

Oakland Police Department Office of Internal Accountability



Audit of Field Training Officer Selection, Certification, and Decertification

By Auditor Jan “Juanito” Rus

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CITY OF OAKLAND

Memorandum

To: Chief Floyd Mitchell
From: Bureau of Risk Management
Date: September 3, 2025
Subject: **Audit of Field Training Officer Selection, Certification, and Decertification**

Beginning in 2016, the OPD Office of Internal Accountability (OIA) had conducted a series of audits of the Field Training Program focusing on the nomination, certification, and decertification of FTOs. In October 2023, the Office of Internal Accountability (OIA) initiated what was initially designed to be a simple compliance inspection to follow up on the issues raised in the prior audits, especially the 2021 inspection, and to assess the Department improvement in achieving full compliance with policy on the issues discussed in the official departmental response to that audit.

The scope of this audit consisted of a review of Field Training Officer FTO selection, certification, and decertification requirements and processes, during the period of January 2022 – September 2023, to assess the completeness of the FTO testing files and if all FTO nomination qualifications, certification, decertification, recertification, and training requirements were met.

This audit is part of OPD's ongoing efforts to continually improve its systems, processes, and practices through self-assessment.

Respectfully,



Deputy Chief Lisa Ausmus
Bureau of Risk Management
Oakland Police Department

Audit of Field Training Officer Selection, Certification, and Decertification

By Auditor Jan “Juanito” Rus

Objectives

1. Determine if the department complied with its formal response to the Office of Internal Accountability’s 2021 Audit of Field Training Officer Selection, Decertification, and Training
2. Determine if all Field Training Officer (FTO) qualification requirements were documented and reviewed by the appropriate chain of command for the FTO selection processes conducted in 2020 and 2021.
3. Determine if FTO Oral Boards were convened for each FTO selection process, comprised of all the personnel listed in policy, and included all the required testing mechanisms.
4. Determine if the Department followed policy in their decertification process.
5. Determine if the current Department policy and practice continue to adequately address risk management issues associated with the nomination and certification of Field Training Officers

Key Strengths

1. Testing files for all officers nominated, recertified, or decertified to serve as FTOs during the inspection period were complete, and members of the Field Training Unit were diligent in assuring that all such files were well organized, clearly labeled, and easy to access.
2. The FTU updated nomination forms in accordance with the recommendations of the OIA’s 2021 audit and continued to engage with both past and current auditor recommendations regarding these forms.
3. The BFO Deputy Chief convened Oral Boards comprised of all personnel listed in policy beginning with the nominee cohort certified in April 2023.
4. The FTU received regular updates about sustained IAD complaints and supervisory monitoring by the PAS unit for current FTOs

and acted quickly to either decertify or temporarily disallow FTOs from training new officers as appropriate when informed of the presumption of an adverse action by either unit.

Key Weaknesses

1. Data and written answers created by nominating sergeants that went beyond minimum qualifications were found to vary in quality and to introduce potential errors to the review process.
2. Department policy does not prohibit officers with a sustained out-of-compliance use of force from teaching other officers for 3 years per California Code §7286(b)(18)
3. Policy has not kept pace with changes in department data and risk management processes and serves to aggravate potential risks while simultaneously requiring substantial administrative efforts of both nominating Sergeants and members of the Field Training Unit.
4. Supervising officers completing command review reports did not add separate comments addressing all FTO nominee IAD sustains in the two years prior to their nomination per Department policy.

Key Recommendations

1. The department should create a module in Vision for the FTO program, and most nomination processes should be migrated to that system.
2. The department should review and revise DGO B-08, *Field Training Program*.
3. The Chief of Police should issue a Special Order to bring Department training and force policies into compliance with California Code §7286(b)(18)

Executive Summary

The OPD's Field Training Program exists to help new police officers make the transition from what they learned in the police basic academy to performing general law enforcement uniformed patrol duties competently in the field. Upon completion of the academy, the trainee officers are assigned to the Patrol Division to complete the Field Training Program.¹ Field Training Officers (FTOs), are experienced senior officers who coach, mentor, teach, counsel, lead, and evaluate trainee officers for 16 weeks prior to those trainees being assigned to their own beat as a solo officer. The Field Training Unit (FTU) facilitates and oversees the program, including the recruitment, nomination, and testing of FTOs.

Field Training Officers teach trainee officers by demonstrating how to use the knowledge they received in the academy in practice on patrol. Since FTOs serve as role models for trainee officers, it is critical for the Department to carefully evaluate and select the most suitable officers to fill the FTO position. Therefore, department policy requires FTOs to possess a variety of skills and experience, including, but not limited to, leadership skills, a minimum of three years as a police officer, and a commitment to community policing.

Beginning in 2016, the OPD Office of Internal Accountability (OIA) has conducted a series of audits of the Field Training Program focusing on the nomination, certification, and decertification of FTOs. In October 2023, the Office of Internal Accountability (OIA) initiated what was initially designed to be a simple compliance inspection to follow up on the issues raised in the prior audits, especially the 2021 inspection, and to assess the Department's improvement in achieving full compliance with policy on the issues discussed in the official departmental response to that audit.

The auditor found the FTU to be responsive to requests and recommendations, and for those tasks that are solely reliant on FTU personnel and related to the issues raised in the 2021 review that the Department agreed to address in their formal response, the audit found across-the-board improvements in compliance with the policy mandates of Department General Order B-08, Field Training Program. All officers certified to be FTO's during the inspection period were found to meet the requirements outlined in DGO B-08. Moreover, the Field Training Unit (FTU) maintained physical files for each nominee to the program that included all components required by the policy, with some exceptions as noted further in this audit's findings. These files included nomination forms that were changed in accordance with the prior audit's recommendations. Likewise, unit members created spreadsheets to track and document all aspects of the program and convened oral examination boards to evaluate candidates, consisting of all members required by policy, including the Deputy Chief in command of the Bureau of Field Operations. These compliance aspects of the audit collectively form the first part of this audit, comprised of the first 12 findings and five (5) recommendations.

After assessing the FTU's compliance with the recommendations of past audits, the auditor undertook a more thorough review of the data and narrative answers in nomination materials and compared these answers to primary source materials from the nominated officers' personnel files and other OPD data systems in Vision.² This review revealed that a significant number of the written nomination materials submitted by nominating sergeants contained data that was missing, approximate, or erroneous. While all officers certified during the inspection period were found to meet the minimum qualifications to be

¹ Departmental General Order (DGO) B-08, *Field Training Program*, effective date June 2, 2014. IV.A.1. Pg. 8

² Vision is the Department's centralized data system and includes officer personnel files.

an FTO under department policy, the auditor assessed that the disconnect and disparities between the data available through the OPD's digital data infrastructure and the written materials submitted in nomination packets creates both an active risk that an unqualified officer could be certified and a passive risk that flawed documentation of the certification process could complicate the department's ability to demonstrate effective screening procedures were an issue with the FTO program or any of the officers serving in that role to arise.

However, the auditor also assessed the reviews of each nominee by their chain-of-command, also included in the nomination materials, and determined that command staff largely relies on Vision when assessing FTO nominations instead of the materials collected and compiled by nominating sergeants. Therefore, the active risk that an unqualified officer could be nominated to serve as an FTO due to errors in their nomination materials is mitigated by the degree to which that written documentation plays little to no role in the actual assessment of the nominees in favor of primary source data readily available to all reviewers in the nominee's chain of command through Vision.

This disconnect between the detailed policy instructions related to the collection and preparation of written nomination packets by nominating sergeants and the auditor's determination that reviewers largely assess nominees based on primary sources instead of the assembled nomination materials made the auditor question whether current department policy and practice with respect to FTO nomination and certification serves to mitigate risk as originally intended or has instead become itself a source of additional departmental risk. With the audit focused on the sources of departmental risk, and not mere compliance with department policy, the original plan for a simple compliance inspection evolved into what is better characterized as a management or process audit.

When examined in this way, the source cause of many of the data issues identified by the auditor became clear. The primary policy guiding all aspects of the FTO program, DGO B-08, was initially adopted in early 2014 with a 5-year review window but has not been revised since, despite significant changes to both department data and risk management practices and state law. The FTO nomination process outlined in policy is full of time-intensive requirements that nominating Sergeants and members of the FTU gather and compile information about nominees in physical files that are disconnected from the current data infrastructure, Vision, that the department uses to store and share that information in almost every other context. Furthermore, the existing policy was not updated to reflect a 2021 change in state law that created more stringent restrictions on the ability of officers to serve as department training staff for 3 years if they have a sustained out-of-compliance use of force, potentially allowing officers who are prohibited from training activities under the California Criminal Code to serve as FTOs under OPD policy. Therefore, the auditor strongly recommends that the Department engage in a rigorous review and revision of all aspects of DGO B-08 related to the nomination process, and that it should, where possible, substitute access to primary data sources for the current written forms and practices. This would serve to not only mitigate the identified risks but could also significantly reduce the burden placed on both members of the FTU and patrol sergeants who nominate FTO candidates to comply with time-intensive policy requirements that do not meaningfully contribute to the assessment of these candidates to be FTOs.

Finally, to fully align the FTO nomination process with other OPD infrastructure, the auditor recommends that the department create a module in Vision to directly connect the data required to fully assess FTO nominees to primary digital sources.

Background

The Field Training Program plays a critical role in training and influencing new police officers after they complete their basic academy training. The 16-week program pairs police officer trainees with experienced police officers in the field so that trainees can get field experience with guidance and oversight before being released as solo officers. Field Training Officers serve as role models to the trainees and must therefore be thoroughly vetted before being selected to mentor and guide new police officers. Department General Order B-08, *Field Training Program*, outlines the minimum qualifications and selection process for becoming an FTO.

For a more complete description of the OPD's policy requirements related to the selection, certification, and decertification of field training officers, please see Appendix A.

Prior Review

In 2016, the OPD OIG (now the OIA) published a review of the Field Training Program, which focused on the Program's efforts to assess the continued suitability of FTOs and the selection and certification documentation of active FTOs.³ That audit produced two primary recommendations. The first of these was that the Department should amend policy to enshrine the FTO's practice of reviewing a range of performance indicators when assessing nominees. The second was that the department eliminate the screening panel requirement from the nomination process because "convening screening panels presented scheduling problems and created unnecessary redundancy."

While the first of these recommendations led to further development and refinement of the forms used as part of the nomination process, no changes were made to department policy, and the OIA continued to conduct periodic follow-up inspections of the FTO nomination process that repeated and expanded on the 2016 audit recommendations.

In 2021, the OIA follow-up FTO audit focused on the Department's four nomination and selection processes that occurred in 2020 and 2021 and resulted in the certification of 52 FTOs. That Inspection included 12 Findings and 7 Recommendations to further improve the nomination process, and in response, the department's Training Division Commander agreed to 5 concrete changes outlined in a memo submitted to the OIA on June 16, 2022.⁴

Department Response

The 2022 response memo outlined steps that the Department would take in five (5) areas in which the audit noted deficiencies or lack of compliance. In each of the five (5) responses, the Department's Training Division agreed with the recommendation and detailed the road to compliance. These five responses were as follows:

³ January 2016 Monthly Progress Report of the Office of Inspector General. <https://oaklandca.s3.us-west-1.amazonaws.com/government/o/OPD/a/publicreports/oak056601.pdf>

⁴ *Department Response to FTO Audit*, Memo dated June 16, 2022

“1. Recommendations 1-2: Updating the FTO nomination forms

...The nomination forms are updated, and the Field Training Unit (FTU) will ensure that nomination forms are completed accurately or will be deemed incomplete and ineligible for processing.

2. Recommendation 3: Oral Boards

...The FTU will ensure that a BFO Deputy Chief serves as a chairperson, and the board is comprised of the personnel outlined in DGO B-08, Section II.D.3.

3. Recommendation 4: Screening Panel

...Training values the importance of the screening panel and will ensure that a BFO Deputy Chief convenes an FTO Screening Panel as defined in DGO B-08, Section III

4. Recommendation 5: FTU Training on DGO B-8

...Refresher training will be completed for all current FTU personnel and training will be implemented for all newly acquired personnel, including a recently loaned officer assisting on modified duty.

5. Recommendations 6-7: Class I Complaints and Supervisory Monitoring/Intervention

...IAD emails the Training Commander an updated list of personnel that recently received a Class-1 sustained finding every two weeks. Each month, the PAS Unit supervisor emails the Training Commander a report that lists all employees on Supervisory Monitoring and Intervention. The Training commander is thereafter responsible for following up with the FTU to ensure that any Field Training Officer that appears on either the IAD or PAS list is considered for decertification. Additional considerations are simultaneously made to temporarily disallow the FTO from training new officers pending results of the decertification consideration.”

These five department responses to the 2021 audit form the core of the compliance portion of the current audit.

