

File No. 200531

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Appropriations Committee Date July 8, 2020

Board of Supervisors Meeting Date _____

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Completed by: Linda Wong Date July 2, 2020

Completed by: Linda Wong Date _____

CITY AND COUNTY OF SAN FRANCISCO
BOARD OF SUPERVISORS
BUDGET AND LEGISLATIVE ANALYST
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(415) 552-9292 FAX (415) 252-0461

Budget and Policy Analysis Report

To: Budget and Appropriations Committee
From: Budget and Legislative Analyst's Office *David Jones*
Re: Budget and Policy Analysis Report of Police Department
Date: July 2, 2020

Executive Summary

- The FY 2019-20 original budget for the Police Department and Department of Police Accountability was \$703,880,282, of which \$617,889,996 (or 87.8 percent) came from General Fund support.
- The Police Department is made up of four budgetary divisions in the City's budget system. These include: (1) Airport; (2) Field Operations; (3) Special Operations; and, (4) Administration. Within the budget system, which does not fully mirror the Department's actual organizational structure, these divisions are further broken down into programs as follows. (Functions are generally funded by the General Fund unless otherwise noted).
 - The **Airport Division** includes Airport Police staff and is funded by Airport revenues
 - The **Administration Division** includes the Administration and the Strategic Management Bureaus, as well as the Police Commission
 - The **Special Operations Division** includes Traffic Company, Muni patrol (funded by SFMTA revenues), the Department Operations Center, and special patrol units
 - The **Field Operations Division** includes all patrol, investigations, and Police Station budgets as well as the Crime Lab, Community Engagement Division, and the Healthy Streets Operations Center
- Starting in 1982, the Office of Citizen Complaints was responsible for investigating police complaints and was budgeted in the Police Department. After voters approved a Charter amendment in November 2016, starting in FY 2017-18 those functions were transferred to a standalone City department, the Department of Police Accountability. The Department of Police Accountability is separate from the Police Department and supervised by the Police Commission. The budget information for both the Office of Citizen Complaints and the Department of Police Accountability is included in the historical analysis to compare resource allocation to this function over time.
- The total allocated budget to the Police Department and the Department of Police Accountability has grown over the last 10 years by \$258.4 million, or by 58 percent, from \$445.5 million in FY 2010-11 to \$703.9 million in FY 2019-20. The total General Fund

support has grown over the last 10 years by \$221.8 million or 56 percent, from \$396.1 million in FY 2010-11 to \$617.9 million in FY 2019-20. A further breakdown by division is included in the body of this report.

- The Police Department and Department of Police Accountability's total net operating full time equivalent positions (FTEs) in FY 2019-20 are 3,284.73. This is 543.15 more than the 2,741.58 authorized FTEs ten years earlier in FY 2010-11. A further breakdown of authorized FTEs by division is included in the body of this report. In FY 2019-20, the Police Department had 3,232.79 FTEs and the Department of Police Accountability had 51.94 FTEs.
- According to the Police Department and Department of Police Accountability's budgets, contracted services accounted for \$7.0 million in FY 2019-20, or one percent of those two departments' total budget. A further breakdown of contracted services is included in the body of this report.
- At the time that this report was being prepared, the Department of Emergency Management was fully engaged in responding to the COVID-19 health crisis and therefore could not provide the dispatch data necessary to complete the third policy question posed to our Office (the staffing intensity of responding to calls for services related to homelessness and mental health crises).
- As of April 2020, of the 50 positions authorized for civilianization in FY 2018-19 and FY 2019-20, the Department has hired 23, reports it is conducting background checks on 20 candidates, and is in the early stages of recruitment for the remaining seven positions. Although the Board of Supervisors authorized 25 positions to be civilianized in the FY 2020-21 base budget, the City's civilianization efforts have been challenged by labor union representatives of the Police Officers' Association, a separate entity from the Police Department.
- The FY 2019-20 budget for the Police Department's Airport Bureau was \$91.3 million, including \$47.3 million for sworn staff, \$28.6 million for civilian staff, which include the Community Police Service Aides and their supervisors, and \$15.4 million in other costs.
- The Board of Supervisors could consider making it City policy to rely on the Sheriff rather than the Chief of Police to provide the Airport with sworn staff. Some other airports in California rely on Sheriffs for law enforcement services, including Oakland International Airport, John Wayne Airport in Orange County, and Sacramento International Airport. Relying on Sheriff sworn staff would save the Airport approximately \$5.0 million annually compared to budgeted Police sworn staffing costs. The savings is driven by the fact that Sheriff staff is paid less than Police staff.
- Transferring responsibility of law enforcement at the Airport from the Police Department to the Sheriff's Office would incur other costs and savings as detailed on pages 22 through 26 and in Exhibits 13 and 14 of this report.
- Between FY 2013-14 and FY 2019-20 the Police Department settled 73 civil rights cases at a cost of \$28.9 million and 592 other litigation claims at a total cost of \$4.5 million.

- The Budget & Appropriations Committee requested that our Office review staffing levels for certain divisions. This review is summarized in Exhibit 16 on pages 27 through 29 of this report.

Policy Options

1. The Board of Supervisors could request that the Human Resources Department and Police Department provide a report no later than December 31, 2020 with an update on the negotiations with the Police Officers Association regarding civilianization. If an agreement is reached, the Board of Supervisors could authorize new civilian positions later in FY 2020-21.
2. The Board of Supervisors could request that the Police Department submit the Charter-required annual civilianization assessment and recommendations to the Mayor and Board of Supervisors with its annual budget submission to the Mayor.
3. The Board of Supervisors could adopt a budget that funded an additional 49 sworn staff pending transfer to the Airport to instead remain in the City, keeping the Airport at its May 2020 sworn staffing level. The additional 49 sworn staff are scheduled for transfer to the Airport to support previously projected growth in Airport activities, which are now in decline. If Academy costs for staff transferred to the Airport were pre-funded using Airport funds, the costs would have to be reimbursed to the Airport to avoid loss of Federal funding. We estimate the Academy and field training for these 49 new sworn staff would become a one-time General Fund cost of \$6.8 million, which could be offset by postponing hiring of 49 Police Officers. These 49 sworn staff transferred from the Airport would become a new ongoing cost for the General Fund of at least \$8.8 million, or higher, depending on the job classes that returned to the City.
4. The Board of Supervisors could make it City policy for the Sheriff to assume law enforcement responsibilities at the Airport and request the Airport Commission to enter into a Memorandum of Understanding with the Sheriff. If approved by the Mayor, this would save the Airport approximately \$5.0 million per year, but require one-time hiring costs of \$15.6 million. The City would have to fund 226 Police Officers currently assigned to the Airport at net new ongoing cost of approximately \$25.8 million (accounting for the closure of County Jail 4) and could consider postponing hiring 226 Police Officers, saving \$31.2 million in one-time costs. In addition, the City may have to reimburse the Airport for certain investments to comply with FAA airport revenue policy.
5. The Board of Supervisors should work with the Mayor, the Police Department, and relevant labor organizations to evaluate its policy priorities for allocation of Police Department resources. The Board of Supervisors could request the Chief of Police to decrease staffing levels in areas that are not Board priorities in order to increase staffing levels in units that are Board priorities.

Project staff: Dan Goncher and Nicolas Menard

Background and Organizational Structure

Mission

According to the Mayor’s proposed FY 2019-20 budget, the mission of the San Francisco Police Department is to “ensure safety while maintain respect for all. The Department provides responsive policing through collaboration with the community and works to maintain and build trust and respect as the City’s protector of constitutional and human rights.”

Organizational Structure

Within the City’s budget system, which does fully mirror the actual organizational structure, the Police Department is organized into four Divisions: Airport, Field Operations, Special Operations, and Administration. The Annual Appropriation Ordinance approved by the Board of Supervisors each year specifies funding for each Department, organized into divisions and accounts. In general, Departments may, with authorization from the Controller, move up to 10 percent of appropriated funds between accounts (and across divisions) if the money is in the same fund and the same Department (unless that account was reduced by the Board of Supervisors, in which case a supplemental appropriation would be required). In addition, increases to the Police overtime budget require Board of Supervisors’ approval.

Organizationally, the Police Department is currently organized into six bureaus: (1) Airport, (2) Administration, (3) Field Operations, (4) Investigations, (5) Special Operations, and (6) Strategic Management. Exhibit 1 below summarizes the programs within each bureau.

