



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Christopher M. Moore

**SUBJECT: POLICE DEPARTMENT
CIVILIANIZATION
OPPORTUNITIES**

DATE: May 23, 2012

Approved

Date

5/24/12

At the 2012-2013 Budget Study Sessions, the Police Department was asked to provide information regarding further Police civilianization opportunities. This Manager's Budget Addendum responds to that request.

BACKGROUND

The Police Department has reduced staffing levels over the past decade, which has resulted in a number of sworn personnel performing administrative tasks better suited for civilian staff. In 2008-2009, the Police Department began to pursue alternative options to place civilian staff in positions and reallocate sworn staff performing administrative work back to front-line police duties. Eleven civilian positions were identified to be added to the Department, but were not, due to the significant budget shortfall the City was facing at the time.

During 2009-2010 budget discussions, the City Auditor was directed by the City Council to follow the Police Department's own efforts as part of the budget process to identify opportunities to civilianize sworn positions that did not require law enforcement authority. The audit, dated January 2010, reflects a review of the Police Department at a specific point in time and resulted in identifying 88 sworn positions that could be civilianized.

As noted in the auditor's report, "there are additional considerations that must be addressed to properly analyze the feasibility of implementing the recommendations in the short-and long-term." These include the City's fiscal condition; impacts of operational and/or resource changes city-wide and within the Department; and the cost of civilianization.

Since the audit was completed, the Police Department has implemented several budget reductions, reducing staff, restructuring several units, and civilianizing a total of 22 positions through hiring civilian staff or contracting out functions. The civilianization of seven additional positions is included in the 2012-2013 Proposed Budget. While there are some civilianization recommendations that have yet to be implemented by the Department, many of the units identified in the civilianization audit have been impacted by the budget reductions. Civilianization may be appropriate in the longer term or as positions are restored.

ANALYSIS

As noted in the Auditor's report under the section, "Options for How to Approach Civilianization" there are different potential approaches related to civilianization:

1. Redeploy sworn to patrol and hire civilians
2. Redeploy sworn to non-patrol assignments requiring sworn status
3. Eliminate sworn positions performing civilian job duties and hire civilian to perform those duties
4. Eliminate sworn positions without hiring civilians to perform the civilian duties

Of the 22 positions civilianized to date, a total of 17 civilian positions were added to replace the following 15 sworn positions that were eliminated:

- 3 police officer positions in the Permits Unit
- 3 police sergeant positions in Research & Development
- 4 police officers in Court Liaison
- 1 police captain, 1 police lieutenant, and 1 police officer in Systems Development
- 1 police officer in Crisis Management
- 1 police sergeant in School Safety

As part of the approval of the 2010-2011 Adopted Budget, prisoner transport services were contracted out, resulting in the elimination of the Warrant's Unit and six sworn positions. Police artist services were also contracted out in 2011-2012, resulting in the elimination of one sworn police artist position in the Robbery Unit.

The 2012-2013 Proposed Budget includes the civilianization of three additional sworn positions, which will result in the elimination of two officers in the Permits Unit, one lieutenant in the Personnel Unit and the addition of three civilian positions as part of a restructure of the Bureau of Administration. In addition, the Proposed Budget includes adding four civilian positions to the Gaming Division in order to reassign four sworn positions to the Special Investigations/Vice Unit. The implementation of the proposed civilianizations in the 2012-2013 Budget will bring the total civilianization to 29 positions¹.

Attached is a chart indicating the 88 positions recommended by the Auditor's Office and the civilianizations implemented or proposed by the Department.

In reviewing the remaining recommendations made by the Auditor, there are remaining opportunities for civilianization within the Police Department. There have also been several operational changes and staff reductions implemented throughout the Department over the past two years that now impact remaining recommendations, including 56 sworn position cuts in the units identified in the audit. Consideration must be given to these operational changes as the Department continues to evaluate civilianization opportunities in conjunction with the Auditor's Office and City Manager's Office.

¹ Eleven of these positions were identified by the Department and not part of the City Auditor's recommendations. See attached chart for details.