Scope/Population and Methodology

The scope of this audit consisted of a review of Field Training Officer FTO selection, certification, and decertification requirements and processes, during the period of January 2022 – September 2023, to assess the completeness of the FTO testing files and if all FTO nomination qualifications, certification, decertification, recertification, and training requirements were met. The Auditor reviewed the FTO testing files to verify they included:

- A completed FTO Nomination/Recertification Questionnaire to establish that the FTO met the qualifications outlined in policy
- All required supporting documentation
- A completed Area Command Review Report
- A completed BFO Deputy Chief Review Report, to include comments on all sustained complaints in the two years preceding nomination
- Evidence of an FTO Oral Board examination and Screening Panel
- Attendance at an FTO Certification Course
- Evidence of certification by the Chief of Police

The Auditor also reviewed the Vision⁵ personnel summary report for each officer certified during the review period capturing all data for up to 36 months prior to the nomination to confirm the accuracy of the data entered in the Nomination/Recertification Questionnaire and Matrix Report, and conducted a detailed review of the written portions of the nomination materials including the responses to prompts about the nominated officer's performance of their duties and alignment with Department goals provided by nominating sergeants, and examination materials from the Oral Board examinations.

The Auditor reviewed FTO testing files for all FTOs decertified during the review period to ensure that a memorandum of decertification was present in their files, the memorandums provided the dates and reasons for decertification, and the decertification dates matched the decertification date recorded on the FTU spreadsheet.

Audit Population

The Auditor requested and obtained, via the Field Training Unit, a list and spreadsheet of all field training officers (FTOs) in the Field Training Unit, including their FTO certification date, serial numbers, and current FTO status (i.e., active, recertified, decertified), during the inspection period of January 1, 2022 – September 30, 2023.

During the inspection period, the FTU held two (2) FTO Nomination/Selection processes, resulting in the certification of 36 field training officers (FTOs), 23 on March 18, 2022, and 13 on April 21, 2023.

16 Officers were decertified during the inspection period, including 7 who were certified in the March 2022 and April 2023 cohorts.

References

- **Department General Order B-08, *Field Training Program***, effective date June 2, 2014
- **Audit of Field Training Officer Selection, Decertification, and Training** (OPD OIG 4th Quarterly Report, 2021). <https://cao-94612.s3.us-west-2.amazonaws.com/documents/OIG-2021-4th-Quarterly-Report-FINAL.pdf>
- **Department Response to FTO Audit**, Memo from Training Division Commander dated June 16, 2022
- **Review of Field Training Program**, Auditors: Charlotte Hines and Rose Sutton, Office of Inspector General: January 2016 Monthly Progress Report of the Office of Inspector General.

⁵ Vision is the Department's centralized data system, including officer personnel files.

Part I – Compliance Audit

The first section of this audit consists of 13 findings and six (6) recommendations related to the auditor's assessment of Department compliance with its formal response to the Office of Internal Accountability's 2021 *Audit of Field Training Officer Selection, Decertification, and Training*, and the policy requirements of DGO B-08, *Field Training Program*. This section addresses how well the Field Training Unit and others involved in the FTO nomination and certification process have followed Department policy, and their responsiveness to the recommendations of past OIA audits.

However, as the auditor tested these processes and began to review the FTO nomination materials question in further detail, it became clear that many of the formal policy requirements under examination are detached from current department practice on data retrieval and compilation. Additionally, the current policy requirements create an unnecessary burden on those tasked with completing nomination packets. Therefore, the auditor added a second section with findings and recommendations focused on risks that might arise from the disconnect between policy requirements and the Department's current practice of compiling data from its data systems.

Finding 1

Testing files for all officers nominated, recertified or decertified as FTOs during the inspection period were complete, including each officer's original nomination form, matrix, chain of command review reports, graded FTO certification exams including examination notes, documentation showing participation in FTO training, copies of all letters to that officer indicating changes in FTO program status, and copies of all use-of-force reports associated with that officer from the 30 months preceding the nomination. Furthermore, these files were well-maintained and organized by members of the FTU and were easily accessible for review.

DGO B-08 requires the Field Training Unit (FTU) to create and maintain a "testing file" for every officer nominated to become a Field Training Officer. The process of creating and maintaining each nominee's "testing file" requires significant administrative work by both the nominating sergeant and members of the FTU who maintain the file. The FTU begins the process by providing sergeants with extensive technical assistance to ensure that there are enough nominations to fulfill the department's field training needs, and nomination materials include all required information to demonstrate that a nominee meets the minimum qualifications to become an FTO. The FTU then gathers supporting materials, including use of force reports, for inclusion in the file and circulates the testing files to the nominee's chain of command for review, reports, and approvals.

Initially, therefore, the testing file must include the following documents:

1. An FTO Nomination/Recertification Matrix Report (TF-3249);
2. All Use of Force Reports for a period of 30 months preceding the nomination;
3. An Area Command Review Report (TF – 3314); and
4. A BFO Deputy Chief Review Report (TF-3315).”⁶

After the nominee has been approved to participate in the FTO certification process, the FTU assists with Oral Board examinations of all nominees and adds all testing materials to the file, prepares final letters certifying the FTO for approval by the Chief of Police, which is sent to the nominee with a copy placed in the testing file. And records each nominee’s participation in FTO training, including maintaining copies of lesson plans and sign-in sheets, which are also added to each file.

Finally, if a nominee is recertified or decertified, or requires refresher training, the FTU adds documentation of those changes to each file as well.

For the purposes of the initial compliance questions associated with this inspection, the auditor found the Field Training Unit’s maintenance of officer testing files, and of all existing FTO nomination/certification/decertification related information to be exemplary. Every individual officer folder examined in the review was found to contain all relevant and required documentation per DGO B-08. All files reviewed by the auditor were well organized, clearly labeled, and were maintained in a central, easily accessible filing system in a manner that allowed the auditor to easily review the documentation. The auditor further reviewed and was able to confirm that copies of all force reports related to each nominee’s uses of force over the prior 30 months were printed from the Vision Use of Force module, and that these were attached to each file per department policy.

Furthermore, the auditor found members of the Field Training Unit to be helpful and responsive to auditor requests and were able to easily locate and provide documentation supporting all their responses to auditor inquiries.

Finding 2

The FTU updated the FTO nomination forms in accordance with the recommendations of the OIA’s 2021 audit and made additional improvements to the form subsequent to 2021.

The 2021 OIA audit of the Field Training program nomination, certification, and decertification processes found that the Nomination/Recertification Matrix Report (TF-3249) in use at that time did not have data fields or narrative prompts related to several FTO qualifications required by DGO B-08. Specifically, the nomination forms had no fields or specific questions to document the number of years the nominee had worked in patrol (nominees are required to have at least 2 years of experience in patrol) and the quality of their citizen contacts.

In response to this finding, the FTU worked with the auditor who conducted that inspection to update the nomination forms to guarantee that they include all relevant and required information, changes that had largely been implemented by the time the Department issued its formal response to the audit in June

⁶ DGO B-08, pg. 4

2022 which stated, in part, that “The Training Division agrees and complies with the recommendations. The nomination forms are updated.”⁷

The current auditor found that all recommended changes to the nomination materials had been implemented and that the forms now include all qualification requirements mandated by DGO B-08, including the number of years the officer has served in patrol, and a narrative prompt related to the quality of the nominee’s citizen contacts. Moreover, FTU officers continued to work with the previous auditor to modify the nomination forms to facilitate their submission and to help guarantee that relevant information is fully captured and documented after the formal Department response to the audit referenced above.

Between the March 2022 and April 2023 cohorts of FTO nominations, the FTU implemented additional changes to the nomination form and matrix to help sergeants compile the required data and to push reviewers to document that they assessed key aspects of a nominee’s history enumerated in DGO B-08. These included the addition of the start and end dates of the 24-month window for which data is reported in the nomination materials in order to facilitate and clarify the materials and information required to correctly complete the form, and additional language added to the nomination review reports at each level of the nominee’s chain of command reminding the approving officer to add written comments if that nominee’s use of force and IA complaint history in the previous 2 years could be considered “excessive” (no such comment is necessary if, for example, the officer had no history of IA complaints). While there was still no definition added to the policy related to the meaning of “excessive” as it applies to the number of complaints or uses of force, the inclusion of a prompt and checkbox requiring reviewing officers to affirm that they found nothing excessive in these histories establishes a physical record that these issues were considered during the review process.

Finding 3

The BFO Deputy Chief convened a panel consisting of all five (5) members required by policy to conduct FTO Oral Boards for officers nominated to the program beginning with the FTO cohort certified in April 2023, in accordance with DGO B-08.

After an officer is nominated to serve as an FTO by their supervising sergeant, and their nomination has been reviewed and approved by their chain of command up to the Deputy Chief of the Bureau of Field Operations (BFO DC), the primary screening employed by the department to assess each nominee’s qualifications for selection to the program occurs during an Oral Board Examination. For this step, each nominee appears before a group of senior officers specifically empaneled to administer and evaluate their responses to several field-training-based scenario questions, a brief report writing exercise, and any additional questions that the examiners may have as part of the interview process.

One of the key findings of the 2021 OIA audit of the Field Training Selection/Deselection process was that the Oral Board convened to administer the exam and evaluation process did not consist of all members required by policy. According to DGO B-08:

⁷ *Department Response to FTO Audit*, Memo from Training Division Commander dated June 16, 2022

“The BFO Deputy Chief shall convene an FTO Oral Board comprised of the following personnel:

- a. BFO Deputy Chief (Chairperson);*
- b. The FTPC;*
- c. The Training Section Commander;*
- d. A Lieutenant of Police who has worked in the Patrol Division as a commander; and,*
- e. A Sergeant of Police who has worked in the Patrol Division as a supervisor.”*

However, the 2021 audit revealed that the full panel had not participated in the oral exam process in any cohort of nominees that were reviewed. That audit recommended that the Department ensure that future Oral Boards be constituted of all members required by policy. In its formal response, the Training Division Commander agreed with this recommendation and affirmed that, going forward, the BFO Deputy Chief would convene Oral Boards with the full complement of senior officers required by policy.

For the first cohort of nominees to the FTO program examined as part of the current inspection, certified on March 18, 2022, the Oral Board fell short of the required personnel, and instead consisted of the Training Section Commander, a Lieutenant in rank, and two members of the FTU including the FTPC, a Sergeant of Police in rank, and an officer with patrol experience. This Oral Board was consistent with those found deficient in the 2021 audit.

For the second FTO cohort examined, certified on April 21, 2023, the auditor found that the BFO Deputy Chief convened an Oral Board that consisted of all members required by DGO B-08. When the auditor asked members of the FTU about the Oral Board and the experience of empaneling the full complement of examiners required by policy, there was an overwhelmingly positive reaction to the change. According to FTU personnel, the presence of senior department command staff added gravity to the proceedings and demonstrated the importance of the Field Training Program to the Department for the officers nominated to participate in the exam. They further expressed their belief that this had not only benefitted the exam process for the FTU but that the nominees participating in the exam appreciated the change as well.

After the inspection period, FTU members presented to the auditor that the BFO Deputy Chief has continued to convene the full complement of Oral Board members for subsequent FTO cohorts. The auditor was able to confirm that the full group also met for the Oral Board examinations for the FTO cohort that was certified in November 2023. However, that fell after the inspection period.

Finding 4

Documentation related to FTO Oral Exams included in the FTO testing file for every officer nominated to the FTO program during the inspection period was found to be complete, with all original test materials attached including each examiner’s evaluation/grading sheets and comments, copies of all report writing exercises with all errors clearly marked and graded according to a consistent grading rubric, and all score calculations based on the examiner grades and corrected written exercises clearly calculated and correct.⁸

⁸ The auditor reviewed all test scoring to assess both consistency and accuracy in calculating total scores and found no errors in any of the documents maintained in nominations from the inspection period.

In addition to its review of the composition of each Oral Board convened during the inspection period, as described in Finding 3, the auditor also reviewed all testing materials that were attached to each nominee's testing file. These materials consisted of the nominee's report writing exercise, their answers to the short scenario-based questions, and each reviewer's notes and assessment worksheets. The auditor reviewed each exam to assess whether all components were properly attached to the file, scoring was consistent and matched a clear rubric, and each examiner's notes and assessments clearly documented their reasoning and/or concerns with each question.

The auditor found all exam materials maintained in the nominee testing files, including short answers, report writing exercises, examiner notes, and assessment worksheets for each member of the oral board examining each nominee to be of excellent quality. All report writing exercises were found to be clearly and consistently graded according to a grading rubric. Assessment of candidate oral answers to scenario-based exercises were well documented. The examiner's notes demonstrated that an oral interview had occurred.

The auditor also reviewed all exam scoring to assure that no mistakes were made, and all final exam scores and rankings from each cohort that participated in the oral exam process during the inspection period correctly reflected the source materials in the testing files. This review did not reveal any mistakes or issues.

In all, the auditor found documentation of the oral exam process in each nominee's testing file to be clear, transparent, and objective.

Finding 5

The BFO Deputy Chief did not convene a screening panel to rank prospective FTO officers and finalize selections into the program per the requirements of DGO B-08. However, the FTU did conduct a screening of nominees without empaneling a screening panel based solely on each candidate's combined exam scores, and only the top 75% of candidates were admitted to the program on this basis.

DGO B-08 requires that in addition to the Oral Board that is convened to examine FTO nominees (the subject of the prior 2 findings in this audit), the Field Training Unit is also required to convene a screening panel to rank nominees and make final selections of candidates to forward to the Chief of Police to be approved as Field Training Officers.

