

City of Davis

Independent Police Auditor Report:

Review of Recruiting and Hiring Practices by the
Davis Police Department

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Introduction

At a time of rapid transformation throughout American law enforcement, the topic of recruiting and hiring within police agencies has faced a special level of scrutiny in recent years. Two separate issues have emerged as the main focal points of this attention across a range of jurisdictions.

The first is the problem of staffing shortages: broadly speaking, the years after the George Floyd reckoning in national law enforcement have seen a wave of early retirements and other departures from a profession that has lost a measure of its favored status in American society.¹ And for many of the same reasons, the flow of qualified applicants at the "intake" end of the career spectrum has also slowed considerably. In short, the competition for desirable candidates has been intensified by the gap between demand and supply.

The second concern is related to the first: in a reformist atmosphere, the effectiveness of agencies is increasingly believed to be related to the strength of connections to the community – including the extent to which officers are representative of the public they serve. Accordingly, diversity in gender, race, and ethnicity are seen as priorities to an unprecedented extent.

With these realities in mind, and as part of their interest in the functions of the Davis Police Department (DPD), the City's Police Accountability Commission requested more information about the current state of the Department's staffing and its efforts in the arena of hiring and recruiting of new officers. The PAC formed a subcommittee to engage on this issue and asked for the input of the Independent Police Auditor.

This Report is the product of the IPA's review. It offers information on the mechanics of the hiring process as well as the particulars of the current situation in Davis – which appears to be distinctive from the more general narratives in some positive ways. At the same time, as we discuss below, the Department's solid fundamentals have not insulated it completely from shifts that can change the staffing landscape quite quickly.

¹Indeed, concern about diminishing interest in the profession dates back even further than 2020, in what is believed to be a reaction to some of the earlier waves of controversy and calls for police reform (such as the aftermath of Michael Brown's 2014 death in Ferguson, Missouri).

DPD Staffing: Distinctive Features

As noted above, cumulative statistics and the real-world experiences of many local jurisdictions suggest that recent years have been distinctly unfavorable to the law enforcement profession when it comes to staffing, recruiting, and hiring. But it is important to remember that a range still exists in individual circumstances across agencies. This is true not only from region to region or state to state, but even from county to county or among neighboring cities. DPD appears to be relatively well-situated in many respects.

The Department is budgeted for 60 officers,^{2/3} and was running at near capacity as this audit took shape in the second half of 2023. There was a point at which it had only two vacancies – and had two candidates well into the process of joining the ranks.

Explanations for this relatively strong position can be more theoretical than scientific. Certainly, we were left with the impression that DPD has been perceived as a relatively desirable place to work. Morale is reportedly high, to the point where management feels comfortable in encouraging officers to tout their own experiences in attracting new candidates – apparently with some success. The City of Davis has also ensured that pay and benefit packages for officers are highly competitive for the region – at least until recently.⁴

The leverage with hiring and recruiting that DPD has largely enjoyed in the last year or two has affected strategy: it gave the Department the latitude to focus exclusively on candidates who have already graduated from an accredited training academy, and even more specifically on officers who have already developed experience with another law enforcement agency but are interested in a lateral move.

There are several advantages to this approach. One is financial: unlike other agencies who pay to sponsor new recruits during the six months of training received at the academy, DPD is able to avoid that expense. Just as valuable is the efficiency that

² This puts DPD at the low end of what is considered a "mid-sized" agency (50 to 100 officers). For frame of reference purposes, Sacramento P.D. has nearly 800 sworn officers, and Stockton has approximately 400. Conversely, Galt P.D. has 38 – and is larger than the vast majority of local agencies in the United States.

³ Like other law enforcement agencies, the work of the sworn officers is complemented by civilian staff members, who perform a range of critical functions.

⁴ Per the Department's leadership, our understanding is that neighboring jurisdictions have recently experienced contract updates that have lessened the status of compensation as one of DPD's advantages. This is another example of a recurring theme: that some prevailing conditions are dynamic in ways that the agency cannot always control or predict.

comes from not having to wait for new academy classes to begin or end, and not bearing the risk that the candidate will not be successful in meeting the rigorous requirements of the training program. Again, though, a trend that DPD felt pleased about in the fall has proven to be less prevalent in the new year, as the influx of lateral candidates has slowed.⁵

DPD's ability to attract and maintain a quality workforce is, in short, variable in nature. Moreover, normal attrition (through retirements or other departures) can quickly create noticeable gaps in an organization that is lean to begin with. Perhaps in recognition of this tenuousness, the Department seems to prioritize this aspect of its operations, even during the "boom" periods. The executive level of the agency plays a lead role in this effort.

⁵ One theory is that larger economic trends are making seniority *within* an agency more of a priority than it had been, thereby deterring some amount of the movement that Davis had been benefitting from

Recruiting and Hiring: DPD's Approach

In Davis, the Chief, Deputy Chief, and the lieutenant assigned to Professional Standards have the core responsibility for handling the applications that come to the agency on a rolling basis. Interestingly, these executive-level managers evaluate for baseline credentials and, for viable candidates, will engage immediately: they will personally conduct an initial interview as a way of both developing their own first impression and ensuring that potential candidates understand the City's culture and expectations for policing.

