



Office of the City Manager

August 25, 2023

To: Honorable Mayor and Members of the City Council

From: *LB* Dee Williams-Ridley, City Manager

Subject: Berkeley Police Department Recruiting and Retention Program (RRIP)

INTRODUCTION

The Law enforcement profession is in an extreme staffing crisis due to many factors, including high retirement and resignation rates and a smaller number of qualified applicants willing to pursue a career as a police officer (See Appendix A Figure 1).

In Berkeley, the staffing crisis is particularly acute. The Berkeley Police Department (BPD) currently has 31 police officer vacancies and 13 dispatcher vacancies (a problem compounded by the fact that 20 officers and four dispatchers are presently eligible to retire).

The impact of this crisis has been felt throughout BPD and has forced the department to reduce services and impose mandatory overtime shifts to meet its public safety mandate. Service has suffered; police responses and investigations are delayed, and our proactive policing and community engagement efforts are reduced. The current situation is not sustainable, and staffing will continue to decline without significant and aggressive interventions.

The proposed RRIP is part of a comprehensive strategy designed to reverse the downward staffing trend BPD is experiencing by making the department more competitive in today's hiring environment.

BACKGROUND

The current employment environment, impacts of retirements, resignations, and a lack of qualified candidates interested in law enforcement careers have significantly impacted department staffing. Here are some details on the status of two of our most important positions:

Police Officers

BPD is in the midst of a staffing crisis among our sworn staff. The department is budgeted for 181 officers, and we currently have 150. The impacts of this crisis are being felt throughout the department and create substantial public safety challenges. This problem is exacerbated by attrition and the extended time it takes to identify, background, hire and train officers. The department has averaged an annual loss of 13 sworn staff since 2006. Our current hiring rate is nine officers per year, putting us at a net loss of 4 (See Appendix A, Figure 2). **If we increased our hiring rates to 16 candidates per year (double what we hired in 2021), we would reach our authorized staffing level of 181 in 2032.**

Dispatchers

BPD is currently budgeted to have 36 dispatchers and now only has 24. Six dispatchers and one supervisor (1/4 of our dispatch team) are eligible to retire. **On average, over the last five years, we have hired between three and four dispatchers per year, with only one or two of them passing the training. Increasing the number of annual new hires will help us to consistently get three dispatchers through the program annually, allowing the department to achieve its staffing goal by 2028.**

RECRUITING AND RETENTION INCENTIVE PROGRAM PROPOSAL

As competition for qualified candidates has tightened, law enforcement agencies in the region and around the country have taken unprecedented steps to meet their staffing needs. Many now offer hiring incentives designed to attract qualified applicants. BPD staff has analyzed incentive programs offered by other agencies and found hiring bonuses ranging from \$7,500 - \$30,000 (Santa Cruz PD and Pleasant Hill PD: \$20,000, San Mateo PD and Antioch PD: \$30,000). After evaluating these programs, BPD staff created the RRIP proposal to support our hiring efforts.

Program Description

The RRIP supports recruiting efforts with hiring bonuses and retention through a payment distribution schedule that encourages employees to remain at the department long enough to establish themselves here. The program reinforces these efforts by providing current city staff with bonuses when they recruit a successful candidate. The program pay structure is broken down into the following categories and timelines:

New Hire: Police Officer

- Level 1 - Entry (No Experience): \$12,000 in total, with \$4,000 paid upon hire, \$4,000 paid upon completion of the Field Training Program, and \$4,000 paid upon completion of the two-year probationary period.

- Level 2- Lateral (Academy Graduates): \$15,000 in total, with \$5,000 paid upon hire, \$5,000 paid upon completion of the Field Training Program, and \$5,000 paid upon completing the eighteen-month probationary period.
- Level 3 – Lateral (Current Peace Officer/Non-Probationary): \$25,000 in total, with \$10,000 paid upon hire, \$5,000 paid upon completion of the Field Training Program, and \$10,000 paid upon completion of the eighteen-month probationary period.