As with the specific language about Oral Board membership, DGO B-08 has specific requirements for the membership of the Screening Panel, which "[shall] be comprised of the following personnel:

- a. BFO Deputy Chief (Panel Chairperson);
- b. All Area Commanders;
- c. Office of the Inspector General Commander;
- d. Internal Affairs Division Commander;
- e. Use of Force subject Matter Expert; and
- f. FTPC."⁹

⁹ DGO B-08, pg. 6

Despite this clear requirement in the policy, however, every OIG/OIA inspection of the FTO nomination process stretching to the 2016 audit has found that the FTU failed to convene screening panels as required and recommended that the department eliminate that requirement from department policy as it has been found to largely duplicate other risk-management aspects of the FTO certification processes.¹⁰ Moreover, the requirement to empanel a screening panel is significantly more complex, and coordination is more difficult than these other risk management requirements, in that there are 10 named positions from across the top levels of Department sworn leadership that are all required to attend and participate in the screening.

Nevertheless, in its formal response to the 2021 audit, the Department asserted that it agreed with the finding that no screening had been convened and that “Training values the importance of the Screening Panel and will ensure that a BFO Deputy Chief convenes an FTO screening panel as defined in DGO B-08, Section III.”¹¹ Therefore, the auditor asked the FTU whether a screening panel had convened for either the March 2022 or April 2023 cohorts of FTO nominees.

FTU members responded that, to date, the BFO Deputy Chief has still not convened a screening panel per policy for any incoming cohort of FTO nominees due to the difficulty of calendaring a single time when all parties named by the policy for this purpose are available to participate. However, in lieu of the screening panel requirement, the unit screens nominees of each cohort by ranking them according to their combined scores from the oral board exam components, and then forwards the names of the top 75% of nominees by score to the Chief of Police for certification. The auditor was presented with these Oral Board test rankings for each of the March 2022 and April 2023 FTO exam cohorts and confirmed that only the top 75% of nominees by test score had their nominations forwarded to the Chief of Police for final approval.

Recommendation 1

The Department should eliminate all requirements for a Screening Panel as currently required by DGO B-08. In addition, the Department should enshrine the current practice of ranking and screening nominees by exam score in policy. If the Department determines that a more involved final screening of nominees is necessary, this would be better accomplished by including it as a separate agenda item in the Department’s regularly scheduled risk management meeting.

The OIA has recommended the elimination of the Screening Panel requirements of DGO B-08 in each audit of the FTO nomination process, going back to 2016¹², and the current auditor agrees with this assessment.

When the current FTO policy was enacted in 2014, the screening panel requirement for FTO nominees was designed to be the final risk assessment stage prior to their certification by bringing compartmentalized parts of the department’s risk management structure at that time together to ensure that no foreseeable risks would be missed. Given the large departmental changes in both data and risk management practice since 2014, however, it is difficult to view this requirement as adding value to the

¹⁰ Audit of Field Training Officer Selection, Decertification, and Training Finding #7

¹¹ Department Response to FTO Audit, memo dated June 16, 2022

¹² 2016 *Review of Field Training Program* – Finding #3; and 2021 Audit of Field Training Officer Selection, Decertification, and Training – Finding #7

process commensurate with the cost and complexity of assembling this specific set of individuals for each cohort of FTO nominees.

Using Vision, Command staff at both the nomination stage and at the Oral Board have access to all aspects of each candidate's personnel files, including both open and closed Internal Affairs complaints and investigations, and all uses of force. Therefore, insofar as all nominees have been found to meet the basic qualifications to serve as an FTO and have been reviewed for suitability through their chain of command up to the level of the BFO Deputy Chief prior to being allowed to sit for the Oral Board exams, the current auditor agrees with prior auditor assessments that the screening panel as described in policy is duplicative from a risk assessment/management perspective. The auditor further finds the FTU claim that it is prohibitively difficult to schedule the full screening panel as described in department policy DGO B-08 in a timely manner to be credible, and therefore agrees with prior recommendations that it be eliminated in its current form.

In addition to this assessment of the duplicative nature and difficult scheduling problems associated with the screening panel as described in policy however, the auditor also notes that because nominees to the FTO program have been deemed both minimally qualified and suitable to serve as FTOs by their chain of command through the nomination and review report requirements of DGO B-08, the current practice of ranking and screening based solely on a nominee's scores on the components of the Oral Board exam provides a simple, objective, and reviewable basis to select those candidates whose names are forwarded to the chief for certification as an FTO, while the screening panel requirement in policy provides no clear guidance as to what, if any, objective measures that panel should consider when comparing nominees and selecting those that they forward to the Chief for certification. Current practice therefore potentially improves the transparency and objectivity of the final screening stage of the nomination process when compared to the screening panel requirement of DGO B-08 and should therefore be enshrined in any revision of the policy.

If, however, the Department determines that a final risk-management screening of FTO nominees remains necessary and important per the official response to the 2021 audit, the auditor recommends that this evaluation be included as a separate agenda item at the first regularly scheduled department-wide risk management meeting immediately following the oral board examination process, as these meetings already include participation by most of the members included in the DGO B-08 screening panel requirement, and are also focused on many of the same risks as they relate to officers selected for supervisory monitoring.

Finding 6

All members of the Field Training Unit and the Training Division Commander reported that members of the unit were provided refresher training on the requirements of DGO B-08, which was recommended in the 2021 OIA Audit. However, the auditor was unable to locate any formal records of this training, either in the form of physical documentation or entries in the training portions of the personnel files in Vision for members of the FTU.

The 2021 OIA Audit of Field Training Officer Selection, Decertification, and Training found that issues with FTU compliance with the requirements of DGO B-08 – especially specific requirements related to the composition of Oral Board and Selection panels and certain required minimum standards for FTO candidates that may not have been captured in prior nomination forms – was due to the members of the

FTU lacking in-depth knowledge of the policy. The audit also identified a lack of consistent training on DGO B-08 and related departmental policies for members of the FTU as an ongoing deficiency needing correction and recommended that all members of the FTU receive such training.

In its formal response to this inspection, the Department asserted that it agreed with this recommendation and that the Training Division Commander would provide all members of the FTU additional training on the specific requirements of DGO B-08.

During separate interviews with both the FTU and the Training Division commander, the auditor inquired as to whether this additional training had been provided per the prior audit's recommendation and department response. Both the members of the FTU and the Training Division Commander separately asserted that the training had occurred during a series of in-person meetings between the commander and members of the unit in early 2023. However, because this additional refresher training was not formalized with a syllabus, sign-in sheet, or training entries added to FTU members' personnel files in Vision, the auditor was unable to document it beyond the assertion of the parties who participated.

The auditor finds the assertion that additional training on DGO B-08 was provided to members of the FTU to be credible based on FTU personnel's demonstrated familiarity with policies related to requirements for FTO nominees and FTU processes expressed during interviews with the auditor conducted as part of the inspection. However, the auditor suggests that future trainings of this type provided to existing or new personnel assigned to the FTU be formalized and documented with lesson plans and entries to the attending officers' training records in Vision.

Recommendation 2

The FTU should design a training for incoming members to ensure that they know and understand the requirements of DGO B-08, and all future trainings provided to existing or new personnel assigned to the FTU should be formalized and documented with lesson plans and entries to the attending officers' training records in Vision.

Finding 7

During the inspection period, the FTU received regular updates on sustained misconduct allegations from IAD and changes to supervisory monitoring status for active FTOs from the PAS unit through the Training Division Commander. During the inspection period, two (2) active FTOs were temporarily excluded from receiving a new trainee because they were put under PAS monitoring, three (3) active FTOs were decertified after receiving a sustained Class I IAD allegation, and one officer was temporarily de-certified due to a presumption of a sustained Class I allegation but was later recertified when the final investigation was completed, and the allegation was changed to a Class II.¹³

FTO officers must be held to the highest standards of conduct, given the critical role they play in creating the culture and shaping the practice of patrol work for new trainees. The 2021 Audit of FTO Nomination, Certification, and Decertification practices found that initial screenings of nominees had missed at least one instance of an officer who was certified as an FTO despite having a Class I sustained IAD allegation in

¹³ According to OPD Training Bulletin V T – Discipline Policy, a Class I offense is defined as “the most serious allegations of misconduct [which], if sustained, shall result in disciplinary action up to and including termination and may serve as the basis for criminal prosecution” while a Class II offenses “include all minor misconduct offenses” – TB V T pg.2

the two years prior to his nomination, which should have made him ineligible for consideration for the program. Likewise, the audit revealed that two officers had received Class I IAD sustains while serving as active FTOs but had not been decertified per Department policy.

To avoid mistakes of this type, the audit recommended that “the Department should implement mechanisms to ensure that the FTU is notified of any Class I complaints where there is a presumption of a sustained finding.”¹⁴ Beyond simply looking for the existence of Class I sustains, the audit also noted that the current policy does not require a review or updates on an FTO or nominee’s Personnel Assessment System (PAS)¹⁵ supervisory monitoring or intervention status. Therefore, it is recommended that the FTU should assess nominee PAS status and be informed if any FTOs are placed on PAS monitoring or supervision.

In response to these findings and recommendations, the Department stated that:

“Training agrees and complies with the recommendations. IAD e-mails the Training Commander an updated list of personnel that recently received a Class I sustained finding every two weeks. Each month, the PAS Unit supervisor emails the Training Commander a report which lists all employees on Supervisory Monitoring and Intervention. The Training Commander is thereafter responsible for following up with FTU to ensure that any Field Training Officer that appears on either the IAD or PAS list is considered for decertification. Additional considerations are simultaneously made to temporarily disallow the FTO from training new officers pending results of the decertification consideration.”¹⁶

The Department's response further contained an appendix with copies of emails to the Training Division Commander from both IAD and the PAS unit supervisor listing recent IAD sustained findings and changes to PAS monitoring status, respectively.

During interviews with members of the FTU, the auditor inquired both whether they had received regular updates from IAD regarding Class I sustains of FTO officers, and whether they were kept aware of whether any FTOs or nominees had been placed on PAS monitoring. They responded that they did not directly receive such a list, but that it was provided to the Training Division Commander, who then forwarded it to the unit (consistent with the Department’s response to the 2021 audit). Likewise, they stated that the Commander sits on the Department’s regular risk-management meetings with the PAS unit, where changes in monitoring status are discussed and implemented, and that the Commander informed the unit when any PAS monitoring decision might affect a serving FTO. The Training Division Commander reiterated both points during his interview with the auditor.

To support these assertions, members of the FTU told the auditor that there were two (2) active FTOs who were not assigned a trainee in the previous training cycle after learning that those FTOs had been placed on supervisory monitoring. The auditor was shown the internal spreadsheet in which the names of those FTOs were highlighted, along with a notation indicating that they had entered supervisorial monitoring.

¹⁴ Audit of Field Training Selection Decertification and Training, Recommendation 11

¹⁵ PAS forms part of the Department’s core risk-management practices by identifying and tracking officers with potentially problematic patterns of behavior.

¹⁶ Department Response to OIA’s 2021 FTO Audit – Response 5

In addition to the active FTOs who had their duties limited due to PAS status, the unit pointed to 3 active FTOs who were decertified in early 2023 due to sustained Class I IAD investigations, and another officer who was briefly decertified because of a “presumption of a sustained finding,” but was then re-certified when the final investigation sustained the allegation as a Class II violation.

The speed of the FTUs response in decertifying active FTOs when informed of presumed IAD Class I sustained allegations, and in temporarily pausing training activities when informed of changes to an FTO’s PAS monitoring status leads the auditor to conclude that the unit substantially resolved the issues found in the 2021 audit, though these practices, especially with respect to PAS monitoring status, have still not been enshrined in Department policy.

The audit also revealed that no officer in either the March 2022 or April 2023 cohorts of FTO nominees had a sustained Class I allegation in the 24 months prior to their nomination, which would have disqualified them from serving in the program.

Finding 8

The auditor reviewed testing files for all 16 officers decertified as FTOs during the inspection period and found only one file which did not contain a letter documenting the date and reason for their decertification as required by DGO B-08 for an officer who resigned from the department.

When an officer chooses to end their service as an FTO or experiences a change in the circumstances of their employment that disqualifies them from service, the department decertifies them as a field training officer, and a letter is sent to them with a copy placed in their testing file detailing the date and reason for their decertification. The most common reason for decertification during the inspection period were transfers to units outside of patrol – often to the Criminal Investigations Division (CID). However, decertification can also result if some other event happens that disqualifies an FTO from participation in the program, such as a promotion or sustained class I IAD complaint. Officers can also choose to self-decertify if they no longer wish to serve as an FTO or resign from the department.

During the inspection period, there were 16 officers who were decertified as FTOs. Of these, 9 officers transferred to other assignments out of their patrol units, 3 officers became ineligible for the program due to a sustained Class I IAD complaint, 2 officers self-decertified, 1 officer resigned, and 1 officer was promoted to the rank of Sergeant of Police. In addition to these 16 officers, there was one FTO who was briefly decertified due to a presumed Class I sustain but was later re-certified without having to undergo the full recertification process when the final investigation revealed the sustain to be for a Class II offense.

The auditor reviewed each decertified officer’s file and determined that a copy of the original signed decertification letter detailing the date and reason for that officer’s decertification was included in their testing file for all but one (1) officer who was decertified after resigning from the department.

