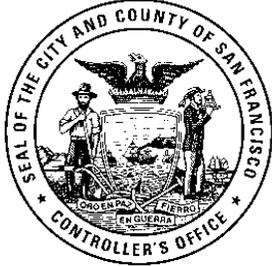


# Key Strategies Could Help the Sheriff Reduce Its Heavy Reliance on Overtime and Better Communicate Its Staffing Needs

San Francisco Sheriff's Department

The workload of the Sheriff's Department has increased due to new mandates and service requests, while the number of budgeted positions has remained stagnant. The department should improve its staffing practices, such as developing a comprehensive staffing plan, to better determine and communicate its needs to stakeholders.



June 19, 2019

City & County of San Francisco  
Office of the Controller  
City Services Auditor

## About the Audits Division

The City Services Auditor (CSA) was created in the Office of the Controller through an amendment to the Charter of the City and County of San Francisco (City) that was approved by voters in November 2003. Within CSA, the Audits Division ensures the City's financial integrity and promotes efficient, effective, and accountable government by:

- Conducting performance audits of city departments, contractors, and functions to assess efficiency and effectiveness of service delivery and business processes.
- Investigating reports received through its whistleblower hotline of fraud, waste, and abuse of city resources.
- Providing actionable recommendations to city leaders to promote and enhance accountability and improve the overall performance and efficiency of city government.

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## Audit Authority

CSA conducted this audit under the authority of the San Francisco Charter, Section 3.105 and Appendix F, which requires that CSA conduct periodic, comprehensive financial and performance audits of city departments, services and activities.

## Statement of Auditing Standards

This performance audit was conducted in accordance with generally accepted government auditing standards. These standards require planning and performing the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the audit objectives. CSA believes that the evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives.



## OFFICE OF THE CONTROLLER CITY AND COUNTY OF SAN FRANCISCO

Ben Rosenfield  
Controller

Todd Rydstrom  
Deputy Controller

June 19, 2019

Sheriff Vicki L. Hennessy  
San Francisco Sheriff's Department  
City Hall, Room 456  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Dear Sheriff Hennessy:

The Office of the Controller (Controller), City Services Auditor (CSA) presents its report of the staffing process of the San Francisco Sheriff's Department (Sheriff). The audit's objective was to assess the effectiveness of the Sheriff's staffing processes.

The audit concluded that the Sheriff's workload has increased due to mandates and new service requests, but the City and County of San Francisco (City) did not increase the Sheriff's budgeted staff from fiscal year 2014-15 to 2017-18, requiring the department to increasingly rely on overtime. In addition to understaffing, an understated relief factor and a cascading overtime effect contribute to the Sheriff's heavy reliance on overtime. This overreliance can lead to fatigue and its associated harmful effects.

The Sheriff should improve its staffing practices so it can better communicate its need for more staff to stakeholders and city decision-makers. For example, the Sheriff does not have a centralized and comprehensive staffing plan and does not sufficiently track workload data. Further, some of the Sheriff's processes, including its payroll process, are highly manual and do not facilitate adequate monitoring of staffing data.

The report includes 19 recommendations for the Sheriff to improve its staffing practices. The response of the Sheriff is attached as an appendix. CSA will work with the department to follow up every six months on the status of the open recommendations made in this report.

CSA appreciates the assistance and cooperation of all staff involved in this audit. For questions about the report, please contact me at [tonia.lediju@sfgov.org](mailto:tonia.lediju@sfgov.org) or 415-554-5393 or CSA at 415-554-7469.

Respectfully,

A handwritten signature in black ink, appearing to read "Tonia Lediju".

Tonia Lediju, PhD  
Chief Audit Executive

cc: Board of Supervisors  
Budget Analyst  
Citizens Audit Review Board  
City Attorney  
Civil Grand Jury  
Mayor  
Public Library

# Executive Summary

The audit reviewed staffing at the San Francisco Sheriff's Department (Sheriff), focusing on its custody, field operations, programs, and administration functions, which account for 91 percent of its budget. The Sheriff is responsible for a wide variety of law enforcement duties, including providing detention of persons arrested or under court order, operating the county jails, running inmate and post-custody transitional programming, and providing bailiff services to the courts and security services to other city departments. Many of the Sheriff's duties are mandated by law and driven by factors beyond the department's control. The Sheriff operates under constraints from the City's general fund budget, which is subject to voter-approved restrictions and legislative priorities.

## WHAT WE FOUND

Workload increases, understaffing, inaccurate staffing calculations, and policy decisions have contributed to the Sheriff **performing 20 percent of its work on overtime.**

**Parts of the Sheriff's workload have been driven up by new mandates and service requests.**

From fiscal year 2014-15 to 2017-18:

Bail reform



- Monthly new enrollments in electronic monitoring increased 355 percent
- Participants violating the terms of their monitoring increased 2,382 percent

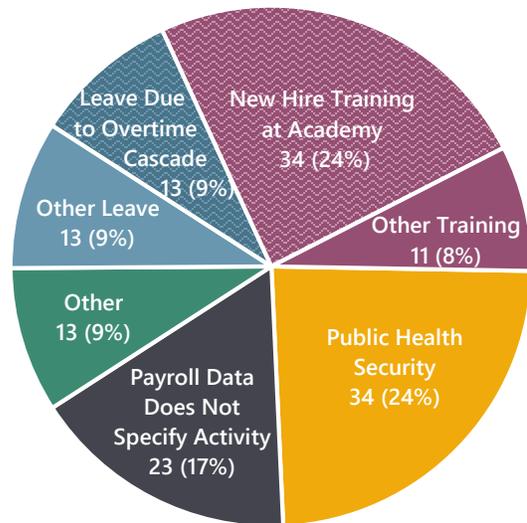
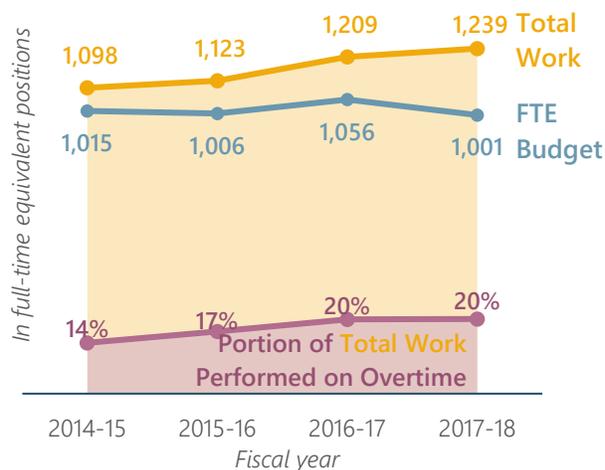
Expanded hospital facilities



Law enforcement and security services at Department of Public Health facilities increased 42 percent

The Sheriff's **budgeted\*** staff went down 1 percent, but the Sheriff's **total hours** of work went up 13 percent and the proportion of those hours worked on **overtime** increased from 14 to 20 percent.

The increase of 141 full-time equivalent (FTE) worth of work is mostly due to **new and expanded security requests**, **increased leave** (partially due to cascading overtime), and a **hiring surge** after years of decreasing staffing levels.



\* The number of budgeted FTEs excludes attrition savings. The fiscal year 2018-19 budget includes 1,019 FTE positions.

**Excessive work hours present risks to health and safety.**

Overreliance on overtime can lead to fatigue, which is associated with harmful effects including:



Degraded personal health



Increased irritability and fearfulness



Loss of focus



Decreased decision-making ability

**The Sheriff’s staffing plan, processes, systems, and data tracking need improvement to maximize its ability to analyze workload, estimate staffing, and ensure safer scheduling.**

<p><b>The Sheriff does not have a staffing plan that aligns with leading practices.</b></p>	<p>The department’s staffing planning process does not include all recommended elements, hindering the department from analyzing and determining its staffing needs. It makes staffing decisions at the division and unit levels, making cross-division planning difficult.</p> <table border="1" data-bbox="431 426 1451 877"> <thead> <tr> <th colspan="2" data-bbox="431 426 1451 474"> <b>Sheriff’s Staffing Planning Process Does Not Fully Comply With Leading Practices</b> </th> </tr> </thead> <tbody> <tr> <td data-bbox="431 474 643 548">Profile Facilities</td> <td data-bbox="643 474 1451 548">  <b>Yes</b> – Floorplans of the facilities it secures show physical characteristics that influence staffing needs.                 </td> </tr> <tr> <td data-bbox="431 548 643 621">Develop a Facility Activity Schedule</td> <td data-bbox="643 548 1451 621">  <b>No</b> – No facility activity schedule exists showing all programs, activities, services, and security functions occurring in each facility.                 </td> </tr> <tr> <td data-bbox="431 621 643 695">Use an Accurate Relief Factor</td> <td data-bbox="643 621 1451 695">  <b>Partly</b> – Relief factor is too low and understates staffing needs.                 </td> </tr> <tr> <td data-bbox="431 695 643 768">Develop a Staff Coverage Plan</td> <td data-bbox="643 695 1451 768">  <b>Partly</b> – Divisions have designated posts, but the Sheriff does not have a department-wide coverage plan.                 </td> </tr> <tr> <td data-bbox="431 768 643 877">Develop a Schedule</td> <td data-bbox="643 768 1451 877">  <b>Partly</b> – Shift schedules are negotiated in the Sheriff’s labor agreements, but the department has not determined whether the schedules are the most efficient for Sheriff operations.                 </td> </tr> </tbody> </table>	<b>Sheriff’s Staffing Planning Process Does Not Fully Comply With Leading Practices</b>		Profile Facilities	 <b>Yes</b> – Floorplans of the facilities it secures show physical characteristics that influence staffing needs.	Develop a Facility Activity Schedule	 <b>No</b> – No facility activity schedule exists showing all programs, activities, services, and security functions occurring in each facility.	Use an Accurate Relief Factor	 <b>Partly</b> – Relief factor is too low and understates staffing needs.	Develop a Staff Coverage Plan	 <b>Partly</b> – Divisions have designated posts, but the Sheriff does not have a department-wide coverage plan.	Develop a Schedule	 <b>Partly</b> – Shift schedules are negotiated in the Sheriff’s labor agreements, but the department has not determined whether the schedules are the most efficient for Sheriff operations.
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<p><b>The Sheriff should free up the time of sworn staff by civilianizing and take steps to improve its budget position.</b></p>	<ul style="list-style-type: none"> <li>▪ Civilianizing 34 positions would free up the time of sworn personnel for law enforcement duties and reduce administrative costs including \$909,000 in annual salaries.</li> <li>▪ The Sheriff does not recover all overhead costs it incurs to provide services to other city departments.</li> <li>▪ Certain union contract terms governing compensatory time off drive cascading use of overtime in the department.</li> </ul>												
<p><b>The Sheriff does not consistently track needed data.</b></p>	<p>The Sheriff does not adequately track or analyze workload data such as criminal investigations caseload and special requests from judges for trial courts security. Nor does it adequately track the impact of staffing decisions such as complete lockdowns logs and inmate program cancellations.</p>												
<p><b>Some processes are highly manual and inefficient.</b></p>	<p>The Sheriff has some outdated processes, which hinder efficiency and monitoring of its staffing practices. For example, Sheriff staff must process numerous paper timesheets each pay period, including more than one timesheet for any employee that works overtime.</p>												

## WHAT WE RECOMMEND

The report includes 19 recommendations to improve the Sheriff’s overall management of staffing and workload, including recommendations to:

- Develop a master staffing plan for the department for all key functional areas, including jails, field operations, and major security functions, using best practices.
- Renegotiate key union contract terms that contribute to overtime use, including instituting alternate compensatory time accrual practices.
- Reduce administrative costs by civilianizing several key functions, which could free 34 sworn personnel to return to law enforcement duties.
- Implement controls to prevent fatigue, such as limits on excessive work hours.
- Implement technology solutions to modernize manual processes.

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# Glossary

Admin Code	San Francisco Administrative Code
BSCC	Board of State and Community Corrections
Charter	Charter of the City and County of San Francisco
City	City and County of San Francisco
Controller	Office of the Controller
CSA	City Services Auditor, Audits Division
DataSF	City open data program
Deputy	Deputy Sheriff
FTE	Full-time equivalent
GPS	Global Positioning System
Lieutenant	Sheriff's Lieutenant
MOU	Memorandum of Understanding
OMB	U.S. Office of Management and Budget
POST	California Commission on Peace Officer Standards and Training
Public Health	San Francisco Department of Public Health
RDO	Regular Day Off
Sergeant	Sheriff's Sergeant
SFMTA	San Francisco Municipal Transportation Agency
Sheriff	San Francisco Sheriff's Department
Sworn staff	Local law enforcement officers
ZSFG	Zuckerberg San Francisco General Hospital

# Introduction

## BACKGROUND

**The Sheriff works to meet its core mission of protecting public safety under constraints established by the City’s budget and labor agreements.**

The San Francisco Sheriff’s Department (Sheriff) of the City and County of San Francisco (City) provides for safe, secure, humane, and constitutional detention of persons arrested or under court order, operates county jail facilities, including in-custody and post-release educational, vocational and transitional programs, and operates alternative sentencing for in-custody and out-of-custody community programs. In fiscal year 2017-18 the Sheriff’s average daily jail inmate population was 1,269 and a daily average of 83 participants were on electronic monitoring.<sup>1</sup> The Sheriff’s responsibility falls into four primary functional areas, as shown in Exhibit 1.