New Hire: Public Safety Dispatcher

- Level 1 - Entry (No Experience): \$5,000 in total, with \$2,500 paid upon hire and \$2,500 paid upon completion of the probationary period.
- Level 2 – Lateral (Current Public Safety Dispatcher II – 2 years with consolidated public safety agency or three years with a non-consolidated agency AND possession of POST Dispatch Certificate): \$5,000 total, with \$2,500 paid upon hire, and \$2,500 paid upon completion of the probationary period.

City Employee Referral Payment: Police Officer

- Level 1 - Entry (No Experience): \$5,000 in total, with \$2,500 paid at the hire date; \$2,500 when the recruit police officer completes the probationary period.
- Level 2- Lateral (Academy Graduates): \$5,000 in total, with \$2,500 paid at the hire date; \$2,500 when the lateral police officer completes the probationary period.
- Level 3 – Lateral (Current Peace Officer/Non-Probationary): \$7,500 in total, with \$2,500 paid at the hire date; \$5,000 when the lateral police officer completes the probationary period.

City Employee Referral Payment: Public Safety Dispatcher

- Level 1 - Entry (No Experience): \$5,000 in total, with \$2,500 paid at the hire date; \$2,500 when the dispatcher completes the probationary period.
- Level 2- Lateral (2 Years at a Consolidated Agency): \$5,000 in total, with \$2,500 paid at the hire date; \$2,500 when the dispatcher completes the probationary period.

The effective date for bonuses for newly hired employees would be retroactive to January 1, 2022. The effective date of the referral program under the RRIP will be the date City Council approves funding for the program (See Appendix B for more detailed program rules).

Anticipated Program Costs

Costs to meet current annual hiring goals:

Current hiring trends indicate the department will likely be able to hire approximately ten entry-level officers, three laterals, and four dispatchers annually (academy graduates were omitted because they are rare and cost less than laterals). In the event that all of the newly hired employees were referred by city employees and all completed their 18-24 month probationary period, the total costs (once the probationary period was completed) would be:

- 1 Entry Level Officer with referrals \$17,000 x 10 officers = \$170,000
- 1 Lateral Officer with referral \$32,500 x 3 laterals = \$ 97,500
- 1 Dispatcher with Referral \$10,000 x 4 dispatchers = \$ 40,000
- **TOTAL COST** **\$307,500**

In 2022 the department hired one lateral 1, one lateral 2, and three entry-level officers. The total cost for hiring bonuses for these officers will be \$76,000.

First year costs of the program under the above scenario would be approximately \$207,750. This estimated cost includes staff that was hired since January 2022 as well as anticipated cost for the remainder of this fiscal year.

The City Manager has placed the costs associated with this proposal as an operational budget request in the AA01 Process.

Other Departmental Recruiting Efforts

The RRIP is just one part of the department's comprehensive strategy focused on resolving the current staffing crisis. Here are some of the steps the department is currently pursuing:

- Ancillary Recruiter Position – The department is creating a team of three officers and one dispatcher who will support the department's online and in-person recruiting efforts. The work they will do in this space will allow the department to have a more significant presence in the field and online and ensure that the department can provide potential applicants with personalized attention that translates into higher application rates.
- Funding for an additional Dispatch Supervisor - The department has approved funding in this year's budget to promote a supervisor who will be tasked with developing and improving the dispatch training program in ways that will increase the program's success rates.

- Expand Social Media Presence – The department has been working with our online marketing consultants and PIO to create and distribute more materials on our department and recruiting channels.
- Broaden our Reach - The department has sought out additional platforms to feature the department and the benefits of working in this community. Recent efforts include finding new job sites to feature job openings, identifying and using targeting advertising, and purchasing banners and other visual recruiting tools.
- Highlight aspects of the community and department. Staff has been working to identify and highlight things that make the department and the community a unique and attractive place to work and emphasize those things in our recruiting efforts.

The RRIP is part of a more comprehensive strategy designed to reverse BPD's current staffing trends. Adding this program to our other recruiting and retention efforts will give the department a critical tool that makes us more attractive to the limited number of applicants in today's job market. As we move forward, BPD will continuously evaluate and modify the RRIP and other recruiting efforts, to ensure our effectiveness and success.