Finding 9

Data entered by nominating Patrol Sergeants in nomination matrix fields that were not related to minimum requirements for service as an FTO (those explicitly addressed by or added after the 2021 OIA audit) were found to vary a great deal in data quality. Furthermore, this data was difficult to cross-check against officer personnel files in Vision due to differences between the specific information required on the form and the format of officer personnel file summary information in Vision. This included both simple statistics such as officer arrests and citations, as well as others of more vital importance to the nomination process, including Officer Uses of Force and history of complaints and discipline.

When initially reviewing all FTO candidate nomination materials contained in the physical files retained by the FTU, the auditor was struck by variations in the way nominating sergeants addressed the various quantitative measures the form requires them to submit. As described in the methodology section of this audit, following the initial review of the testing files, the auditor compared nomination materials for all FTU candidates from the March 2022 and April 2023 cohorts (36 nominees total) to those officers' personnel files in Vision to assess accuracy, which confirmed the existence of significant data quality issues in the original nomination materials. For this finding, this primarily applies to answers in three categories: arrests and citations, uses of force, and Internal Affairs complaints and investigations. Therefore, the audit will detail issues with each of these sections separately.

Arrests/Citations

The first block of information about the nominee's work history in the nomination matrix is a series of four (4) fields comprised of counts of the number of letters of recommendation, felony arrests, misdemeanor arrests, and citations over the 24 months prior to the nomination. In its initial review of the original nomination materials in each officer's testing file, the auditor noted a large variation in the way nominating sergeants reported this information for nominees, as detailed below.

For the 23 nominees to the March 2022 cohort, the number of arrests for each nominee reported over the prior 24 months ranged from 10-172, however one nomination simply stated "error in Vision" for all answers in this block of fields and three (3) others reported all numbers in multiples of 10, 50, or 100 depending on the field, clearly demonstrating that the reported numbers were rough approximations at best. Therefore, a full 17% (4 of the 23) of these nomination forms were found to have imprecise data even before any were compared to the nominated officers' personnel files. Data related to "citations" was even less precise with two (2) additional nomination matrices (beyond those with issues in the arrest number fields) simply listing "unknown" in the field.

The 13 nominees to the April 2023 cohort were similar. Three nomination matrices (23%) reported numbers in multiples of 5, and three had entries of "unknown" in the number of citations.

Next, the auditor compared the numbers reported in the nomination matrices for both the 2022 and 2023 cohorts to those employees' personnel files in Vision. This exercise demonstrated that the quality of the data in nomination packets was worse than initially assumed, but also that these data quality issues – while potentially exacerbated by a lack of care in gathering the information by nominating sergeants – were largely the result of differences between how data is collected and reported in the Vision system's personnel summery report and nomination matrices, and variations in the 24-month reporting period covered.

Because these issues affected the auditor's ability to assess the data as much as they did the Sergeant's initially completing the nomination paperwork, it is instructive to understand them prior to the final assessment of data quality.

The first complication in comparing officer personnel file information to data in nomination materials arises from the fact that the nomination forms ask for separate numbers for felony and misdemeanor arrests, while Vision personnel file summary reports contain only a single unified field for the number of arrests. Thus, based solely on generally available and easily accessible data, the auditor was unable to replicate the data necessary to populate these fields fully and correctly in the nomination matrix. To correctly produce the numbers required in the nomination forms, therefore, a nominating sergeant cannot look only to that officer's personnel file summary report but would have to break out their arrests from the 2 years prior to the nomination and count how many of these were felonies and how many misdemeanors. The auditor asked a Lieutenant attached to the OIA with prior experience nominating officers to the Field Training program how he had negotiated this disconnect and was told that when filling out nominations he had been forced to go through the cumbersome task of looking through his own written records for members of his unit to attempt to answer correctly for that nominee, but that it was not a simple process and likely not entirely accurate.¹⁷

Compounding this issue for the purposes of data quality assessment was the issue of timing of the reporting window. Presumably, nominating Sergeants reported numbers based on the months immediately preceding their completion of the forms nominating the officer to the FTO program, but the lack of documented start and end dates for the period that was reviewed in nomination forms through the March 2022 FTO cohort add variability and a lack of clarity around the data that is actually reported in the form (the most recent nomination form revision includes a start and end date for the data captured as a "quality of life" improvement).

Likewise, some aspects of the nomination matrix call for 2 years of data, while others request 30 months of data, and confusion around whether a particular field requires 24 or 30 months of data could lead to variance in reporting or instances in which the wrong time range was selected for a particular piece of data. However, because only final numbers were reported in each field, it was impossible for the auditor to determine which, if any, of these factors may have led to differences between what the auditor found in Vision personnel summary reports and what the nominating sergeant entered in each nominee's nomination materials. To account for these sources of variance, the auditor compared the numbers in the matrix to numbers generated by running both 24 and 30 months of Vision personnel summary reports and adjusted the start and end dates of this window to see how that affected the reported numbers.

Despite those manipulations, the auditor was unable to exactly match the numbers reported in any nominee's nomination matrices to Vision data for either the March 2022 or April 2023 cohorts. In the 23 nominations for the 2022 cohort, the auditor found only four, or 17%, that were close enough to numbers that could be generated in Vision through any of these manipulations of the parameters to reasonably be called accurate, while for many, the numbers were significantly different from what the auditor was able to generate with any simple manipulations of the parameters. The data for the April 2023 cohort was found to be somewhat more accurate (likely assisted by the FTU's inclusion of a 30-month date range calculation at the beginning of the matrix form). However, in this group as well, the auditor determined

¹⁷ Personal communication with Lt. Nicholas Calonge October 17, 2023

that there were five (5) nominations out of the 13 (or 39% of the total) that had data that was significantly different from any the auditor was able to generate and so was assessed to be substantially incorrect.

When the OIA first began the inspection of this portion of the nomination forms, and before any assessment of data quality, the auditor asked members of the FTU about the utility and importance of arrest and citation count fields in the matrix, and how they were employed when assessing candidates. Members of the FTU acknowledged this concern but replied that the numbers themselves were largely irrelevant to assessments of nominee experience and quality. While they stated a belief that these numbers were initially included in the nomination forms as a rough measure of officer productivity, they also clarified that they require context for analysis as differences in arrest numbers may simply be an artifact of an officer's assignment history, and the quality and nature of the specific officer's participation in the arrest is far more important to an assessment of their potential quality as a training officer. As an example, a member of the FTU contrasted an officer who may have had an assignment at a DUI checkpoint that could potentially generate many arrests quickly but require relatively little expertise to an officer who has participated in a few, highly complex arrests as part of a designated arrest team. Because of these differences, members of the FTU stated that the numbers reflected in this portion of the matrix seldom enter conversations about nominees except as they may corroborate other information that the assessors have about that officer's assignment history and the recommendation of their nominating sergeant.

Uses of Force

Like the assessment of arrest data discussed in the previous section, the auditor reviewed the fields pertaining to force in all nominee testing files for the March 2022 and April 2023 cohorts of FTO nominees. The form includes fields for counts of the number of times the nominee reported using each level of force from 1 to 4. Additionally, there is a field to record any uses of force that were found to be out of compliance with the Department's use-of-force policy. The auditor found data on force in the nomination materials to be significantly more accurate than that for arrests and citations. Nevertheless, the audit revealed errors in the use of force numbers recorded in some FTO nominations as well.

In the nomination materials for the 23 members of the March 2022 cohort of FTO nominees, the auditor found two (2) nominations (approximately 9% of the total) which reported force numbers for the nominee that were significantly different from the information in that officer's personnel file (a difference of more than 25% between the numbers reported in the nomination materials and those the auditor was able to generate from that officer's personnel summary report in Vision). For the April 2023 cohort of 13 nominees, there was one nomination (8% of the total) that reported use of force numbers significantly different from those in Vision. In both cohorts, these issues related only to level 4 uses of force; however, all uses of force of levels 1-3 were found to be correct.

Complaints and Sustained Allegations of Misconduct

The final quantitative section of the nomination matrix relates to the nominee's history of complaints and sustained allegations of misconduct. In this section, Sergeants are asked to document the number of complaints the nominee received over the 2 years prior to their nomination, how many of those complaints were still pending investigation, and how many were sustained or not sustained at the time the nomination was submitted. While these fields do not discriminate based on the severity of these complaint allegations, the presumption that a sustained Class I allegation of misconduct would preclude

that nominee from participation in the program essentially means that the numbers in this section relate to Class II offenses.

In many ways, this information is amongst the most important for reviewers to possess when assessing a nominee's suitability to serve as an FTO both because of the self-evident need to ensure that those serving as teachers and role-models to the next generation of patrol officers should themselves not have a history of failing to follow department policy and procedures, and because each reviewer in the nominees chain of command is required to comment on any sustained allegations of misconduct and to affirm that the nominee has no pattern of "excessive" complaints.

Due to the numerous ways that a complaint might be received by the Department,¹⁸ and the length of misconduct investigations and legal confidentiality that surrounds misconduct investigations prior to the finalization of the process, the auditor understood that the information entered in these fields at the time of the nomination might differ slightly from the information available at the time of the audit. However, the quality of the data entered in these fields by nominating Sergeants was found to be extremely poor, even with these baseline qualifications.

For the March 2022 cohort of FTO nominees, the auditor found 6 nomination forms (27% of the total) which listed no complaint history for the nominee for officers whose personnel files for the 2 year period prior to the submission of their nominations showed totals of between 2 and 8 complaints each, including one officer who was found to have 2 sustained allegations of misconduct in that 2-year period that were finalized months prior to the submission of the nomination form such that the information should have been readily available to the nominating Sergeant.

Of the nomination forms which did include quantitative information in these fields, only 6 (27% of the total) were found to include complaint numbers that were within 50% of the number of complaints listed in the officer's personnel file in Vision for the applicable period, while the remainder under-reported these complaint numbers by more than 50% (so, for example, one officer with four complaints documented in their nomination matrix was found to have nine such complaints documented in their Vision personnel file for the applicable period). Additionally, in one case, an officer's nomination matrix indicated one sustained complaint, but the auditor found no sustained complaints during the 2 years required by policy.

For the April 2023 cohort of FTO nominees, the complaint data was somewhat better but was still found to have significant errors. In nomination materials for members of that cohort, 7 of the nomination matrices (54% of the total) had complaint numbers that were within 50% of the number found in those officers' personnel files in Vision, with many that matched exactly. However, two nominations (15% of the total) listed no complaints for officers who were found to have 3 and 5 complaints respectively during the 2 years prior to their nomination, and four (4) nominees (30% of the total) had complaint numbers listed in their nomination materials that differed from the totals in those officer's personnel files by more than 50%. Additionally, one of these final 4 nomination matrices did not list a sustained allegation that was resolved long enough before the submission of the nomination materials that it should have been documented.

¹⁸ Complaints can be made to an officer's sergeant in the field at the time of the interaction that generates the complaint, but they can also be filed later either with the Internal Affairs Division or the civilian Community Police Review Agency.

To better understand possible sources of the discrepancies found between the number of complaints reported by sergeants in the nominee matrix reports and those reflected in their personnel files in Vision, the auditor further examined detailed information about all complaints from the relevant period in each nominee's personnel file. This analysis included looking at the dates of each complaint, the date that each was resolved, and the finding for each allegation that was investigated. While this additional analysis could not explain nomination materials that failed to document sustained allegations, the auditor believes that it provides a reasonable explanation for the large discrepancies between the number of complaints reported in nomination materials and those found in the nominee's Vision report.

The majority of all allegations in complaints against the officers nominated to be FTOs in both the 2022 and 2023 cohorts were resolved with findings of exonerated (the officer was found to have acted within department policy in the incident that generated the complaint) or unfounded (the officer was found to have not engaged in the conduct alleged in the complaint), with a much smaller number of findings of sustained (the officer violated department policy) or not sustained (the investigation was unable to determine if the officer's conduct violated policy).

Under California law, complaints that are resolved with a finding of exonerated or unfounded may not be used for "punitive or promotional purposes."¹⁹ Therefore, the auditor believes that there may be some confusion on the part of Sergeants about the ability to use exonerated or unfounded complaint allegations in their FTO nomination matrix because appointment as an FTO constitutes a promotional step. When the auditor excluded those complaints from the count for each nominee, it eliminated the undercount of complaints on nomination forms where such an undercount existed, although it did not explain any of the miscounting of sustained allegations. However, while this explains the undercount, the nomination matrix itself asks for the total number of complaints over the two years prior to the officer's nomination, not only those with findings of sustained or not-sustained, and the language of the FTO policy does not specify that only complaints with findings of sustained or not-sustained should be included. The auditor, therefore, believes that under the current language, Sergeants should not have excluded complaints with findings of unfounded or exonerated from reporting in this section of the nomination matrix.

Finally, all complaints found in FTO nominee personnel files were for Class II allegations, and no FTO nominees were found to have a sustained allegation that would have precluded their participation in the program under the FTO policy. However, the errors in the documentation of this important information in nomination materials and the extent of the variance in data quality serve to undermine the ability of reviewers to rely on this data across all the nominations submitted.

Recommendation 3

The FTU should clarify to nominating sergeants that they are required to include all complaints, including those with findings of exonerated and unfounded, in a candidate's nomination matrix, or the department should change the language of departmental policies and forms related to the FTO process to clarify that such complaints should not be counted.