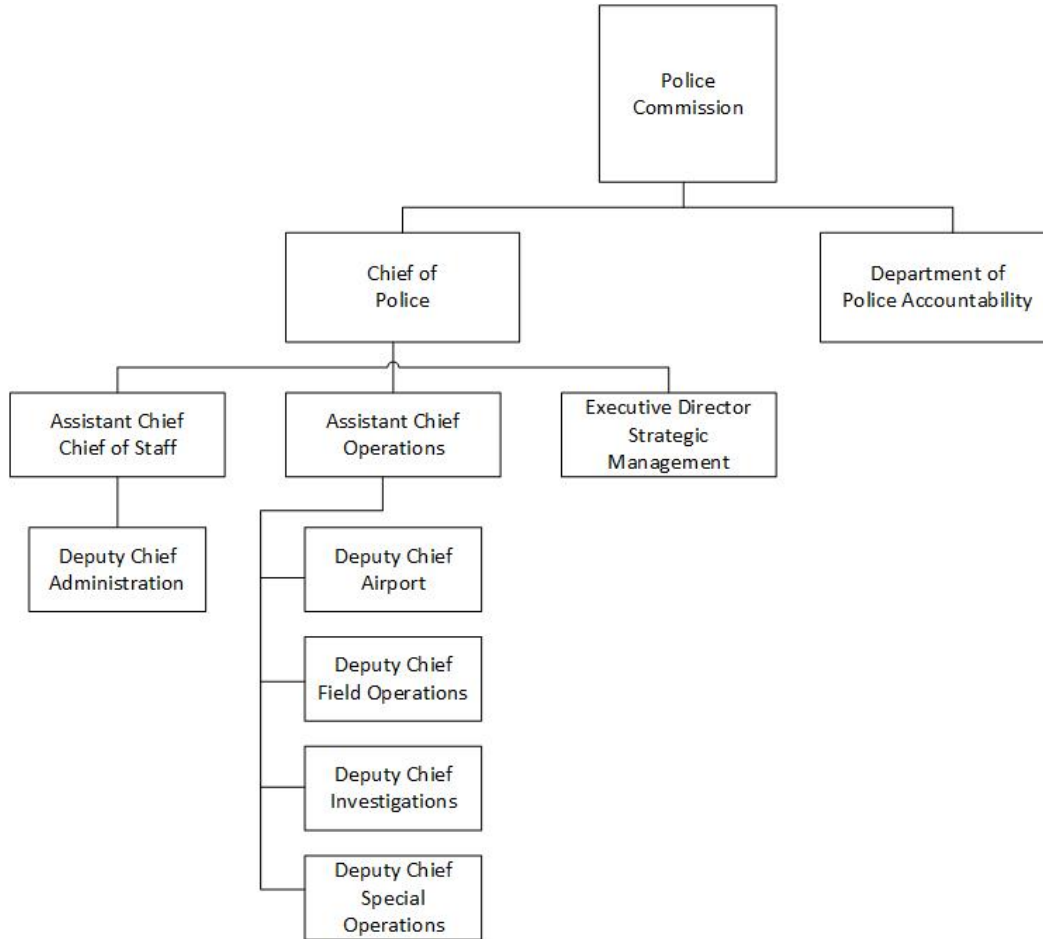
Exhibit 1: Police Bureaus and Their Programs

| Bureau | Programs |
|----------------------|--|
| Airport | Airport security operations, including law enforcement, traffic control, emergency operations. |
| Administration | Crime Data, Fleet, Property, Staff Services, Training, Police Commission. |
| Field Operations | District stations, including car and foot patrols, Community Engagement, Healthy Streets Operations Command, private event activities. |
| Investigations | Investigation units, Crime Analysis, Forensics |
| Special Operations | Traffic Company, Muni Unit, Tactical Unit, liaisons to other government agencies |
| Strategic Management | Fiscal Unit, Management Analysis Unit, Information Technology. Also oversees reform efforts and Department Policy. |

Source: Mayor’s Budget Book June 2019, Police Department

The organizational structure is depicted in Exhibit 2 below.

Exhibit 2: Police Department Organizational Chart



Source: Police Department

Note: Department of Police Accountability is a separate department and not part of the Police Department

Major Changes to the Police Department Organizational Structure

Charter Mandated Civilian Oversight

Charter mandated civilian oversight of the Police Department occurs through the Police Commission and the Department of Police Accountability. The Police Commission is responsible for approving Police Department’s policies, including the General Orders and other policies, and for conducting disciplinary and appeal hearings on charges of police misconduct. The Department of Police Accountability (DPA) was created by a Charter Amendment approved by the voters in November 2016 and is overseen by the Police Commission. DPA is responsible for investigating and auditing use of force activities and claims of police misconduct as well as making policy recommendations to the Police Commission. Prior to its creation, those functions were carried out by the Office of Citizen Complaints, which was budgeted in the Police Department through FY 2016-17.

DPA budget data is included in the analysis below in order to present the historical resource allocation to this function.

Strategic Management Bureau

The Board of Supervisors approved four additional positions for FY 2018-19 to staff the Police Department's new Strategic Management Division, created in that year. The purpose of this bureau is to oversee the policy changes recommended by the U.S. Department of Justice and Police Commission as well as oversee budgeting, accounting, human resources, contracting, and information technology. The Division also provides management analysis of Department operations.

Current, Department Proposed, and Historical Budgeted Expenditures and Positions

The Department's total original budget for FY 2019-20 was \$692,322,316. When combined with the Department of Police Accountability budget, the total FY 2019-20 original budget was \$703,880,282.

The Police Department's General Fund support totaled \$606,332,030 (or 87.6 percent of the total budget) in FY 2019-20. As described below, of that \$606.3 million in General Fund support, \$530.5 million is funded with general-purpose revenue and the remaining amount is public safety sales tax, municipal fees, and funding from other City Departments.

Exhibit 3 below shows a summary of the Department's 10-year historical and current year budgeted expenditures and FTE authority. As noted above, the budget information below includes the budget for the Department of Police Accountability and its predecessor, the Office of Citizen Complaints, which was included in the Police Department budget through the end of FY 2016-17.

**Exhibit 3: 10-Year Historical Budgets and FTE Authority
 (Police Department & Department of Police Accountability)**

| Fiscal Year | Total Budget | Total FTE |
|-------------------------------|----------------------|------------------|
| 2010-11 | 445,480,123 | 2,741.58 |
| 2011-12 | 461,807,191 | 2,725.34 |
| 2012-13 | 489,946,208 | 2,695.47 |
| 2013-14 | 526,936,867 | 2,738.45 |
| 2014-15 | 528,843,173 | 2,795.70 |
| 2015-16 | 544,721,549 | 2,891.26 |
| 2016-17 | 577,745,503 | 3,036.38 |
| 2017-18 | 595,476,622 | 3,036.47 |
| 2018-19 | 638,201,751 | 3,128.31 |
| 2019-20 | 703,880,282 | 3,284.73 |
| 10 Year Change | \$258,400,159 | 543.15 |
| 10 Year Percent Change | 58.0% | 19.8% |

Source: Annual Appropriation Ordinances and Mayor’s Proposed Budgets; Police Department and Department Police Accountability

As shown above, the Police Department’s total budget increased from \$445,480,123 to \$703,880,282, or by 58 percent, between FY 2010-11 and FY 2019-20. Over the same period, the number of funded full-time equivalent positions in both departments increased from 2,741.58 to 3,284.73 or by 19.8 percent. According to the Police Department, beginning in FY 2012-13, the Department added 230 Officer FTEs to fund recruits in the Police Academy.

In FY 2019-20, the Police Department had 3,232.79 FTEs, including 230 Officer FTEs to fund Police Academies, and the Department of Police Accountability had 51.94 FTEs.

Police Sworn Staffing

As of June 2020, the Police Department reported 2,290 sworn staff, of which 1,828 were available for full-duty deployment in the City. Full duty refers to sworn staff, that are available for deployment in the City and excludes those assigned to the Airport, in the academy, on leaves of absences, or on modified duty.¹

¹ In June 2020, The Police Department had 198 sworn staff on leave or modified duty ,92 recruits in the Academy, and 172 staff at the Airport.

City Charter Section 4.127 requires that the Police Department maintain a minimum staffing level of 1,971 full duty officers; City Charter Section 16.123 allows that minimum staffing number to decrease by the number of positions the Police Department has civilianized, if jointly certified by the Chief of Police and the Controller. According to the Controller's June 2019 Revenue Letter, the Police Department has civilianized 77 positions, which would reduce the minimum staffing of full duty officers to 1,894 positions, if certified by the Chief of Police.

The Charter's minimum staffing requirement of 1,971 full-duty officers was authorized by voter approval of Proposition D in June 1994. The Board of Supervisors' argument in favor of the Charter Amendment in the voter pamphlet at that time stated "ten years ago [in 1984], the staffing level was set at 1,971 officers." In 1979, the Board of Supervisors entered into a consent decree with the Department of Justice that required, among other things, the City to increase sworn staffing to 1,971 by August 1981 and maintain that level through August 1984. The purpose of the staffing increase was to allow for more promotional opportunities for women as well as Black, Latino, and Asian staff. The 1,971 staffing level was chosen because it was the total number of authorized positions that fiscal year, FY 1978-79. Our Office's February 1979 memo to the Finance Committee noted that the 1,971 staffing level was not based on the workload of the Police Department. To avoid loss of Federal funding, the Board of Supervisors nevertheless approved the consent decree and the associated minimum staffing requirement of 1,971 officers through 1984, which later formed the basis for the 1,971 minimum staff level of the 1994 Charter Amendment that codified that requirement. Based on our review of available Police Department staffing information, the Board of Supervisors has not funded the Police Department at the Charter required staffing level of 1,971 full-duty officers since at least FY 2005-06.