### Exhibit 1: The Sheriff’s Functions and Responsibilities

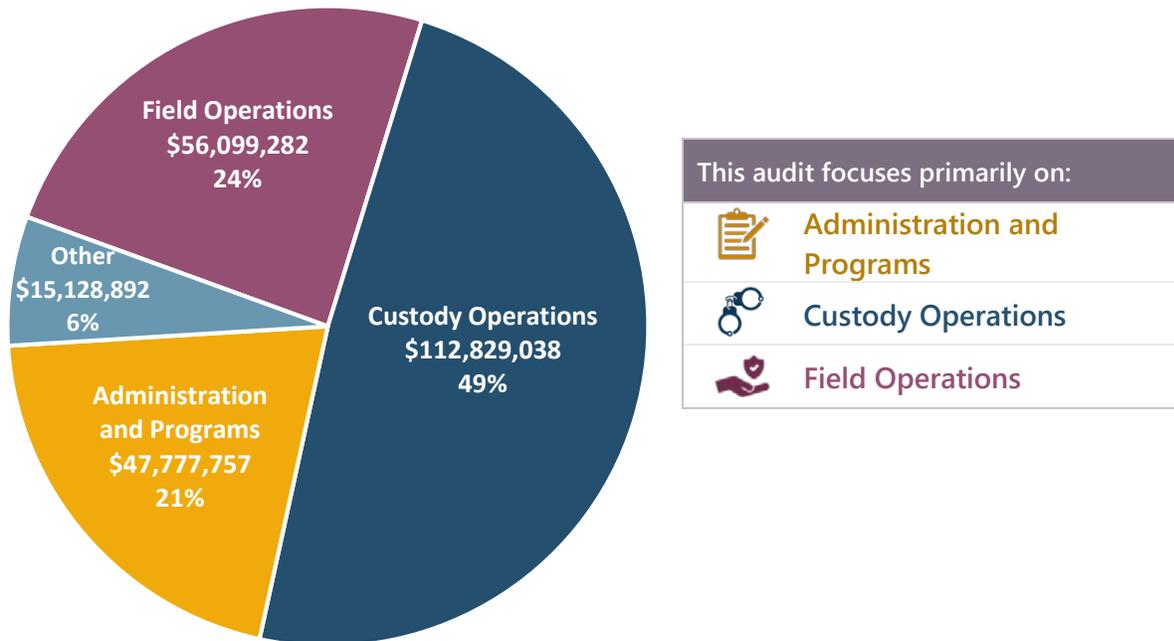
Division	Responsibilities
<b>Custody Operations</b> 	<ul style="list-style-type: none"> <li>Operate safe, secure, and humane county jails, including the booking and release process, the hospital ward, and the classification unit.</li> <li>Facilitate an environment in which educational and rehabilitation programs can accomplish their mission.</li> <li>Process and maintain inmate records, information about releases, and warrants.</li> </ul>
<b>Field Operations</b> 	<ul style="list-style-type: none"> <li>Provide security and bailiff services to trial courts.</li> <li>Provide law enforcement services to other city departments, including the Department of Public Health (Public Health), San Francisco Municipal Transportation Agency (SFMTA), San Francisco Public Utilities Commission, and Department of Emergency Management.</li> <li>Provide mutual aid to other law enforcement agencies, as needed.</li> <li>Enforce civil court matters, including property seizures, evictions, and restraining orders.</li> <li>Ensure election ballots are safely delivered and stored.</li> <li>Provide safe and secure transportation of prisoners, including to other jurisdictions, as needed.</li> </ul>
<b>Administration and Programs</b> 	<ul style="list-style-type: none"> <li>Operate in-custody and post-release educational, vocational, and rehabilitation programs.</li> <li>Monitor participants in alternatives to incarceration, including electronic monitoring.</li> <li>Ensure a continuum of services as inmates transition to out-of-custody programs.</li> <li>Monitor community-based organizations providing programs to inmates.</li> <li>Manage recruitment, hiring, background investigations, jail clearances, personnel, and training.</li> <li>Conduct criminal investigations.</li> </ul>
<b>Planning and Special Projects</b> 	<ul style="list-style-type: none"> <li>Support, enhance, and improve practices, policies, and efficiencies by working closely with other Sheriff divisions and managing special projects.</li> <li>Provide critical services to the department, including infrastructure management and maintenance, information and technology support, communications, fleet management, and capital project planning.</li> </ul>

Source: Sheriff’s website, internal documents, policies and procedures, and city budget documents

<sup>1</sup> Due to legal changes to the bail process in 2018, the number of people on electronic monitoring has greatly increased from 83 average daily participants in fiscal year 2017-18 to 238 in the first half of 2018-19.

Of these functional areas, Custody Operations represented just over half of the department's budget, as shown in Exhibit 2. The audit focuses on Custody Operations, Field Operations, and Administration and Programs, which together account for 91 percent of the Sheriff's budget.

### Exhibit 2: The Custody Operations Division Represented Almost Half of the Department's Budget in Fiscal Year 2017-18



Source: Auditor analysis of Fiscal Year 2017-18 Budget and Appropriation Ordinance

### Most of the services the Sheriff provides are required by law.

When functions are mandated, the department must perform those duties, even if it requires staff to work overtime. Not doing so could present a risk to public safety and cause the department not to comply with local or state law. Many of the Sheriff's functions are mandated, as shown in Exhibit 3.

### Exhibit 3: State and Local Law Mandate Most of the Sheriff’s Functions

Mandated Function*	Mandate
 Operate four county jails Within the jails, provide: <ul style="list-style-type: none"> <li>▪ Inmate medical care including mental health services</li> <li>▪ Inmate education programs</li> <li>▪ Individual and family social service programs which may include counseling, reentry planning, and legal assistance</li> <li>▪ Religious services for inmates</li> <li>▪ Minimum of three hours of recreation each week</li> <li>▪ Classification of inmates to assign housing and activities according to need and safety</li> <li>▪ General safety and maintenance of facilities</li> </ul>	San Francisco Charter (Charter), §6.105  Board of State & Community Corrections (BSCC), Title 15
 Provide court security  Provide election security  Provide law enforcement and security services at Public Health hospital campuses and clinics  Enforce civil court matters, such as restraining orders and evictions	California Government Code, Article 8.5  Charter, §13.104.5  San Francisco Administrative Code, (Admin Code) §1.59  Charter, §6.105
 Provide electronic monitoring as an alternative to incarceration for pretrial and sentenced individuals and case management  Conduct criminal investigations of alleged crimes committed under the Sheriff’s jurisdiction, such as in the jails  Provide academy training (664+ hours) and ongoing training (24+ annual hours) for all sworn staff  Maintain inmate records and incident reports  Participate in city councils, including the Reentry Council, Family Violence Council, and Sentencing Commission  Report on criminal justice topics, including civil immigration detainees, detentions or traffic stops, searches, and use of force	Charter, §6.105  California Penal Code, §830.1  California Code of Regulations Title 11, §1005 BSCC, Title 15  BSCC, Title 15  Admin Code, §5.1, §5.19, & §5.25  Admin Code, §121.5 & §96A California Government Code, §12525.2

\*Includes only the department’s primary mandates, not every function. The department has other alternatives to incarceration, in-custody, and post-custody programs for inmates, and general operations, such as personnel, and peer support, which align with the City’s priorities but are not required by law.

Source: San Francisco and California laws and regulations

### Factors outside the Sheriff’s control largely drive the type of work the department performs to fulfill its mandated functions.

As shown in Exhibit 4, much of the Sheriff’s workload is driven by external factors, such as court orders, new laws, and city rules.

### Exhibit 4: External Factors Drive the Sheriff's Workload

External Factor	Effect on Workload
<p><b>Arrests:</b> Arrests resulting in a subject being booked into custody must be processed by the Sheriff.</p>	<p>Rates of arrests vary significantly over time providing an unpredictable workload.</p>
<p><b>Bail Reform:</b> In January 2018 the California Court of Appeals determined (in the Humphrey decision) that judges would consider both a defendant's ability to pay and alternatives to money bail.</p>	<p>Enrollments in electronic monitoring increased 355 percent from fiscal years 2014-15 to December 2018 (See <a href="#">Finding 1.2.1</a>). The majority of the increase in enrollment is from pre-trial defendants the court has ordered to participate in the program.</p>
<p><b>Increased Scrutiny and Transparency:</b></p> <ul style="list-style-type: none"> <li>▪ <b>Increased access to peace officer records:</b> California Senate Bill 1421 and Assembly Bill 748 require increased availability of peace officer personnel records by the public.</li> <li>▪ <b>Federal immigration policy and sanctuary status:</b> 2016 state law requires the Sheriff to inform individuals when U.S. Immigration and Customs Enforcement requests information on that person.</li> <li>▪ <b>Social activism and increased scrutiny:</b> Increased scrutiny of law enforcement across the U.S has led to many changes in how law enforcement agencies function, including support for the use of body-worn cameras, reviews of policies and procedures, and new laws and regulations regarding use of force.</li> <li>▪ <b>Policies and Procedures Transparency Law:</b> California Penal Code Section 13650 requires law enforcement agencies to post their standards, policies, and practices online by January 2020.</li> </ul>	<ul style="list-style-type: none"> <li>▪ These laws can cause more work for the Sheriff's administrative staff as scrutiny of law enforcement agencies grows and access to records increases. The Sheriff may see more requests for records, including bodycam footage. Staff must redact requested information due to the legal protections afforded to subjects, witnesses, and employees.</li> <li>▪ More such notices had to be sent during the audit period, creating additional work for the Legal Unit.</li> <li>▪ A 2015 report of the President's Task Force on 21<sup>st</sup> Century Policing calls for mandating crisis intervention training for sworn personnel and increased training in addition, implicit bias, procedural justice, and social interaction. Further, the Sheriff's internal investigations have received more scrutiny. In March 2019 the Sheriff referred 21 open investigations from the previous year to the Department of Police Accountability, with the remaining 46 to be conducted by Sheriff staff.<sup>2</sup> Also, the Sheriff reports the number of complaints has increased in the last two years.</li> <li>▪ Among the requirements of this law is that the Sheriff, by January 2020, must post online all its policies and procedures, standards, and education and training materials.</li> </ul>
<p><b>Memorandums of Understanding (MOUs):</b> The Sheriff operates under constraints of MOUs it has with San Francisco Deputy Sheriffs' Association and San Francisco Sheriffs' Managers and Supervisors Association. These agreements dictate minimum numbers of staff the department must schedule on each shift at each jail to maintain safe and secure operations.</p>	<p>The required staffing minimums affect scheduling and the flexibility of scheduling activities, such as inmate programs, in the jails. The MOUs define the minimum numbers of staff on shifts on weekdays, weekends, and holidays.</p>
<p><b>Civil Service Worker Protection:</b> The Civil Service Commission considers whether existing civil service classifications (such as sheriff deputies) can perform work when approving contracts for security services.</p>	<p>Civil Service rules require that city departments first consider using the Sheriff for security and law enforcement and prohibits them from contracting for security services without considering a multitude of factors.</p>

Source: Auditor analysis of Sheriff's workload data

<sup>2</sup> *San Francisco Chronicle*, "The Scanner: Misconduct probes in SF Sheriff's Department spiked in 2018," March 2019.

**The Sheriff has both sworn and civilian staff.**

The Sheriff had a salary budget of \$138 million for 1,000.53 full-time equivalent (FTE) authorized positions in fiscal year 2017-18.<sup>3</sup> On June 30, 2018, the department had 848 sworn employees and 192 civilian employees, for a total of 1,040 employees, some of whom are part-time. Sworn personnel must complete academy training, which prepares them to exercise their authority to carry out peace officer duties including enforcing civil process, inmate transport, and criminal investigation. Generally, civilians working in law enforcement agencies perform administrative and support functions, such as clerical, financial, and information technology duties, that do not require a sworn officer’s specialized training or authority. Exhibit 5 shows roles civilians fill at the Sheriff.

**Exhibit 5: The Sheriff’s Use of Sworn and Civilian Roles**

Sworn Personnel	Civilian Personnel
<ul style="list-style-type: none"> <li>▪ Ensuring inmates in jails, hospitals, and alternatives to incarceration are secure and provided access to medical treatment, legal, recreation, and other programming</li> <li>▪ Providing security and serving as bailiffs in trial courts</li> <li>▪ Executing civil court orders such as serving writs, orders, and other legal papers</li> <li>▪ Transporting inmates securely</li> <li>▪ Providing general law enforcement duties</li> <li>▪ Information technology support</li> <li>▪ Fleet management</li> <li>▪ Processing bails and warrants</li> <li>▪ Personnel activities related to recruitment, hiring, leave, and worker’s compensation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Providing clerical and administrative support</li> <li>▪ Finance, payroll</li> <li>▪ Processing, inquiry, recall, and recordkeeping of warrants</li> <li>▪ Verifying warrant inquiries from law enforcement agencies</li> <li>▪ Network and data services</li> <li>▪ Answering phones</li> <li>▪ Inmate and department legal services</li> </ul>

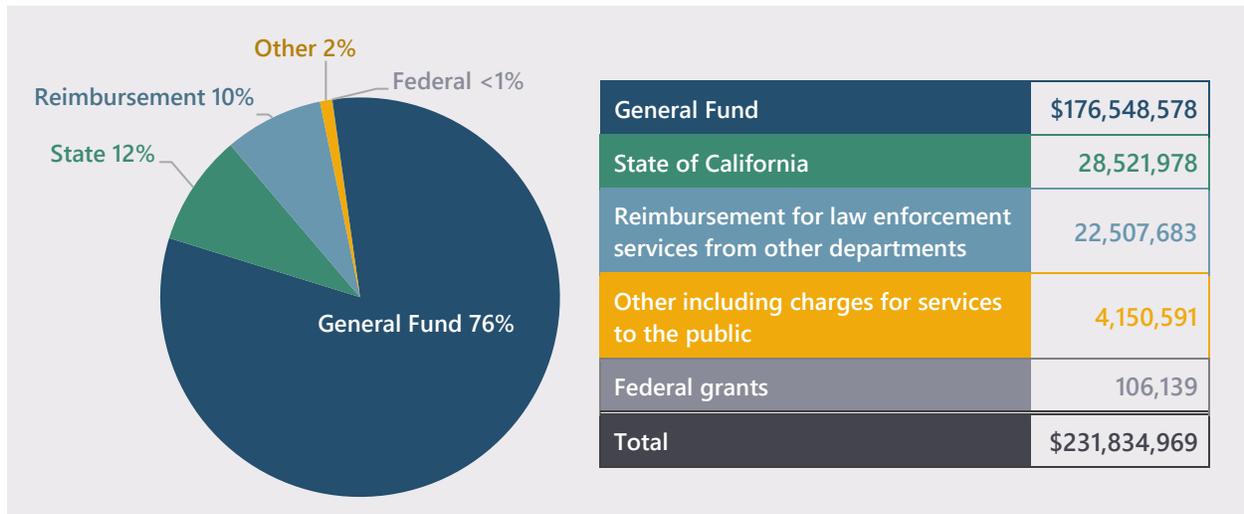
Source: Auditor analysis of Sheriff letters of agreement, post orders, and job postings

**The Sheriff operates under constraints established in the City’s budget.**

The Sheriff receives money from the City’s general fund (76 percent), the state government (12 percent), reimbursement from other city departments (10 percent), charges for services to the public (2 percent), and the federal government (0.05 percent), as shown in Exhibit 6.