Finding 10

The FTO nomination process does not prohibit officers with a sustained out-of-compliance use of force in the 3 years prior to their nomination from serving as an FTO per California Code §7286, nor has that

¹⁹Penal Code section 832.5(c)(2) – Public Safety Officer's Procedural Bill of Rights Act (POBAR)

prohibition been incorporated into Department policy. However, the audit revealed that no officers were accepted into the FTO program who would have been excluded had that law's language formed part of the review process during the inspection period.

During the final audit review prior to publication, the auditor was made aware of a change in California law affecting the nomination process that took effect on January 1, 2021, but that was not incorporated into Department policy or practice. That law, California Code §7286, states, in part:

California Code, Government Code - GOV § 7286

(b) Each law enforcement agency shall, by no later than January 1, 2021, maintain a policy that provides a minimum standard on the use of force. Each agency's policy shall include all of the following:

(18) Procedures to prohibit an officer from training other officers for a period of at least three years from the date that an abuse of force complaint against the officer is substantiated.

Per the plain language of that law, any officer with a substantiated out-of-compliance use of force is prohibited from serving in any capacity involving the training of other officers for 3 years after that sustained finding. As described in this audit, however, the current FTO nomination process only requires a 1-year prohibition on serving as an FTO for an out-of-compliance use of force (sustained out-of-compliance force is always a Class I violation), and reviewers are required to comment if there is a pattern of excessive force or complaints.

After learning of CC § 7286 (b)(18), the auditor requested a spreadsheet of all sustained out-of-compliance force allegations for a period stretching 3 years prior to the law's implementation in January 2021 and compared that list to all officers nominated to serve as an FTO during the inspection period. That analysis revealed that no nominees were accepted into the FTO program who should have been prohibited from service under § 7286 (b)(18). However, the Department's failure to include the § 7286 (b)(18) restrictions in department policy and practice when it was first introduced in 2021 puts the Department's current force and training policy frameworks substantively out of compliance with California law.

Recommendation 4

The Chief of Police should issue a Special Order to append the §7286 (b)(18) 3-year prohibition on officers with a sustained out-of-compliance use of force training other officers to all applicable Department training and force policies including DGO B-08 as soon as feasibly possible.

Finding 11

The quality of short written answers to prompts in nomination forms created by nominating Patrol Sergeants was found to often be poor, with many short answers that reflected the language of the prompt, but that provided no meaningful information about the candidate nominated for the FTO program or their specific relationship with the subject of the question. Additionally, in one nomination packet reviewed by the auditor, several written answers to nomination questions referred to an officer different from the nominee for whom the nomination was prepared.

In addition to the quantitative fields described in Finding 9, each nomination to the FTO requires the nominating Sergeant to describe how each nominee's performance on the job has demonstrated their commitment to core competencies. Many of these questions come directly from the OPD's Negotiated Settlement Agreement and department policy and include questions on the nominee's commitment to the Department's Mission, Vision, and values; the quality of the nominee's citizen contacts, and their ability to establish working relationships with the community.²⁰

These short narrative prompts provide the most direct way for a nominating Sergeant to emphasize the qualities that prompted them to nominate that officer to the program and are the only portion of the nomination in which they can document these characteristics in long form.

The auditor reviewed the narrative answers to the prompts in the nomination packets for each nominee from the March 2022 and April 2023 FTO cohorts to assess the role and quality of this portion of the nomination packet.

The quality of written answers to these prompts was found to vary a great deal, from long written expositions clearly meant to emphasize the nominee's suitability to become an FTO, to some that were largely perfunctory and provided no meaningful additional information about that nominee's suitability to join the program.

For the 23 nominees to the program in the March 2022 cohort, the auditor found 18 with narrative answers that the auditor found to be an actual assessment of the nominated officer's performance on the issues covered by the prompt, although there was variation even in this group as to the length and quality of the written narratives. The best answers were not only articulate but also detailed situations in which the officer demonstrated the traits described and detailed how that set of characteristics or competencies improved their performance in that incident.

However, there were 4 nomination packets (17% of the total) in which the auditor considered the written responses to the prompts to be so weak as to essentially provide no information to assist in the assessment of that officer. For those nominations, the narrative answers consisted of a response of no more than 1-2 sentences, and these were mostly restatements of the prompt. For example, in response to a prompt about a nominee's problem-solving and decision-making skills, one nomination's narrative answer was "The officer makes good decisions and handles calls appropriately" without even identifying the nominee by name.

The auditor also identified one nomination from the March 2022 cohort in which the nominating Sergeant asserted that the nominee had no complaints in a narrative answer, while information in other portions of the nomination packet, including the matrix completed by the same Sergeant, showed two (2) Class II lower-level sustained IAD allegations in the two years prior to the nomination. While correct information about this officer's complaint and IAD history was included elsewhere in the nomination materials (and were commented on by the nominee's chain of command in their review reports), such a clearly identifiable and material mistake in the written response to this prompt calls into question the care with which that Sergeant engaged the entire written portion of the nomination packet.

²⁰ Wording of these questions largely mirrors DGO B-07 Section IIB – FTO Nomination Qualifications, starting on pg. 2

Narrative answers to prompts in the nomination materials for the April 2023 cohort of FTO nominees were, on average, of worse quality than those for the March 2022 cohort. Of the 13 nomination files reviewed, 6 (46% of the total) had narrative answers that were three sentences or less and were assessed to provide minimal information about the candidate.

Finally, the auditor found one nomination from the April 2023 cohort in which 3 of the 6 written narrative responses to prompts in the nomination materials referenced the activities and qualities of the nominee, while the other 3 referred to activities and qualities of a completely different officer by name, thereby demonstrating a lack of care in preparing that officer's nomination materials and calling into question the quality of all narrative portions of that nomination.

Recommendation 5

Patrol Sergeants nominating subordinates to the FTO program should be instructed to make their answers to written prompts in the nomination packet meaningful. A simple mechanism for improving these answers would be an instruction that nominating Sergeants cut and paste information from the nominated officer's Supervisor Note File (SNF) in Vision, in which that officer's actions were documented to have demonstrated the characteristics associated with each question.

The written prompt section of the nomination materials provides Sergeants with their only opportunity to document the specific qualities beyond employment statistics of the nominee that recommend them for the FTO program. One element common to those nominations that were assessed to have superior narrative answers was the inclusion of real-world examples demonstrating the nominee's alignment with the required competencies copied and pasted from supervisory notes and commendations describing that nominee's behavior from their Supervisory Note File (SNF) in Vision.

Because of the utility of this style of answer both to the initial assessment of a nominee's positive attributes for acceptance to the FTO program and as a way to memorialize those characteristics which led them to be nominated in their record, the OIA recommends that the FTU emphasize the importance of full and informative answers to this set of prompts when working with nominating sergeants, and that it provide guidance on using elements from the nominee's supervisory note file to illustrate their argument.

The auditor discussed these recommendations with members of the FTU, and they agreed with both the general premise of the recommendation and the utility of including supervisory notes as illustrations. According to interviews with members of the FTU, they have already begun to implement some of this advice, and they showed the auditor nomination packets for the FTO cohort that was nominated in the Fall of 2023. While these nominations occurred after of the inspection period and the auditor did not perform a comprehensive review of newer nominations, from the random selection of nominations that were examined, it appears that there have already been significant improvements to narrative answers, and most of the nominations included real examples taken from the nominee's SNF history.

Finding 12

Supervising officers tasked with approving nominees for participation in the FTO certification process regularly failed to add written comments with respect to lower-level class II allegations sustained against the nominee in the 24 months prior to their nomination, even though these allegations were reported in the nomination materials. Likewise, reviewers did not regularly comment on whether there was a pattern or history of “excessive” uses-of-force or complaints, nor has the department offered clear guidance as to what constitutes “excessive” with regards to either complaints or uses of force.

After a Sergeant completes the initial nomination materials for an officer selected to participate in the FTO certification process, including the nomination matrix and report, these materials are submitted to the FTU and assembled into that officer's testing file with 30 months of the officer's use-of-force reports as required by policy. These testing files are then passed up that officer's chain of command, where they must be reviewed and approved by the officer's supervising Lieutenant, Area Commander (a Captain in rank), and the Deputy Chief in command of the Bureau of Field Operations. Each level of review requires the reviewer to complete a review report (the Lt. and Captain reviews are both contained in the Area of Command Review Report, with a separate BFO Deputy Chief Review Report) in which they affirm that they deem the officer qualified to become an FTO and approve their participation in the certification process. Per DGO B-08,²¹ each layer of supervisor completing a review report “Reviews and comments on all sustained IAD findings in the two (2) year period preceding nomination” and comments if there is a “pattern of excessive complaints or uses of force.”

The 2021 FTO audit found that there was no clear departmental guidance with respect to the meaning of “excessive” when it came to assessing patterns of uses of force or complaints, and that supervising officers often failed to comment when required.²² That audit recommended that the department establish clear language around the meaning of “excessive” in these contexts, but also that the FTU include a checkbox in the review reports allowing reviewers to affirm that they did not find such a pattern in the nominee's employee history. That checkbox was included in review reports for the April 2023 cohort of FTO nominees, and reviewers affirmatively checked that they did not find such a pattern in that set of nominations.

However, the policy language also states that when completing a review report, the supervisor needs to comment on all sustained IAD complaints (emphasis added), not only on patterns of complaints and sustains. When reviewing command review reports for the two cohorts of nominees in March 2022 and April 2023, the auditor found that in most cases in which an officer had a sustained allegation for a lower-level Class II complaint, reviewing officers failed to comment on those sustains.

In the 2022 cohort, the auditor identified 4 nominees (out of 23) who collectively had 8 Class II sustained allegations in the 2 years prior to the nomination. Combined, these four nomination packets included 12 reviews (three chain-of-command reviews for each nominee from that nominee's Lieutenant, Captain, and Deputy Chief), of which only two reviewers (of 12) included comments on any of the sustains, and one of those reviewers only commented on one of that nominee's two sustains.

²¹ DGO B-08, pg. 4-5

²² 2021 Audit of Field Training Officer Selection, Decertification and Training, Finding 5

For the 2023 cohort, there were seven nominees (out of 13) who collectively had 11 sustained Class II complaints in the 2 years prior to their nomination. In the nomination materials for these seven nominees, one packet included two reviewers (of 3) who both noted and commented on that nominee's sustain; one included three reviewers that noted the sustain but did not comment; one included one reviewer (of 3) that noted a sustain but did not comment; and the remaining four packets included no comments from any reviewers about the sustained complaints.

For both the 2022 and 2023 cohorts, however, there were instances in which commanding officers did comment on whether there was a pattern of problematic uses of force or complaints, and in the case of the 2023 cohort, reviewers checked the box indicating that there was no pattern of excessive complaints or uses of force. The auditor, therefore, believes that supervising officers filling out review reports are not aware that they are required to comment not only on whether there is a pattern of excessive uses of force or complaints, but must also separately comment on all sustained complaints regardless of their severity, class, or whether they constitute a pattern or could be considered excessive.

Recommendation 6

The FTU should clarify to supervising officers that review reports require comments on all sustained IAD allegations in the 2 years prior to each officer's nomination, and review report forms should include language clearly stating that requirement near the reviewer's signature line.

Finding 13

No nomination forms examined by the auditor were "deemed incomplete and ineligible for processing" by the Field Training Unit per the Department's official response to the OIA's 2021 audit of the program, despite errors in both the quantitative and qualitative portions of many of these same nominations as described in Findings 9 and 11

In response to the 2021 FTO audit's findings that some FTO nomination forms were missing information documenting that they met minimum standards required by DGO B-08, including the number of years on the force and in patrol, and the quality of their citizen contacts, the Department not only agreed to modify the nomination forms to include fields or written prompts related to each of these requirements, but also asserted that "The Field Training Unit (FTU) will ensure that nomination forms are completed accurately or will be deemed incomplete and ineligible for processing."²³

The auditor's assessment of this task comes in two parts. The first is whether members of the FTU reviewed nomination materials to ensure that they were complete (i.e., they included data on all questions related to minimum qualifications). The second is whether they reviewed the quality of the data about an officer's performance and narrative answers, and whether any nominations were deemed incomplete and returned to a sergeant for additional work based on data quality issues.

With respect to the first issue of reviewing completeness and accuracy of information regarding minimum qualifications, the auditor found that every nomination form was complete and accurately reported how the nominee met the qualifications required to qualify for FTO certification, as reported in Finding 1. Nomination materials for the first cohort of FTO nominees in the inspection period, in March 2022, were found to be complete and accurate with respect to minimal qualifications, though the nomination forms

²³ Department Response To FTO Audit, June 16, 2022. Response 1

used for that cohort had not been fully updated per the recommendations of the 2021 audit, so there was no field to capture the number of years in patrol. The April 2023 cohort was nominated using the revised forms erected to respond to the 2021 audit and included fields for all required minimum qualifications. The auditor found these forms to be complete as well.

While the nomination forms were complete and the answers to all minimum qualification fields in those forms were found to be accurate, the information entered in other fields related to a nominee's job performance and short answers to written prompts were found to be full of errors as noted in Findings 9 & 11. After the auditor began to find these errors, they asked the FTU whether they had been checked for accuracy, and if any nominations had been sent back to the nominating sergeant for additional work.