For FY 2019-20 and FY 2020-21, the Police Department is budgeted to have four academies each year: two to maintain sworn staffing levels, one to increase sworn staffing, and one funded by the Airport to backfill staff that are planned to be transferred to the Airport Bureau. Due to these academies, the Police Department is budgeted to increase sworn staffing levels by at least 45 positions through June 2021, from 2,091 in June 2019 to 2,136 in June 2021. In addition, the Board of Supervisors has authorized 75 new non-sworn, or civilian, positions to be added over a three year period (25 each year, FY 2018-19 to FY 2020-21) to civilianize jobs currently filled by sworn staff, allowing them to be deployed to sworn assignments and increasing the total number of sworn staff available for deployment by 95 between June 2019 and June 2021, which would exceed the adjusted minimum staffing requirement.² The Police Department reports that the actual increase in sworn staffing levels may be lower than this due to higher than expected retirements and lower than expected academy attendance and graduation.

² 95 additional sworn staff for law enforcement assignments is derived by 45 expected net new recruits (accounting for retirements and other sworn attrition) plus 50 civilianized positions (25 in FY 2019-20 and 25 in FY 2020-21).

Command Staff

Exhibit 4 below shows the change in budgeted command staff over the past 10 years. As shown below, command staff includes those at a rank of Captains and above.

Exhibit 4: Authorized Sworn Command Staff

| | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 10 Year Change |
|-----------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------------|
| Captain | 25 | 30 | 30 | 31 | 31 | 31 | 31 | 31 | 31 | 31 | 6 |
| Commander | 5.34 | 6 | 6 | 5 | 5 | 5 | 5 | 8 | 8 | 8 | 2.66 |
| Deputy Chief | 2 | 4 | 4 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 3 |
| Assistant Chief | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 2 | 2 | (1) |
| Chief | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 0 |
| Total | 36 | 41 | 41 | 42 | 42 | 42 | 42 | 47 | 47 | 47 | 10.66 |

Source: Annual Appropriation Ordinances and Mayor’s Proposed Budgets, Police Department

As shown in Exhibit 4 above, starting in FY 2011-12 and through FY 2016-17, the Police Department had between 41 and 42 command staff, including at the Airport. During that time, the Department did not have any Assistant Chiefs of Police. During FY 2016-17, prior to receiving approval by the Board of Supervisors, the Police Department created five additional executive management positions, augmenting its command structure with three additional Commanders and two Assistant Chiefs of Police. The Board then approved the creation of these positions in the FY 2017-18 and FY 2018-19 two-year annual appropriation and salary ordinances. The three additional Commander positions were created to oversee three new divisions: (1) Administration (within the Administration Bureau), (2) Chief of Staff, and (3) Community Engagement. The two new Assistant Chiefs of Police were created to provide greater oversight over the bureaus. For FY 2018-19, the Board of Supervisors approved the creation of a civilian Executive Director position (not shown above) to oversee the Strategic Management Division created that year.

General Fund Support

Exhibit 5 below shows the City’s total General Fund budget each of the past 10 fiscal years and the portion of the Police Department and Department of Police Accountability’s budget that was supported by the General Fund during that time. As with the exhibits above, the Department of Police Accountability is included in our presentation of the Police Departments budget starting in FY 2017-18, when the functions were transferred out of the Police Department to a standalone City department.

Exhibit 5: Police Department and DPA General Fund Budget

| Fiscal Year | Citywide General Fund | Police & DPA Budget | Police & DPA General Fund Budget | Percent General Fund Budget |
|-----------------------------|----------------------------------|------------------------------------|---|--|
| FY 2010-11 | 2,967,374,828 | 445,480,123 | 396,112,331 | 88.9% |
| FY 2011-12 | 3,261,908,817 | 461,807,191 | 407,327,860 | 88.2% |
| FY 2012-13 | 3,486,708,960 | 489,946,208 | 435,515,651 | 88.9% |
| FY 2013-14 | 3,949,764,316 | 526,936,867 | 470,088,497 | 89.2% |
| FY 2014-15 | 4,270,953,200 | 528,843,173 | 472,648,838 | 89.4% |
| FY 2015-16 | 4,587,552,026 | 544,721,549 | 484,791,961 | 89.0% |
| FY 2016-17 | 4,859,781,042 | 577,745,503 | 514,223,533 | 89.0% |
| FY 2017-18 | 5,147,557,828 | 595,476,622 | 531,446,792 | 89.2% |
| FY 2018-19 | 5,511,633,982 | 638,201,751 | 567,722,187 | 89.0% |
| FY 2019-20 | 6,142,885,797 | 703,880,282 | 617,889,996 | 87.8% |
| 10-Year Change | 3,175,510,969 | 258,400,159 | 221,777,665 | (1.1%) |
| 10-Year % Change | 107.0% | 58.0% | 56.0% | (1.3%) |

Source: Annual Appropriation Ordinances, Police Department and Department Police Accountability

As shown above, the portion of the Police Department’s budget supported by the General Fund has remained fairly consistent, ranging from 87.8 percent in FY 2019-20 to as much as 89.4 in FY 2014-15. The Department of Police Accountability is funded entirely by the General Fund. The Police Department’s FY 2019-20 General Fund budget includes \$52.3 million in sales tax revenue allocated by the State for public safety, \$5.2 million in municipal fees, and \$18.2 million in work order recoveries

In addition, in FY 2019-20, the non-General Fund portion of the Police Department’s budget was \$78 million (11.1 percent of the total budget) in Airport funds, \$6.4 million (0.9 percent of the total budget) in special revenue funds, and \$1.5 million (0.2 percent of the total budget) for capital facilities improvement.

COVID-19 Fiscal Impacts

As of June 30, 2020, the Police Department has spent \$4,764,815.66 on COVID-19 related activities and encumbered an additional \$80,074.39. \$4,284,717.62, or approximately 88.4 percent of the total spending, has been for personnel costs, including for regularly scheduled time such as paid time off for staff who were exposed to the virus, were furloughed because there were no assignments that could be completed from home, or for emergency work, including increased patrols, community outreach regarding the shelter-in-place order and social distancing guidelines, backfilling for a staff out on leave, and staff at the Department Operations Center and the Emergency Operations Center. These costs do not include services provided by other City Departments, such additional cleaning associated with space the Police Department leases or first responder quarantine.

The Police Department expects monthly spending in May 2020 of \$1.7 million to persist into the new fiscal year. The amount of monthly spending will vary depending on orders of the Mayor and the Health Officer and community behavior. For example, if social distancing guidance is tightened and members of the public comply, fewer enforcement resources would be needed for COVID-19 activities.

Reimbursement from Federal and State Emergency Agencies

Certain COVID-19 related costs are eligible for reimbursement from the U.S. Federal Emergency Management Agency (FEMA) and from the California Office of Emergency Services (Cal OES). According to guidance³ from both those agencies, only overtime (including benefits) directly related to the current emergency is eligible for reimbursement. If both of those agencies accept the City's request for reimbursement, the cost share would be 75 percent FEMA, 18.75 percent Cal OES, and 6.25 percent funded locally. As of June 30, 2020, the Police Department incurred \$1,185,057.17 in COVID-19 related overtime costs, but not all of it will be eligible for reimbursement because some of the overtime was used to backfill absent staff, which is not reimbursable.

Historical Budgets by Division

Exhibit 6 below summarizes each of the Police Department's divisions, as organized in the City's budget system. As noted above, per Administrative Code Section 3.18, in general, Departments may, with permission of the Controller, move up to 10 percent of appropriated monies between accounts (and across divisions) if the money is in the same fund and the same Department (unless that account was reduced by the Board of Supervisors, in which case a supplemental appropriation would be required). A major exception to this is that Administrative Code Section 3.17 requires the Police Department and certain other City Departments to obtain a supplemental appropriation for any increase to the overtime budget.

³ FEMA Public Assistance Program and Policy Guide, April 2018 and Cal OES Yellow Book 2015.