<sup>3</sup> The salary ordinance position authority for the Sheriff in fiscal year 2017-18 was 1,159.96, but the budget requires consideration of attrition savings, which occur when the department does not pay for a position after an employee leaves and before a replacement is hired. Taking into account attrition savings, the Sheriff funded 1,000.53 FTE employees in 2017-18.

### Exhibit 6: The Sheriff's Funding Comes Primarily From the City's General Fund

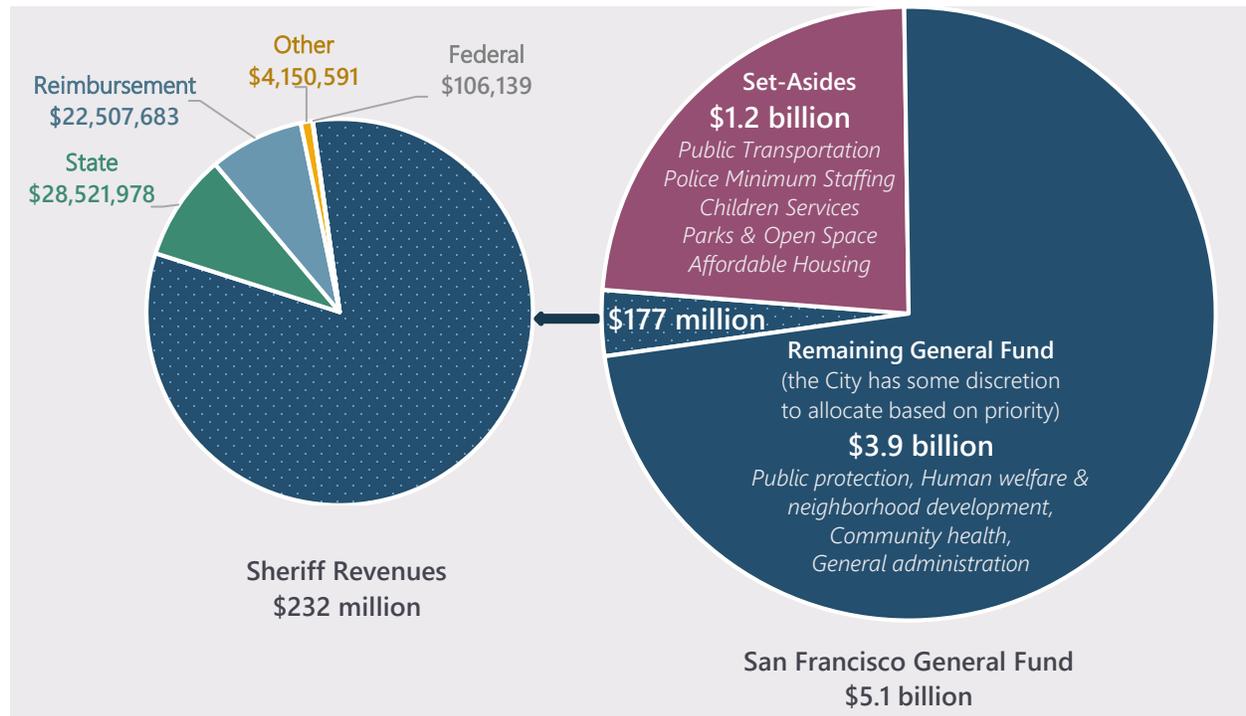


Source: Fiscal Year 2017-18 and 2018-19 Budget and Appropriation Ordinance

### In allocating general fund revenues to the Sheriff, the City must weigh voter-approved restrictions and legislative priorities.

The City's budget is divided into governmental funds—which includes the general fund, special revenue funds, capital funds, and debt service funds—and enterprise funds. Enterprise fund revenues are mostly charges for services the City provides, such as utilities, airport, port, hospitals, and transit services. For each enterprise's respective fund, its revenues must be used to cover costs corresponding to that service. The general fund, which provides roughly half of the City's \$10 billion annual budget, supports public services that do not generate sufficient service charges or other revenues to cover the cost of their operations. Of the general fund's fiscal year 2017-18 \$5.1 billion budget, 24 percent was restricted by voter-approved baselines and mandates, which set aside money for specific uses. These restrictions limit city policymakers' discretion in allocating funds to other public service functions based on legislative and departmental priorities. Exhibit 7 shows these constraints, which are further discussed in Chapter 1.

### Exhibit 7: The Sheriff’s Primary Revenue Source Must Also Fund Other Critical Functions and Voter-Mandated Priorities

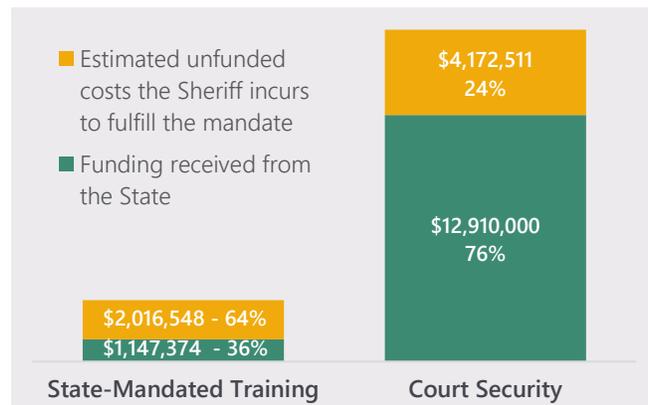


Source: Fiscal Year 2017-18 and 2018-19 Budget and Appropriation Ordinance

#### The Sheriff receives state money that only partially funds state mandates.

The California Government Code, Article 8.5, requires county sheriffs to provide court security services to courts within their county and partially funds this mandate by allocating a pool of money among the counties. This law also only allows a county to seek an increase in funding if it opens a new court facility. In fiscal year 2018-19 the projected cost of securing San Francisco’s courts was \$17 million, but the Sheriff received only \$12.9 million in state funding in the preceding year. Exhibit 8 shows the constraints on state funding for the Sheriff.

#### Exhibit 8: The State Only Partially Funds Training and Court Security Mandates



Source: Auditor analysis of Sheriff’s fiscal year 2017-18 revenue

#### Departments reimburse the Sheriff for law enforcement services it provides through work order agreements.

The Sheriff provides law enforcement services to other city departments, including Public Health, the Municipal Transportation Agency, Public Utilities Commission, and Public Library. For this work, departments reimburse the Sheriff for the direct labor costs of the staff assigned, but they do not reimburse the department for other costs, such as training requirements or payroll support for those staff, which is discussed further in Finding 1.4.2.

## OBJECTIVE

The overall objective of the audit was to assess the effectiveness of the Sheriff's staffing. Specifically, the audit sought to:

- Determine whether the Sheriff has an appropriate framework for managing and monitoring its staffing activities.
- Assess the scheduling of Sheriff staff and how it relates to employee performance, safety, and well-being.

## SCOPE & METHODOLOGY

The scope of the audit includes staffing and operations of the Sheriff's department during fiscal years 2014-15 through 2017-18.

To conduct the audit, the audit team gathered evidence using a variety of procedures and from a range of sources, as outlined below.

### Analyzed data:

- Evaluated city payroll data and performed an overtime analysis.
- Calculated a relief factor for deputy sheriff (deputy) and manager classifications using a weighted calculation of three fiscal years of pay data.
- Evaluated Sheriff workload data from several Sheriff divisions.

### Reviewed information from city departments:

- Interviewed employees and reviewed documents, including policies and procedures, operation manuals, staffing documents, and post orders, from the following Sheriff divisions.
  - Executive management (hiring plan, retirement plans, department staffing demographics, training plans, interviews)
  - Custody Operations (operations manual, staffing plan, post orders, interviews)
  - Field Operations (interviews, letters of agreement)
  - Administration and Programs (staffing report, interviews)
  - Planning and Special Projects (policies and procedures, interviews)
- Reviewed relevant sections of the San Francisco Charter, San Francisco Administrative Code, and California law.
- Reviewed the City's budget book, budget and appropriation ordinance, and salary ordinance.
- Reviewed employee memorandums of understanding and letters of agreement with departments on work orders.
- Interviewed staff of city departments and the Superior Court of San Francisco to determine whether the Sheriff's law enforcement and security services are meeting their needs.
- Reviewed job descriptions and post orders to identify positions filled by sworn personnel that could potentially be civilianized.

### Reviewed reports completed by the Controller, the Budget and Legislative Analyst, and other jurisdictions:

- City and County of San Francisco, Budget and Legislative Analyst, *Performance Audit of the San Francisco Sheriff's Department's Workers Compensation and Overtime*, 2015.
- City of San Jose, Office of the City Auditor, *Audit of Civilianization Opportunities in the San Jose Police Department*, 2010.
- City and County of San Francisco, Controller's Office, City Services Auditor, *The Department Can Better Address Critical Information Technology Needs with Improved Staffing, Organization, and Governance*, 2018.
- King County, Auditor's Office, *Performance Audit of Jail Overtime*, 2006.
- King County, Auditor's Office, *King County Sheriff's Office Overtime: Better Strategy Could Reduce Hidden Costs and Safety Risks*, 2017.
- Maryland General Assembly, Office of Legislative Audits, *Department of State Police Workforce Civilianization*, 2016.
- City and County of San Francisco, Controller's Office, Budget and Analysis Division, *Fiscal Year 2016-17 Annual Overtime Report*, 2018.
- Various publications by the California Board of State and Community Corrections and California Commission on Peace Officer Standards and Training.

### Reviewed best practices and research:

- D. Liebert and R. Miller, U.S. Department of Justice, National Institute of Corrections, *Staffing Analysis Workbook for Jails*, 2001.
- W. King and J. Wilson, U.S. Department of Justice, Community Oriented Policing Services, *Integrating Civilian Staff Into Police Agencies*, 2014.
- R. Davis, M. Lombardo, D. Woods, C. Koper, and C. Hawkins, *Civilian Staff in Policing: An Assessment of the 2009 Byrne Civilian Hiring Program*, 2013.
- B. Vila, G. Morrison, and D. Kenney, *Improving Shift Schedule and Work-Hour Policies and Practices to Increase Police Officer Performance, Health, and Safety*, 2002.
- B. Vila, D. Kenney, G. Morrison, and M. Reuland, *Evaluating the Effects on Fatigue on Police Patrol Officers: Final Report*, 2000.
- B. Vila and D. Kenney, *Tired Cops: The Prevalence and Potential Consequences of Police Fatigue*, 2002.
- D. Lindsey, *Police Fatigue: An Accident Waiting to Happen*, 2007.
- K. Amendola, D. Weisburd, E. Hamilton, G. Jones, and M. Slipka, *The Impact of Shift Length in Policing on Performance, Health, Quality of Life, Sleep, Fatigue, and Extra-Duty Employment*, 2011.

# Chapter 1

## The Sheriff's Workload Has Increased, but the City Has Not Funded Additional Staff

### SUMMARY

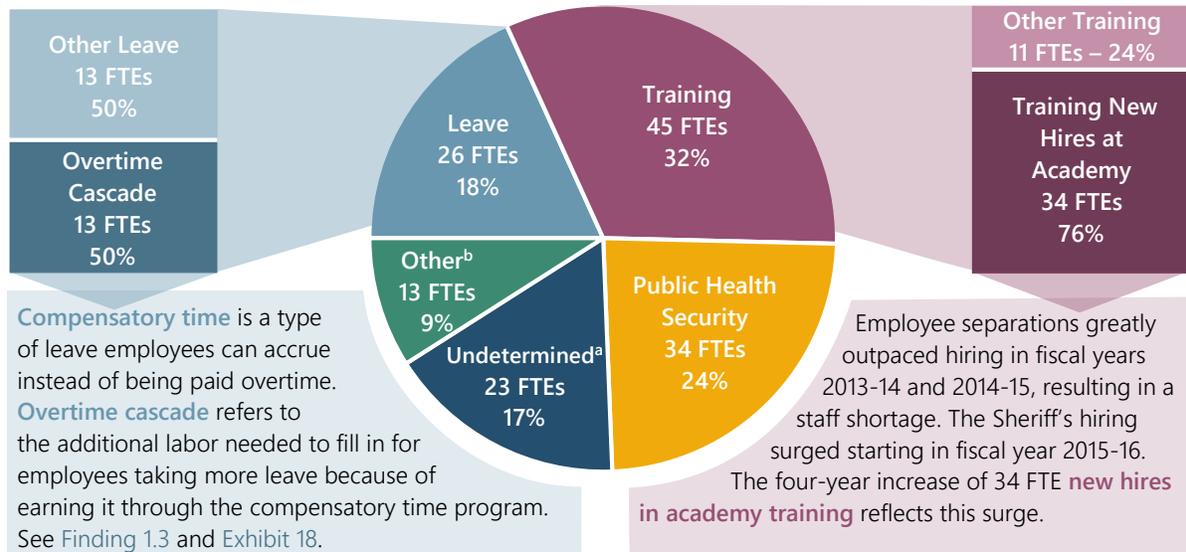
The City did not increase the Sheriff's staffing budget during fiscal year 2014-15 through 2017-18, contributing to a growing gap between the Sheriff's total work performed and its budgeted staff. Recent events, such as a 2018 California court ruling and the expansion of Zuckerberg San Francisco General Hospital (ZSFG), have increased the Sheriff's workload. The court decision drastically increased San Francisco's use of supervised release (including electronic monitoring), requiring much more Sheriff staff time to adequately supervise electronic monitoring program participants. And because the Sheriff provides law enforcement and security services to the Department of Public Health (Public Health), which oversees ZSFG, the expansion of ZSFG's facilities has increased the Sheriff's workload and staffing needs.

To fill this gap between workload and staffing, in fiscal year 2017-18 the Sheriff consistently relied on overtime to provide 20-28 percent of the hours needed to operate the jails, provide security and bailiff services to the courts, and provide law enforcement and security services to Public Health. However, the Sheriff could reduce its need for overtime and improve its budget position by civilianizing (using civilian classifications to staff) 34 positions and by recouping administrative overhead costs the Sheriff incurs when providing law enforcement and security services to other city departments.