The Chief is available to meet individually with council members to discuss this item and answer any questions.

cc: LaTanya Bellow, Deputy City Manager
Anne Cardwell, Deputy City Manager
Jenny Wong, City Auditor
Mark Numainville, City Clerk
Matthai Chakko, Assistant to the City Manager
Jennifer Louis, Interim Chief of Police

APPENDIX A

Figure 1

Police Officer Separations in California 2016 - 2021

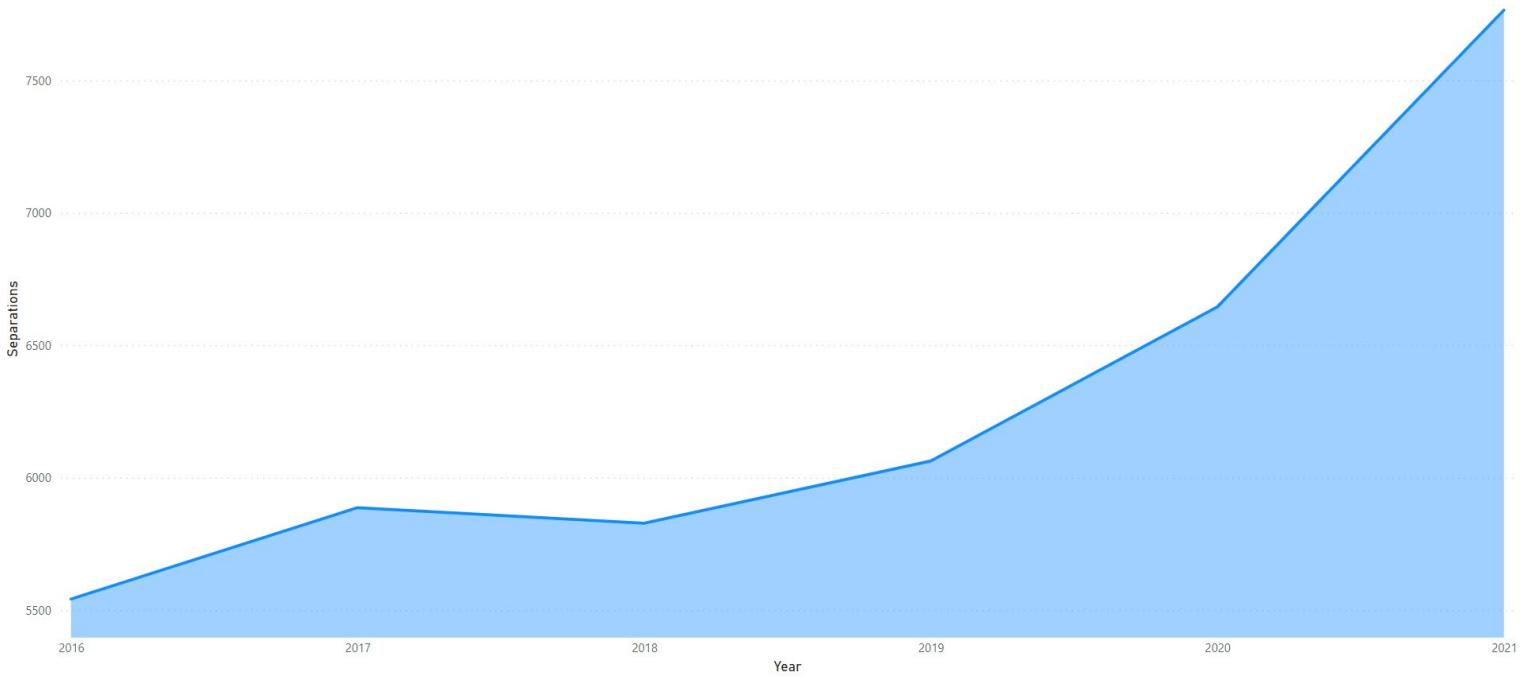
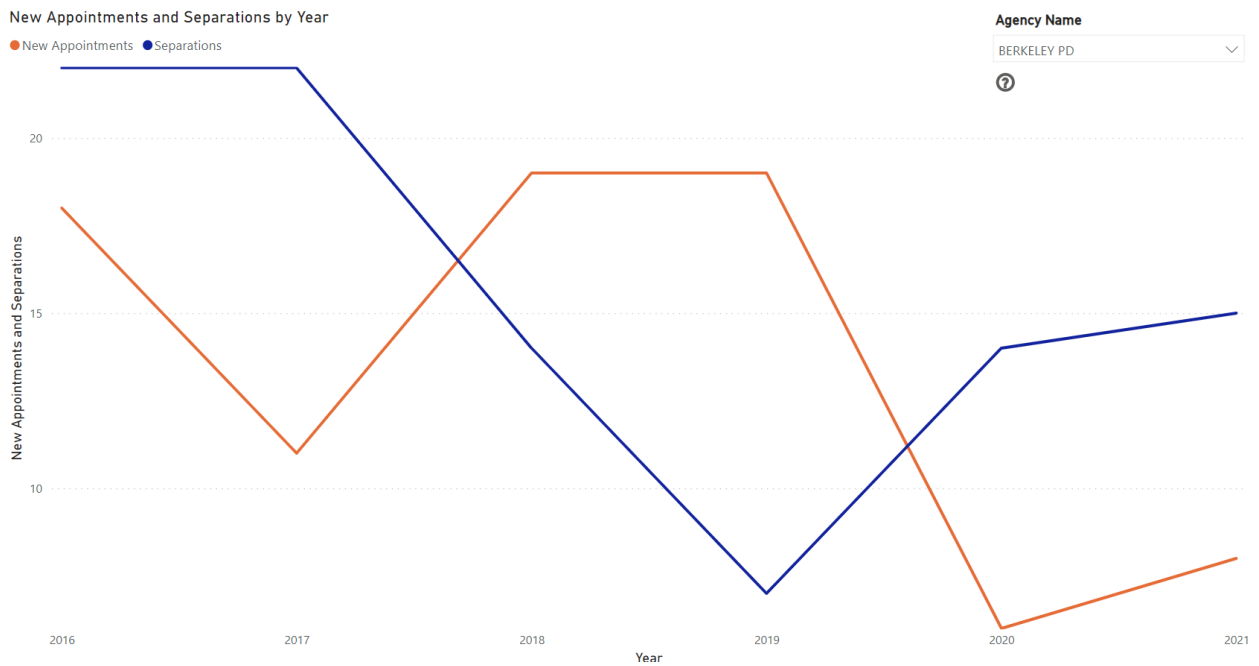


