended new hires were funded for three months, reflecting the earliest possible Agreement Effective Date of April 1 (per City Attorney's office). Funding for materials costs associated with new hire set up was also recommended for the current year.

Generally, CBO only recommended current year funding for new hires and not for internal transfers (positions that must eventually be backfilled). However, in some cases the Police Bureau moved command level staff into place in December 2012 to manage organizational planning. Some of these current year requests are recommended in light of the bureau's need to backfill certain command positions and its mid-year spending projection, which indicates the need for roughly \$2.0 million in Compensation Set-Aside. The bureau cannot afford to double fill positions, as it has done in preparation for the Agreement, without additional funding.

FY 2013-14 Summary

The City's initial ongoing cost estimate for Agreement implementation was \$5.4 million. In the process of building a bottom-up budget request, bureaus' requests decreased \$5.2 million. The ongoing amount recommended by CBO is **\$4.6 million**.

CBO recommended all positions explicitly mandated by the Agreement. Other positions (and costs) were requested to meet the Agreement's workload requirements. In most but not all cases, CBO agreed with the bureaus' assessment of the staff required to meet the Agreement's mandates.

CBO is not recommending filling service gaps that existed prior to the Agreement. Many bureaus pointed out that past year's budget cuts have rendered their departments unable to respond to current demand, even prior to Agreement implementation. CBO only recommended support necessary to accommodate the incremental workload estimate associated with the Agreement.

Both the bureaus' requests and CBO recommendations reflect an estimate of resources necessary to meet 100% of the Agreement's objectives and timelines. An alternative approach would be to allocate resources more cautiously and incrementally, increasing investment as necessary according

to the City's performance against the Agreement mandates. This approach would involve continued mediation with the DOJ, and would likely delay the City's ultimate compliance.

The following table provides line item detail of the funding request, by fiscal year, bureau, and bureau division. Additional context is provided on pages 6-15 of this report, referencing table lines as relevant.

	REQUESTED FY 2013-14			RECOMMENDED FY 2013-14			REQUESTED FY 2012-13			RECOMMENDED FY 2012-13			Mandated by Agreement?
	One Time	Ongoing	FTE	One Time	Ongoing	FTE	One Time	FTE	One Time	FTE	One Time	FTE	
1 Behavioral Health Unit													
2 Mobile Crisis Unit													
3 3.0 Officers	-	200,444	2.00	-	200,444	2.00	-	2.00	-	2.00	-	2.00	Positions mandated
4 3.0 Project Respond (contract)	-	325,395	-	-	325,395	-	90,388	-	27,116	-	27,116	-	Positions mandated
5 3.0 Vehicles													
6 Service Coordination Team													
7 1.0 Program Manager (nonsworn)	-	117,697	1.00	-	117,697	1.00	-	-	-	-	-	-	Program = mandated (with no detail). Reduction reflects 12-13 service level vs. FY 11-12
8 1.0 Officer	-	-	-	-	-	-	-	-	-	-	-	-	Detached volunteer unit =
9 Contract services (housing, rehab)	-	1,918,991	-	-	1,763,991	-	-	-	-	-	-	-	mandated. Staffing = bureau determined
10 Crisis Intervention Team													
11 1.0 CIT Coordinator (sworn)	-	100,222	1.00	-	100,222	1.00	-	1.00	-	1.00	-	1.00	
12 1.0 Crime Analyst (nonsworn)	-	112,623	1.00	-	112,623	1.00	56,312	1.00	28,156	1.00	28,156	1.00	
13 Unit Command and Support													
14 1.0 Lieutenant	-	134,680	1.00	-	134,680	1.00	20,101	1.00	-	1.00	-	1.00	Mandated division head
15 1.0 Sergeant	-	110,984	1.00	-	110,984	1.00	-	1.00	-	1.00	-	1.00	Bureau determined
16 Office materials and services	-	10,875	-	-	13,825	-	17,815	-	26,017	-	26,017	-	
17 Equip/train backfill hires	41,935	-	-	28,500	-	-	-	-	-	-	-	-	Bureau determined
	41,935	3,053,511	7.00	116,500	2,901,461	7.00	281,615	6.00	81,289	6.00	81,289	6.00	