### **Finding 1.1: The City has not increased the Sheriff's budgeted staff despite the department's increased workload.**

In fiscal year 2017-18 the Sheriff filled nearly all of the vacancies it had in the three prior years. However, the increased hiring did not keep pace with the increased amount of work the department performed. From fiscal year 2014-15 to 2017-18, the Sheriff's total work hours increased by 13 percent (141 FTEs worth of work). As shown in Exhibit 9, this increase is due to expanded security services provided to Public Health (see [Finding 1.2.2](#)), increased training because of a hiring surge, and increased use of leave, which is partially due to the increased leave hours accrued by employees working overtime. This increase in work occurred while staffing increased by only 5 percent (43 FTEs worth of work) and budgeted positions decreased by 1 percent (14 FTEs). And as Exhibit 10 shows, even as the Sheriff filled most of its budgeted positions in fiscal year 2017-18, its total work performed still exceeded its budget by 238 FTEs and the proportion of work that it performed using overtime increased from 14 to 20 percent. The gap has grown by more than 186 percent, from 83 to 238 FTEs, at least in part because of increased workloads in key functions, as discussed in [Finding 1.2](#).

### Exhibit 9: The Sheriff’s Total Work Hours Increased by 141 FTEs From Fiscal Year 2014-15 through 2017-18 Mostly Because of Expansion of Public Health Security Services and Increased Leave and Hiring



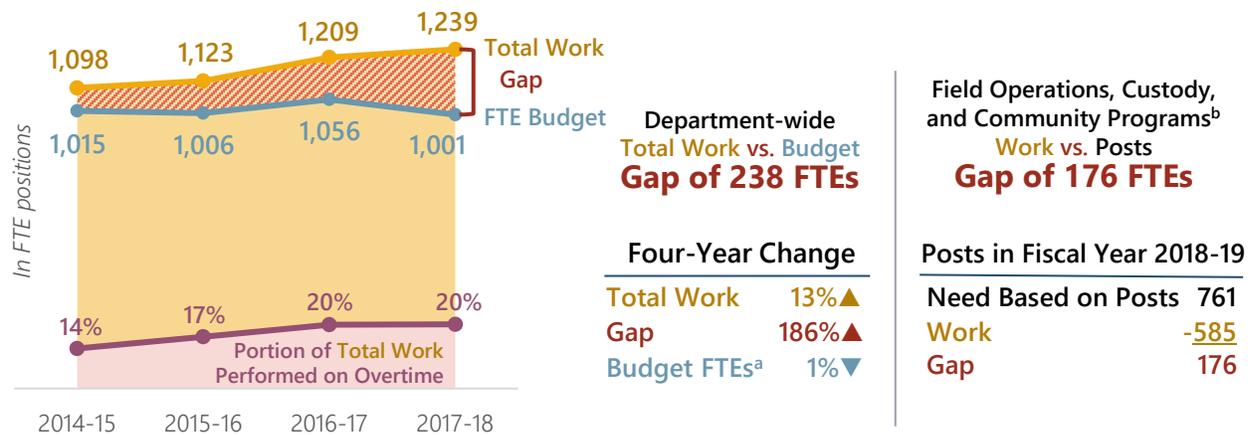
Notes:

<sup>a</sup> Before 2018 compensatory time earned was not categorized in the City’s systems by activity, so the increase in hours paid to employees in this way cannot be attributed to any specific Sheriff function.

<sup>b</sup> *Other* includes a decrease of 11 FTEs in the jails, an increase of 1 FTE for court security (see [Finding 1.3](#)), and small changes in other areas.

Source: Auditor analysis of city payroll data for fiscal years 2014-15 through 2017-18

### Exhibit 10: Although the Sheriff Has Hired to Fill Nearly All Its Budgeted Positions, Its Total Work in Fiscal Year 2017-18 Still Exceeded the Budget by 238 FTEs



Notes:

<sup>a</sup> The number of budgeted FTEs includes attrition savings required of each department. The fiscal year 2018-19 budget includes 1,019 FTE positions.

<sup>b</sup> The Field Operations Division, Custody Operations Division, and Community Programs unit represent 77 percent of the department’s sworn workforce. Posts represent work assignments.

Source: Auditor analysis of city payroll data and budget documents and Sheriff’s post assignments

Further, the Sheriff may be insufficiently staffed based on its established post assignments. Although the department has almost enough supervisors—it needs 76 and has 73 FTE supervisors, it is significantly short of deputies based on its established post assignments. The Sheriff needs 761 FTE deputies to fill post assignments in the Field Operations Division, Custody Operations Division, and Community Programs unit, but has only 585 FTE deputies, a shortfall of 176 FTE employees. However, this does not necessarily require the department to hire 176 deputies—the Sheriff may choose to fill a portion of the shortfall with overtime.

Some level of overtime allows the Sheriff to efficiently provide necessary coverage or to quickly respond to short-term variations in workload, such as covering a post when a deputy is sick. In such situations, overtime costs less than it would to hire and train additional full-time staff because, among other reasons, overtime brings no additional costs to the City for health and retirement benefits. However, the department’s continued reliance on overtime beyond covering unexpected leaves erodes the cost-effectiveness of not hiring additional deputies. Further, it risks the safety and wellness of its employees, inmates, and the public.

Total work hours and current fixed-post assignments may not precisely reflect the Sheriff’s total staffing need. For example, total work hours excludes requests for more security that a city department, such as Public Health, might want, but that the Sheriff cannot provide due to staffing limitations. Total work hours could also include time spent on inefficient practices. Modernizing some of the Sheriff’s manual processes, such as scheduling of staff, may improve efficiency, as discussed in [Finding 2.4](#). However, a significant portion of the department’s work is to maintain a security presence, which is driven largely by the risk posed by jail inmates and the physical structure of the buildings it secures. Such work has little opportunity for efficiency cost savings.

In allocating the City’s general fund, the City did not increase the Sheriff’s budgeted staff during the audit period despite increases in the department’s workload, as shown in Exhibit 10. Despite its bigger overall budget, the City’s budget decisions are constrained by many factors, including large, voter-mandated set-asides and the legislative priorities of those who make budget decisions (as shown in [Exhibit 7 in the Introduction](#)).

The Sheriff’s budget affects whether those in custody have access to programming that can ease their reentry and reduce recidivism. Although advocacy groups and family members may speak up for those most affected by the Sheriff’s budget when the Office of the Mayor (Mayor) meets with community groups or the Board of Supervisors holds public hearings as shown in Exhibit 11, the individuals most directly affected by the Sheriff’s budget cannot attend hearings because they are in custody.

### Exhibit 11: The City Has a Deliberative Process for Approving Its Budget

Prepare Budget	Budget Review	Public Hearings	Final Budget
Based on instructions from the Mayor, departments prepare their budgets. During the audit period, all budget instructions included required budget cuts. The Sheriff works with the Mayor and identifies the department’s needs for the upcoming budget.	The Mayor <b>reviews submitted budgets</b> and meets with community groups to <b>provide budget updates</b> and hear concerns and requests for funding to improve public services.	The Board of Supervisors holds <b>public hearings</b> to review departmental requests and solicit public input.	The Board of Supervisors <b>votes</b> to approve the final budget.
<b>December - February</b>	<b>February - May</b>	<b>May - June</b>	<b>July</b>

Source: Mayor’s proposed budget

Although the budget process allows stakeholders to propose their funding priorities, the Mayor and the Board of Supervisors ultimately must decide how to allocate the resources in the general fund. During the four-year audit period, these decisions have not included increasing the Sheriff's staffing despite the department's increased workload, as discussed below.

### **Finding 1.2: The Sheriff is addressing increases in its workload due to bail reform and new service requests with hiring and overtime.**

Both the Sheriff's electronic monitoring program and law enforcement and security work for Public Health now require more resources due to recent changes beyond the Sheriff's control. In January 2018 a California court ruled that bail amounts be set or adjusted to a level that individuals can afford, unless there is clear evidence the individual is a threat to public safety or a flight risk. In response, the courts have increased the use of supervised release, including electronic monitoring, in San Francisco. The Sheriff also provides law enforcement and security services for Public Health facilities. Since the opening of a new hospital building at ZSFG in 2016, the Sheriff must cover a larger area.

#### **Finding 1.2.1: The number and risk level of people on court-ordered electronic monitoring have increased, but staffing has not, which risks overwhelming the Sheriff's oversight capacity.**

Although the workload of the Sheriff's electronic monitoring program has grown drastically since 2018, staffing for this function has remained relatively static, putting at risk the Sheriff's ability to adequately monitor the program. As discussed in the [Introduction](#), the electronic monitoring program is an alternative to incarceration that allows the department to remotely supervise individuals who would otherwise be in custody.

Since fiscal year 2014-15 the average monthly number of new enrollments in the electronic monitoring program has increased 355 percent, the average daily number of participants monitored has increased 274 percent, and the average number of participants who have violated the terms of their electronic monitoring agreements has increased 2,382 percent. Despite this, as Exhibit 12 shows, staffing for the unit responsible for this program has remained static through June 2018, as the Sheriff decreased regularly assigned staff<sup>4</sup> and increased overtime.

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<sup>4</sup> CSA defines regularly assigned staff as the total number of regular work and leave hours, excluding overtime hours, expressed in FTE employees.

### Exhibit 12: The Sheriff’s Electronic Monitoring Workload Has Increased Drastically, But Assigned Staffing Has Not<sup>a</sup>



Notes:

<sup>a</sup> Numbers of FTE employees and electronic monitoring program data rounded to nearest tenth.

<sup>b</sup> The audit period is fiscal years 2014-15 through 2017-18. However, because the steep increase in the electronic monitoring workload began in January 2018, this exhibit includes some 2018-19 data to highlight the upward trend.

Source: Auditor analysis of city payroll data and Sheriff’s electronic monitoring data

According to the Sheriff, the number of individuals on electronic monitoring has significantly increased due to a January 2018 court ruling that bail amounts be adjusted to a level that individuals can afford, unless there is clear evidence the individual is a threat to public safety or is a flight risk. Since the decision, which was subsequently codified into state law, the courts have increased the use of pre-trial supervised release (including electronic monitoring) in San Francisco.

Electronic monitoring involves tracking a participant’s whereabouts using an ankle monitor with a GPS (Global Positioning System) tracking mechanism or monitoring alcohol intake using a portable breathalyzer. Electronic monitoring is tailored to the individual case and can involve restrictions on where the person can go or whether they can have visitors at home. As shown in Exhibit 13, the process to enroll a participant on electronic monitoring is labor-intensive, and includes running a warrant check, visiting the participant’s home, explaining program requirements, and instructing the participant on using the equipment.

### Exhibit 13: Enrolling a Person in the Electronic Monitoring Program is Time-Intensive for Sheriff Staff

Activity	Estimated Staff Hours		
	Sentenced Enrollee	Pre-Trial Enrollee	
<b>1. Public Safety Monitoring Assessment</b>			
Receive court paperwork, check criminal history, confirm charges, releases, and warrants.	1-2		
<b>2. Eligibility Checklist</b>			
Determine appropriateness of electronic monitoring as an alternative to jail for the sentenced individual by assessing risk: <ul style="list-style-type: none"> <li>✓ Consider crimes committed by the individual</li> <li>✓ Interview the individual’s case manager</li> <li>✓ Review in-custody program participation</li> </ul>	<i>The department indicated that it does not have discretion to determine whether a pre-trial enrollee is qualified for electronic monitoring, and that liability for these individuals is on the courts. Therefore, this step does not apply to pre-trial participants.</i>	2-4	Not applicable
<b>3. Interview</b>			
Review program rules with participant. Ensure participant has a residence at which to charge their electronic monitor.	0.75–2		
<b>4. Home Check*</b>			
Schedule home check (up to 50 miles away from San Francisco) to evaluate appropriateness of the home for electronic monitoring, ensure public and Sheriff staff safety, and to clear potential stay-away zone conflicts. Record video of the home and talk to relatives and other housemates, if any.	2–6*		
<b>5. Release</b>			
Participant is fitted with an electronic monitor, set up with stay away zones (if applicable), agrees to the terms of monitoring, and released.	2-4		
<b>Total Sheriff Staff Hours</b>	<b>8-18</b>	<b>6-14</b>	

\* For safety reasons, two deputies perform home checks; thus, hours are total of both deputies.

Source: Community Programs’ procedures and interviews of Sheriff staff

The Sheriff monitors participants 24 hours per day. According to the Sheriff, one employee is assigned to the electronic monitoring platform and at least two employees on every shift are assigned to conduct compliance checks. When participants violate the terms of their electronic monitoring, this further adds to the Sheriff’s workload. For sentenced offenders, Sheriff staff must find and re-arrest the individual, but do not need to secure a warrant. The process for pre-trial defendants, who represent most of the increase in those being electronically monitored, is more involved as shown in Exhibit 14.

### Exhibit 14: The Number of Electronic Monitoring Participants Who Violated Program Terms Increased 2,382 Percent, Adding Hours to the Sheriff’s Workload\*

The case study below demonstrates the additional work the Sheriff performs when a participant violates the terms of his or her electronic monitoring.

Activity		Estimated Sheriff Staff Hour
<b>1. Pre-Trial Participant Violates Terms of Electronic Monitoring</b>		
Day 1	Participant violates terms of electronic monitoring agreement by: <ul style="list-style-type: none"> <li>Leaving designated home zone.</li> <li>Tampering with and removing electronic monitor.</li> </ul>	1
<b>2. Sheriff Writes Affidavit for Warrant</b>		
Day 1	Deputy writes affidavit warrant. Deputy obtains judge’s signature.	2
<b>3. Sheriff Follows up</b>		
Day 15	Member of the public reports finding detached electronic monitoring device. Deputy retrieves device and writes incident report. Participant is still at large.	2
<b>4. Individual Arrested, Taken Into Custody</b>		
Day 122	Police officer arrests defendant on new charges. Deputy takes defendant into custody, writes a follow-up report.	1
<b>Estimated Average Sheriff Staff Hours Required Per Violator</b>		<b>6</b>
Average Violations Per Month		30
<b>Estimated Additional Sheriff Labor Hours Per Month</b>		<b>180 (1.03 FTE)</b>

\* From January 2014 to December 2018  
Source: Community Programs’ case files and interviews of Sheriff staff

**Participants Violating Terms of Their Electronic Monitoring Increased**

**Electronic Monitoring Participants That the Sheriff Considers High Priority for Response Increased**



1210%

374%

The number of people violating the terms of their electronic monitoring increased 1,210 percent between 2017 and 2018. Each violation creates additional work for Sheriff employees. Further, the number of participants the Sheriff considers as higher priority for response to violations increased 374 percent. Such high priority cases include those accused of domestic violence, weapons, driving under the influence and other serious acts.