Exhibit 6: Ten Year Historical Budget and FTE, by Budget Division

| Fiscal Year | Airport Budget | Investigations Budget | Police Accountability Budget | Administration Budget | Patrol Budget | Work Order Services Budget | Total Budget |
|-------------------------|-------------------|-----------------------|------------------------------|-----------------------|--------------------|----------------------------|--------------------|
| 2010-11 | 40,902,708 | 78,790,471 | 4,124,097 | 59,598,551 | 247,956,656 | 14,107,640 | 445,480,123 |
| 2011-12 | 45,679,752 | 76,251,103 | 4,321,169 | 63,874,326 | 258,177,215 | 13,503,626 | 461,807,191 |
| 2012-13 | 47,645,035 | 78,528,877 | 4,610,850 | 69,261,206 | 275,603,051 | 14,297,189 | 489,946,208 |
| 2013-14 | 49,622,941 | 81,811,136 | 4,829,125 | 89,793,489 | 290,243,911 | 10,636,265 | 526,936,867 |
| 2014-15 | 49,894,105 | 79,962,610 | 5,135,411 | 81,755,904 | 304,986,576 | 7,108,567 | 528,843,173 |
| 2015-16 | 53,344,782 | 78,397,469 | 5,570,081 | 86,201,113 | 316,406,873 | 4,801,231 | 544,721,549 |
| 2016-17 | 56,635,610 | 82,979,272 | 6,870,659 | 93,544,703 | 332,824,586 | 4,890,673 | 577,745,503 |
| 2017-18 | 58,264,799 | 83,049,108 | 7,200,138 | 105,961,829 | 337,797,559 | 3,203,189 | 595,476,622 |
| 2018-19 | 60,852,566 | 88,626,603 | 8,363,576 | 122,853,228 | 351,436,292 | 6,069,486 | 638,201,751 |
| 2019-20 | 78,072,176 | 99,453,304 | 11,557,966 | 132,873,322 | 375,707,469 | 6,216,045 | 703,880,282 |
| 10-Year Change | 37,169,468 | 20,662,833 | 7,433,869 | 73,274,771 | 127,750,813 | (7,891,595) | 258,400,159 |
| 10-Year % Change | 90.9% | 26.2% | 180.3% | 122.9% | 51.5% | (55.9%) | 58.0% |
| | | | | | | | |
| Fiscal Year | Airport FTE | Investigations FTE | Police Accountability FTE | Administration FTE | Patrol FTE | Work Order Services FTE | Total FTE |
| 2010-11 | 304.29 | 462.04 | 33.23 | 289.09 | 1,567.83 | 85.10 | 2,741.58 |
| 2011-12 | 321.61 | 419.78 | 33.79 | 288.65 | 1,582.89 | 78.62 | 2,725.34 |
| 2012-13 | 311.54 | 420.87 | 34.54 | 298.00 | 1,554.10 | 76.42 | 2,695.47 |
| 2013-14 | 316.64 | 421.17 | 34.64 | 325.43 | 1,580.83 | 59.74 | 2,738.45 |
| 2014-15 | 318.41 | 412.93 | 34.76 | 335.76 | 1,651.14 | 42.70 | 2,795.70 |
| 2015-16 | 352.65 | 409.45 | 37.20 | 331.57 | 1,728.38 | 32.01 | 2,891.26 |
| 2016-17 | 365.84 | 414.65 | 42.41 | 354.71 | 1,827.76 | 31.01 | 3,036.38 |
| 2017-18 | 366.17 | 413.12 | 42.42 | 375.61 | 1,816.15 | 23.00 | 3,036.47 |
| 2018-19 | 366.92 | 438.30 | 44.91 | 443.45 | 1,811.73 | 23.00 | 3,128.31 |
| 2019-20 | 450.98 | 489.33 | 51.94 | 471.18 | 1,798.30 | 23.00 | 3,284.73 |
| 10-Year Change | 146.69 | 27.29 | 18.71 | 182.09 | 230.47 | (62.10) | 543.15 |
| 10-Year % Change | 48.2% | 5.9% | 56.3% | 63.0% | 14.7% | (73.0%) | 19.8% |

Source: Annual Appropriation Ordinances and Mayor's Proposed Budgets, Police Department and Department Police Accountability

The activities of each of these divisions is summarized below.

Airport

The Airport Bureau is responsible for providing law enforcement services at San Francisco International Airport, as well as traffic control and other security services. The

Police Department maintains a Memorandum of Understanding with the Airport, which details the services provided by the Police Department and allows for cost recovery from the Airport's revenues.

Airport Police staffing is determined by mutual agreement of the Police Department and the Airport and is based on activity at the Airport, including passenger growth, terminal space, number of vendors, and number of calls for service. In June 2019, the Board of Supervisors approved an increase in staffing to the Police Airport Bureau for FY 2019-20 and FY 2020-21 due to an expected ongoing increase in activity in all of these indicators.

The Department's total Airport staff increased by 84.06 FTE in FY 2019-20 and the base budget for FY 2021-22 includes an additional 110.10 FTE, for a total of 561.08 FTE. Police staffing in this bureau is roughly evenly split between sworn officers and Community Police Service Aides, as well as approximately 18 other civilian positions for informational technology, accounting, and management analysis.

Investigations

The Police Department's Investigations Bureau is responsible for investigating serious crimes, including violent crimes, property crimes, financial crimes, traffic accidents, and domestic violence. The Bureau has special units for homicide, sexual assault, gangs, gun crimes, illegal drugs, robbery, burglary, as well as Detectives assigned to all 10 Police Stations. Sworn staffing consists of senior Police Officers (Sergeant and above). In addition, the Bureau contains Crime Analysis and Forensic Services Units, which is staffed by a mix of civilians and sworn staff to assist with investigative tasks and trial preparation.

Police Accountability

As noted above, the Department of Police Accountability (DPA) was created by a Charter Amendment approved by the voters in November 2016 and is overseen by the Police Commission. DPA is responsible for investigating and auditing use of force activities and claims of police misconduct as well as making policy recommendations to the Police Commission. Prior to its creation, those functions were carried out by the Office of Citizen Complaints, which was budgeted in the Police Department until FY 2017-18. DPA is now budgeted as a separate department but its budget data is included in this analysis in order to present the historical resource allocation to this function.

Administration

The Administration Bureau contains the Crime Information Services Unit, Fleet and Facilities, Property Control, Staff Services, and the Training Division. The Training Division is responsible for sworn staff training. Staff Services includes payroll, analysis related to staffing and assignments, and human resource functions. Crime Information Services includes records management and responding to requests from outside agencies.

Patrol

The Patrol Division shown in Exhibit 6 above contains the Field Operations Bureau and the Special Operations Bureau.

The Field Operations Bureau contains staffing for all ten Police Stations, car and foot patrols, special units dedicated to homeless outreach, public housing, public schools, and patrol staffing for other public agencies, including the Port and Transbay Joint Powers Authority. As recommended by our June 2018 Performance Audit report on Police Staffing and Overtime, in 2019 the Police Department set a target for car patrol officers to spend 30 percent of their time responding to calls for service.

The Special Operations Bureau consists of Homeland Security, Traffic Company, Tactical Company, and the Urban Area Security Initiative, a federally funded counterterrorism program. Organizationally, the Special Operations Bureau also includes staff assigned to the Municipal Transportation Agency. However, because those costs are recovered from SFMTA, they are budgeted separately and described below.

Work Order Services

The Work Order Services budget unit accounts for the Department's law enforcement services for the Municipal Transportation Agency. These include uniformed and plain clothes patrol of stations and vehicles, and a canine unit to detect explosives. The staffing for the unit has declined from a high of 85.10 in FY 2010-11 to 23.00 since FY 2017-18. This is primarily because the Municipal Transportation Agency reduced funding to the Police Department's Traffic Company, which is responsible for enforcing moving violations.

In addition, work order services include security at the Port, Library, Moscone Convention Center, and Treasure Island as well as the Human Services Agency food stamp site and certain public health program sites.

Contracted Services by Division

The Department's contracted services accounted for \$7,043,137 or one percent of the Department's total FY 2019-20 budget. As shown in Exhibit 7 below, the contracted portion of the Police Department budget has remained fairly stable over time. Two budget units, the Airport Bureau and Work Order Services (the Muni operation, which only had \$1,000 budgeted for contracts each year FY 2014-15, through FY 2016-17), generally did not have contracted services in their budgets.

Exhibit 7: Historical Budgets for Contracted Services

| Fiscal Year | Investigations | Police Accountability | Administration | Patrol | Total Contracted Services | % of Total Budget |
|-----------------------------|-----------------------|----------------------------------|-----------------------|----------------|--|----------------------------------|
| 2010-11 | 698,579 | 25,000 | 2,189,501 | 1,131,118 | 4,044,198 | 0.9% |
| 2011-12 | 710,920 | 25,000 | 2,905,361 | 1,072,152 | 4,713,433 | 1.0% |
| 2012-13 | 714,130 | 25,000 | 3,084,516 | 1,117,512 | 4,941,158 | 1.0% |
| 2013-14 | 1,662,000 | 25,000 | 2,247,410 | 1,079,152 | 5,013,562 | 1.0% |
| 2014-15 | 1,061,232 | 25,000 | 2,747,410 | 1,109,152 | 4,943,794 | 0.9% |
| 2015-16 | 906,500 | 25,000 | 2,323,260 | 1,209,152 | 4,464,912 | 0.8% |
| 2016-17 | 817,000 | 25,000 | 1,845,760 | 1,816,652 | 4,505,412 | 0.8% |
| 2017-18 | 820,120 | 25,000 | 2,683,260 | 1,155,452 | 4,683,832 | 0.8% |
| 2018-19 | 1,970,120 | 125,000 | 5,279,260 | 1,309,152 | 8,683,532 | 1.4% |
| 2019-20 | 2,008,725 | 902,000 | 2,823,260 | 1,309,152 | 7,043,137 | 1.0% |
| 10-Year Change | 1,310,146 | 877,000 | 633,759 | 178,034 | 2,998,939 | 0.1% |
| 10-Year % Change | 188% | 3,508% | 29% | 16% | 74% | 10% |

Source: Annual Appropriation Ordinances, Police Department and Department Police Accountability.⁴

Exhibit 8 below summarizes the services purchased through contracting, according to the Police Department’s representations made to our office each year during our annual budget review.

⁴ FSP accounts reviewed: 527840, 528000, 529000, 529990, 527990, 527000, 528010, 52202. FAMIS accounts reviewed: objects 027, 028, 029 and subobject 02202.