	REQUESTED			RECOMMENDED			REQUESTED			RECOMMENDED			Mandated by Agreement?
	FY 2013-14			FY 2013-14			FY 2012-13			FY 2012-13			
	One Time	Ongoing	FTE	One Time	Ongoing	FTE	One Time	FTE	One Time	FTE	One Time	FTE	
Program Coordination													
18	-	191,977	1.00	-	191,977	1.00	53,524	1.00	53,524	1.00	53,524	1.00	Position mandated
19	-	105,550	1.00	-	105,550	1.00	52,775	1.00	52,775	1.00	52,775	1.00	Bureau determined
20	-	4,550	-	-	3,950	-	8,543	-	8,543	-	8,343	-	Bureau determined
21	-	-	-	30,000	30,000	-	60,000	-	30,000	-	30,000	-	Survey mandated
	-	302,077	2.00	30,000	331,477	2.00	174,842	2.00	144,642	2.00	144,642	2.00	
22 Professional Standards: Internal Affairs													
23	-	349,197	3.00	-	174,599	2.00	145,499	3.00	58,200	2.00	58,200	2.00	Lt = mandated. Remaining
24	-	134,680	1.00	-	134,680	1.00	72,952	1.00	72,952	1.00	72,952	1.00	investments are bureau
25	-	136,396	2.00	-	68,198	1.00	56,832	2.00	17,050	1.00	17,050	1.00	determined to meet
26	-	11,850	-	-	7,900	-	14,829	-	16,686	-	16,686	-	mandated timeframes.
27	8,387	-	-	-	-	-	-	-	-	-	-	-	
	8,387	632,123	6.00	-	385,377	4.00	290,112	6.00	164,887	4.00	164,887	4.00	
28 Training													
29	-	110,964	1.00	-	110,964	1.00	5,371	1.00	-	1.00	-	1.00	Bureau determined to meet
30	-	179,292	2.00	-	179,292	2.00	82,175	2.00	44,823	2.00	44,823	2.00	mandated training
31	-	136,396	2.00	-	68,198	1.00	62,515	2.00	17,050	1.00	17,050	1.00	assessment
32	-	9,875	-	-	7,900	-	21,358	-	16,686	-	16,686	-	
33	8,387	-	-	5,720	-	-	-	-	-	-	-	-	
	8,387	436,527	5.00	5,720	366,354	4.00	171,419	5.00	78,558	4.00	78,558	4.00	
34 Independent Police Review													
35	-	255,360	2.50	-	204,288	2.00	85,808	2.50	51,072	2.00	51,072	2.00	Bureau determined to meet
36	-	35,814	0.50	-	-	-	11,420	0.50	-	-	-	-	mandated timeframes and
37	-	22,687	-	-	22,687	-	20,973	-	2,852	-	2,852	-	increased IPR scope
	-	313,861	3.00	-	226,975	2.00	118,201	3.00	53,924	2.00	53,924	2.00	

	REQUESTED FY 2013-14		RECOMMENDED FY 2013-14		REQUESTED FY 2012-13		RECOMMENDED FY 2012-13		Mandated by Agreement?
	One Time	Ongoing	One Time	Ongoing	One Time	FTE	One Time	FTE	
38 City Attorney									
39 Deputy City Attorney	-	163,148	163,148	1.00	59,540	1.00	-	-	Bureau determined
40 Legal Assistant	-	31,982	-	0.33	-	-	-	-	Bureau determined
41 Office materials and services	-	26,641	26,641	-	11,000	-	-	-	Bureau determined
	-	221,771	189,789	1.33	70,540	1.00	-	-	
42 Compliance Officer Community Liaison Contract									
43 1.0 Liaison (COCL)	-	136,500	136,500	-					The COCL is mandated.
44 1.0 Support	-	93,182	93,182	-					Number of staff and cost are
45 Office materials and services	-	10,318	10,318	-					City-estimated and untested.
		240,000	240,000	-	77,000	-	-	-	
45 Bureau of Emergency Communications									
46 Dispatch Training	-	-	28,636	-	57,272	-	28,636	-	Training mandated within 180 days
AGREEMENT TOTAL	58,709	5,199,871	4,641,433	24.33	1,241,001	23.00	551,936	18.00	
POLICE									
IPR		4,424,239	3,984,669	20.00	917,988	19.00	469,376	16.00	
BOEC		313,861	226,975	3.00	118,201	3.00	53,924	2.00	
ATTORNEY (+ COCL)									
		461,771	429,789	1.33	147,540	1.00	28,636	-	
		5,199,871	4,641,433	24.33	1,241,001	23.00	551,936	18.00	