Source: Sheriff’s electronic monitoring data and interviews of Sheriff staff

In addition to the increase in the number of those being electronically monitored, a greater proportion are now people the Sheriff considers higher priority for responding to violations of monitoring terms (up 374 percent). The number of pre-trial defendants court-ordered to electronic monitoring increased after the Humphrey decision, but both that ruling and California’s constitution emphasize that victim and public safety is the primary consideration in determining whether a

defendant must be detained in jail, released, or enrolled in an alternative program such as electronic monitoring. According to Sheriff staff, the department considers the seriousness of the alleged crime in determining risk to the public and how the department responds to a person’s actions. For example, staff stated that someone accused of domestic violence with a stay away zone around the alleged victim’s residence who violated that stay away zone would likely trigger a priority response unless a more critical issue was occurring at the same time. This public safety concern emphasizes the need for evaluating the appropriate level of staffing in the Community Programs unit to ensure adequate coverage to monitor participants and respond to violations of monitoring terms.

**Finding 1.2.2: The Sheriff increased its staffing at Public Health due to increased security needs, but staff still worked an average of 800 hours of overtime per assigned employee to provide coverage in fiscal year 2017-18.**

Both the number of employees assigned to Public Health and the number of overtime hours worked by Sheriff staff increased from fiscal year 2014-15 to 2017-18 to meet Public Health’s security needs. The Sheriff is responsible for providing law enforcement and security services at Public Health premises, including two major hospital campuses and multiple health clinics. According to Public Health, to determine the appropriate Sheriff staffing level, it conducts an annual assessment to determine how many Sheriff employees will be needed to meet the department’s workload. Public Health discusses the assessment with the Mayor and Sheriff. The Mayor then approves the plan and includes funding in Public Health’s budget to fund its work order agreement with the Sheriff. According to Public Health, the Sheriff provides law enforcement and security services for over 3 million square feet of property.

**Exhibit 15: The Sheriff Has Assigned More Staff to Public Health but Not Enough to Keep Pace With the Increasing Workload**



Source: Auditor analysis of city payroll data

Increased security work at ZSFG was the primary driver of the large increase in the Sheriff’s total work performed for Public Health from fiscal year 2015-16 to 2016-17. The increase corresponds to the opening of the new hospital facility at ZSFG in 2016. However, the total amount of work increased by 42 percent (from 81.4 to 115.2 FTEs), which was greater than the 28 percent growth in regular staff assigned (from 65.0 to 83.3 FTEs). This led to the Sheriff significantly increasing its overtime for Public Health security in this period to an average of 800 hours over the year for each deputy, as shown in Exhibit 15.

### Finding 1.3: The Sheriff relies extensively on overtime, which is driven by an underestimated relief factor, staffing levels that are below their established post assignments, and a cascading overtime effect.

In addition to overtime accounting for 28 percent of Public Health security hours in fiscal year 2017-18, Sheriff employees work a significant amount of overtime in the jails and courts: 22 percent of jail hours and 20 percent of court hours were overtime in fiscal year 2017-18. The audit identified three potential contributing factors to the high use of overtime: staffing levels below those needed to cover established post assignments, underestimated relief factors, and cascading overtime use due to employees earning compensatory time off for working overtime shifts.

When overtime is used to address temporary and unpredictable fluctuations in the supply of staff, such as when employees are sick, the overtime costs less than hiring and training additional full-time staff, partly because overtime brings no additional costs to the City for health and retirement benefits. As discussed above, the department’s continued reliance on overtime beyond covering unexpected leaves erodes the cost-effectiveness of not hiring additional deputies. Also, overtime-related fatigue has been found to have negative consequences, including degrading personal health, reducing focus, and increasing aggression, as discussed in [Finding 2.2](#). Adding staff to key areas may reduce required overtime, reduce the risk of fatigue and its harmful effects, and create employment opportunities.

As noted in the [Introduction](#), the Sheriff operates the county jails and provides security and bailiff services to the courts. Although total work hours were relatively stagnant in these two functions from fiscal year 2014-15 to 2017-18, overtime accounted for significant portions of the hours worked in both areas. Employees’ use of compensatory leave that they earn by working overtime could further exacerbate the Sheriff’s staffing challenges. In essence, earned compensatory time is a future liability that may cause the Sheriff to more often have staff unavailable for work and, thus, more often need to have available staff work overtime.

#### San Francisco’s Jails Increasingly Rely on Overtime

As shown in Exhibit 16, the quantity of work (in FTEs) performed in the jails remained relatively constant from fiscal year 2014-15 to 2017-18, as regularly assigned staff decreased and overtime increased.

**Exhibit 16: The Sheriff’s Staffing in the Jails and Inmate Population Have Changed Little Over Four Years**



Source: Auditor analysis of city payroll data and inmate data from Controller

According to Sheriff management, the decrease in regularly assigned staff and the corresponding increase in jail overtime likely occurred because the Sheriff reassigned some jail employees to the Field Operations Division and Administration and Programs Division due to increased workload in those divisions. Both the total work performed in the jails (down 2 percent or 10.5 FTEs) and the average daily inmate population (up 3 percent or 36 inmates) changed very little over the four years. However, the number of employees regularly assigned to the jails dropped 12 percent in the same period (from 384.4 to 337.6 FTE). To provide the number of work hours needed in the jails with fewer employees, the Sheriff increased overtime by nearly 61 percent (36.3 FTEs). By fiscal year 2017-18 Sheriff staff working overtime accounted for 22 percent of total hours worked in the jails.

### The Sheriff Requires Overtime to Fulfill Its Mandate to Secure the Courts

Sworn employees provide security for court buildings and serve as bailiffs in courtrooms but require significant overtime to fulfill this responsibility, as shown in Exhibit 17.

#### Exhibit 17: The Sheriff Used Significant Overtime to Secure the Courts



Source: Auditor analysis of city payroll data

Although Sheriff staff worked overtime for an average of more than 20 percent of the total hours used to address the courts' security needs, overtime levels remained steady from fiscal year 2014-15 to 2017-18.

### Current overall staffing levels are well below the Sheriff's current post assignments.

As discussed in [Finding 1.1](#), there is a substantial gap between the number of post assignments the Sheriff has for its Custody and Field Operations divisions and the number of deputies assigned to those divisions. To cover all these post assignments without any overtime would require an additional 176 deputy FTEs or the equivalent hours in existing deputies working overtime.<sup>5</sup> This potential understaffing may also be negatively impacting the Sheriff's operations. From fiscal year 2014-15 to 2017-18, the Sheriff reported at least 16 trainings were cancelled due to staffing shortage. These cancelled trainings included important training such as Creating an Inclusive Environment, Crisis Intervention Training, and range training.

Similarly, as further discussed in [Finding 2.3](#), current staffing levels may have disrupted the delivery of programs in the jails. Training cancellations and disruptions to program delivery in the jails emphasize

<sup>5</sup> CSA did not assess the appropriateness of the Sheriff's current post assignments, but looked at what is required to fill existing post assignments.

the need for the Sheriff to reevaluate current staffing assignments and determine appropriate staffing levels to ensure staff receives trainings and inmates receive program services crucial to rehabilitation.

**The Sheriff underestimates its staffing need by using a relief factor that is too low.**

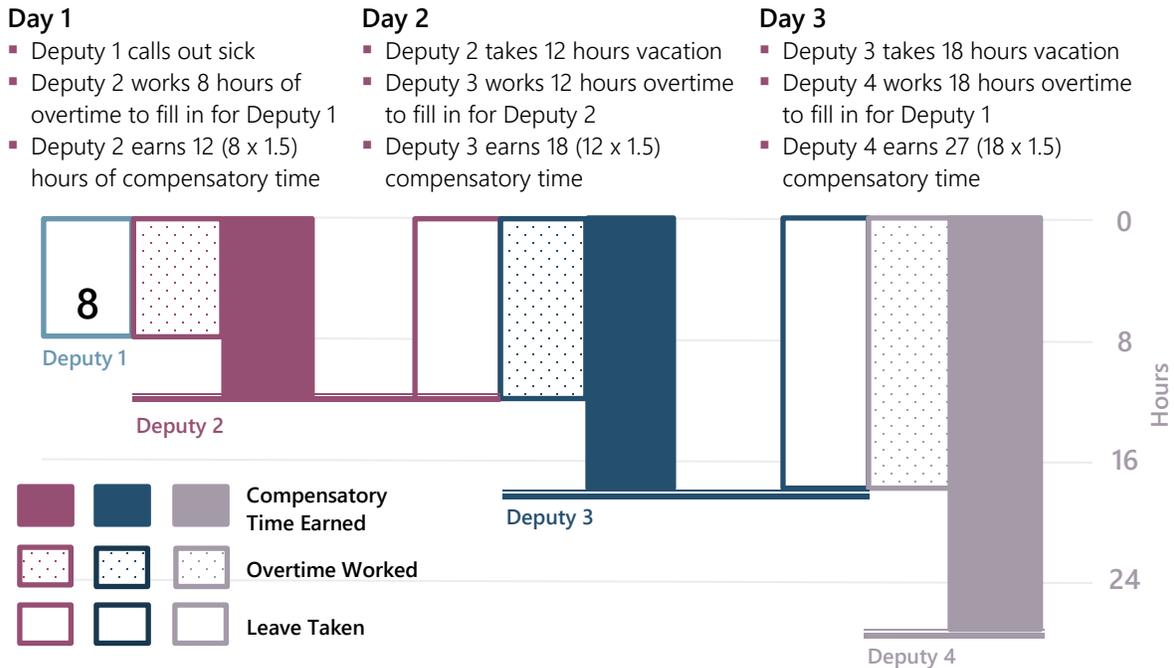
A relief factor is the number of FTE employees needed to fill a post assignment that is continuously covered. For example, if the Sheriff has a relief factor of 1.25 for a given post assignment, then it should employ 1.25 FTE employees to fully cover that post assignment. As discussed further in [Finding 2.1](#), the Sheriff's relief factors are understated, causing the department to underestimate its true staffing need.

**Deputies working overtime shifts can earn extra compensatory leave hours instead of extra pay, but this option causes a cascading effect that increases the Sheriff's need for overtime.**

When the Sheriff overly relies on overtime to meet its workload, it risks exponentially increasing the compensatory time off earned (and eventually taken) by its staff. When most Sheriff employees work overtime, they may choose to be paid for that overtime at 1.5 times their base compensation rate or to accrue compensatory time off leave hours at 1.5 times the number of hours they worked. Due to the public safety nature of the Sheriff's work, when a deputy accrues compensatory time and then takes that time as leave, another employee may need to backfill those hours on overtime. If the employee backfilling the position on overtime chooses to accrue and use compensatory time instead of receiving overtime pay, this worsens the problem.

As shown in Exhibit 18, employees earning and using compensatory time has the potential to cause a cascading effect that generates more need for employees to work overtime. From fiscal year 2014-15 to 2017-18, the use of compensatory time in the department increased significantly by over 79,000 hours, to an average of 129.5 hours per employee across the four years. Unless this trend is reversed, the Sheriff's future liability in compensatory time earned could exacerbate the Sheriff's reliance on overtime to meet its staffing needs.

### Exhibit 18: Compensatory Time Used Can Exponentially Increase the Need for More Overtime



Note: This is a sample scenario of the cascading overtime effects of compensatory time accrual and usage over a 3-day period.  
Source: Auditor analysis

### Finding 1.4: The Sheriff could improve its budget position by civilianizing some positions, allowing sworn staff to return to sworn posts, and recouping overhead costs for services provided.

By using sworn officers to fill positions that do not require the skills of a sworn officer, the Sheriff is not effectively allocating personnel resources. Furthermore, the Sheriff did not charge an administrative overhead rate in its work order agreements with other departments until the third quarter of fiscal year 2017-18, preventing the department from fully recouping the costs of its services to other departments. If the Sheriff’s budget included civilian positions to perform administrative and support duties and charged an overhead rate for the services it provides, it would decrease its labor costs and increase its revenue.

#### Finding 1.4.1: By civilianizing 34 positions, the Sheriff can reduce costs and improve staffing in law enforcement functions.

The Sheriff employed 848 sworn personnel and 192 civilian staff on June 30, 2018. In analyzing the work performed in five Sheriff units, CSA identified positions for which the job responsibilities did not require the training or authority of a sworn employee. As shown in Exhibit 19 below, the Sheriff could civilianize 34 positions, potentially allowing it to realize \$900,000 in annual salary savings and to redeploy sworn staff into public safety and law enforcement functions.

## Benefits of Civilianization

Hiring civilians in law enforcement agencies to perform administrative and support functions provides benefits including freeing up the time of sworn personnel for sworn duties, aligning employees' qualifications with the responsibilities of the positions they occupy, and cost savings from annual salaries, pensions, and premium pay.

### Civilianization Benefits

- ✓ Frees up the time of sworn personnel for sworn duties
- ✓ Aligns required qualifications with job duties
- ✓ Cost savings from:
  - ▶ Lower annual salaries
  - ▶ Lower pensions at retirement
  - ▶ Less premium pay

## Shifting Sworn Personnel to Sworn Duties

The City is not maximizing the benefits of its considerable investment when the Sheriff assigns trained sworn personnel to administrative and support positions. The Sheriff's sworn employees must complete at least 840 hours of training before they begin sworn duties. The Board of State and Community Corrections' core training, which is required to work in jails, consists of at least 176 hours, and the California Commission on Peace Officer Standards and Training (POST) basic training, which is required to work as a law enforcement officer in California, consists of at least 664 hours.