Members of the FTU stated that while they checked to make sure nominations included all fields pertaining to the candidate's ability to serve as an FTO and had provided assistance to sergeants in completing these tasks, they had not reviewed the contents of all fields and had not sent any back for being "incomplete and ineligible for processing."

When the auditor asked why the FTU didn't conduct a more thorough review of fields in the nomination materials, their response was that most of the unit's time investment in the nomination process was dedicated to solicitation of nomination materials and one-on-one work with nominating sergeants, providing technical assistance to assure that enough nominations would be submitted to allow the unit to fulfil the Department's training needs, which left little time for review (the subject, in part, of finding 15 later in this audit). Given the difficulties encountered by the auditor when trying to accurately reconstruct and review the data in these nomination materials, the lack of a thorough initial review is explainable on this basis alone. However, beyond the timing issues, the FTU officer tasked with receiving nomination materials and assembling the testing files did not have the rank or permissions to access the source data in Vision, and therefore could not assess the quality of the quantitative data in nomination packets or deem them incomplete for inaccuracies without assistance.

The auditor has been informed that, subsequent to the inspection period, the officer has been granted permission to access quantitative information from nominees' Vision records and can now compare nomination materials to source data.

Part 2- Process Audit

The compliance review of the FTU nomination process found that members of the FTU were diligent in maintaining the required elements of officer testing files and implementing the recommendations of prior OIA audits. However, it also revealed that many of the written nomination forms that require a significant dedication of Sergeant time to document nominee histories and qualifications often failed to match information from those officers' personnel files in Vision. And, in some cases, these written forms were found to be full of errors and inconsistencies, including forms in which data was entered as "N/A, could not access Vision," and written answers to prompts that were perfunctory, or that, in at least one case, referenced an officer different from the nominee.

Despite these clear issues with the data included in materials created by nominating sergeants discovered during the audit, the auditor did not find any comments by reviewers from the nominees' commanders that indicated that these errors were noticed or played a role in the determination of their suitability for the role. Likewise, all officers certified during the inspection period were found to have met all minimum qualifications to serve under DGO B-08. The auditor was therefore forced to ask what about these nomination processes allowed these types of errors to persist while also having no apparent impact on outcomes, and whether the policy requirements related to this process continue to serve the function for which they were developed. Ultimately, the auditor determined that this fundamental disconnect was due to a mismatch between the strict guidelines of DGO B-08 and the current department data and risk-management practices.

The language of DGO B-08, which was initially designed to ensure good record-keeping and multiple layers of risk management based on the creation and assessment of voluminous written documentation, became divorced from the modern digital mechanisms that department personnel are accustomed to using for these purposes. Where the format of the digital records in Vision differs from the requirements of the written nomination forms, filling out the records became more difficult and time-consuming, but at the same time, all supervisors have full and easy access to the digital source material that is used to create them, calling into question the utility of transcribing them into a paper form. If the documentation ultimately collected and compiled in this way has persisted with these types of errors, but no unqualified officers have been certified, are the processes that generate them still performing the function for which they were designed? And if not, how can these issues be addressed? These are the subjects of the final three findings and four recommendations of this audit.

Finding 14

Reviewing Commanders were found to regularly rely on sources of information about nominees other than the information in that nominee's nomination materials or "testing files." This usually entailed checking the nominee's personnel summary information in Vision, which the auditor believes is used instead of the written nomination materials, but also included conversations with the nominee's supervisors and chain of command.

According to the section of DGO B-08 that describes the responsibilities of commanding officers tasked with reviewing nominees to the FTO program,

"Commanders of each nominated officer shall:

- a. Review the nominated officer's testing file;*
- b. Complete an Area Command Review Report...*

BFO Deputy Chief Review:

- a. Review each nominated officer's FTO testing file;*
- b. Review Area command Review Reports and Endorsements provided by commanders...*
- c. Review and comment on all sustained IAD findings in the two (2) year period preceding nomination and make a written recommendation of eligibility to the Chief of Police;*
- d. Complete the BFO Deputy Chief Review Report and endorse the nomination;..."²⁴*

This language clearly establishes the review of each nominee's testing file as the first and only required review of their background and qualifications to serve as an FTO, other than the explicit reference to any sustained IAD findings.

However, after reviewing the testing files for all officers nominated for certification or re-certification as a Field Training Officer from the March 2022 and April 2023 cohorts, the auditor believes that for most if not all nominees, the testing file itself was not the primary resource reviewed by the nominees' chain of command prior to completing their command review reports, and reviewers instead turned directly to the nominee's personnel file in Vision supplemented by conversations with other supervisors in the nominee's chain of command. This assessment is based on several factors including comments that these commanders included in review reports detailing their reliance on data not in the testing file, the lack of any comments in these reviews when information in testing files – especially written responses to prompts – were clearly and demonstrably minimal or wrong, and responses to auditor questions about the nomination process by members of the FTU.

In most instances in which a supervisor completing a review report at any stage of the review process added a comment related to their assessment of the officer's history with the department, these comments indicated that the reviewing supervisor or commander based their assessment on a review of the nominee's personnel file in Vision, rather than the FTO testing file. Most of these comments were simple, such as "reviewed Vision, no pattern of excessive uses of force or IA allegations found" or "Unable to access Vision on my account but [another supervisor] let me use their computer to check Vision."

²⁴ DGO B-08, pg. 4-5

Notably, the auditor did not find a single comment in these review reports from either cohort in the examination period that referenced materials in the officer's testing file.

The second indication that the prepared nomination forms and testing files were not actually used by reviewers from the nominee's chain of command were the many errors and issues in the information contained in these forms detailed in Findings 9 and 11 of this audit report. While minor errors in quantitative information with respect to arrests or uses of force that went unaddressed did not necessarily indicate that they had not been reviewed by commanders approving the nomination, at least one nomination file described in Finding 9 listed "N/A" in response to all the fields describing arrests and citations without garnering a single comment from any reviewer. But the problems with the short, written answers to prompts as described in Finding 11 provides even clearer evidence, as not a single review report mentioned any errors or issues with any written responses in nomination materials. For example, it is difficult to believe that a reviewer reading the nomination packet for information about a nominee would fail to notice that half of the written narrative answers in that file referred to an officer different from the nominee without commenting on that issue or returning the nomination for additional work, but no such comments were found in any review reports, nor did members of the FTU report that any nomination materials sent for command review were returned due to issues with the quality of answers in written nomination materials. Likewise, if written answers were important to an analysis of the candidates' qualifications, the fact that such a large proportion of them were meaninglessly short should have been remarked upon, but no such remarks were found in any reviewer's comments.

Finally, when discussing the command review aspects of the nomination process with members of the FTU, they stated their belief that Vision was the primary source of information referenced by reviewers because it is a "tool supervisors are familiar with and use regularly to assess subordinates for every other purpose including force investigations and other mandated reviews"²⁵ The auditor therefore believes that the nomination materials themselves are seldom, if ever, relied on as a primary source of information about nominees during command review.

Recommendation 7

Reviewing Commanders at each level should be required to briefly detail the authorities they relied on to come to their decision to approve the nomination. This should include Vision or other data sources as well as any conversations that were specifically relevant to their approval.

If commanding officers do not rely on materials provided in FTO nominee testing files to make decisions regarding the suitability of nominees for participation in the FTO program, audits and reviews of the nomination process that only examine these materials fail to properly document how it functions. However, without documentation of other sources of information used by the reviewer to make their recommendation, it is impossible to fully evaluate this important aspect of the process. Therefore, reviewers should be instructed – and prompted in review report documentation – to list all authorities reviewed and relied upon as part of the review whether this be access to a nominee's personnel file in Vision or a conversation with a member of the nominee's chain of command. This documentation need not be extensive but should be sufficiently detailed to provide any later audit or review an accurate portrayal of that reviewer's actual process.

²⁵ Interview with FTU Officers November 7, 2023

Recommendation 8

The OPD should develop an FTO module in Vision that would include most of the nomination processes and forms that are currently captured in officer testing files kept by the FTU. This would drastically reduce the administrative burden of the nomination process on both nominating Sergeants and members of the FTU and could help eliminate risks by assuring that disqualifying information about a potential nominee would be flagged early in the nomination process.

While this audit did not uncover any major lapses in the FTO nomination and certification processes, as all nominees to the cohorts examined during the inspection period were found to be fully qualified for the role, the existence of errors throughout many nomination packets and the auditor's finding that these were largely the result of human error and a mismatch between current department systems and data practices and a cumbersome and largely paper-driven nomination process made to comply with 10-year-old policy points to clear pathways to improve this system, and most of these can be accomplished through the creation of a new FTO module in Vision.

For the FTO nomination process, this FTO module could be as simple as creating electronic versions of the current set of nomination forms that would automatically populate with data from the nominee's personnel file, thereby eliminating the possibility that transcription errors enter the nomination materials when copying that information to a physical document. Likewise, an FTO module in Vision could be set to automatically flag nominees whose personnel files contain information that would prevent them from participation in the program, such as a sustained Class I complaint, insufficient time working patrol, or poor performance reviews. This would not only drastically reduce the administrative burden of completing the physical forms for nominating sergeants, but it would also eliminate the need for members of the FTU to spend time reviewing the basic employment information in the nomination packets. The added benefit of such a system would not only be its utility to the nomination process, but that it could also flag existing FTO officers if any new issue arose that would impact their ability to serve as an FTO such as a sustained IAD complaint or change in PAS supervised monitoring status without requiring a chain of personal communications between units alerting the FTU to these changes.

Second, some elements of the current system that are required by policy but which now add minimal value to the nomination process and potentially waste FTU time and resources, could be eliminated by moving these processes into a Vision module. For example, testing files are currently required to contain physical copies of all use-of-force reports for the nominee for the 30 months prior to their nomination. The original purpose for this requirement was to provide additional documentation that could be reviewed by the chain of command should there be some question about a nominee's past patterns of force use. However, the auditor was unable to identify any individual either in the FTU or in the chain of command reviewing the nominee that referenced any of these physical copies of the force reports in their assessment of the nominee, and every force report currently attached physically to the testing file is easily available and accessible in a digital form to reviewers in an officer's chain of command through either the nominee's personnel file summary or the use of force module in Vision. This might seem a small issue not worth separate mention in an inspection of the FTO nomination process, but the auditor finds the lack of importance of this requirement to the actual review of nominees indicative of the larger issue. Because it is required by policy, the FTU must locate and print out 30 months of force reports for each nominee. For many nominees, this may only be a handful of reports. However, as nominees are generally drawn from the most senior patrol officers, they include many who have additional special assignments (such as

service as long rifle cover for tactical team deployments) that can easily entail 100 or more uses of force in a 30 month period (i.e. each pointing of a firearm constitutes a type 22 use of force requiring a force report under department policy), and each force report can run several pages describing the incident in which the force was used, meaning that some nominee testing files require the FTU to find, print, and append hundreds of pages of essentially unused documentation to the physical testing file, when that information is better accessed electronically. This, therefore, creates a minor – but meaningful – waste of unit time and resources that appears to serve little practical purpose.

Additionally, the Vision system is designed to facilitate workflow, tasking, and approval processes, and is used to track submissions, deadlines, and approvals for a broad range of Department activities, including force and pursuit review, officer assignments, and reporting, etc. This functionality is ideally suited to the nomination approval process and could be implemented in such a way as to condition acceptance of approvals on whether, for example, commanders have commented on all sustained IAD allegations during the 2 years prior to the officer's nomination to serve as an FTO or documented their assessment of whether the nominee has an "excessive" number of IA complaints or uses of force as required by policy and discussed in finding 12. And, because Vision's workflow and tasking functionality is employed for several key department processes, including use of force reporting, both patrol officers and commanders are familiar and experienced with the way the system operates, thereby minimizing any disruption that a transition to a Vision process might entail.

Finding 15

The current structure of the FTO program and nomination process creates disincentives for Patrol Sergeants to nominate officers to become Field Training Officers, with the effect that members of the Field Training Unit spend much of their time related to these basic functions in one-on-one outreach to Patrol Sergeants to solicit nominations and to assist them with the completion of the nomination packets in time to meet the deadlines to participate in each FTO cohort nomination.

After the auditor's review of the data and short answers in FTO nomination materials revealed the errors and variation described in Findings 9 and 11, they asked members of the FTU whether the unit was able to vet nominations as they are submitted and if they have returned any to nominating sergeants for correction before accepting officers for the Oral Board examination as described in Finding 13. Beyond the difficulty of performing this review, the FTU responded that they had not largely because their primary concern is receiving enough nominations from patrol sergeants to fill a cohort to certify enough FTOs to match to trainees. Furthermore, they stated that FTO nominations are typically submitted immediately before the deadline for the opening of a new testing cohort, leaving the unit without the time and resources to thoroughly review all nomination packets and to send those with errors back for correction and resubmission. Indeed, members of the FTU asserted that the largest hurdle faced by the unit is simply getting enough nominations from Sergeants to fulfill the Department's Field Training program needs. Therefore, the primary activity related to the nomination process for the FTU in the months leading up to the creation of a new FTO certification class is consistent and repeated outreach to patrol sergeants to encourage nominations, followed by weeks of one-on-one technical assistance to guarantee that enough nominations are submitted prior to the deadline to satisfy the Department's Field Training needs.