Line Item Detail

1. Behavioral Health Unit. The Agreement requires PPB to create this new unit “to facilitate PPB’s successful interactions with mental health consumers and to improve public safety.” The unit is to be created within 60 days of the Effective Date; the unit is effectively functional with command staff currently in place. This unit assembles four disparate but related initiatives:
 - Mobile Crisis Unit
 - Service Coordination Team
 - Crisis Intervention Team
 - BOEC liaison

In total the bureau requests \$3 million in ongoing resources for the unit. It represents significant additional resources dedicated to initiatives targeting mentally ill and addicted individuals.

2. Mobile Crisis Unit (MCU): This program began as a pilot in April 2010, and has been funded by one-time dollars during the past two fiscal years. The DOJ Agreement mandates that the program expand to one car at each of the three precincts, during day shift, within 120 days of the Effective Date. The program currently exists at Central Precinct only. Each car includes one officer and one mental health professional, employed by Project Respond (a program of Cascadia Behavioral Healthcare) and supported by PPB contract dollars. The bureau currently supports one MCU officer with on-going dollars; the Agreement requires five additional dedicated FTE (two officers and three contract Project Respond employees).

CBO recommends this request due to the unit’s work to reduce demand for police services associated with the mentally ill. The unit has struggled to establish measures of success, in part due to a lack of data on current and past police interactions with the mentally ill. Data collection mandated of the BHU should enable the unit to both triage ‘client’ requests and measure its impact (e.g. reduced calls for service). CBO recommends the investment be evaluated when performance data is available.

Current year Recommendation: Funding to support three months of 2.0 FTE additional Project Respond staff (vs. five months requested).

FY 2013-14 Recommendation: 2.0 FTE (officers) + contract dollars for 3.0 FTE Project Respond staff, as requested.

5. MCU vehicles: The Agreement mandates that vehicles be available for two additional Mobile Crisis Units during day shift. The bureau requests the purchase of two additional vehicles.

CBO recommends that the vehicles be purchased in FY 2013-14 due to limited current year resources. If the bureau can reassign two of its 168 take-home vehicles assigned to

employees outside of the traffic division (to on-call employees, members of special call-out teams, and command staff), the MCU cost will decrease by \$88,000.

Current year Recommendation: \$0 (vs. purchase of two vehicles requested).

FY 2013-14 Recommendation: Funds to purchase two vehicles + vehicles operations as requested.

6. Service Coordination Team (SCT): The Agreement mandates that SCT be maintained, but offers no details. "SCT or its successor shall serve to facilitate the provision of services to individuals who interact with PPB that also have a criminal record, addictions, and highly acute mental or physical health service needs."

SCT was originally initiated by the Housing Bureau and transferred to PPB in FY 2008-09; it has since been supported by one-time funds. SCT targets repeat offenders, and aims to reduce drug related property crimes by offering treatment an alternative to jail time. The program coordinates jail sentences, probation and parole oversight, and housing and treatment services for chronic offenders. Contract dollars go to programming at two social agencies and to support 1.0 FTE Deputy District Attorney.

SCT serves roughly 95 clients per year, with a 91% recidivism rate for program graduates (22 per year) and a 52% recidivism rate across all participants.

The program comprises 45% of the Agreement's recommended costs. Despite its cost – roughly \$20,000 per unique participant – it is recommended due to its effectiveness at reducing recidivism of chronic offenders. Funding is recommended at the current year level, a 9% reduction from FY 2011-12 funding. The bureau's funding request reflects the program's larger budget in FY 2010-11.

Current Year Recommendation: \$0 as requested.