## Aligning Qualifications With Job Duties

Generally, most of the Sheriff's sworn personnel would need additional training to be able to fulfill administrative and support roles. Administrative and support positions require job-specific knowledge, skills, and abilities that, in some cases, are highly technical, such as those required for information technology positions. These requirements help ensure those hired have received the training, education, and experience needed for the job before beginning the work. In contrast, sworn employees are hired as generalists, with few required specific qualifications, and are extensively trained to perform the Sheriff's law enforcement and jail duties after hiring.

## Cost savings

Most civilian job class counterparts to sworn personnel performing administrative and support functions have lower annual salaries than the sworn classifications. As shown in Exhibit 19, the Sheriff could save \$908,882 in annual salaries for its administrative costs by civilianizing 34 positions within the functions of records, personnel, electronic monitoring, information technology, and fleet and communications.

### Exhibit 19: Civilianizing 34 Positions Would Better Align Qualifications and Realize \$900,000 in Annual Salary Savings

Role	Current Class (No.) <sup>a</sup>	Proposed Class	Difference in Annual Salary <sup>b</sup>
<b>Custody Operations Division: Central Records and Warrants Unit</b>			
<b>Supervisor</b> – Oversees work of records clerks	Senior Deputy (1)	Chief Clerk	\$28,288 ▼ x 1 = \$28,288 ▼
<b>Records Clerk</b> – Processes documents related to bookings, bail, jail releases, court appearances, and records requests	Deputy (18)	Senior Legal Processing Clerk	\$39,130 ▼ x 18 = \$704,340 ▼
<b>Administration and Programs Division: Personnel Unit</b>			
<b>Personnel Analyst</b> – Performs activities related to recruitment, hiring, leave, and worker’s compensation	Deputy (4)	Human Resources Analyst	\$8,944 ▼ x 4 = \$35,776 ▼
<b>Administration and Programs Division: Community Programs Unit</b>			
<b>Data Analyst</b> – Performs activities related to data analysis of electronic monitoring	Sheriff’s Sergeant (1)	Administrative Analyst	\$35,490 ▼ x 1 = \$35,490 ▼
<b>Planning and Projects Division: Information and Technology Support Services</b>			
<b>Executive</b> – Oversees governance and risk management of information technology	Sheriff’s Lieutenant (1)	Chief Information Officer (Manager V)	\$24,830 ▲ x 1 = \$24,830 ▲
<b>Management</b> – Oversees technical experts who administer networks and data services	Sergeant (1)	IS Engineer—Principal	\$39,494 ▲ x 1 = \$39,494 ▲
<b>Management</b> – Oversees the work of Technical Support staff	Sergeant (1)	IT Operations Support Administrator V	\$2,392 ▼ x 1 = \$2,392 ▼
<b>Technical Support</b> – Troubleshoot software and hardware problems	Deputy (5 <sup>c</sup> )	IT Operations Support Administrator II	\$28,912 ▼ x 5 = \$144,560 ▼
<b>Planning and Projects Division: Fleet and Communication Unit</b>			
<b>Fleet Coordinator</b> – Oversees fleet budget and purchasing, and upkeep vehicle maintenance	Senior Deputy (1)	Senior Administrative Analyst	\$9,126 ▼ x 1 = \$9,126 ▼
<b>Communications Coordinator</b> – Oversees portable, mobile, and control station radios	Deputy (1)	Administrative Analyst	\$13,234 ▼ x 1 = \$13,234 ▼
			<b>Total Annual Savings in Salary \$908,882 ▼</b>

Notes:

<sup>a</sup> Based on number of filled positions in December 2018 and does not account for vacancies.

<sup>b</sup> Based on the highest annual salary within the classification; does not account for premium pays available to sworn classifications.

<sup>c</sup> The Sheriff employs an additional two deputy sheriffs for technical support, which may not be efficient to civilianize if the volume of technical support requests from maximum security areas (where a civilian cannot go without being escorted by a sworn employee) is sufficiently high.

Source: Auditor analysis of Sheriff post orders and of job descriptions and salary ranges from Department of Human Resources

Also, retired civilian employees receive less pension benefits than their retired sworn counterparts, as shown in Exhibit 20. Further, civilian employees are ineligible for premium pays that those in sworn classifications can earn. For example, sworn employees can receive 4 to 6 percent of their salary as premium pay for earning POST intermediate or advanced certification.

**Exhibit 20: Most Civilian Job Classifications Receive Lower Annual Salaries and Smaller Pensions\* at Retirement Than Their Sworn Counterparts**

Sworn Classification	Civilian Classification	Annual Salary Difference	Annual Pension Difference
Senior Deputy	Chief Clerk	\$28,288 ▼	\$45,503 ▼
Deputy	Senior Legal Processing Clerk	\$39,130 ▼	\$50,434 ▼
Senior Deputy	Human Resources Analyst	\$8,944 ▼	\$40,533 ▼
Lieutenant	Manager V (Range A)	\$24,830 ▲	\$15,081 ▼
Sergeant	IS Engineer-Principal	\$39,494 ▲	\$857 ▼
Sergeant	IT Operations Support Admin V	\$2,392 ▼	\$29,759 ▼
Deputy	IT Operations Support Admin II	\$28,912 ▼	\$43,384 ▼
Senior Deputy	Senior Administrative Analyst	\$9,126 ▼	\$32,281 ▼
Deputy	Administrative Analyst	\$13,234 ▼	\$32,566 ▼
Sergeant	Administrative Analyst	\$35,490 ▼	\$52,596 ▼

\*Calculations are based on 30 years of service, retirement at the highest age factor, and the highest pay available to the classification in fiscal year 2018-19. Those retired from sworn classifications may receive up to 90 percent of their final salary; those retired from civilian classifications may receive up to 75 percent.

Source: Auditor analysis of labor agreements, salary information from Department of Human Resources and retirement benefit calculation information from San Francisco Employees' Retirement System

CSA also reviewed the Classification unit in the Custody Operations Division, which is responsible for classifying inmates' security risk levels and identifying safe and appropriate inmate housing needs. According to a Johnson County (Kansas) audit of its Sheriff's Office, staff working in classification functions may be a mix of sworn officers and civilian specialists. After reviewing general post orders and interviewing classification staff, the audit determined that the Sheriff's Classification unit requires sworn personnel's training and knowledge to identify and evaluate inmate behaviors to ensure safety and security of jail facilities.

**Finding 1.4.2: The Sheriff should further recover additional overhead costs for providing law enforcement services to other departments.**

The Sheriff provides law enforcement security services to other city departments and the state courts. During the audit period, the Sheriff did not include indirect costs other than the fringe benefits associated with its direct labor costs in its letters of agreement with client departments. However, beginning in the third quarter of fiscal year 2017-18, the department included a 5 percent charge to recover additional indirect costs from Public Health. According to the Sheriff, the 5 percent charge is intended to recover departmental costs related to training for a sworn deputy. However, this method of allocating only partial indirect costs does not align with guidance from the U.S. Office of Management and Budget (OMB) and causes the Sheriff to lose an opportunity to improve its budget position.

Direct costs are the costs of what the client department receives. In this case, the direct costs are the labor hours of Sheriff staff. Indirect costs are necessary expenses the Sheriff incurs to be able to provide services to departments, but do not represent something the client department directly receives. Although indirect costs include training expenses, they also include expenses related to personnel,

technical services, legal, fleet management, and equipment that support the Sheriff employees providing services to client departments.

When the Sheriff does not fully recoup indirect costs for services provided to departments, it must fund the other indirect costs by diverting its own budget away from other functions. As demand for these services increase, such as the 42 percent increase over four years in services provided to Public Health, the Sheriff's unfunded indirect costs also increase. Appropriately allocating indirect costs for the services provided to client departments aligns with OMB's guidance on classifying costs.

### **Other city agencies include overhead when invoicing other city departments for services.**

The rates San Francisco Public Works and the Controller's City Services Auditor charge other city departments include indirect costs, such as those of management and support functions. The San Francisco Public Works' Indirect Cost Plan includes indirect costs from bureau administration and department overhead. The bureau's indirect costs include:

- Fringe benefits for direct labor.
- Salary and benefits for indirect labor of employees in support functions such as bureau management, schedulers, and administration.
- Non-labor costs such as materials, supplies, and services of other departments.

The department overhead includes the cost of management, accounting, personnel, and information technology. The City Services Auditor includes materials, supplies, and non-personnel services, such as training, software licensing fees, and services of other departments, in its billable rate.

OMB's guidance on classifying costs is to establish indirect cost pools and allocate the pools to benefited functions relative to the benefits derived. An example of determining overhead costs that applies to the Sheriff providing law enforcement services to other departments is shown in Exhibit 21.

## Exhibit 21: The Sheriff’s 5 Percent Charge Covers Only Training of Assigned Staff While Best Practices Include Other Expenses in Indirect Cost Rates

Step One – Establish indirect cost pools	
Example Pools	Example Costs Found in Pools
Department-wide operations	<p>Indirect costs related to overall Sheriff operations</p> <ul style="list-style-type: none"> <li>▪ Executive management</li> <li>▪ Legal</li> <li>▪ Personnel</li> <li>▪ Fleet management</li> <li>▪ Services provided by other departments</li> <li>▪ Training required of any sworn employee</li> <li>▪ Facilities maintenance and capital planning</li> <li>▪ Information technology software, hardware, and support</li> <li>▪ Infrastructure management, improvement, and maintenance</li> </ul>
Divisional operations	<p>Indirect costs related to the Sheriff’s Field Operations Division*</p> <ul style="list-style-type: none"> <li>▪ Field operations management</li> <li>▪ Training specific to field operations, such as training for bailiff responsibilities</li> <li>▪ Administrative support such as scheduling and deployment in response to ad hoc requests for additional services</li> </ul>
Step Two – Allocate indirect costs fairly	
Example methodology	<ul style="list-style-type: none"> <li>▪ Estimate the total hours of service provided to client departments through work order agreements.</li> <li>▪ Divide the indirect cost by the estimated total hours of service to identify an amount that should be added to each direct labor hour charged to the client department.</li> </ul>

\*Law enforcement and security contracts are administered by the units within the Field Operations Division.

Source: OMB Circular A-87, interview of Sheriff staff, relevant sections of fiscal year 2018-19 and 2019-20 Proposed Budget, and documents on Sheriff’s organization and unit responsibilities

### Recommendations

The San Francisco Sheriff’s Department should:

1. Evaluate staffing levels of the Community Programs unit and determine whether those levels are adequate for safe and effective oversight of the electronic monitoring function.
2. Identify the level of staffing needed to work in mandated functions to reduce the significant levels of overtime worked in those functions.
3. Negotiate for lower compensatory time accrual caps in its labor agreements.
4. Civilianize 34 positions in Central Records and Warrants unit, Personnel unit, Community Programs unit, Information Technology and Support Services unit, and Fleet and Communication unit.
5. Amend its work order agreements with other departments to recover additional indirect costs associated with providing services.

## Chapter 2

### To Make Data-Driven Decisions and Protect Public Safety, the Sheriff Should Improve and Further Assess Its Strategic Planning, Staffing Practices, and Systems

#### SUMMARY

The Sheriff could improve its strategic planning, staffing practices, and systems by adopting a staffing plan based on leading practices, consistently and effectively tracking all the workload-related data it needs, and improving the use of systems for monitoring workload and staffing.

Because the Sheriff does not have a centralized staffing plan that includes elements recommended by leading practices, it cannot fully understand its staffing needs or convey those needs to key stakeholders. And because the City's budget is constrained by many factors, the Sheriff must accurately convey its needs to its budget stakeholders. To further develop its staffing plan, the Sheriff must track the data it needs related to its workload and monitor the negative impacts to its operations due to staffing issues. For example, the department does not adequately track incidents such as jail lockdowns and disruptions of rehabilitative programs in the jails that occur due to staffing shortages. Furthermore, the department does not track special requests from departments, which inhibits its analysis of its staffing needs. Finally, the department has cumbersome scheduling and timekeeping practices, which create unnecessary work for payroll clerks and hinder the effective monitoring of workload and staffing in programs across the department.

As discussed in [Chapter 1](#), although the Sheriff's workload has increased, the number of budgeted positions in the department has not. To meet this workload, some Sheriff employees work long hours, potentially risking fatigue and its associated harmful effects. To mitigate this risk, the Sheriff must implement timekeeping and scheduling systems and practices that better facilitate the department's monitoring of employees' work hours.

#### **Finding 2.1: The Sheriff's staffing plan is missing some key elements, preventing the department from accurately estimating and conveying its staffing needs.**

The Sheriff does not have a departmental staffing plan that aligns with what the U.S. Department of Justice recommends, hindering the department from fully understanding its staffing needs and conveying those needs to city decision-makers. The Sheriff tracks departmental hiring, separations, and retirement levels, and produces an annual hiring plan. However, as shown in Exhibit 22, the department does not have a unified, master staffing plan that includes all elements recommended by the U.S. Department of Justice's National Institute of Corrections.

## Exhibit 22: The Sheriff’s Staff Planning Does Not Include or Only Partially Includes Key Leading Practices

Leading Practice	Does the Sheriff Follow? (Yes/No/Partly)
<b>Profile Facilities:</b> Describe the physical, operational, and human context of the jail, including inmate population data, mission statement, floor plans, and relevant court decisions, among other things.	 Yes
<b>Develop a Facility Activity Schedule:</b> Identify all programs, activities, support services, and security functions that take place in the facility and chart the times they occur during the period.	 No
<b>Calculate Net Annual Work Hours and Relief Factor:</b> Collect and analyze “time off” data to determine the number of real staff hours available for scheduling.	 <b>Partly</b> – Methodology does not align with best practices (see Exhibit 23)
<b>Develop a Staff Coverage Plan:</b> Identify the posts and positions that need coverage and the amount of coverage needed.	 <b>Partly</b> – Divisions have designated posts, but the Sheriff does not have a department-wide coverage plan
<b>Develop a Schedule:</b> Use the staff coverage plan to develop an approach to staffing the department that efficiently meets coverage needs.	 <b>Partly</b> – Shift schedules are defined in the Sheriff’s labor agreements. However, because the department does not have a department-wide staff coverage plan, it cannot determine whether the negotiated schedules are the most efficient and effective for Sheriff operations.