The direct involvement of the highest-ranking members of the Department is itself telling. The fact that the executives are *able* to manage the responsibility indicates the extent to which high retention and apparent desirability are advantages that DPD enjoys. (This contrasts with other local law enforcement organizations, which dedicate both sworn and civilian staff to the recruiting/hiring process on a full-time basis in response to their own challenges.) That they are *committed* to managing it shows the extent to which effectiveness in this arena is an organizational priority.

In terms of attracting potential applicants in the first place, some key elements currently drive the Department's approach. The DPD website prominently features a "Discover Davis P.D." link that connects to user-friendly resources and facilitates candidate outreach for both prospective officers and civilian professional staff. There is also a three-minute video, narrated by officers themselves, that portrays the agency in an appealing light. It focuses on community support and the culture of the City, mixes footage of traditional enforcement activities with emphasis on the "family feel" of the organization, and showcases the agency's diversity in its choice of featured personnel.⁶ The range of potential assignments and collateral duties that the Department offers is also showcased.

According to the Department's leadership (and as evident from some of the background investigations that we reviewed as part of this reporting process), another significant source of outside interest in DPD is the word of mouth "advertising" that comes from current members of the organization. People who are working for the agency are obviously incentivized to attract candidates that they would like to have as colleagues, and they have specific insight as to who of their friends or acquaintances would align well with Department and City culture.

⁶ Notably, the video exemplifies a positive trend that gives less emphasis to "warrior-style" elements of the profession (such as military equipment or tactical maneuvers) and more in the direction of DPD's range of potential specialties and Davis's welcoming environment.

Additionally, the Chief suggested that, over the years, the Department's civilian staff members have proven to be a beneficial pool from which to draw potential candidates for sworn officer positions. The Department's familiarity with these individuals (and vice versa) certainly helps to shape assessments of suitability and facilitate the successful transition to a new role in the agency. On occasion, DPD's enthusiasm about the potential of a particular civilian employee will even extend to sponsoring that person during the police academy training process.⁷

As for the operative financial dynamics, the City of Davis recognizes the importance of competitive pay and benefits. The shifting of the local "market" in recent months, as surrounding agencies have entered into new contracts, is a factor that merits ongoing attention in order to ensure that compensation does not become an obstacle.

Taken together, these factors have contributed to a favorable hiring and staffing landscape in Davis. Importantly, though, DPD's "head start" of advantages is not a substitute for the extensive background vetting that the Department requires of all applicants – even those who are currently employed as officers for other jurisdictions.

Screening for Applicants: DPD Protocols and POST Requirements

Once a candidate for hiring advances beyond the initial meeting with DPD executives, they are subject to a review process that has several phases. Much of the "infrastructure" for this scrutiny is established by the state's Commission on Peace Officer Standards and Training ("POST"), which sets the baseline requirements that all California law enforcement agencies follow. These include initial tests for academic proficiency and physical fitness.

POST provides the template for the lengthy, detailed "Personal History Statement" that all applicants must complete. Among other things, this document is meant to capture potential disqualifying events within the candidate's background; these could include criminal convictions, drug use, or integrity issues. But, more positively, it provides DPD's executive team (which reviews these materials for every prospective new employee) with a further sense of the applicant's credentials and likely fit with the Department.

Assuming that an applicant remains viable and attractive to the Department after these initial screening mechanisms, the Personal History Statement serves as the foundation

⁷ This was true even when the Department was largely able to limit its new candidates to currently certified officers from other agencies – thus avoiding the expense of paying an entry-level person to attend the academy.

for a full-fledged background investigation. This is conducted by a third-party contractor. Using a checklist provided by POST for the "Verification of Qualification," the investigator conducts a thorough, documented review. The goal is to determine suitability across a number of specified personality "dimensions."⁸ The vetting process includes interviews of family, friends, employers, and other references. Publicly available records (such as credit history) are scrutinized, as are social media accounts.⁹

For purposes of this Report, we looked at the investigative files that were created during the pendency of the application process for five recent candidates. Three were ultimately offered employment and two were not. Interestingly, there was some amount of nuance involved in the assessments for two of the applicants – one of whom ended up receiving an offer and one who did not. (The other three files we reviewed led to relatively straightforward conclusions.)

In the absence of automatic disqualifiers, the Department was left to weigh the impact of one candidate's past challenges – which the person acknowledged freely and appeared to have overcome in ways that proved persuasive. For the other, the Department ended up deciding against the applicant, in part based on criticisms that had emerged somewhat consistently from interviews with that person's current co-workers. This element of discretion is a key part of an effective hiring process, and one that DPD seemingly take cares in exercising.

Once a candidate is through these screening phases, the last step before finalizing eligibility for employment is physical and psychological examinations, both of which are conducted by outside contractors who are officially POST-certified. Assuming that the candidate passes both, he or she is then ready for a formal job offer and the opportunity to begin their work for the Davis Police Department.