The auditor then inquired why members of the unit believed there was such difficulty getting sergeants to submit nominations to the program, given both the clear benefits to the Department of a robust program and to the nominees, for whom it can be both an important career step and the source of an

additional monetary stipend. The auditor found the FTU's response highly instructive. First, the nomination process itself, which requires the Sergeant to write the nomination, gather 24 or 30 months of data about the nominee's prior performance on various measures, and then shepherd the nomination up the chain of command for approval prior to submission is cumbersome and can require significant time commitment on top of the sergeant's normal patrol duties, which are already demanding. Some of these burdens could be ameliorated by moving the nomination process into Vision, as described in this audit in Recommendation 5, which would limit the amount of administrative paperwork required for the nomination. Beyond the nomination process itself, however, the certification of a nominee as an FTO officer also has the potential to impose additional costs on the nominating sergeant and the unit from which the FTO is nominated. Typically, patrol sergeants are encouraged to nominate their most senior and effective officers to the program to successfully guide new trainees through their initial 16 weeks on patrol, to provide both the on-the-job training and advice that is necessary to be a successful patrol officer, and to serve as a role model and mentor to influence the trainee's future career in the Department.

For the sergeant and unit that the FTO nominee comes from, however, this comes at a cost. Not only does the certification of their nominee as an FTO mean that one of a sergeant's best and most productive officers must dedicate a significant amount of time to their trainee and other FTO duties instead of the patrol function that is the Sergeants primary responsibility, but the addition of a trainee to the unit also increases the administrative duties of the sergeant who must then supervise that trainee as well.

In short, the Department benefits greatly when the best officers possible are selected to work with trainees on the job through their first year in patrol, and officers certified as FTOs benefit from career and monetary benefits. However, for the patrol sergeants required to do the work of nominating their officers to be an FTO, preparing the nomination materials, and gathering the necessary approvals from superior officers, this process has no direct benefits and in fact carries clear costs to that sergeant and their unit in the form of lost productivity from the FTO officer and increased administrative burden from the trainee. While patrol sergeants are clearly aware of the long-term benefits of a high-quality FTO program and do currently nominate enough officers to staff that program, in the short term, the process of nominating and selecting their own officers to serve in that role comes with nothing but costs. They therefore have very little natural incentive to proactively nominate FTOs, and this in turn puts the burden on members of the FTU to provide constant pressure and technical assistance to ensure that enough officers are nominated and certified every cycle to fulfill the department's training needs. The time and effort the unit dedicates to these activities takes away from their ability to perform other tasks, such as the detailed review of submitted nomination materials or the correction of the same.

Recommendation 9

The Department should create additional incentives for Patrol Sergeants and units to nominate officers to become Field Training Officers. Ideally, these incentives should be designed to offset the costs to the unit and supervising sergeant of that unit of being a part of Field Training. This could include additional assignment of administrative sergeant time to patrol units for each FTO and trainee to assist with the additional administrative tasks required, or the issuance of additional field laptops or other technologies allowing these sergeants and officers in their units more flexibility in their performance of the administrative aspects of both the field training and patrol functions.

One solution to the incentive problem for patrol sergeants tasked with nominating members of their unit to serve as FTOs would be for the Department to create additional incentives for participating in field

training that accrue not only to the officer selected as an FTO, but to that officer's unit and supervising sergeant. These incentives should not be monetary as with the additional stipend received by FTO officers, but rather should focus on lowering the costs to the sergeant and their patrol unit for successfully nominating officers to participate in the FTO program and accepting trainees into their unit.

The auditor asked the officers of the FTU if they had any ideas for what an incentive of this type could entail, or if they had received feedback from units with FTOs as to what types of assistance they most needed. Because the additional costs of the nomination process and of having FTOs in the patrol unit are administrative, the two primary recommendations of the FTU in response to this question were changes that could provide these sergeants and their units with increased flexibility in accomplishing the administrative tasks associated with the field training program.

According to officers in the FTU, the administrative burdens of having FTOs in a unit are compounded by the fact that some patrol units may have many FTOs and trainees. Indeed, at the time of the interview, a member of the FTU stated that there was one active patrol unit with 7 FTOs and trainees. Therefore, their first suggestion was simply to allow patrol units with FTOs and trainees additional access to Department administrative sergeants for each FTO and trainee to assist with the additional administrative tasks and to allow the patrol sergeant to focus more time on managing their primary patrol functions. Likewise, they suggested that the assignment of additional department laptops to units with FTOs and trainees could provide these sergeants and their units additional flexibility in completing their administrative tasks in the field and thereby lessen the burden of these tasks on the patrol function.

The auditor believes that the implementation of either or both suggestions would improve the alignment between the Department's need for high-quality nominees to the Field Training Program and patrol sergeants, who are the ones tasked with nominating officers to serve in this role. Such a change could also lessen the amount of time that the FTU now spends in one-on-one outreach and assistance simply to ensure that enough nominations are received, thereby freeing up resources for more thorough review of submitted nomination materials and the other functions of the unit.

Finding 16

Department General Order B-06 has not been revised since its original publication date in 2014, despite the policy's stated revision cycle of 5 years and recommended revisions in each OIA audit of the program since 2016.

The final finding of this audit is largely duplicative of findings in each of the OIA's previous audits of the FTO program. The OPD's current FTO policy, DGO B-08, was originally enacted in 2014 with a 5-year revision cycle but has not received any major revisions since then. In that time, the Department has undergone significant changes to both its data and risk management structures that have fundamentally improved the tools available to accomplish tasks in these areas. Therefore, many policy requirements of DGO B-08, which served a useful administrative or risk-management purpose when initially introduced, are now out of alignment with current practice and only serve to reintroduce risks that the broader changes in those areas were meant to mitigate. For example, as described in Finding 9, requiring sergeants to gather and transcribe data about an officer's performance and work history to a physical nomination form made sense when the goal was getting as much information about nominees as possible to reviewers who could not easily access that data. However, when the primary source data for those nomination forms is available in Vision, and reviewers have full access to that data and regularly use it to supplement or

replace the written nomination materials as described in Finding 14, forcing a sergeant to gather and transcribe this data to a physical form introduces potential human error and transcription mistakes into the data under review, while simultaneously creating additional administrative work for the nominating sergeant and members of the FTU.

This disconnect between policy and current Department practice has the effect of creating time-consuming compliance requirements for the FTU that were designed for a different time, but that no longer serve a discernible administrative or risk-management purpose (as, for example, the requirement to include 30 months of force reports in each FTO nominee's physical testing file). In some cases, as with the requirement to convene a Selection Panel discussed in finding 5, the requirements for which constitute an entire page of DGO B-08.²⁶ The difficulty and costs of complying with the policy, combined with the limited benefits of the same, have led the Field Training Unit to simply fail to comply over many years, and have led successive OIA audits of that issue to conclude that the requirement should be eliminated. In other instances, the FTU has continued to comply with obsolete policy requirements but appears to largely be complying for compliance's sake and not because the product of that additional effort serves a separate administrative or risk management purpose. Such compliance carries real costs to the Department in the form of lost productivity and a detachment of process from purpose. But of even more concern, it also introduces the risk that an unqualified or unsuitable nominee could be certified as an FTO through a transcription or other human error, or that the department would be unable to adequately demonstrate with existing documentation that an FTO officer involved in a subsequent adverse situation was fully qualified and vetted prior to their certification.

Recommendation 10

The Department should initiate a thorough review of the FTO program policy framework to bring it into line with current practice and to address issues raised in both this and previous audit recommendations.

²⁶ DGO B-08 II(A), pg. 6

Findings & Recommendations

<p>Finding 1</p> <p>Testing files for all officers nominated, recertified or decertified as FTOs during the inspection period were complete, including each officer’s original nomination form, matrix, chain of command review reports, graded FTO certification exams including examination notes, documentation showing participation in FTO training, copies of all letters to that officer indicating changes in FTO program status, and copies of all use-of-force reports associated with that officer from the 30 months preceding the nomination. Furthermore, these files were well-maintained and organized by members of the FTU and were easily accessible for review.</p>	
<p>Finding 2</p> <p>The FTU updated the FTO nomination forms in accordance with the recommendations of the OIA’s 2021 audit and made additional improvements to the form subsequent to 2021.</p>	
<p>Finding 3</p> <p>The BFO Deputy Chief convened a panel consisting of all five (5) members required by policy to conduct FTO Oral Boards for officers nominated to the program beginning with the FTO cohort certified in April 2023, in accordance with DGO B-08.</p>	
<p>Finding 4</p> <p>Documentation related to FTO Oral Exams included in the FTO testing file for every officer nominated to the FTO program during the inspection period was found to be complete, with all original test materials attached including each examiner’s evaluation/grading sheets and comments, copies of all report writing exercises with all errors clearly marked and graded according to a consistent grading rubric, and all score calculations based on the examiner grades and corrected written exercises clearly calculated and correct.</p>	
<p>Finding 5</p> <p>The BFO Deputy Chief did not convene a screening panel to rank prospective FTO officers and finalize selections into the program per the requirements of DGO B-08. However, the FTU did conduct a screening of nominees without empaneling a screening panel based solely on each candidate’s combined exam scores, and only the top 75% of candidates were admitted to the program on this basis.</p>	<p>Recommendation 1</p> <p>The Department should eliminate all requirements for a Screening Panel as currently required by DGO B-08. In addition, the Department should enshrine the current practice of ranking and screening nominees by exam score in policy. If the Department determines that a more involved final screening of nominees is necessary, this would be better accomplished by including it as a separate agenda item in the Department’s regularly scheduled risk management meeting.</p>

<p>Finding 6</p> <p>All members of the Field Training Unit and the Training Division Commander reported that members of the unit were provided refresher training on the requirements of DGO B-08, which was recommended in the 2021 OIA Audit. However, the auditor was unable to locate any formal records of this training either in the form of physical documentation or entries in the training portions of the personnel files in Vision for members of the FTU.</p>	<p>Recommendation 2</p> <p>The FTU should design a training for incoming members to assure that they know and understand the requirements of DGO B-08, and all future trainings provided to existing or new personnel assigned to the FTU should be formalized and documented with lesson plans and entries to the attending officers' training records in Vision.</p>
<p>Finding 7</p> <p>During the inspection period, the FTU received regular updates on sustained misconduct allegations from IAD and changes to supervisory monitoring status for active FTOs from the PAS unit through the Training Division Commander. During the inspection period, two (2) active FTOs were temporarily excluded from receiving a new trainee because they were put under PAS monitoring, three (3) active FTOs were decertified after receiving a sustained Class I IAD allegation, and one officer was temporarily de-certified due to a presumption of a sustained Class I allegation but was later recertified when the final investigation was completed, and the allegation was changed to a Class II.</p>	
<p>Finding 8</p> <p>The auditor reviewed testing files for all 16 officers decertified as FTOs during the inspection period and found only one file which did not contain a letter documenting the date and reason for their decertification as required by DGO B-08 for an officer who resigned from the department.</p>	
<p>Finding 9</p> <p>Data entered by nominating Patrol Sergeants in nomination matrix fields that were not related to minimum requirements for service as an FTO (those explicitly addressed by or added after the 2021 OIA audit) were found to vary a great deal in data quality. Furthermore, this data was difficult to cross check against officer personnel files in Vision due to differences between the specific information required on the form, and the format of officer personnel file summary information in Vision. This included both simple statistics such as officer arrests and citations, as well as others of more vital importance to the nomination process including Officer Uses of Force and history of complaints and sustained IAD discipline.</p>	<p>Recommendation 3</p> <p>The FTU should clarify to nominating sergeants that they are required to include all complaints including those with findings of exonerated and unfounded in a candidate's nomination matrix, or the department should change the language of departmental policies and forms related to the FTO process to clarify that such complaints should not be counted.</p>

<p>Finding 10</p> <p>The FTO nomination process does not prohibit officers with a sustained out of compliance use of force in the 3 years prior to their nomination from serving as an FTO per California Code §7286, nor has that prohibition been incorporated into any Department policy. However, the audit revealed that no officers were accepted into the FTO program who would have been excluded had that law's language formed part of the review process during the inspection period.</p>	<p>Recommendation 4</p> <p>The Chief of Police should issue a Special Order to append the §7286 (b)(18) 3-year prohibition on officers with a sustained out-of-compliance use of force training other officers to all applicable Department training and force policies including DGO B-08 as soon as feasibly possible.</p>
<p>Finding 11</p> <p>The quality of short written answers to prompts in nomination forms created by nominating Patrol Sergeants was found to often be poor, with many short answers that reflected the language of the prompt, but that provided no meaningful information about the candidate nominated for the FTO program or their specific relationship with the subject of the question. Additionally, in one nomination packet reviewed by the auditor, several written answers to nomination questions referred to an officer different from the nominee for whom the nomination was prepared.</p>	<p>Recommendation 5</p> <p>Patrol Sergeants nominating subordinates to the FTO program should be instructed to make their answers to written prompts in the nomination packet meaningful. A simple mechanism for improving these answers would be an instruction that nominating Sergeants cut and paste information from the nominated officer's Supervisor Note File (SNF) in Vision in which that officers' actions were documented to have demonstrated the characteristics associated with each question.</p>
<p>Finding 12</p> <p>Supervising officers tasked with approving nominees for participation in the FTO certification process regularly failed to add written comments with respect to lower-level class II allegations sustained against the nominee in the 24 months prior to their nomination even though these sustains were reported in the nomination materials. Likewise, reviewers did not regularly comment on whether there was a pattern or history of "excessive" uses-of-force or complaints, nor has the department offered clear guidance as to what constitutes "excessive" with regards to either complaints or uses of force.</p>	<p>Recommendation 6</p> <p>The FTU should clarify to supervising officers that review reports require comments on all sustained IAD allegations in the 2 years prior to each officer's nomination, and review report forms should include language clearly stating that requirement near the reviewer's signature line.</p>
<p>Finding 13</p> <p>No nomination forms examined by the auditor were "deemed incomplete and ineligible for processing" by the Field Training Unit per the Department's official response to the OIA's 2021 audit of the program despite errors in both the quantitative and qualitative portions of many of these same nominations as described in Findings 9 and 11</p>	