Source: Auditor analysis of Sheriff staffing planning documents and National Institute of Corrections’ *Staffing Analysis Workbook for Jails*, 2001

- Profile the facilities that must be staffed.** | The Sheriff has floorplans of the facilities it secures, which show designated housing areas, watch stations, and other physical characteristics that influence staffing levels in the jails.
- Develop a Facility Activity Schedule.** | The department does not have a facility activity schedule that identifies the times all programs, activities, services, and security functions occur in the jails. Without comprehensive and accurate activity schedules, the department cannot accurately assess its workload or understand what post assignments it must fill, as discussed below.
- Calculate net annual work hours and relief factor.** | To create a valid staffing plan, a department must be able to accurately estimate the actual number of hours the staff is available to work, also known as net annual work hours. This number is used to calculate a relief factor, which is a measure of the number of FTE employees needed to work a post that is continuously covered, considering nonproductive time.

Full-time employees normally work 2,088 hours per year, but are not productive during all of those hours. Leave and training take employees away from their regular duties. As shown in Exhibit 23, the relief factor is calculated by dividing total work hours by the total *productive* hours in that function. In fiscal years 2015-16 through 2017-18, deputies charged an average of 385,965 hours of nonproductive time per year, leaving 886,116 productive hours per year. A position requiring a deputy to be present 24 hours a day (such as the post to secure the front gate of County Jail 5) results in a relief factor of 6.02. This means the Sheriff must employ 6.02 FTE deputies to fully cover that position without any overtime.

### Exhibit 23: To Staff One Post 24 Hours per Day, the Sheriff Must Employ 6.02 FTE Deputies to Provide Relief for Training and Time Off

<b>Total hours charged by deputies</b>		<b>1,272,081</b>	<b>Total hours</b>
<b>Nonproductive hours</b>	-	<b>385,965</b>	<b>Nonproductive hours</b>
<i>Amount of regular work time that is training</i>		35,308	
<i>Paid time off charged by deputies</i>	+	327,703	
<i>Unpaid time off charged by deputies</i>	+	22,954	
<b>Productive hours (net annual work hours)</b>	=	<b>886,116</b>	<b>Productive hours</b>
Relief factor calculation:	Total hours charged by deputies	1,272,081	Total hours
	Productive hours	÷ 886,116	Productive Hours
FTEs required to cover 8 hours per day, 5 days per week accounting for employee's leave and training.	=	<b>1.44*</b>	<b>Shift relief factor</b> (2,088 annual hours)
A 24-hour post is 8,760 hours of coverage (24 hours x 365 days). 8,760 annual post hours ÷ 2,088 regular shift hours	x	4.20*	
FTEs required to cover 24 hours per day, 7 days per week accounting for employee's leave and training.	=	<b>6.02</b>	<b>Post relief factor</b> (8,760 annual hours)

\*Numbers rounded to the nearest tenth.

Source: City payroll data and net annual work hours relief factor calculation methodology from National Institute of Corrections' *Staffing Analysis Workbook for Jails, 2001*

The Sheriff's calculations for its relief factors are understated. Although the department appropriately includes unproductive time such as vacation leave, holidays, and training hours, its methodology does not fully consider sick leave or compensatory time off in the calculation of nonproductive time. It is important to include, to the extent possible, all time-off categories in relief factor calculations to yield an accurate estimate of the number of FTE employees needed to fulfill operational needs without routine overtime.

Including only some sick leave and compensatory time off in its calculation is one reason the Sheriff underestimated its relief factor. Further, the Sheriff used a single year (fiscal year 2015-16) of payroll data to calculate its relief factors. However, the National Institute of Corrections recommends using three years of data.<sup>6</sup> By following a more robust relief factor calculation methodology that captures additional nonproductive time and using averages based on three years of data, the Sheriff will be able to better estimate its staffing need. A comparison of the current and proposed shift relief factors for a position that must be staffed five days per week, eight hours per shift and a position requiring coverage at all times is shown in Exhibit 24.

<sup>6</sup> U.S. Department of Justice, National Institute of Corrections, *Staffing Analysis Workbook for Jails, 2001*.

### Exhibit 24: The Sheriff’s Current Relief Factors Are Understated

Deputies			Supervisors		
5-Day Week, 8-Hour per Day Shift Relief Factor <sup>a</sup>					
<u>Current<sup>b</sup></u>	<u>Proposed<sup>b</sup></u>	<u>Difference</u>	<u>Current<sup>b</sup></u>	<u>Proposed<sup>b</sup></u>	<u>Difference</u>
1.35	1.44	6.7% ▲	1.39	1.47	5.8% ▲
7-Day Week, 24-Hour per Day (Continuous) Post Relief Factor					
5.67	6.02	6.2% ▲	5.83	6.16	5.7% ▲

Notes: Hours are based on an average from fiscal year 2015-16 through 2017-18 payroll data.

<sup>a</sup> This shift relief factor can be converted to a continuous post relief factor (the number of FTE employees needed to provide continuous coverage) by multiplying by 4.20. This calculation is shown in [Exhibit 23](#).

<sup>b</sup> Numbers are rounded to the nearest hundredth.

Source: Auditor analysis of city payroll data using relief factor calculation methodology in National Institute of Corrections’ *Staffing Analysis Workbook for Jails*, 2001

**Develop a staff coverage plan and schedule.**

The department lacks formal guidelines for estimating its sworn staffing requirements, including identifying post assignments that need to be filled and policies for determining future staffing needs. The Sheriff does not have a centralized list of post assignments for the department. It instead

tracks post assignments by facility daily or documents post assignments in legal agreements with departments for which the Sheriff provides services. Also, the Sheriff’s schedules of programs and activities in the jails are incomplete and inconsistent, as further discussed in [Finding 2.3](#). Both changes—a centralized list of post assignments and complete, consistent schedules of jail programs and activities—would give the department a more informed understanding of its staffing needs.

The Sheriff analyzes sworn staffing based primarily on current-year authorizations, minimum staffing provisions in the department’s labor agreement with the Deputy Sheriffs’ Association, and legal agreements with other departments. However, without an accurate relief factor, a centralized list of post assignments, or complete activity schedules, the department cannot adequately assess the true number of employees it needs.

After performing the analyses discussed above, the department should develop a report that justifies all aspects of the proposed staffing plan. The U.S. Department of Justice recommends this report contain the staffing analyses completed by the department and a narrative explanation of the implications of the analyses. As discussed in the [Introduction](#), the City has finite resources that it must distribute among many departments that, directly or indirectly, provide important services to the public. The Sheriff must be able to demonstrate to stakeholders the importance of the critical functions and ancillary programs that the department provides and manages.

## Finding 2.2: Sworn employees work excessive hours, risking fatigue and its harmful effects.

Some of the Sheriff's sworn employees work excessive hours, potentially resulting in employee fatigue. Several studies have found that long work hours increase sworn employee fatigue, and fatigue can have detrimental effects on employee health, safety, and performance.<sup>7</sup> For example, one study shows that disruptions of circadian rhythms due to fatigue can decrease an individual's alertness, impair performance, and worsen mood.<sup>8</sup> Other research demonstrates that the effects of fatigue can be similar to the effects of alcohol intoxication. After 17 to 19 hours without sleep, individuals' performance on tests was equivalent to having a blood alcohol content of 0.05 percent, typically resulting in impaired judgment and lowered alertness.<sup>9</sup> More seriously, 24 hours without sleep was equivalent to a blood-alcohol content of 0.10 percent, resulting in clear deterioration of reaction time and control, poor coordination, and slowed thinking.<sup>10,11</sup> Chronic low levels of sleep result in "sleep debt" that can cause impairments resembling intoxication.<sup>12</sup> In one study, people who slept only four hours per night for two weeks had similar impairments to those who stayed awake for 24 consecutive hours.<sup>13</sup>

### Correlations in King County

A King County (Washington State) audit of its Sheriff's Office found that working only one additional hour of overtime per week increased the chances that a deputy would be involved in a use-of-force incident the following week by 2.7 percent and increased the odds of an ethics violation the following week by 3.1 percent. The study found that these increased likelihoods were statistically significant.

Source: King County Auditor's Office, *King County Sheriff's Office Overtime: Better Strategy Could Reduce*

Exhibit 25 shows there were many instances in which Sheriff employees may have worked enough hours that their ability to perform public safety duties could have been diminished. In fiscal year 2017-18 there were 194 instances in which an employee was paid for working 180 or more hours in a two-week period, leaving an average of only 11 hours per day for sleep, commuting, errands, socializing, and all other activities.

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<sup>7</sup> D. Kenney, G. Morrison, M. Reuland, B. Vila, *Evaluating the Effects of Fatigue on Police Patrol Officers*, 2000. This study was funded by the U.S. Department of Justice.

D. Kenney, G. Morrison, B. Vila, *Improving Shift Schedule and Work-Hour Policies and Practices to Increase Police Officer Performance, Health, and Safety*, 2002.

D. Lindsey, M.Ed., *Police Fatigue: An Accident Waiting to Happen*, 2007.

U.S. Department of Justice, National Institute of Justice, *Officer Work Hours, Stress and Fatigue*, 2012.

<sup>8</sup> D. Kenney, G. Morrison, M. Reuland, B. Vila, *Evaluating the Effects of Fatigue on Police Patrol Officers*, 2000. This study was funded by the U.S. Department of Justice.

<sup>9</sup> D. Kenney, G. Morrison, B. Vila, *Improving Shift Schedule and Work-Hour Policies and Practices to Increase Police Officer Performance, Health, and Safety*, 2002.

<sup>10</sup> Ibid.

<sup>11</sup> Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, *Impaired Driving: Get the Facts*, revised 2019.

<sup>12</sup> American Sleep Association, *Sleep Debt: Signs, Symptoms, and Treatments*.

<sup>13</sup> Harvard Medical School, Harvard Health Publishing, *Repaying Your Sleep Debt: Why Sleep is Important to Your Health and How to Repair Sleep Deprivation Effects*, revised 2018.

## Exhibit 25: Some Sheriff Employees Worked Long Hours That Can Risk Negative Effects Resembling Intoxication

**Sustained Sleep Deprivation** – Excessive work hours can lead to sustained, insufficient nightly sleep, creating a “sleep debt” equivalent to alcoholic impairment.

**24 hours awake**  
or two weeks of only  
**4 hours nightly sleep**  
is equivalent to

**0.10%**  
**blood alcohol content**

Lower reaction time  
Poor coordination  
Slowed thinking

In fiscal year 2017-18 there were:  
**194 instances of Sheriff sworn employees**  
working 180+ hours in two weeks, leaving an average of only 11 hours per day for sleep, commute, socializing, and all other activities; and an estimated  
**675 instances of Sheriff sworn employees**  
with only 1-7 hours off between shifts<sup>b</sup>

*It is unsafe to drive with a blood alcohol content above 0.05.<sup>a</sup>*

Notes:

<sup>a</sup> The National Transportation Safety Board recommends 0.05 as the legal maximum blood alcohol content for drivers.

<sup>b</sup> Payroll data cannot distinguish between whether these instances were an employee working 17-23 consecutive hours or working two separate shifts with 1-7 hours off in between. According to the Sheriff, it consistently complies with its policy prohibiting employees from working more than 16 consecutive hours. See [Finding 2.4](#) for limitations of the payroll data.

Source: Auditor analysis of city payroll data from fiscal year 2017-18, leading practices from National Transportation Safety Board, Harvard Health, and Police Quarterly, “Improving Shift Schedule and Work-Hour Policies and Practices to Increase Police Officer Performance, Health, and Safety,” 2002

Payroll data shows 675 instances in fiscal year 2017-18 where a Sheriff employee was paid for 17 to 23 hours in one day.<sup>14</sup> The Sheriff’s overtime policy prohibits employees from working more than 16 consecutive hours. Payroll data cannot show whether these 675 instances were an employee working 17 to 23 consecutive hours or working two separate shifts with 1 to 7 hours off in between.<sup>15</sup> The Sheriff states it complies with the 16-hour limit, which would indicate that the 675 instances were times when an employee had only 1 to 7 hours off between shifts.<sup>16</sup> The Sheriff’s policies do not require a minimum number of hours off between shifts.

The department’s overtime policy also does not limit how much overtime an employee can work in a year.<sup>17</sup> CSA evaluated the schedule for three months for a deputy who worked approximately 1,600 hours of overtime in one year.<sup>18</sup> The deputy’s schedules show him working:

- 36 days in a row, including nine double shifts.
- 29 days in a row, including eight double shifts.

<sup>14</sup> The Sheriff’s payroll process is highly manual and vulnerable to errors (see [Finding 2.4](#)). Some of these instances may be due to overtime hours being entered the day after they were worked.

<sup>15</sup> The City’s payroll system counts overnight shifts as hours worked on two separate days rather than as a single shift. See [Finding 2.4](#) for more detail on the limitations of the payroll data.

<sup>16</sup> Because of its manual scheduling and timekeeping processes, the Sheriff does not have data to monitor compliance with the policy prohibiting employees from working more than 16 consecutive hours, as discussed in [Finding 2.4](#).