FY 2013-14 Recommendation: Funding for contracts at the (reduced) current year level + program manager + 1.0 FTE Deputy County DA (vs. funding for contracts at FY 2011-12 level).

10. Crisis Intervention Team (CIT). The Agreement mandates the establishment of a Memphis Model Crisis Intervention team (CI Team) within 120 days. The Agreement describes this model as 60-80 detached, volunteer officers who are deployed to calls involving individuals in mental health crisis, in an attempt to decrease both interaction between these individuals and law enforcement, and the use of force against these individuals.

The bureau is also mandated to continue to provide 40 hours crisis intervention training to all officers (current practice), and to add crisis intervention training as a topic to its annual in service training.

11. CIT Coordinator (sworn). This position is not explicitly identified within the Agreement. The employee will coordinate enhanced training for the detached unit and core competency training to all sworn staff, contribute to the establishment of the database (discussed below), and review the written work of CIT Officers to prioritize case assignment to the three Mobile Crisis Units.

CBO recommends this position, again with the caveat that the investment be evaluated when MCU performance data is available as prioritizing MCU response will constitute the bulk of its work.

Current Year Recommendation: \$0 as requested.

FY 2013-14 Recommendation: 1.0 FTE as requested.

12. Crime Analyst (nonsworn). This position is not explicitly identified within the Agreement. The employee will help to design the BHU database, cull information it stores, triage individuals for MCU services, and fulfill reporting and analysis requirements. The Agreement details 13 data points that CI Team officers are to collect and report on for every deployment to establish a database of the bureau's interaction with individuals in mental health crisis. This database could eventually provide officers with information on at-risk individuals prior to call deployment. Currently the bureau is unable to track either the number of mentally ill individuals with whom it interacts or the frequency with which it interacts with any one individual.

CBO recommends this request a key support for both the unit and the bureau in tracking the effectiveness of its initiatives and investments. The bureau has reduced analytic capacity over the past several years in the face of recent budget cuts; current capacity appears insufficient to support sworn staffing.

Current Year Recommendation: 1.0 FTE for 3 months (vs. six months requested)

FY 2013-14 Recommendation: 1.0 FTE as requested.

14. Division command: Lieutenant. The Agreement mandates that a Lieutenant head the newly created BHU. This individual was reassigned in January, and oversees both the Division and the to-be-created BHU Advisory Committee, which the Agreement describes as representing a broad range of stakeholders, and advising the bureau on both CIT and MCU training. (Advisory Board is to be established within 240 days). An existing employee was reassigned to fill position in December 2012.

CBO recommends that this position also serve as contact manager to the City's support of Hooper Detox and the CHIERS sobering van, given the BHU's focus on addictions and mental illness.

Current Year Recommendation: \$0 (vs. seven months salary differential to reflect the cost of one additional Lt.).

FY 2013-14 Recommendation: 1.0 FTE as requested.

15. Division command: Sergeant. This position is not explicitly identified within the Agreement. The employee will directly oversee staff within the three programs (MCU, SCT and CIT), and coordinate and supervise the detached CIT unit in the field. The bureau's detached units are generally managed by a dedicated Sergeant who e.g. writes After Action reports.

CBO recommends this position as necessary to support the newly formed detached unit.

Current Year Recommendation: \$0

FY 2013-14 Recommendation: \$1.0 FTE as requested.

16. Office materials and services. These costs are not identified within the Agreement. The bureau's current year request includes the following costs per employee: \$2,000 for office space set up (new hires only), \$1,000 for specialty CIT training (this unit only), \$200 annually for miscellaneous EM&S, \$1,184 for technology purchases (new hires only), and \$1,775 annually for on-going technology costs.

CBO recommends that EM&S be fully funded for all positions created, to prevent further erosion within the bureau's budget of investments required to sustain its authorized staffing.

Current Year Recommendation: Funding to support 6.0 new hire set up + partial year EM&S.

FY 2013-14 Recommendation: Ongoing funding to support 7.0 new FTE as requested.

17. Equip/train backfill hires. These costs are not identified within the Agreement. The bureau requests funds for uniforms (\$5,720) and Advanced Academy training (\$2,667) for the sworn staff that will be reallocated to this unit, a cost of \$8,387 per hire. This assumes that all sworn staff allocated to this unit will be replaced by new hires in FY 2013-14 (rather than the current fiscal year).