Exhibit 8: Summary of Contracted Services

| Fiscal Year | Services | Contracted Services |
|--------------------|--|----------------------------|
| 2010-11 | Forensic services, crime prevention training, background checks | 4,044,198 |
| 2011-12 | Forensic services, crime prevention training, background checks | 4,713,433 |
| 2012-13 | Forensic services, background checks, database maintenance, gunshot detection system | 4,941,158 |
| 2013-14 | Forensic services, background checks, database maintenance, gunshot detection system | 5,013,562 |
| 2014-15 | Forensic services, background checks, crime database project, gunshot detection system | 4,943,794 |
| 2015-16 | Forensic services, crime database project, crime prevention training, forensic services, gunshot detection system | 4,464,912 |
| 2016-17 | Forensic services, crime database project, crime prevention training, forensic services, gunshot detection system, Body Worn Cameras | 4,505,412 |
| 2017-18 | Body Worn Cameras, crime prevention training, criminal information system, gunshot detection, forensic services | 4,683,832 |
| 2018-19 | Body Worn Cameras, forensic services, contractors for DOJ reform monitoring, website development, outpatient health for officers, criminal information system, crime prevention training, gunshot detection system | 8,683,532 |
| 2019-20 | Body Worn Cameras, forensic services, contractors for DOJ reform monitoring, website development, outpatient health for officers, criminal information system, crime prevention training, gunshot detection system, staffing study, video wall upgrade for operations center | 7,043,137 |

Source: Police Department

As can be seen above, the budget for contracted services at the Police Department was approximately \$4 million in FY 2010-11, then averaged approximately \$5.3 million between FY 2011-12 through FY 2017-18. During that time, the largest contracted expenses were for forensic services, including to address a backlog of evidence, background checks, and database projects related to crime data and interfacing with other criminal justice agencies. In FY 2018-19, the budget for contracted services increased to \$8.7 million and then to \$7 million in FY 2019-20. The increase in the contract budget in FY 2018-19 can be attributed to new information technology projects, including system upgrade for a biometric identification system (\$1 million), contractors for Department of Justice reform monitoring (\$1.4 million), website development (\$500,000), and additional body worn cameras. The decrease in the budget for contracted services in FY 2019-20 is due to less budgeted spending on contractors for Department of Justice reform monitoring.

The budget for contracted services for the Department of Police Accountability increased from \$125,000 in FY 2018-19 to \$902,000 in FY 2019-20 to create a database to manage investigative files.

As requested by the Committee, we reviewed Police Department contract information to identify consulting services. Exhibit 9 below summarizes the consulting service providers and spending.

Exhibit 9: Consulting Services Spending

| Vendor | Services | Total Spending to Date |
|-----------------------|---|-------------------------------|
| Oracle America, Inc. | Development of Criminal Justice Information System Platform | \$1,551,592 |
| Hillard Heintze, LLC | Management consulting for independent reporting on progress of USDOJ Collaborative Reform Initiatives | 767,462 |
| Mythics, Inc. | Service Agreement for Oracle Advanced Monitoring and Resolution Supplemental Resources | 436,287 |
| Dynamic Systems, Inc. | Licensing and support for Oracle database platform | 386,728 |
| Matrix Consulting | Staffing study | 158,857 |
| Total | | \$3,300,926 |

Source: Police Department

Note: Spending to date includes encumbrances.

As shown above, the two largest consulting providers to the Police Department are Oracle, which is developing a criminal justice information system and Hillard Heintze, which is reporting on the Police Department’s implementation of the Department of Justice recommended reforms.

Policy Questions

The Budget and Appropriations Committee requested that our office provide additional information and analysis regarding: (1) an update to the Department’s progress on civilianization; (2) alternative staffing options at the Airport, including replacing Police sworn staff with Sheriff sworn staff; (3) the staffing intensity of responding to calls for services related to homelessness and mental health crises; (4) litigation settlement spending over the past five years; and, (5) staffing levels of certain units and divisions.

At the time that this report was being prepared, the Department of Emergency Management was fully engaged in responding to the COVID-19 health crisis and therefore could not provide the dispatch data necessary to complete request #3 (the

staffing intensity of responding to calls for services related to homelessness and mental health crises).

Civilianization

City Charter Section 16.123 requires the Controller and Chief of Police to identify positions that could be filled by civilians, and to conduct this review in consultation with our office. City Charter Section 4.127 requires the Police Commission to annually review sworn assignments “to civilianize as many positions as possible to maximize police presence in the communities.” The Charter goes on to state, “Positions may only be converted from sworn to civilian as they become vacant. No sworn officer shall be laid off in order to convert a position to civilian personnel.”

Our June 2018 Performance Audit of Police Staffing and Overtime identified 202 positions filled by sworn officers that were assigned to non-patrol/special operations functions at the Department, and additional positions that could potentially be civilianized in the Investigations Bureau. Our audit recommended the Controller complete a civilianization analysis of the Police Department. In May 2019, the Controller issued an analysis that recommended 50 positions be civilianized and stated that, “additional study will likely yield more opportunities for civilianization of key functions. Clear opportunities exist in two Bureaus – Administration and Investigation.” The purpose of civilianization is to increase Police officers available for assignments that require sworn staff, such as patrol, investigations, and special operations.

In response to these studies, the Board of Supervisors has authorized the creation of 75 civilian positions in order to civilianize an equal amount of sworn staff positions over the three-year period of FY 2018-19 to FY 2020-21 (25 positions each year). The status of hiring these positions is shown below in Exhibit 10.

Exhibit 10: Summary of Civilianization Hiring Status as of April 2020

| | FY 2018-19 | FY 2019-20 | Total |
|--------------------------|-------------------|-------------------|--------------|
| Funded Positions | 25 | 25 | 50 |
| Filled | 15 | 8 | 23 |
| Background Check | 6 | 14 | 20 |
| Job Posted/Pre-Interview | 4 | 3 | 7 |

Source: Police Department

As shown in Exhibit 10 above, as of April 2020, of the 50 positions authorized for civilianization in FY 2018-19 and FY 2019-20, the Department has hired 23, reports it is conducting background checks on 20 candidates, and is in the early stages of recruitment for the remaining seven positions.

In March 2020, the Police Department published a report prepared by a Police Department contractor that analyzed the Department’s staffing needs. The analysis included 32 recommendations for civilianization, however, those positions had been identified in prior studies.

Although the Board of Supervisors authorized 25 positions to be civilianized in the FY 2020-21 base budget, the City's civilianization efforts have been challenged by labor union representatives of the Police Officers' Association, a separate entity from the Police Department. In particular, the Police Officers Association believes that Charter Section 16.123(b), which states "positions may only be converted from sworn to civilian as they become vacant" means that sworn staff cannot be transferred to other assignments to make way for civilians. Rather, it is our understanding that the Police Officers' Association believes assignments can only be civilianized if the sworn staff member voluntarily leaves that assignment. According to the Police Department, the meet and confer process between the Police Department, Police Officers Association, and the Human Resources Department over this issue may take longer than nine months, and effectively halt the City's civilianization plans for FY 2020-21.

Policy Option: The Board of Supervisors could request the Police Department and Human Resources Department to provide a report no later than December 31, 2020 with an update on the negotiations with the Police Officers Association regarding civilianization. If an agreement is reached, the Board of Supervisors could potentially authorize new civilian positions later in FY 2020-21. Going forward, the Board of Supervisors should request the Police Department to submit the Charter-required annual civilianization assessment and recommendations with its annual budget request.

Policy Option: The Board of Supervisors could request that the Police Department submit the Charter-required annual civilianization assessment and recommendations to the Mayor and Board of Supervisors with the Department's annual budget submission to the Mayor.

Airport Staffing

Under a Memorandum of Understanding (MOU) with the Airport, the Police Department provides law enforcement, traffic enforcement, and security services for the Airport. The Airport Police Bureau consists of sworn staff, Community Police Service Aides, and other civilian staff. An MOU is required because Section VI of the Federal Aviation Administration's (FAA) Policy and Procedures Concerning the Use of Airport Revenue generally restricts airport revenues to airport uses.⁵ Under Federal Law, using

⁵ Section VI of the FAA's Policy & Procedures Concerns the Use of Airport Revenue states: "Revenue diversion is the use of airport revenue for purposes other than the capital or operating costs of the airport, the local airport system, or other local facilities owned or operated by the airport owner or operator and directly and substantially related to the air transportation of passengers or property, unless that use is grandfathered under 49 U.S.C. § 47107(b)(2) and the use does not exceed the limits of the 'grandfather' clause. When such use is so grandfathered, it is known as lawful revenue diversion. Unless the revenue diversion is grandfathered, the diversion is unlawful and prohibited by the revenue-use restrictions." The Airport transfers 15 percent of concession revenues to the City's General Fund, a "grandfathered" practice allowed under the FAA rules.

Airport revenue for non-Airport purposes would make the Airport ineligible to receive Federal grants.⁶ The MOU between the Police Department and the Airport documents the Police services and responsibilities at the Airport. The sworn staff, Community Police Services Aides, and other civilian positions are budgeted in the Police Department’s budget, but funded by the Airport’s operating fund. The non-personnel costs of the Police Airport Bureau as well as one civilian position are budgeted in the Airport budget and also funded by the Airport’s operating fund. Although the base budget for FY 2020-21⁷ includes an increase for sworn and civilian staff, Airport staff has reported to us that they will request that staffing levels remain at their FY 2019-20 levels. The budget for the Airport Police Bureau is shown in Exhibit 11 below.