Figure 2

Berkeley Officer Hiring and Separation Trends 2016 – 2021



Appendix B

Recruitment and Retention Incentive Program (RRIP) Guidelines

Set forth below are the recruiting and retention incentives for police officers and public safety dispatchers for Fiscal Years 2023/2024.

Effective Date/Eligibility

This RRIP shall apply only to qualified Police Officer Recruits (Entry Level), Police Officer - Academy Graduates, Lateral (Experienced) Police Officers or Public Safety Dispatcher I (Entry Level) and Lateral Public Safety Dispatcher II applicants (as defined below), who are given a conditional offer of employment by the City of Berkeley on or after January 1, 2022, and provided that the applicant is hired by the Berkeley Police Department (BPD) for the position for which the applicant applied. Must currently be employed as an officer or dispatcher by BPD to be eligible for incentive pay.

Current full or part-time City of Berkeley employees may receive a referral incentive for referring a qualified police officer or dispatcher to BPD for employment. (See below for ineligibility guidelines.) Only City of Berkeley employees employed during the employment application process for qualifying applicants, as set forth above, shall be eligible for a referral bonus. It is the responsibility of the referring employee to complete the Recruitment Referral Form. The Recruitment Referral Form must be submitted to the Office Specialist (OS) III in the Personnel and Training Bureau within 30 days of the candidate's application submission to Human Resources. The referring BPD employee must also be named on the applicant's official City of Berkeley application for employment.