CBO recommends funding uniforms for backfills, to prevent further erosion within the bureau's budget of investments required to sustain its authorized staffing. However, the Training Division budget includes ongoing dollars to support average annual Advanced Academy enrollment, and CBO recommends against this request component.

Current Year Recommendation: \$0 as requested.

FY 2013-14 Recommendation: \$28,600 one-time dollars for uniforms and equipment only for five sworn hires to backfill current year reassignments (vs. \$41,925 requested).

18. Program Coordination: Captain. This position is mandated by the Agreement, which requires that PPB hire or retain an employee familiar with bureau operations to serve as Compliance Coordinator for the duration of the agreement. The Compliance Coordinator will coordinate implementation, ensure document and records are maintained as required, and provide information and data to both the COCL and DOJ.

This individual was reassigned from North Precinct, necessitating that the bureau promote another individual to Captain rank to lead that precinct, which created unfunded staffing costs to the bureau.

Current Year Recommendation: Funding as requested for three months.

FY 2013-14 Recommendation: 1.0 FTE as requested.

19. Program Coordination: Senior Management Analyst. This position is not explicitly identified within the Agreement. The employee will draft documents required for the budget and quarterly and annual COAB, COCL and DOJ reporting, and augment the Captain's ability to interaction with and provide information to the bureau, City Hall, and the Agreements many partners and stakeholders.

This individual was hired in January 2013, creating unfunded staffing costs to the bureau.

Current Year Recommendation: Funding as requested for six months.

FY 2013-14 Recommendation: 1.0 FTE as requested.

20. Office materials and services: See #16. No CIT training costs for this division. CBO recommends that EM&S be funded for all positions created, to prevent further erosion within the bureau's budget of investments required to sustain its authorized staffing.

Current Year Recommendation: Funds as requested to support 2.0 FTE.

FY 2013-14 Recommendation: Funding as requested to support 2.0 FTE.

21. Community and Officer Survey. The Agreement mandates that within 90 days of the Community Oversight and Advisory Board (COAB) establishment, the City will conduct a survey of officers and civilians on "their experiences with and perceptions of PPB's prior community outreach efforts and accountability efforts and where those efforts could be improved." The Agreement states that both the DOJ and COAB approve the survey design.

The bureau is currently drafting an IGA with PSU to create and implement a survey tool, with the goal of presenting a first draft of the survey at the first COAB meeting. This expense is in line with survey costs in years past, when the bureau surveyed community satisfaction on a semi-annual basis (eliminated with budget cuts).

CBO recommends 50% of costs be funded in the current year due limited funding, and 50% in FY 2013-14.. CBO also recommends that sufficient funding be allocated to repeat the survey on a semi-annual basis, so that the bureau can assess its progress as the Agreement requires in increasing the public confidence in PPB.

Current Year Recommendation: \$30,000 (vs. \$60,000 requested)

FY 2013-14 Recommendation: \$30,000 one-time and \$30,000 ongoing to support a semi-annual survey (vs. \$0 requested).

22. Professional Standards: Internal Affairs. The Agreement generally calls for fair and expeditious investigations of Officer conduct, and to retain and strengthen existing mechanisms for citizen input via both Independent Police Review (IPR) and Citizen's Review Committee (CRC).
23. 3.0 Internal Affairs Investigators. These positions are not explicitly identified within the Agreement. This request is driven by the Agreement mandating a 180 day timeframe from receipt of compliant or discovery of misconduct to the completion of all administrative

investigations, including appeal to CRC. The current timeframe ranges between 189 and 261 days; the Agreement requires a process roughly 30% faster on average.

The bureau proposes increasing its Internal Affairs Investigator FTE from 6.0 to 8.0 to accommodate the shortened timeframe (a 33% staffing increase). This however requires funding three rather than two additional staff, as one current investigator is supported by temporary funds after being cut in the current year Adopted Budget.