Exhibit 11: Airport Bureau Budget and Staffing, FY 2019-20

| Police Airport Bureau | Budget | FTE |
|------------------------------|---------------------|---------------|
| Sworn Staff | \$47,333,751 | 233.50 |
| Civilians | 28,594,184 | 218.48 |
| Other Costs* | 15,384,020 | N/A |
| Total | \$91,311,955 | 451.98 |

Source: Annual Appropriation Ordinances and Mayors Proposed Budgets; Police Department and Airport

Note: Other Costs in FY 2019-20 include \$12.2 million for pre-funded Police Academy costs in that fiscal year, which are one-time costs expected to be budgeted for the next fiscal year because the Airport and Police Department are not planning to hold Police Academies to increase Airport Police staffing in FY 2020-21. Staff costs and FTE values include attrition savings.

As shown in Exhibit 11 above, the FY 2019-20 budget for the Airport Bureau was \$91.3 million, including \$47.3 million for sworn staff, \$28.6 million for civilian staff, which include the Community Police Service Aides and their supervisors, and \$15.4 million in other costs. As noted above, “Other Costs” in FY 2019-20 include \$12.2 million for pre-funded Police Academy costs in that fiscal year to backfill at least 70 Police Officers that were expected to be transferred to the Airport from the City. As of May 2020, the Airport expects 49 new sworn staff to transfer to the Airport within one year, or 21 less than budgeted in FY 2019-20. The FY 2019-20 Academy costs are not expected to be in FY 2020-21 because the Airport and Police Department are not planning to hold Police Academies to increase Airport Police staffing in FY 2020-21. As of May 2020, the Airport reports 177 sworn positions are filled. Once the Airport academy recruits in training

⁶ See 49 U.S. Code Section 47107(b).

⁷ The FY 2020-21 base budget was approved by the Board of Supervisors in July 2019 as the second budget year of the two-year FY 2019-21 rolling budget. Typically, the approved second year budget rolls over to become the base budget- or starting point for budget adjustments the following year.

during FY 2019-20 and other sworn staff become available for deployment and are transferred to the Airport, the Airport's sworn staff headcount will be 226.⁸

Policy Option: The Board of Supervisors could adopt a budget that funded an additional 49 sworn staff pending transfer to the Airport to instead remain in the City, keeping the Airport at its May 2020 sworn staffing level. The additional 49 sworn staff is scheduled to transfer to the Airport to support previously projected growth in Airport activities, which are now in decline.

If Academy costs for staff transferred to the Airport were pre-funded using Airport funds, the costs would have to be reimbursed to the Airport to avoid loss of Federal funding. We estimate the Academy and field training for these 49 new sworn staff would become a one-time General Fund cost of \$6.8 million, which could be offset by postponing hiring of 49 Police Officers.⁹ These 49 sworn staff that would not be transferred to the Airport would become a new ongoing cost for the General Fund of \$8.8 million, or higher depending on the job classes that returned to the City.

Transferring Sworn Functions to the Sheriff

The Board of Supervisors could consider making it City policy to rely on the Sheriff rather than the Chief of Police to provide the Airport with sworn staff. Some other airports in California rely on Sheriffs for law enforcement services, including Oakland International Airport, John Wayne Airport in Orange County, and Sacramento International Airport.

Exhibit 12 below summarizes the cost of relying on Sheriff sworn staff versus continuing to use Police sworn staff at the Airport.

⁸ Of the expected 49 transfers, the Airport expects 32 Police Officers to transfer to the Airport in FY 2020-21 and a mix of 17 other Sergeants and Lieutenants.

⁹ The Police Department reports a training cost of \$138,000 per recruit and Airport reports 49 pending transfers to the Airport; 49 * \$138,000 = \$6.8 million.

Exhibit 12: Comparison of Sworn Staff Costs

| Police | | | Sheriff | | | Cost Difference |
|------------------------|---------------|---------------------|---|---------------|---------------------|----------------------|
| Job Class Title | FTE | Cost | Job Class Title | FTE | Cost | |
| Police Officer III | 184.00 | \$33,051,560 | Deputy Sheriff | 184.00 | 29,420,391 | (3,631,169) |
| Sergeant III | 28.00 | 5,761,935 | Sheriff Sergeant / Senior Deputy Sheriff | 28.00 | 5,120,892 | (641,043) |
| Lieutenant III | 10.00 | 2,415,412 | Sheriff Lieutenant | 10.00 | 2,154,345 | (261,067) |
| Captain III | 2.00 | 579,423 | Sheriff Captain | 2.00 | 488,906 | (90,517) |
| Commander III | 1.00 | 320,689 | Sheriff Captain | 1.00 | 244,453 | (76,236) |
| Deputy Chief III | 1.00 | 389,656 | Chief Deputy Sheriff | 1.00 | 267,641 | (122,015) |
| Overtime (4%) | 0.00 | 1,700,747 | Overtime (4%) | 0.00 | 1,507,865 | (192,882) |
| Premium Pay (3.5%) | 0.00 | 1,488,154 | Premium Pay (3.5%) | 0.00 | 1,319,382 | (168,772) |
| Attrition Savings (3%) | (6.78) | (1,275,560) | Attrition Savings (3%) | (6.78) | (1,130,899) | 144,661 |
| Total | 219.22 | \$44,432,016 | | 219.22 | \$39,392,976 | (\$5,039,040) |

Source: BLA Analysis

Note: Values reflect FY 2019-20 salary and benefit costs. Overtime and premium time percentages were based on the budgeted percentages of each in FY 2019-20. Attrition was based on FY 2018-19, when there were fewer changes in staffing. FTE values are based on 177 sworn headcount reported by the Airport as of May 2020 plus the expected 49 new Police Officers in training and scheduled to join the Airport Police Bureau. The budgeted staff costs assume top wage step of the top of the journey job class. The Airport Bureau budget in FY 2019-20 noted in Exhibit 11 above is higher than in Exhibit 12 above because that budget includes 284 sworn positions, or 58 more than the Airport is currently intending to fill.

As shown above, relying on Sheriff sworn staff would save the Airport approximately \$5.0 million annually compared to budgeted Police sworn staffing costs. The savings is driven by the fact that Sheriff staff are paid less than Police staff. The Sheriff's Department does not have an equivalent position to a Police Commander, which sits between a Captain and Deputy Chief, so in the comparison above a Sheriff Captain was substituted for that position, increasing the savings. The cost comparison above also assumes half of the Sheriff supervisors are Sheriff Sergeants, similar to Police Sergeants and half are Senior Deputy Sheriffs, a Sheriff job class situated between Deputy Sheriff and Sheriff Sergeant, that also provides supervision. This analysis assumes that all non-personnel costs for the Airport Bureau remain the same as does the budget for civilian positions.

Implementation Considerations

Other Costs

In order to comply with the FAA's airport revenue diversion policies, the City may have to reimburse the Airport for its investments in Police equipment, facilities, and training that would no longer benefit the Airport. This could include \$8.8 million that the Airport contributed to the Police Department to upgrade the shooting range at a training facility

at the Airport, to the extent that Sheriff staff would not be able to access the training facility for their required shooting practice. However, this is unlikely given that, under the Airport's MOU with the Police Department, the Airport has "the final determination of use of the Police Range Training Facility." Less clear is whether the Airport would need to be reimbursed for uniforms and equipment purchased with Airport funds as well as Academy expenses and training for Police staff currently assigned to the Airport. If a Federal official determined that spending no longer benefited the Airport, the Airport would have to be reimbursed to avoid loss of Federal funding.

Under the MOU, the Airport is responsible for a proportional share of Police staff's retirement costs based on their tenure at the Airport. These costs are already incurred from prior and existing MOUs with the Police Department, and would therefore not change with the transfer of functions to the Sheriff's Department.

In addition, re-branding the exterior of patrol vehicles at the Airport from Police to Sheriff would cost approximately \$62,400.¹⁰

Sheriff Staffing

In May 2020, the Board of Supervisors approved an ordinance that requires the Sheriff to close County Jail 4 by November 2020 if certain conditions are met.¹¹ According to the Sheriff's Department, there are approximately 88 sworn staff working at that jail, including Deputy Sheriffs, Senior Deputy Sheriffs, Sheriff Sergeants, Sheriff Lieutenants, and one Sheriff Captain. Exhibit 13 below shows the estimated cost to hire 138 Deputy Sheriffs to reach the Airport's May 2020 sworn staffing level of 226 sworn staff (177 current staff plus 49 in Academy) assuming 88 Sheriff sworn staff are made available from the closure of County Jail 4.

Exhibit 13: Cost to Hire Sheriffs to Backfill Airport Police Officers

| | |
|--|---------------------|
| Airport Police Staffing* | 226 |
| County Jail #4 Sheriff Staffing | 88 |
| Remaining Sheriffs to Hire | 138 |
| Cost per Sheriff Recruit | \$91,920 |
| Total Cost to Hire 138 Sheriffs | \$12,684,960 |

Source: BLA Analysis of fiscal information provided by the Sheriff's Department

*Airport Police Staffing refers to May 2020 headcount of 177 plus 49 new staff in training during FY 2019-20.