Only one recruitment incentive payment is allowed per candidate. If more than one employee recruits the same candidate, only one will be eligible for the incentive. If two or more employees submit a recruitment form for the same candidate, payment will be determined by the date on the form. If forms have the same date, payment will be determined by the time the Personnel and Training Bureau receives them. Only candidates who enter and successfully complete the selection process for employment as outlined above will qualify the referring employee for the incentive.

If the applicant was a former Berkeley police officer who wishes to return to BPD as a lateral officer, his/her separation of employment must be at least three or more years to qualify.

The City Manager reserves the right to modify or terminate this RRIP without prior notice. If, for any reason, the program is terminated, applications received prior to the termination date shall remain eligible for incentive payments, provided the other terms and conditions of the RRIP are satisfied.

Appendix B

Recruitment and Retention Incentive Program (RRIP) Guidelines Cont.

Ineligibility Guidelines

Members of the police department who are involved in the recruitment, screening, testing, and/or selection process of candidates for the BPD and whose job duties directly or indirectly include recruitment are not eligible for the recruitment referral incentive. The referring employee is responsible for removing themselves from any part of the recruitment, screening, testing, and or/selection process of anyone they recruited to BPD; failing to do so may result in making oneself ineligible for the recruitment referral incentive.

Roles and Responsibilities

The Professional Standards Division Captain, or their designee, will monitor this RRIP to ensure the program is implemented and followed in a timely manner.

The Field Training Officer (FTO) program Lieutenant, or their designee, will be responsible for making a notification to the Personnel and Training Lieutenant within 72 hours of a candidate's successful completion of the FTO program. The Personnel and Training Lieutenant shall then notify the OSIII in writing that the candidate's FTO milestone has been reached.

The Personnel and Training Lieutenant will oversee the Recruiting and Retention Incentive bonus administration with support from the Office Specialist III. The Office Specialist (OS) III is responsible for determining individual employees' eligibility for the incentive bonus, processing Employee Referral and Hiring Incentive Forms, and forwarding the Employee Transaction Form (ETF) to Human Resources for bonus payment approval.

The Human Resources Department is responsible for assuring compliance with these Guidelines. In this role, the Human Resources Department will recommend and/or confirm the information provided on the ETF and provide approval to the Payroll Audit Division for check disbursement. All conditions must be met before payment will be issued.

The Payroll Audit Division will be responsible for identifying funds used for the program as reportable or non-reportable income and for the accounting and distribution of these funds. Payroll Audit will coordinate with BPD and Human Resources for payment authorization. Payroll Audit is also responsible for determining the taxability of any recruitment incentive, which shall be based on current state and federal tax regulations.

Definitions

For purposes of the RRIP, all employees must have met the minimum qualification requirements for the position for which they have applied. Incentives will be considered based on the following definitions:

Police Officer Recruit (Entry Level) - an entry-level, temporary civil service classification without peace officer powers, rights, or privileges within BPD, used for classification of new recruits during their attendance at a POST Certified Basic Recruit Academy. Upon

Appendix B

Recruitment and Retention Incentive Program (RRIP) Guidelines Cont.

successful completion of the required course of study in a POST Basic Academy, incumbents may be accepted as a sworn Peace Officer of the State of California and a Police Officer of the Police Department. This class is distinguished from Police Officer, which is a sworn Classification with peace officer authorities.

Police Officer (Academy Graduate) - completion of a California POST certified police academy Regular Basic Course, with no sworn experience.

Police Officer (Experienced/Lateral) - a current police officer, or was a police officer in the past three years, who possesses a California Peace Officers Standards and Training (POST) Basic Peace Officer certificate.

The following defines the Police Officer position as it relates to both Academy Graduate and Lateral Police Officers: Police Officer is the full working level class in law enforcement, performing all duties required to effectively respond to and resolve the normal scope of peace officer situations encountered. Incumbents may be assigned to patrol, traffic, detective, crime prevention or other police-related classes by designation and the responsibilities and authorities associated with designation as a sworn peace officer under the laws of the State.