The Internal Affairs Investigators complete the investigation itself, which is one of 14+ stages in the process of completing an investigation. This is currently allotted 70 days, proposed to reduce to 60 (a 17% reduction) to meet the total 180 day timeline. The remaining proposed time savings will come from other phases, primarily division command intake and review of the investigation and eventual disposition, and preparation of findings. CBO therefore recommends a 17% increase in staffing: 1.0 additional FTE (which requires funding for 2.0 FTE, as one current employee is now supported by temporary funds).

Current Year Recommendation: 2.0 FTE for three months (vs. 3.0 FTE for six months requested).

FY 2013-14 Recommendation: 2.0 FTE (vs. 3.0 FTE requested).

24. Use of Force Inspector (Lieutenant). This position is mandated by the Agreement. It was introduced in January 2012 via one year of grant funding. The Agreement mandates it be retained, and that duties include the review of all After Action (use of force) Reports, review of supervisory review of After Action Reports, and quarterly analyses of use of force data.

CBO recommends converting this limited-term position to a regular position supported by ongoing General Fund dollars. As it is not a re-assignment, it does not require a backfill hire.

Current Year Recommendation: 1.0 FTE for six months as requested.

FY 2013-14 Recommendation: 1.0 FTE as requested.

25. Administrative Support (PASS): These positions are not explicitly identified within the Agreement. The bureau requests two Police Administrative Support Specialists, primarily to provide transcription services in support of the investigators. A PASS can also help in preparation of investigation findings. A single Administrative Support Specialist currently supports the Internal Affairs division.

CBO recommends that the division be allocated 1.0 FTE PASS (a 100% increase).

Current Year Recommendation: 1.0 FTE for three months (vs. 2.0 FTE for six months requested).

FY 2013-14 Recommendation: 1.0 FTE (vs. 2.0 FTE requested).

26. Office materials and services. See #16. No CIT training costs for this division. CBO recommends that EM&S be fully funded for all positions created, to prevent further erosion within the bureau's budget of investments required to sustain its authorized staffing.

Current Year Recommendation: Funding to support 4.0 new hire set up (vs. 6.0 requested) + partial year

EM&S.

FY 2013-14 Recommendation: Ongoing funding to support 4.0 FTE (vs. 6.0 requested)

27. Equip/train backfill hires. See #17. No sworn staff was re-assigned to this division; no equipping of new hires is required.

Current Year Recommendation: \$0 as requested.

FY 2013-14 Recommendation: \$0 (vs. \$8,387 requested).

28. Training Division. The Agreement generally calls for PPB training to instill the agency expectation of upholding citizens' constitutional rights, and to build community partnerships to increase public trust.

29. 1.0 Police Sergeant. This position is not explicitly identified within the Agreement. The employee will be the lead subject matter expert on use of force, coordinating, auditing and reporting on all use of force training matters. The division currently maintains subject matter experts in six skill areas; this would expand the areas of specialized expertise to seven.

CBO supports this request due to the central position of use of force training within the Agreement.

Current Year Recommendation: \$0 (vs. \$5,371 requested for salary differential between officer and sergeant).

FY 2013-14 Recommendation: 1.0 FTE as requested.

30. 2.0 Training Development Analysts: These positions are not explicitly identified within the Agreement. The Agreement requires that within 180 days, PPB develop and implement a process that provides for the collection, analysis, and review of data documenting training effectiveness. To date, the Training Division has measured attendance only, and employs no measures of effectiveness. The 2.0 FTE requested Training Development Analysts will develop needs assessments, curriculum and lesson plans; research and implement measures of training effectiveness, and research and implement systems of curriculum evaluations. The Training Division currently supports one Training Development Analyst who focuses on curriculum development.

CBO recommends this request, which supports the effectiveness of bureau initiatives and investments. The bureau has reduced analytic capacity over the past several years in the face of recent budget cuts; current capacity appears insufficient to support sworn staffing.

Current Year Recommendation: 2.0 FTE for three months (vs. 5.5 months requested).

FY 2013-14 Recommendation: 2.0 FTE as requested

31. 2.0 Administrative Support (PASS): These positions are not explicitly identified within the Agreement. Three Administrative Support Specialists (one Senior) currently support the division. The bureau requests 2.0 FTE additional PASS to aid in processing, including the Agreement requirement that all records be electronic and available for supervisory review

semi-annually.