In short, the screening process combines state-mandated standards and requirements with some latitude for agencies to exercise their own judgment and utilize approaches that are responsive to their own priorities or needs.¹⁰ DPD's approach seems to be

⁸ These include integrity, conscientiousness, substance abuse, decision-making, interpersonal skills, bias, learning ability, and others.

⁹ The emphasis on the candidate's internet presence includes a focus on potential affiliation with extremist groups (e.g. the Proud Boys) – a troubling issue that has emerged nationally for law enforcement in recent years.

¹⁰ Many agencies, for example, include a mandatory polygraph examination among the steps that candidates must follow during their application process. DPD chooses not to, citing both the limitations of the instrument and its confidence that other aspects of its background checks are sufficient to identify discrepancies or concerns. With regard to the recent issue of the officer from the Sacramento incident, our understanding is that intentional deception – which the polygraph may potentially capture – may not have been a factor in the process.

effective in both meeting its POST obligations¹¹ and ensuring that prospective officers are provided an opportunity to succeed in Davis.

Unfortunately, the Department was recently reminded that potential gaps in fact-finding continue to exist. Local journalists made the connection between a recently hired DPD officer and a high-profile 2019 incident from Sacramento involving the death of a man who was restrained for an extended period; it had resulted in a civil rights lawsuit and a substantial settlement. The DPD officer, then a private security guard, had been involved in that case – a fact which had not emerged during the background process. Department leadership reviewed the matter once it became aware of the new information, and the officer is no longer with the agency.

We spoke to the Chief about the specifics of this situation and the larger issues of screening effectiveness that it implicates. Along with an unequivocal acceptance of responsibility, he explained some of the distinctive elements that had contributed to the initial failure to learn about this significant prior event. However unlikely the possibility of recurrence, though, it is important to glean applicable lessons from a systems perspective. Here, DPD has worked with its background investigation team to adapt its investigative protocols.

For example, it was learned that using only one or two search engines may be insufficient to identify news articles reporting about candidates' prior history, particularly with regard to media outlets that use a pay wall. It was further learned that depending on how the name of an individual is entered into the search, different search results may be reached. As a result, adjustments in the background investigative protocols will now require multiple searches with multiple variations of the candidates' names to ensure that any and all news accounts of a candidate are retrieved. It is this sort of refinement toward ensuring improved data collection that one hopes to see when weaknesses in current systems come to light. DPD's moves to improve its background investigative methodology are positive in this regard.

Conclusion

As discussed above, DPD's current position with regard to recruiting and hiring is a strong one, particularly in comparison to other agencies in California and around the country. Several factors contribute to this. Some are circumstantial (including the appeals of the City and the competitiveness of compensation packages), while others

¹¹ POST goes so far as to conduct its own regular audits of all law enforcement agencies regarding adherence to its standards, and it favorably reviewed DPD's relevant records as recently as last year.

are attributable to the agency's culture and a level of managerial attention that reflects the critical importance of effective staffing.

As for the ongoing focus on diversity in policing, longstanding challenges in attracting females and other underrepresented groups continue to be a widespread issue in law enforcement. However, our understanding is that the current demographic profile of DPD is reflective of the Davis population. Importantly, our discussions with Department executives also left us with the impression that the agency recognizes the value of diversity in the workforce, and considers the promotion of it a point of emphasis.

One concept we encourage DPD to consider is the incorporation of community voices into its selection process and onboarding for new officers – an approach we have recommended in several jurisdictions. We know there are challenges associated with this, especially considering the current need to be nimble and timely in processing potential candidates in a competitive environment.

But the *concept* of public engagement remains, in our view, worth prioritizing. It would be beneficial, for example, for a committee of PAC members to meet with DPD leadership to share some of their ideas about the desirable qualities of a prospective new member of the agency.

There would also be value in having newly hired police officers meet with community representatives as a standard part of their "onboarding" to the City and the Department. For instance, some combination of a PAC designee and a delegate from DPD's Police Community Advisory Board ("CAB") could offer a valuable combination of perspectives.

RECOMMENDATION 1

The PAC should consider discussing and creating a "white paper" that would identify desirable qualities of a prospective DPD police officer and then present the report and discuss it with DPD leadership.

RECOMMENDATION 2

DPD should enhance its "onboarding" of newly hired officers by routinely arranging a meeting with community representatives, including members of the PAC and its CAB as a formal part of their orientation.

Our experience in creating this report over the course of several months was a microcosm of the larger dynamics that characterize the current hiring process for law enforcement: the "conditions on the ground" changed significantly in the time between beginning our work and finalizing this draft. They will certainly change again, in one

direction or another, and it is incumbent on DPD leadership to remain adaptable and to continue its longstanding emphasis on the importance of effective recruiting and thoughtful hiring. But we are pleased to report that the fundamentals of the Department's approach are sound, and that the unique qualities of the Davis community are reflected in the agency's decision-making.