<p>Finding 14</p> <p>Supervising officers completing review reports were found to regularly rely on sources of information about nominees other than the information in that nominee's nomination materials or "testing files." This usually entailed checking the nominee's personnel summary information in Vision, which the auditor believes is used instead of the written nomination materials, but also included conversations with the nominee's supervisors and chain of command.</p>	<p>Recommendation 7</p> <p>Supervising Officers completing review reports at each level should be required to briefly detail the authorities they relied on to come to their decision to approve the nomination. This should include Vision or other data sources as well as any conversations that were specifically relevant to their approval.</p>
<p>Finding 15</p> <p>The current structure of the FTO program and nomination process creates disincentives for Patrol Sergeants to nominate officers to become Field Training Officers, with the effect that members of the Field Training Unit spend much of their time related to these basic functions in one-on-one outreach to Patrol Sergeants to solicit nominations and to assist them with the completion of the nomination packets in time to meet the deadlines to participate in each FTO cohort nomination.</p>	<p>Recommendation 8</p> <p>The OPD should develop an FTO module in Vision that would include most of the nomination processes and forms that are currently captured in officer testing files kept by the FTU. This would drastically reduce the administrative burden of the nomination process on both nominating Sergeants and members of the FTU and could help eliminate risks by assuring that disqualifying information about a potential nominee would be flagged early in the nomination process.</p> <p>Recommendation 9</p> <p>The Department should create additional incentives for Patrol Sergeants and units to nominate officers selected to become Field Training Officers. Ideally, these incentives should be designed to offset the costs to the unit and supervising sergeant of that unit of being a part of Field Training. This could include additional assignment of administrative sergeant time to patrol units for each FTO and trainee to assist with the additional administrative tasks required, or the issuance of additional field laptops or other technologies allowing these sergeants and officers in their units more flexibility in their performance of the administrative aspects of both the field training and patrol functions.</p>
<p>Finding 16</p> <p>Department General Order B-06 has not been revised since its original publication date in 2014, despite the policy's stated revision cycle of 5 years and recommended revisions in each OIA audit of the program since 2016.</p>	<p>Recommendation 10</p> <p>The Department should initiate a thorough review of the FTO program policy framework to bring it into line with current practice and to address issues raised in both this and previous audit recommendations.</p>

Appendix A – FTO Selection, Certification and Decertification

FTO Selection Process

Field Training Unit

The Oakland Police Department's (OPD) Field Training Unit (FTU) is responsible for administering the Field Training Program.²⁷ The Unit is required to be staffed, at minimum, by a full-time member designated as the Field Training Program Coordinator (FTPC).²⁸ As of the time of this audit, the Unit was staffed with a Sergeant of Police serving as the FTPC and a Senior Field Training Officer. The FTU is responsible for ensuring the Field Training Program meets POST²⁹ standards, providing program training, coordinating the FTO nomination and selection process, coordinating the FTO Certification Courses, evaluating teaching and training methods of the FTOs, monitoring trainee officer performance, maintaining FTO and trainee officer files, and evaluating program procedures.

Nomination and Selection of FTOs

Per DGO B-08, *Field Training Program*, sergeants and commanders nominate qualified officers for the FTO position by completing an FTO Nomination/Recertification Questionnaire (TF-3259) and forwarding the questionnaire directly to the FTU.³⁰ Nominating sergeants and commanders complete the Questionnaire to establish the officer meets the qualifications listed in DGO B-08, *Field Training Program*, Part II, B-1-10:

1. Possess a POST Basic Certificate;
2. Have at least three (3) years of Departmental service and two (2) years of Patrol experience (unless waived by the Chief of Police);
3. Have received overall "Fully Effective" or better Performance Appraisals for the two (2) years preceding nomination;
4. Be committed to the Department's Mission, Vision, and Values;
5. Possess a high level of professionalism and ethical conduct;
6. Understand the importance of developing positive working relationships with the community;
7. Understand the importance of making quality citizen contacts;
8. Demonstrate a commitment to Community Policing;
9. Possess leadership abilities; and
10. Demonstrate sound working knowledge of Department policies/procedures, interpersonal/tactical communications, problem-solving/decision-making skills, laws of arrest/search/seizure, preliminary investigation skills, and report writing.³¹

Department General Order B-08, *Field Training Program*, Part II, 11-13 includes additional qualifications including:

²⁷ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 1

²⁸ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 1

²⁹ POST is the California Commission on Peace Officer Standards and Training and sets minimum selection and training standards for California law enforcement.

³⁰ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 4

³¹ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 2-3

11. No excessive number of use-of-force (UOF) incidents for 2 years preceding nomination;
12. No excessive number of complaint allegations or sustained findings for 2 years preceding nomination; and
13. No sustained Class I offenses for 1-year preceding nomination (shall evaluate sustained Class I offences for 2 years preceding nomination).³²

An officer with open IAD complaints may participate in the FTO nomination and testing process; however, the BFO Deputy Chief must re-evaluate the status of any officer who receives a sustained finding.³³

Once the FTU receives the FTO Nomination/Recertification Questionnaires from nominating sergeants or commanders, the FTU prepares a FTO testing file for each nominated officer, which includes the following documents:

1. An FTO Nomination/Recertification Matrix Report (TF-3249);
2. All Use of Force Reports for a period of 30 months preceding the nomination;
3. An Area Command Review Report (TF-3314); and
4. A BFO Deputy Chief Review Report (TF-3315).

The Area Commanders (lieutenants and captains) of each nominated officer review the nominated officer's testing files, complete an Area Command Review Report, and forward the file through the chain-of-command to the BFO Deputy Chief.³⁴ Upon receipt of the testing files, the BFO Deputy Chief:

- a. Reviews the Area Command Review Reports and endorsements provided by commanders;
- b. Reviews and comments on all sustained IAD findings in the two (2) year period preceding nomination and makes a written recommendation of the officer's eligibility to the Chief of Police.
- c. Completes the BFO Deputy Chief Review Report and endorses the nomination;
- d. Selects nominated officers to attend the FTO Oral Board testing phase; and
- e. Returns the testing files to the FTU for further processing.³⁵

The FTU notifies FTO nominees whether they were selected to attend the FTO Oral Board. The Oral Board exam includes an oral interview, field training-based scenario questions, and a written exercise. The BFO Deputy chief convenes an FTO Oral Board comprised of the following personnel to conduct and determine nominee scores on the test:

- a. BFO Deputy Chief (Chairperson)

³² DGO B-08, *Field Training Program, effective date June 2, 2014. Pg. 3* and California Government Code Section 7286(b)(18) requires law enforcement agencies, no later than January 1, 2021, to maintain a policy that provides a minimum standard on the use of force, including "Procedures to prohibit an officer from training other officers for a period of at least three (3) years from the date that an abuse of force complaint against the officer is substantiated." This requirement applies to field training officers, who are responsible for training other officers, and has not been incorporated into the Department's Field Training Policy.

³³ DGO B-08, *Field Training Program, effective date June 2, 2014. Pg. 3*

³⁴ DGO B-08, *Field Training Program, effective date June 2, 2014. Pg. 4*

³⁵ DGO B-08, *Field Training Program, effective date June 2, 2014. Pg. 4-5*

- b. The FTPC;
- c. The Training Section Commander
- d. A Lieutenant of Police who has worked in the Patrol Division as a commander; and
- e. A Sergeant of Police who has worked in the Patrol Division as a supervisor.³⁶

The BFO Deputy Chief convenes an FTO Screening Panel comprised of the following personnel for nominees that pass the Oral Board:

- a. BFO Deputy Chief (Panel Chairperson);
- b. All Area Commanders;
- c. Officer of Inspector General Commander;
- d. Internal Affairs Division commander;
- e. Use of Force Subject Matter Expert; and
- f. FTPC.³⁷

The FTO Screening Panel collectively reviews all officers who have successfully completed the FTO testing process, ranks the officers, and establishes an FTO Eligibility List, which is then presented to the Chief of Police for certification and remains in effect for a period not to exceed 18 months.

Certification and Training of FTOs

Once the FTO Eligibility List is created, the Chief of Police (when needed) selects officers from the FTO Eligibility List to attend the POST-Certified FTO Course.³⁸ The Certification Course consists of the following course topics, at minimum:

- 1. Professionalism, ethics, and leadership;
- 2. Expectations, functions and roles of the FTO;
- 3. Competency, evaluation and documentation;
- 4. Teaching and training skills development; and
- 5. Legal and liability issues for FTOs.³⁹

To ensure the Field Training Program meets the standards established by POST and adheres to all Departmental Field Training Program standards,⁴⁰ FTOs are required to attend a POST-Certified FTO Update Course at least once every three (3) years to maintain certification.⁴¹

Recertification of FTOs

According to Department General Order B-08, *Field Training Program*, FTO recertification may occur under the following conditions:

- 1. The officer who was certified as an FTO within the past 5 years can become an FTO *without going through the testing process* (i.e., the oral interview, the field training-

³⁶ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 5

³⁷ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 6

³⁸ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 7

³⁹ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 7

⁴⁰ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 1

⁴¹ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 8

based scenario questions, and the written exercise, are not required for recertified FTOs who have previously been trained as FTOs under the new program's standards) *again*;

2. The officer must be assigned to Patrol or Foot Patrol;
3. The officer's Patrol sergeant shall verify the officer meets the qualifications listed in Part II, B, 1-10 and must complete an FTO Recertification Questionnaire and forward the form to the FTU;
4. The FTU locates the officer's Field Training File, completes the FTO Recertification Matrix request, and forwards the Field Training File through chain-of-command;
5. The Commander completes an Area Command Review Report;
6. The BFO DC completes a BFO Deputy Chief Review Report.
7. The Chief of Police makes a determination to recertify; and
8. The FTU notifies all parties of the Chief's decision.⁴²

In addition, an officer must have attended a POST FTO Course or POST FTO Update Course within the past three (3) years prior to being recertified. Any officers not recertified may schedule a meeting with the BFO Deputy Chief.⁴³

Decertification of FTOs

According to Department General Order B-08, *Field Training Program*, decertification of an FTO shall occur under the following conditions:

1. An FTO is promoted to a rank higher than Police Officer;
2. An FTO is physically transferred to a position other than a Patrol Officer, Foot Patrol Officer or an Officer in specific field-based unit position, as designated by the Chief of Police, authorized to serve as an FTO;
3. An FTO is assigned on a voluntary loan that exceeds 90 days;
4. An FTO is placed on an administrative transfer due to illness or injury that exceeds 90 days from the date of transfer;
5. An FTO requests decertification by preparing and forwarding a memorandum through his/her chain-of-command to the Chief of Police and obtains the endorsement of the Chief of Police;
6. An FTO fails to receive an "Overall" fully effective performance appraisal;
7. An FTO is placed on a Performance Deficiency Notice (PDN); and
8. An FTO is the subject of any of the following Class I complaints where the presumptive finding⁴⁴ is determined to be sustained:
 - a. Excessive force;
 - b. Unlawful arrest;
 - c. False testimony;
 - d. Racial, ethnic, sexual orientation or gender-based discrimination or slurs; or

⁴² DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 19-20

⁴³ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 20

⁴⁴ Per DGO B-08, "a presumptive finding is when the preponderance of the current facts of the case would indicate a sustained finding is forthcoming."

- e. Other serious examples of police misconduct.⁴⁵

The BFO Deputy Chief shall notify the FTU of the decision and forward all documentation to the FTU.⁴⁶

FTO decertification may occur under the following conditions:

1. The FTO fails to maintain an acceptable level of conduct as determined by a “sustained” finding by the OPD Internal Affairs Division (IAD) or outside Community Police Review Agency (CPRA); or receives multiple complaints that demonstrate a pattern of disregard for policy or procedures.
2. The FTU shall prepare a memorandum recommending decertification or retention of an FTO whenever a “sustained” IAD finding has been received or a pattern of disregard for policy or procedures appears to have developed. The memorandum shall be forwarded through the chain-of-command to the Chief of Police.
3. When the reduction in field training requires fewer FTOs. Decertification shall occur based on program needs.

Any member decertified for substandard performance or behavior may request a meeting with the BFO Deputy Chief.⁴⁷

⁴⁵ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 17-18

⁴⁶ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 18

⁴⁷ DGO B-08, *Field Training Program*, effective date June 2, 2014. Pg. 18