As shown above, the estimated cost to hire a Deputy Sheriff is \$91,920; therefore the estimated cost to hire 138 Deputy Sheriffs would be approximately \$12.7 million. In FY

¹⁰ The Airport has 12 marked Police cars with an average age of three years old. According to Central Shops, repainting a patrol car would take 20 to 40 hours at approximately \$150 per hour plus \$700 in materials and supplies. Assuming 30 hours of work, this amounts to \$5,200 per car x 12 cars = \$62,400.

¹¹ Legislative File 20-0372

2019-20, the Sheriff has run five Academies with five recruits in each. The Sheriff would therefore have to expand the size of its existing Academies to hire 156 Deputy Sheriffs. By way of comparison, the Police Department held four Academies in FY 2019-20 with approximately 50 recruits in each. Hiring 138 Deputy Sheriffs would likely take two years, assuming all new Academies occur in one year and allowing for nine months of Academy and required post-Academy field training. Additional training may be necessary for Airport specific duties. If current Police Airport Bureau staff transferred to the Sheriff’s Department so that they could remain working at the Airport, fewer new Deputy Sheriffs would need to be hired and trained.

If the sworn Police staff at the Airport were transferred to the City, it would increase the number of officers available by approximately 226. This would allow the Police Department to postpone hiring 226 sworn staff, which amounts to a one-time savings of \$31.2 million.¹² This would allow the Department to absorb the officers from the Airport, though some who are available now may be lost to attrition by the time of the transition.

Exhibit 14 below shows the changes to General Fund and Airport operating fund budgets that would result from transfers law enforcement functions at the Airport to the Sheriff.

Exhibit 14: Cost Summary of Transfer of Sworn Airport Police Functions to Sheriff

| Costs | General Fund | Airport |
|---|-----------------------|----------------------|
| <u>Ongoing</u> | | |
| Transfer Airport Police to City | \$44,432,016 | (\$44,432,016) |
| Transfer County Jail 4 Budget to Airport | (18,616,818) | 18,616,818 |
| Net Ongoing Cost of New Sheriffs at Airport | 0 | 20,776,158 |
| Total Ongoing Cost (Saving) | \$25,815,198 | (\$5,039,040) |
| <u>One-time</u> | | |
| Hire 138 Sheriffs | \$0 | \$12,684,960 |
| Postpone Hiring 226 Police Officers | (31,188,000) | 0 |
| Total One-Time Cost (Saving) | (\$31,188,000) | \$12,684,960 |
| Change in City Police Staffing | 226 | |

Source: BLA Analysis

Note: All values reflected FY 2019-20 salary and benefit costs and assume 226 sworn positions budgeted for the entire year, as outlined in Exhibit 12 further above. County Jail 4 budget information from our October 17, 2019 report, “Costs & Operations at County Jail #4.” The line item Net Ongoing Cost of New Sheriffs at Airport is the balance of the Sheriff sworn staff costs in Exhibit 11 after subtracting the County Jail 4 expenditure budget that is transferred to the Airport. New Police recruits are assumed

¹² One new recruit costs approximately \$138,000, including Academy costs and field training costs.

to cost \$138,000 each; postponing 226 hires to absorb Airport staff would therefore be a one-time savings of \$31.2 million.

As shown in Exhibit 14 above, transferring sworn functions at the Airport from the Police to the Sheriff would save the Airport an estimated \$5.0 million annually and would be 11 percent less than the Airport Police Bureau's current staffing costs. Accounting for transferring the Sheriff's personnel budget for County Jail 4 to the Airport and assuming 88 Deputy Sheriffs are available for re-assignment after the closure of County Jail 4, the Airport would incur one-time training costs of \$12.7 million to hire 138 Deputy Sheriffs needed to meet the Airport total sworn headcount of 226. After the initial hiring surge to reach the required staffing levels at the Airport, the Sheriff training costs could be amortized over a longer period by following a cost-recovery mechanism the Sheriff has with other work order departments. In these cases, training costs are recovered with a training fee equal to five percent of payroll-actual cost. The fee covers the cost of both academy training and all City and State required annual training for deputies.

The City would have to fund 226 Police sworn staff at a net new ongoing General Fund cost of \$25.8 million, after accounting for the transfer of County Jail 4 budgeted costs to the Airport. New Police recruits are assumed to cost \$138,000 each; postponing 226 Police hires to absorb Airport staff would therefore be an estimated one-time General Fund savings of \$31.2 million. Exhibit 14 above does not include any reimbursements required to remain compliant with the FAA's airport revenue diversion policy.

Other potential savings

If the Police Department absorbed 226 additional sworn staff available for deployment in the City, the Department could reduce its overtime budget, as more Police Officers would be available to staff large public events and staff patrol assignments, including foot beats. For example, In FY 2018-19 the Police Department spent \$1.6 million (17,669 hours) on overtime for foot beats that could have been accomplished with regular hours. Adding 226 sworn staff would be the equivalent of adding approximately 380,765 regular hours for law enforcement assignments, which exceeds the Police Department's budgeted overtime hours of approximately 206,000 hours.¹³ Conservatively, if 20 percent of this additional regular time were to offset the Department's overtime, the overtime budget could be reduced by as much as \$7.4 million.¹⁴ This savings would be somewhat offset by unavoidable overtime, such as for court appearances, staffing public events, or overtime related to arrests and investigations.

Revising Job Descriptions

Of the 218 civilian positions budgeted in the Airport Police Bureau noted in Exhibit 11 above, approximately 200 are Community Police Service Aides or Supervising Community Police Service Aides. These are civilian positions that provide security at the

¹³ 226 staff * 2,080 annual regular hours * 81% show-up rate to account for time off = 380,765 new regular hours.

¹⁴ Assumes \$97 per hour for overtime

Airport through activities such as processing complaints, ensuring site control, enforcing parking regulations, directing traffic, and managing Airport Bureau equipment inventories. The Community Police Service Aide’s current job description states that it is a position within the Police Department. To accommodate the transfer of functions to the Sheriff’s Department, the Community Police Service Aide’s job description may have to be revised so that it is similar to the Supervising Community Police Service Aide, which states that it is a position that exists in both the Police Department and the Sheriff’s Department. According to Human Resources Department, revising the job description typically takes three months and requires a meet and confer process with relevant labor organizations.

Policy Option: The Board of Supervisors could make it City policy for the Sheriff to assume law enforcement responsibilities at the Airport and request the Airport Commission to enter into a Memorandum of Understanding with the Sheriff. This would save the Airport approximately \$5.0 million per year, but require one-time hiring costs of up to \$12.7 million. The City would have to fund 226 Police Officers currently assigned to the Airport at net new ongoing cost of approximately \$25.8 million (accounting for the closure of County Jail 4) and could consider postponing hiring 226 Police Officers, saving \$31.2 million in one-time costs. The staffing increase would allow the Police Department to reduce its overtime budget, though the amount of the overtime decrease is difficult to estimate. In addition, the City may have to reimburse the Airport for certain investments to comply with FAA airport revenue policy.

Litigation Settlements

The Budget & Appropriations Committee requested that our Office report on the Police Department’s litigation settlements. We consulted with the City Attorney’s Office, who provided the information below in Exhibit 15. “Civil Rights” refers to cases such as employment discrimination or excessive use of force complaints.

**Exhibit 15: Police Department Litigation Settlements
 FY 2013-14 through FY 2019-20**

| | Cases | Settlement Amounts |
|--------------|--------------|-------------------------------|
| Civil Rights | 73 | \$28,873,959 |
| Other | 592 | \$4,493,848 |
| Total | 665 | \$33,367,807 |

Source: City Attorney’s Office

As shown in Exhibit 15 above, between FY 2013-14 and FY 2019-20 the Police Department settled 73 civil rights cases at a cost of \$28.9 million and 592 other litigation claims at a total cost of \$4.5 million.

Staffing of Select Units and Divisions

The Budget & Appropriations Committee requested that our Office review staffing levels for certain divisions. This review is summarized in Exhibit 16 below. The positions below do *not* include any car or foot patrol, traffic company, any investigative units (except for the Gang Task Force), counter-terrorism, fiscal, information technology, the professional standards group (which works on implementing the DOJ reform efforts), internal affairs, or any management analysis groups. Definitions for obscure units follow the table below.