Current Civilianization Efforts Under Evaluation

Staff in the Police Department and City Auditor's Office are working together to review ongoing civilianization opportunities. The Department plans to recommend additional positions for civilianization within the next year, including one investigative position and two helicopter pilots. The Department will recommend deleting one investigative officer position within the Covert Response Unit and adding two Crime and Intelligence Analyst positions to perform data analysis in support of criminal investigations utilizing surveillance technology. This recommendation is pending approval of grant funds to obtain the surveillance technology and may come back to Council for approval during 2012-2013. Additionally, the Department is exploring options to contract out for helicopter pilot services and expects to come back to Council during the 2013-2014 budget process with a recommendation and analysis of cost savings.

The Department is currently reviewing the feasibility of contracting out background investigations. While discussions continue with the Office of Employee Relations (OER) and the Police Officer's Association (POA), the Department has released a Request for Proposal for background services.

Several of the remaining positions on the Auditor's list are in units that have been impacted by recent budget reductions and further reductions in the unit will have a significant impact on services. The Department is currently evaluating the impacts of cuts and the opportunities in the Robbery Unit, Traffic Enforcement Unit (TEU), Assaults/Juvenile, Recruiting, and Special Investigations that can be civilianized through restorations. As the budget situation grows stronger and the City begins to restore functions in the Police Department, consideration should be given to these positions as a priority to restore in a civilian capacity without impacting sworn staffing levels in the units.

Lastly, the Department is assessing how Community Service Officers (CSOs) can be implemented in San Jose as we look at restoring services in the Police Department. CSOs are utilized in various ways in other agencies to perform duties that San Jose Police Officers currently perform. While CSOs cannot perform tasks that require law enforcement authority, there are tasks that can be transferred to a CSO that would free officers' time to respond to priority calls, conduct proactive police work and prevent crime.

Future Civilianization Efforts

Several of the positions remaining on the list will take longer to be civilianized as they either involve the creation of a new job classification or the position is currently part of the Exempt Officer Program. The process to create new City classifications involves other City departments, which have also been impacted by recent budget reductions. As resources allow, the Department will work with Human Resources and the Office of Employee Relations to create new classifications and civilianize, as appropriate.

Several positions recommended by the auditor are currently in the Exempt Officer Program. The Exempt Officer Program is a result of a 2005 federal court-ordered consent decree that was the outcome of a lawsuit. This program requires the Department to maintain positions for modified duty officers (those officers injured in the line of duty who are restricted from performing patrol

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officer functions), which are generally administrative in nature. In October 2011, a modification to this order resulted in reducing the required number of positions from thirty to ten. Those positions that remain in the Exempt Officer Program cannot be civilianized until the consent decree expires in June 2015.

Other positions that were listed in the original audit recommendations require further evaluation by the Department and the City Auditor's Office. Due to changes in the organization and reductions in staffing, the Department needs more time to evaluate whether civilianization is appropriate in these areas.

As part of the 2013-2014 budget process, the Department and the Administration will continue to evaluate the use of civilians throughout the department and will bring forward recommendations to civilianize as appropriate.

COORDINATION

This memorandum has been coordinated with the City Auditor's Office.

/s/
Christopher M. Moore
Chief of Police

CMM/LP

Attachment

ATTACHMENT

SJPD Unit	# of Positions Per Audit	Completed Since 2010-2011	Proposed FY12/13	Currently Evaluating	Future Efforts	Requires Further Evaluation
Permits	9	3 ofrs	2 ofr		1**	
Robbery	3	1 police artist		2*		
R & D	2	3 sgts				
Court Liaison	6	4 ofrs		2*		
Systems Development Unit	1	1 capt , 1 lt & 1 ofr				
Warrants Unit		1 sgt 5 ofr				
Crisis Management		1 ofr				
School Safety		1 sgt				
Personnel			1 lt			
Gaming	4		1 sgt 3 ofr			
TEU	1			1*		
Air Support	2			2		
Assault/Juvenile	1			1*		
Recruiting	2			1*		1
Special Investigations	1			1*		
Covert Response Unit				1		
Background	2				2**	
Crime Scene	4				4	
Traffic Investigations	5				3	
Sexual Assaults	2				2	
Chief's Office	1				1**	
Crime Evidence	1				1**	
Range	2				1	
Pre-Processing	19					8
Training	3					1
PAL	3					2
BFO Admin	6					6
SEU	1					1
Info Desk	6					6
Airport	1					1
Total	88	22	7	11	15	26

* Due to Unit staff reductions, civilianization is recommended through restoration only

** Officer position is part of the exempt program