

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: JEFF KOLIN, INTERIM CITY MANAGER
CITY MANAGER'S OFFICE
SUBJECT: PROFESSIONAL SERVICES AGREEMENT WITH
OIR GROUP LLC, INDEPENDENT AUDITOR TO REVIEW THE
POLICE DEPARTMENT

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the City Manager's Office that the Council, by resolution, approve the Professional Services Agreement with OIR Group LLC in an amount not to exceed \$270,000 total over three years.

EXECUTIVE SUMMARY

The purpose of this contract is to establish the services of OIR Group LLC (OIR Group) as an independent auditor of the Santa Rosa Police Department (SRPD). They will report directly to the City Manager and will review internal investigations, conduct audits of policies, practices and records, conduct community outreach, and will, annually, prepare a written report and give a presentation to the Public Safety Subcommittee and City Council.

BACKGROUND

The Request for Proposals for an Independent Police Auditor was issued on June 17, 2021 and closed on July 12, 2021. The bid platform, Planet Bids, notified 142 vendors of the opportunity. Of those notified 14 downloaded the documents and identified themselves as potential bidders. Two proposals were received and were scored independently by a selection committee who determined that both proposers move forward to an interview to provide additional information. Determination was unanimous to move forward with the OIR Group due to their expertise. Negotiations commenced by City Management to finalize agreement language resulting in the award document.

The City previously contracted with the OIR Group in 2020, to provide an independent report on SRPD's internal investigations related to protest activities that occurred in May and June of 2020. The City found the firm to be professional and thorough in the final

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report that was presented to the City Council in May of 2021. They demonstrated both expertise and knowledge about a complex subject matter addressing a difficult period in the City's history.

The OIR Group has 15 years of experience evaluating police shootings, in-custody deaths, and other critical incidents. They have rolled out to more than 400 shooting scenes and have observed and consulted on investigations in real time.

OIR Group members have developed a detailed understanding of the activities and commonalities that contribute to unnecessary or excessive force. OIR Group has worked to identify dangerous tactics in critical incidents and worked with agencies to develop remedial action plans to address them - including accountability, training, policy development, and supervisory issues. OIR Group has also worked with police departments to ensure that their own internal investigation and review processes are thorough and unbiased.

OIR Group members have been asked to review law enforcement training at many agencies to assure compliance with principles of constitutional policing, to assess its effectiveness, and make recommendations for reform.

The OIR Group consists of a team of five principals and is led by a former federal civil rights prosecutor, Michael Gennaco, who is a nationally recognized expert on law enforcement reform and accountability systems. He was the Chief Attorney of the Office of Independent Review for Los Angeles County and is a founding Principal of OIR Group. Teresa Magula began her work in oversight with the Inspector General's Office for the Los Angeles Police Department and has been with the OIR group since 2017. Samara Marion recently joined the OIR group after retiring from a career with the San Francisco Department of Police Accountability, the oversight entity for the San Francisco Police Department where she reviewed use of force cases. Stephen Connolly has been a Principal with OIR Group since 2001 and was an original member of the Los Angeles County Office of Independent Review. He served as the first Executive Director for the Orange County Office of Independent Review, which was formed in 2008 to monitor the third largest Sheriff's Department in California. Julie Ruhlin has been a Principal with OIR Group since 2006 and has assisted numerous law enforcement agencies – including Portland (OR), Denver (CO), and Fullerton (CA) – with the review of officer-involved shootings and other uses of force, internal affairs investigations, policy development, and assessment of oversight systems. Julie was a Deputy Chief Attorney for the Los Angeles County Office of Independent Review, where in addition to her regular responsibilities monitoring use of force incidents and investigations into misconduct allegations, she prepared special reports on the Sheriff's Department Training Academy, a controversial suicide in the County jail, and a review of the investigation into the death of Ruben Salazar. Brian Corr

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is an equity consultant/community engagement facilitator who has worked with OIR Group in community engagement projects in San Jose and San Leandro.

When requested, OIR Group has conducted high profile internal affairs investigations, including the Kelly Thomas internal affairs investigations in Fullerton, California, and several internal investigations of the Oakland Police Department in which the subject officers were supervisors and/or members of command staff.

PRIOR CITY COUNCIL REVIEW

Not applicable

ANALYSIS

OIR's Scope of Work includes, but is not limited to,

- Reviewing SRPD internal investigations and citizen complaints, which includes a review of and participation in all administrative investigations and officer-involved shootings.
- Auditing SRPD misconduct complaints, discipline process and policies, procedures, and training. The audit is designed to ensure the best equitable policing environment.
- Producing an annual written report summarizing the IPA's evaluations of internal investigations and suggestions for improvements to policies, procedures and training. The report will be made available in Spanish.
- Conducting community outreach with various city and community stakeholders. In addition, there will be community meetings twice a year that will be facilitated by the Chief's Community Ambassador Team.
- Required to contract with an equity consultant to demonstrate understanding in the areas of diversity, equity and inclusion.
- Reporting to the City Manager regularly regarding any recommendations for improvement.
- Presenting the annual auditors report to the Public Safety Subcommittee and City Council for discussion. The City will provide Spanish-language translation at these meetings.

In carrying out its functions, OIR will contract with an equity consultant and will be expected to demonstrate experience and understanding in the areas of diversity, equity and inclusion.

FISCAL IMPACT

Funding for this contract is appropriated in the General Fund and managed by the City Manager's Office.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Resolution/Exhibit A (Professional Services Agreement)

CONTACT

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