CBO recommends 1.0 additional FTE, a 33% increase in administrative support.

Current Year Recommendation: 1.0 FTE for three months (vs. 2.0 FTE for 5.5 months requested).

FY 2013-14 Recommendation: 1.0 FTE (vs. 2.0 FTE requested).

- 32.** Office materials and services. See # 16. No CIT training costs for this division. CBO recommends that EM&S be fully funded for all positions created, to prevent further erosion within the bureau's budget of investments required to sustain its authorized staffing.

Current Year Recommendation: Funding to support 4.0 new hire set up (vs. 5.0 requested) + partial year EM&S.

FY 2013-14 Recommendation: Ongoing funding to support 4.0 new FTE (vs. 5.0 requested).

- 33.** Equip/train backfill hires. See #17.

Current Year Recommendation: \$0 as requested.

FY 2013-14 Recommendation: \$5,720 for uniforms and equipment only (vs. \$8,387 requested).

- 35.** 2.5 Investigators. These positions are not explicitly identified within the Agreement. Like the PPB Internal Affairs division, IPR's workload estimates are based on the mandated timeline of 180 days from receipt of complaint or discovery of officer misconduct to the completion of all administrative investigations, including appeal to CRC. In addition, more than any other City function, the nature of IPR's work is shifting due to the Agreement, which makes anticipating workload impacts more challenging.

The standard of evidence that IPR must uphold has increased to "clear and convincing" (vs. more likely than not), and all allegations of use of excessive force must be subject to a full and completed investigation. Additionally, the Agreement states that "within 120 days of the Effective Date, the City will develop and implement a plan to reduce time and effort consumed in the redundant interview of witnesses by both IPR and IA, and enable meaningful independent investigation by IPR, when IPR determines such independent investigation is necessary." IPR interprets its charge as:

- 1) Conduct more thorough initial intake investigations, particularly for the 30% of cases IPR dismisses as 'no misconduct' and the 4% of cases categorized as 'cannot prove misconduct.' (IPR estimated workload increase equivalent to 0.85 FTE).
- 2) Conduct more thorough civilian investigations, so that PPB will no longer re-interview the same civilian complaints (IPR estimated workload increase equivalent to 0.07 FTE).
- 3) Continue to conduct administration investigations independently from PPB when deemed necessary, including interviewing of PPB staff (IPR estimated workload increase of 0.25 FTE, increasing with complaints involving command staff).
- 4) Conduct IPR investigations (with Director decision) roughly 30% more quickly (CBO estimated workload increase equivalent to 0.75 FTE).

IPR requests 2.5 FTE additional Investigators, doubling its staffing to 5.0 FTE. CBO recommends funding 2.0 Investigators based on the sum of the above analysis, a 67% increase. CBO encourages IPR to review its staffing needs again during the FY 2014-15 budget process, after the City has some experience with the new staffing model. For the current year, CBO is recommending \$51,072 to support for 2.0 FTE Complaint Investigators from April 1 through June 30, 2013.

Current Year Recommendation: 2.0 FTE for three months (vs. 2.5 FTE for four months requested).

FY 2013-14 Recommendation: 2.0 FTE (vs. 2.5 FTE requested).

- 36.** 0.5 Office Support Specialist II: This position is not explicitly identified within the Agreement. IPR currently supports 1.0 FTE Office Support Specialist II. The bureau requests this position increase in anticipation of FY 2013-14 budget cuts. This administrative position currently supports 8.0 FTE; with the recommended staffing increase it will support 10.0 FTE.

CBO recommends against this request because the office has described it as preemptive, in anticipation of likely cuts associated with the FY 2013-14 Adopted Budget. CBO is not recommending filling service gaps that existed prior to the Agreement, and therefore cannot recommend guarding against service cuts that may result from citywide balancing after the Agreement is in place.

Current Year Recommendation: 0.0 FTE (vs. 0.5 FTE for four months requested).

FY 2013-14 Recommendation: 0.0 FTE (vs. 0.5 FTE requested).