Public Safety Dispatcher I (Entry Level) - the entry-level trainee class in the professional public safety dispatching series. Under close supervision, incumbents are trained in providing technical communications support and computer information processing for police, fire, animal control, parking enforcement, and public works functions in a limited capacity. Public Safety Dispatcher I incumbents are expected to gain knowledge and experience through on-the-job training and demonstrate proficiency to promote to Public Safety Dispatcher II upon successful completion of the Public Safety Dispatcher Training Program through a non-competitive personnel action.

Public Safety Dispatcher II (Lateral) - the journey-level class in the professional public safety dispatching series, a specialized public safety civilian class, providing technical communications support and computer information processing for police, fire, animal control, parking enforcement and public works functions in a limited capacity. For the purposes of the RRIP, a Public Safety Dispatcher II must have either (2) years full-time experience working independently in emergency services or communications with computer use and/or two-way radio operations with a consolidated public safety agency (dispatching police and fire), or the equivalent of three (3) years full-time experience working independently in emergency services or communications with computer use

and/or two-way radio operations with a non-consolidated public safety agency, and possession of a Peace Officer Standards and Training (POST) Dispatch certificates.

Appendix B

Recruitment and Retention Incentive Program (RRIP) Guidelines Cont.

Incentive Distribution

BERKELEY POLICE DEPARTMENT RECRUITMENT AND RETENTION Incentive Distribution

	Recruitment Incentive	Retention Incentive	Referral Program	Total Incentive
Entry-Level Police Officer	\$4,000 Upon hire	\$4,000 Upon completion of Field Training Program, \$4,000 Upon completion of probation	\$2,500 to referring employee upon hire and additional \$2,500 to referring employee upon new employee completing probation	New Hire: \$12,000, Referring Employee: \$5,000
Lateral I (Academy Graduate) Police Officer	\$5,000 Upon hire	\$5,000 Upon completion of Field Training Program, \$5,000 Upon completion of probation	\$2,500 to referring employee upon hire and additional \$2,500 to referring employee upon new employee completing probation	New Hire: \$15,000, Referring Employee: \$5,000
Lateral II (Current Peace Officer)	\$10,000 Upon hire. Pay step commensurate with years of sworn service	\$5,000 Upon completion of Field Training Program, \$10,000 Upon completion of probation	\$2,500 to referring employee upon hire and additional \$5,000 to referring employee upon new employee completing probation.	New Hire: \$25,000, Referring Employee: \$7,500
Entry-Level Public Safety Dispatcher (PSD I)	\$2,500 Upon hire	\$2,500 Upon completion of probation	\$2,500 to referring employee upon hire and additional \$2,500 to referring employee upon new employee completing probation	New Hire: \$5,000, Referring Employee: \$5,000
Lateral Public Safety Dispatcher (PSD II)	\$2,500 Upon hire	\$2,500 Upon completion of probation	\$2,500 to referring employee upon hire and additional \$2,500 to referring employee upon new employee completing probation	New Hire: \$5,000, Referring Employee: \$5,000

Additional Payroll Procedures

For non-exempt employees, all payments made as part of the Recruitment and Retention Incentive Program (RRIP) under the Fair Labor Standards Act (FLSA) constitute a "non-discretionary" bonus. The non-discretionary bonus must be factored into a nonexempt employee's regular rate of pay to determine whether additional overtime payment is required. 29 CFR 778.208 and 778.209; US DOL Wage and Hour Division, Fact Sheet No. 54 "Retention Bonus" (July 2009).

BERKELEY POLICE DEPARTMENT RECRUITMENT AND RETENTION PAYROLL & PAYMENT INFORMATION

Processing Responsibility:	Payroll Audit Division
Subject to PERS withholding:	No (non-pensionable)

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Taxable/Reportable:	Yes
Subject to FLSA Regulations	Yes