Exhibit 16: Staffing of Select Police Department Divisions

| Division | # of Positions | Estimated Cost |
|--|-----------------------|-----------------------|
| Alcohol Liaison Unit | | |
| Lieutenant | 1 | 232,719 |
| Management Assistant | 1 | 136,472 |
| Police Officer | 2 | 359,256 |
| Sergeant | 1 | 205,783 |
| Alcohol Liaison Unit Total | 5 | 934,231 |
| Captain's Staff | | |
| Police Officer | 25 | 4,490,701 |
| Sergeant | 6 | 1,234,700 |
| Captain's Staff Total | 31 | 5,725,402 |
| Community Engagement Division | | |
| Captain | 1 | 289,712 |
| Commander | 1 | 320,689 |
| Lieutenant | 1 | 232,719 |
| Management Assistant | 1 | 136,472 |
| Manager I | 1 | 198,509 |
| Police Cadet | 4 | 310,315 |
| Police Officer | 8 | 1,437,024 |
| Retirees | 12 | Not provided |
| Reserve Officers | 23 | Not provided |
| Senior Administrative Analyst | 1 | 169,605 |
| Senior Clerk | 1 | 99,526 |
| Sergeant | 2 | 411,567 |
| Community Engagement Division Total | 56 | 3,606,138 |
| Gang Task Force | | |
| Assistant Inspector | 1 | 195,202 |
| Clerk Typist | 1 | 99,702 |
| Lieutenant | 1 | 232,719 |
| Police Cadet | 1 | 77,579 |
| Police Officer | 1 | 179,628 |

| Division | # of Positions | Estimated Cost |
|---|-----------------------|-----------------------|
| Sergeant | 14 | 2,880,968 |
| Gang Task Force Total | 19 | 3,665,797 |
| Health Streets Operations Center | | |
| Captain | 2 | 579,423 |
| Inspector | 1 | 195,202 |
| Lieutenant | 1 | 232,719 |
| Police Officer | 25 | 4,490,701 |
| Sergeant | 4 | 823,134 |
| Health Streets Operations Center Total | 33 | 6,321,179 |
| Homeless Outreach Team | | |
| Police Officer | 27 | 4,849,957 |
| Homeless Outreach Team Total | 27 | 4,849,957 |
| Honda (Dirt bikes) | | |
| Lieutenant | 1 | 232,719 |
| Police Officer | 15 | 2,694,421 |
| Sergeant | 3 | 617,350 |
| Honda (Dirt bikes) Total | 19 | 3,544,490 |
| K-9 | | |
| Police Officer | 3 | 538,884 |
| K-9 Total | 3 | 538,884 |
| Marine Unit | | |
| Police Officer | 6 | 1,077,768 |
| Sergeant | 2 | 411,567 |
| Marine Unit Total | 8 | 1,489,335 |
| Media Relations | | |
| Clerk Typist | 1 | 99,702 |
| Management Assistant | 1 | 136,472 |
| Media Production Tech | 1 | 113,657 |
| Police Cadet | 1 | 77,579 |
| Police Officer | 2 | 359,256 |
| Retiree | 1 | Not provided |
| Public Relation Assistant | 1 | 106,782 |
| Sergeant | 1 | 205,783 |
| Director | 1 | 272,839 |
| Media Relations Total | 10 | 1,372,070 |
| Muni K-9 | | |
| Police Officer | 4 | 718,512 |
| Sergeant | 1 | 205,783 |
| Muni K-9 Total | 5 | 924,296 |
| Muni Response Team | | |

| Division | # of Positions | Estimated Cost |
|--------------------------------------|-----------------------|-----------------------|
| Police Officer | 6 | 1,077,768 |
| Sergeant | 1 | 205,783 |
| Muni Response Team Total | 7 | 1,283,552 |
| Muni Task Force | | |
| Police Officer | 3 | 538,884 |
| Sergeant | 1 | 205,783 |
| Muni Task Force Total | 4 | 744,668 |
| Public Housing | | |
| Police Officer | 40 | 7,185,122 |
| Sergeant | 5 | 1,028,917 |
| Public Housing Total | 45 | 8,214,039 |
| School Resource Officer | | |
| Police Officer | 11 | 1,975,908 |
| School Resource Officer Total | 11 | 1,975,908 |
| SWAT/Tactical | | |
| Police Officer | 24 | 4,311,073 |
| Sergeant | 4 | 823,134 |
| SWAT/Tactical Total | 28 | 5,134,207 |
| Mounted Unit | | |
| Police Officer | 8 | 1,437,024 |
| Sergeant | 1 | 205,783 |
| Stable Attendant | 6 | 597,159 |
| Mounted Unit Total | 15 | 2,239,967 |
| Grand Total | 326 | 52,564,118 |

Source: Police Department Staffing Report dated June 17, 2020

Notes: Cost refers to the top step of each job class. Non-obvious unit descriptions are below.

Alcohol Liaison Unit process alcohol license permit applications and provides enforcement.

Captains' Staff support the District Station Captain with administrative duties and community outreach.

Community Engagement Division provides outreach through public events and events targeted at youth.

Health Streets Operations Center responds to 911 calls related to homelessness and mental health crises.

Homeless Outreach Team proactively patrols areas where with high density homelessness.

The Honda Unit is motorized unit that utilizes dirt bikes as its mode of transportation. According to the Department's March 2020 staffing analysis, no other Police Department in the country has such a unit.

K-9 refers to canines used to conduct searches for suspects, narcotics, and explosives.

Marine Unit patrols the coast.

Muni has three units devoted to it: (1) a K-9 units, (2) the Muni Response Team, the uniformed presence on Muni, and (3) the Muni Task Force, which is responsible for transit-related investigations.

Public Housing refers to patrol staff assigned to specific public housing projects.

School Resource Officers refers to Police assigned to public high schools.

SWAT/Tactical refers to the City's four Special Weapons and Tactics teams, performs high-risk search and arrest warrants and support patrol units during large public events and homicides.

Mounted Unit are patrol units that rely on horses for transportation.

As shown above, these units total 326 positions. Exhibit 17 below provides the break down of these units by position.

Exhibit 17: Staffing of Select Police Department Divisions, by Positions

| Position | Count |
|-----------------|--------------|
| Officer | 210 |
| Sergeant | 47 |
| Lieutenant | 5 |
| Captain | 3 |
| Commander | 1 |
| Civilian | 60 |
| Total | 326 |

Source: Police Department Staffing Report dated June 17, 2020

As shown above, the majority of the staffing in these units consists of Police Officers, which comprise 210 or 64.4 percent of the units reviewed.

Policy Option: The Board of Supervisors should work with the Mayor, the Police Department and relevant labor organizations to evaluate its policy priorities for allocation of Police Department resources. The Board of Supervisors could request the Chief of Police to decrease staffing levels in areas that are not Board priorities in order to increase staffing levels in units that are Board priorities.

Policy Options

1. The Board of Supervisors could request that the Police Department and Human Resources Department provide a report no later than December 31, 2020 with an update on the negotiations with the Police Officers Association regarding civilianization. If an agreement is reached, the Board of Supervisors could authorize new civilian positions later in FY 2020-21.
2. The Board of Supervisors could request that the Police Department submit the Charter-required annual civilianization assessment and recommendations to the Mayor and Board of Supervisors with its annual budget submission to the Mayor.

3. The Board of Supervisors could adopt a budget that funded an additional 49 sworn staff pending transfer to the Airport to instead remain in the City, keeping the Airport at its May 2020 sworn staffing level. The additional 49 sworn staff are scheduled for transfer to the Airport to support previously projected growth in Airport activities, which are now in decline. If Academy costs for staff transferred to the Airport were pre-funded using Airport funds, the costs would have to be reimbursed to the Airport to avoid loss of Federal funding. We estimate the Academy and field training for these 49 new sworn staff would become a one-time General Fund cost of \$6.8 million, which could be offset by postponing hiring of 49 Police Officers. These 49 sworn staff transferred from the Airport would become a new ongoing cost for the General Fund of at least \$8.8 million, or higher, depending on the job classes that returned to the City.
4. The Board of Supervisors could make it City policy for the Sheriff to assume law enforcement responsibilities at the Airport and request the Airport Commission to enter into a Memorandum of Understanding with the Sheriff. If approved by the Mayor, this would save the Airport approximately \$5.0 million per year but require one-time hiring costs of up to \$15.6 million. The City would have to fund 226 Police Officers currently assigned to the Airport at net new ongoing cost of approximately \$25.8 million (accounting for the closure of County Jail 4) and could consider postponing hiring 226 Police Officers, saving \$31.2 million in one-time costs. In addition, the City may have to reimburse the Airport for certain investments to comply with FAA airport revenue policy.
5. The Board of Supervisors should work with the Mayor, the Police Department, and relevant labor organizations to evaluate its policy priorities for allocation of Police Department resources. The Board of Supervisors could request the Chief of Police to decrease staffing levels in areas that are not Board priorities in order to increase staffing levels in units that are Board priorities.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
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TDD/TTY No. 554-5227

MEMORANDUM

TO: William Scott, Police Chief, Police Department
Severin Campbell, Office of the Budget and Legislative Analyst

FROM: Linda Wong, Assistant Clerk
Budget and Appropriations Committee

DATE: June 1, 2020

SUBJECT: HEARING MATTER INTRODUCED

The Board of Supervisors' Budget and Appropriations Committee has received the following hearing request, introduced by Supervisor Sandra Lee Fewer:

File No. 200531

Hearing on the budget for the Police Department, including an analysis of changes over the last decade, structure for the department, and COVID-19-related impacts on services, revenues and expenditures; and requesting the Police Department and the Budget and Legislative Analyst to report.

Pursuant to the hearing request, you or a representative will be expected to attend and present on the subject when this matter is agendaized.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Rowena Carr, Police Department
Asja Steeves, Police Department
Nicholas Menard, Office of the Budget and Legislative Analyst

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only