- 37.** Office materials and services. These investments are not explicitly identified within the Agreement. CBO recommends internal materials and services (IM&S) funding of \$2,652 for the remainder of the current year, for estimated charges related to two new positions. CBO recommends waiting until one-time Facilities and BTS services are needed, and if so, costs are known, before allocating funding for these services to the Auditor's Office. CBO's recommendation includes the \$200 for operating supplies.

Current Year Recommendation: \$2,852 (vs. \$20,974 requested).

FY 2013-14 Recommendation: \$22,687 as requested.

- 39.** City Attorney: The requested positions are not explicitly identified within the Agreement. The Agreement imposes new requirements on force policies, training, community mental health, crisis intervention, employee information systems, officer accountability, and enforcement, all of which will require legal counsel. The areas of increased workload are: 1) personnel and bargaining issues, 2) general Agreement implementation/coordination with DOJ, and 3) additional support of Auditor's Office due to an accelerated investigation timeline. The Office believes that each area may require an additional FTE, but is requesting funds for one attorney + support due to budget constraints.

The office currently has 1.0 FTE dedicated to general PPB advice issues, but estimates that the equivalents of 3.2 FTE address PPB matters at the expense of work for other City

bureaus (general advice and reviewing discipline letters, as well as projects without legally imposed deadlines such as revenue collection work). One Attorney was reassigned to focus exclusively on the Agreement in December 2012.

CBO recommends the funding one additional City Attorney beginning in FY 2013-14, and the use of bureau savings to support back filling the position in the current year.

Current Year Recommendation: \$0 (vs. 1.0 FTE at roughly 4 months as requested)

FY 2013-14 Recommendation: 1.00 FTE

40. Legal Assistant. The City Attorney's office maintains an average of 1.0 Legal Assistant supporting 3.0 Attorneys.

CBO recommends the office reallocate existing staff rather than expand its legal support. The office plans on reviewing its staffing needs after Agreement implementation is underway.

Current Year Recommendation: \$0 as requested.

FY 2013-14 Recommendation: \$0 (vs. 0.33 FTE requested).

42. Compliance Officer Community Liaison Contract (COCL). The Agreement mandates this position. The COCL is the face of the Agreement for both the community and DOJ. It is charged with care and management of the Community Oversight Advisory Board, a to-be-established (within 90 days of the Effective Date) 20-person board to independently assess implementation, recommend additional actions to PPB, update the community, and receive public comments and concerns. The COCL is described as responsive to City Council, the public, and DOJ, and not be attached to any one office. Administrative support is to be provided by the City.

The COCL is also tasked with a lengthy list of data it must compile on use of force, mental health interaction, training, and officer accountability. The Agreement states that the COCL shall "solicit input from community groups or initiatives that have relevant experience conducting statistical analyses." Two years after the Effective Date, the COCL will assess whether the Agreement has been upheld, and whether modifications are necessary.

The cost of this service is yet unknown. It is modeled as contract dollars managed through the City Attorney's office. The cost estimate is based upon the service as if performed by City staff: a salary of \$105,000 + benefits at 30% of salary, support staff at \$71,000 + benefits, and \$10,000 in materials costs.

The analysis and reporting work required to support the COCL function will either be provided by PPB (the Compliance Coordinator), with some quality control function on the part of the COCL, or conducted in-house. The design of this function vs. PPB internal compliance should dictate the funding for each.

The Agreement calls for the City to publically identify three candidates for this position

within 60 days of the Effective Date, and to allow for a 30-day comment period. It is unlikely costs will be incurred in the current fiscal year.

Current Year Recommendation: \$0 (vs. \$77,000 requested, assuming 4 months of service provision).

FY 2013-14 Recommendation: \$240,000 as requested.

45. Bureau of Emergency Communications. The Agreement mandates that the City complete training of all BOEC Dispatchers in Crisis Triage within 180 days of the Effective Date. BOEC's request of \$57,272 covers the costs of eight hours of overtime for 122 staff.

CBO recommends half of this funding be allocated in the current year and half in FY 2013-14 due to limited current year resources.

Current Year Recommendation: \$28,636 (vs. \$57,272 requested).

FY 2013-14 Recommendation: \$28,636 (vs. \$0 requested).