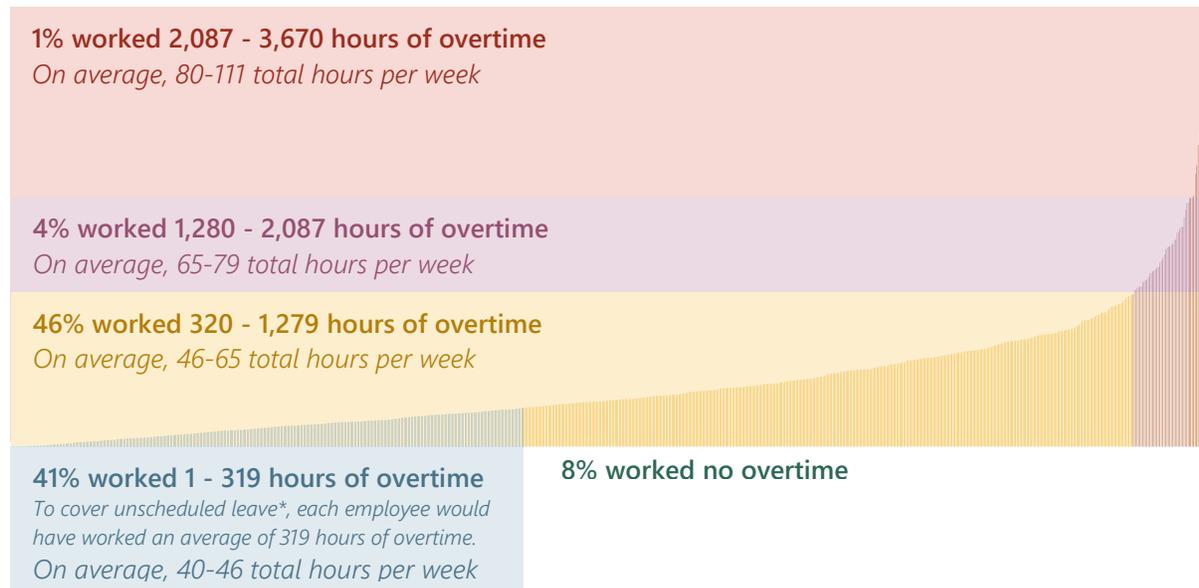
<sup>17</sup> The San Francisco Administrative Code, Section 18.13-1, generally prohibits employees from working overtime that exceeds 25 percent of their regularly scheduled hours in a fiscal year, or 520 hours for a normal FTE employee, without prior approval of the director of human resources.

<sup>18</sup> The schedule was for a single unit and does not include overtime shifts the deputy might have worked in other units.

- 74 (81 percent) of the 91 days in the period.
- Two weeks of 104 hours per week.

As shown in Exhibit 26, 5 percent of Sheriff employees each worked an average of more than 1,280 hours of overtime in fiscal year 2017-18. In fact, the top 1 percent of overtime earners each worked an average of more than 2,087 overtime hours in the same fiscal year, virtually an entire work year of overtime.

### Exhibit 26: Half of Sheriff Employees Worked More Than 319 Hours of Overtime in Fiscal Year 2017-18



\*Unscheduled leave includes all leave categories except vacation and holiday; it includes sick, jury duty, and disability.  
Source: Auditor analysis of city payroll data for fiscal years 2015-16 and 2016-17 and SF Financials data for fiscal year 2017-18

Fatigue from excessive consecutive work hours or long and irregular work hours has many potential negative effects. Fatigue tends to increase irritability and fearfulness while diminishing an individual's capacity to make sound decisions, which is especially problematic in high-stress situations like those that can occur in law enforcement. A study by Washington State University found that inadequate sleep may heighten implicit racial biases among peace officers, increasing a stronger association between African-Americans and weapons.<sup>19</sup> Other research conducted on peace officers has found that long and irregular work hours can adversely affect eating and sleeping habits and psychological well-being, raise blood pressure, and result in stress-related disability claims. Exhibit 27 outlines the results of lack of sleep as explained in an FBI Law Enforcement Bulletin.

<sup>19</sup> James, Lois. *The Stability of Implicit Racial Bias in Police Officers*, Washington State University, 2018.

### Exhibit 27: Fatigue Has High Risks for Peace Officers

 <ul style="list-style-type: none"><li>▪ Inability to remain alert to respond to the demands of work</li><li>▪ Memory impairment</li><li>▪ Lack of concentration</li></ul>	 <ul style="list-style-type: none"><li>▪ Obesity</li><li>▪ Hypertension</li><li>▪ Stress-related illness</li><li>▪ Changes in metabolic functions</li></ul>
 <ul style="list-style-type: none"><li>▪ Irritability with coworkers, family, or friends</li><li>▪ Lower frustration tolerance</li><li>▪ Accidents on the job or in the home</li></ul>	 <ul style="list-style-type: none"><li>▪ Alteration of hormonal functions in ways that mimic aging</li><li>▪ Stress-related disability claims</li></ul>
 <ul style="list-style-type: none"><li>▪ Inattention</li><li>▪ Changes in eating and sleeping habits</li><li>▪ Decreased psychological well-being</li></ul>	

Source: Lindsay, *Police Fatigue: An Accident Waiting to Happen*, 2007

### Finding 2.3: The Sheriff should better track the data it needs related to its workload and the impacts of its staffing decisions.

Because it does not consistently track workload-related data, the department is less able to make efficient staffing and work planning decisions or report areas of growing workload to decision-makers. Although some workload tracking occurs in some Sheriff programs, it is often inadequate. For example, the Sheriff does not sufficiently track and analyze special requests for security from the courts. According to the Sheriff, when the courts make a special request for additional security, such as for a high-profile court case, the department maintains timesheets of the employees who worked on the special request. However, the Sheriff does not analyze the timesheet data to determine how many special requests it has received, how often they are received, or how many employees work on them. In addition, although the Criminal Investigations unit now tracks important information such as the total number of investigative cases, it can enhance its monitoring by tracking and analyzing the time investigators spend on each case.

Besides not tracking all the workload data it should, the Sheriff's analyses and reporting of electronic monitoring data is inconsistent, potentially causing the department to inaccurately estimate workload and the staffing levels needed for the electronic monitoring function. The Community Programs unit collects and analyzes data related to the number of participants, bookings, and noncompliant individuals on electronic monitoring. According to the Sheriff, deputies enter information on each individual enrolled in electronic monitoring and other community programs into the Jail Management System, which has limited data input controls.

Limited controls increase the risk that deputies input inaccurate or inconsistent information into the Jail Management System. For example, the system allows the recorded date of an individual's initial booking in the electronic monitoring program to be later than that person's recorded release date from the program. Thus, these limited controls can impede the Community Programs unit from accurate and consistent reporting of an important public safety issue. Exhibit 28 below highlights this and other examples of inadequate data tracking and analysis.

According to the U.S. Government Accountability Office, an organization should use quality information to achieve its objectives. Quality information should be, among other things, accurate, appropriate, and timely, and the organization should use this information to make informed decisions and evaluate its

performance in achieving key objectives and addressing risks.<sup>20</sup> Adopting a data-driven decision-making process would allow the Sheriff to use indicators to further inform its staffing decisions based on demand for the department’s services. By not adequately monitoring or measuring its workload, the Sheriff is less able to analyze its workload and staffing, hindering the department from justifying its staffing needs.

In 2017 the Sheriff began taking steps to analyze its staffing for court security by partnering with DataSF to quantitatively examine staffing at the courts and related budget levels.<sup>21</sup> The Sheriff’s agreement with DataSF states that this data science project will allow the Sheriff to better project future requirements to prevent continued personnel and funding shortfalls. Based on the results of the data science project, the Sheriff plans to allocate appropriate staff in accordance with the findings.

### Exhibit 28: The Sheriff Does Not Adequately Track or Analyze Data Related to Workload or the Operational Impacts of Understaffing

Service Area	Sheriff’s Data		Reason for Rating
	Tracking	Analysis	
<b>Lockdowns:</b> Occur in situations that could affect jail security and/or seriously threaten the safety of staff or prisoners			<ul style="list-style-type: none"> <li>Not all jail facilities track lockdowns.</li> <li>County Jail 4 has a log that records lockdowns, but it is incomplete.</li> </ul>
<b>Programming Services:</b> Community-based programs as part of rehabilitative, religious, and reentry services for inmates			<ul style="list-style-type: none"> <li>No tracking of when programming services in jails are canceled.</li> <li>Program schedules are not adequately maintained.</li> </ul>
<b>Court Services Special Requests:</b> Requests from the courts for additional security services			<ul style="list-style-type: none"> <li>Special requests for court-related security are not adequately tracked or analyzed.</li> </ul>
<b>Electronic Monitoring:</b> Remotely supervise individuals using a device to track their location and alcohol consumption			<ul style="list-style-type: none"> <li>Although Community Programs unit staff tracks and analyzes electronic monitoring data, inaccurate and inconsistent reporting can lead to errors.</li> </ul>
<b>Prisoner Legal Service Requests:</b> Provide legal advocacy, information, and assistance to inmates			<ul style="list-style-type: none"> <li>Although inmate service requests and other items are tracked, the workload database is incomplete.</li> <li>No analysis of trends related to inmate services requested or provided.</li> </ul>
<b>Criminal Investigations:</b> Conduct criminal investigations, including violence, drug, fraud, threats to public officials, public, and sworn staff cases			<ul style="list-style-type: none"> <li>Although the Criminal Investigation unit tracks the number and type of investigations, the amount of time investigators spend on criminal investigations is not tracked.</li> <li>No analysis of trends in investigative cases, such as changes in the types of cases received.</li> </ul>

Source: Auditor analysis of Sheriff’s workload data and interviews of staff in several Sheriff divisions and units

<sup>20</sup> U.S. Government Accountability Office, *Standards for Internal Control in the Federal Government*, 2014.

<sup>21</sup> DataSF is the City’s open data program.

As with workload data, the Sheriff does not adequately track or analyze the impacts of understaffing on its operations. The Programs unit in the Administration and Programs Division facilitates and oversees the delivery of programs and services that are intended to assist in rehabilitating inmates. These programs and services include in-custody educational and vocational programs, community-based programs, religious services, grief counseling, self-help groups, and post-custody transitional services that assist inmates in reintegrating with the community after incarceration.

According to Custody Operations division staff, understaffing in the jails could lead to a jail lockdown needed to ensure safe operations, which could disrupt the delivery of some programs and services for inmates. However, despite the importance of these services, the department does not track when or how often such disruptions occur due to inadequate staffing levels in the jails. Although the Sheriff's policies state that jail staff is to maintain records of jail lockdowns, the policies are silent on whether lockdown records should contain information on programs that were disrupted or cancelled due to the lockdowns. Staff of both the Custody Operations division and Community Programs unit indicated the department does not have policies or procedures that designate the responsibilities of jail or program staff to maintain information on program disruptions.

During the audit, the Sheriff asked for information related to program disruptions in 2018 from its contractors that deliver some of these services. However, the information received does not indicate why a program was disrupted or cancelled. Thus, the audit compared the Sheriff's records of lockdowns in 2018 to the information provided by the contractors to determine whether services were disrupted during the hours that a jail lockdown occurred due to a staffing shortage. The comparison found that ten scheduled parent-child visits in 2018 were cancelled on dates of jail lockdowns due to staffing shortages in County Jail 4. Although it is unclear whether these visits were cancelled due to a lockdown, it is important that the department begin tracking when rehabilitative programs and services in the jails are disrupted due to staffing challenges so it can demonstrate to stakeholders the importance of having enough employees to enable the delivery of these services.

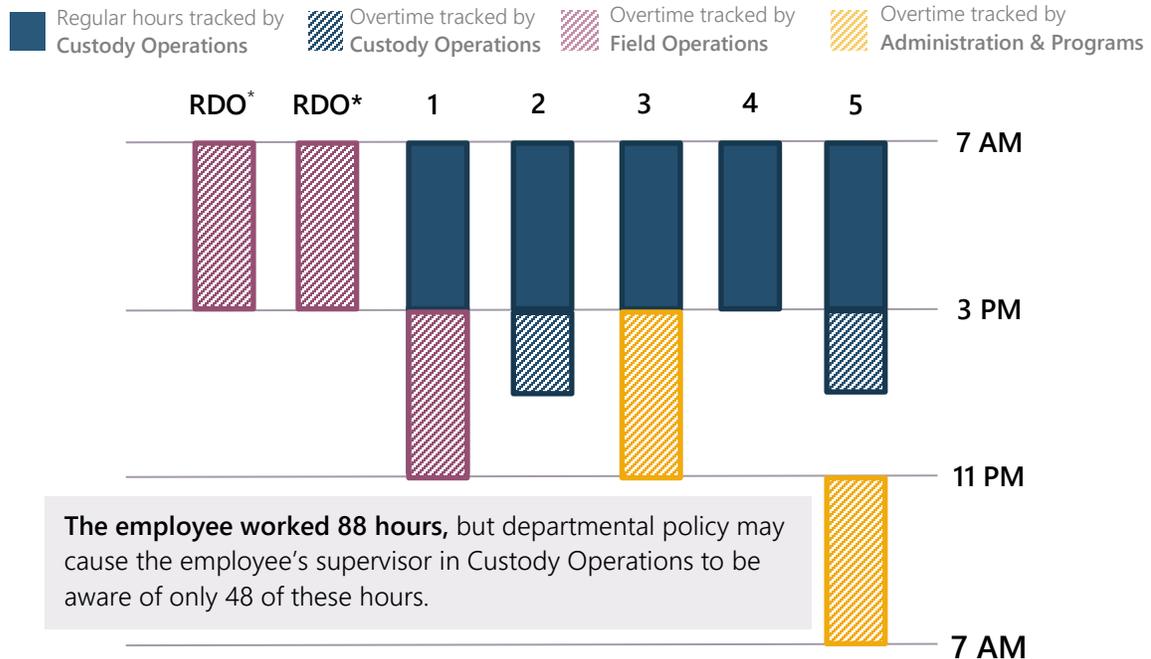
## **Finding 2.4: The Sheriff's systems and practices do not facilitate analyzing or monitoring workload or staffing data.**

### **The lack of a scheduling system and insufficient coordination hinder strategic planning.**

The Sheriff has no practices or centralized system to allow its divisions or units to coordinate their schedules and instead relies on manual tracking of employee schedules and time worked. Further, the Sheriff's divisions set their schedules independently of one another, but often share staff. For example, a deputy who typically works eight-hour shifts at a court may work overtime at a jail. In such cases, no formal process exists for approval by or coordination with the deputy's regular supervisors to ensure they are aware of the overtime worked in another division. Instead, deputies are required only to confirm the overtime with the commander of the unit in which they will work the overtime. Also, according to management, the department expects employees signing up for overtime (not their supervisors) to ensure they comply with the department's policy that prohibits working more than 16 consecutive hours in a workday. This process could result in neither of the employee's supervisors being aware that the deputy will work more than 16 hours in a workday, a violation of Sheriff policy.

As shown in the sample staff schedule in Exhibit 29, each unit in which an employee works will track, approve, and submit on paper the employee’s work hours to the Payroll unit separately. This poses challenges for managing staff workload and fatigue because supervisors may be unaware of the extent of the overtime that an employee works, which could ultimately hinder strategic staffing planning across the department.

### Exhibit 29: The Time a Sheriff Employee Works in Two or More Divisions Is Tracked Separately



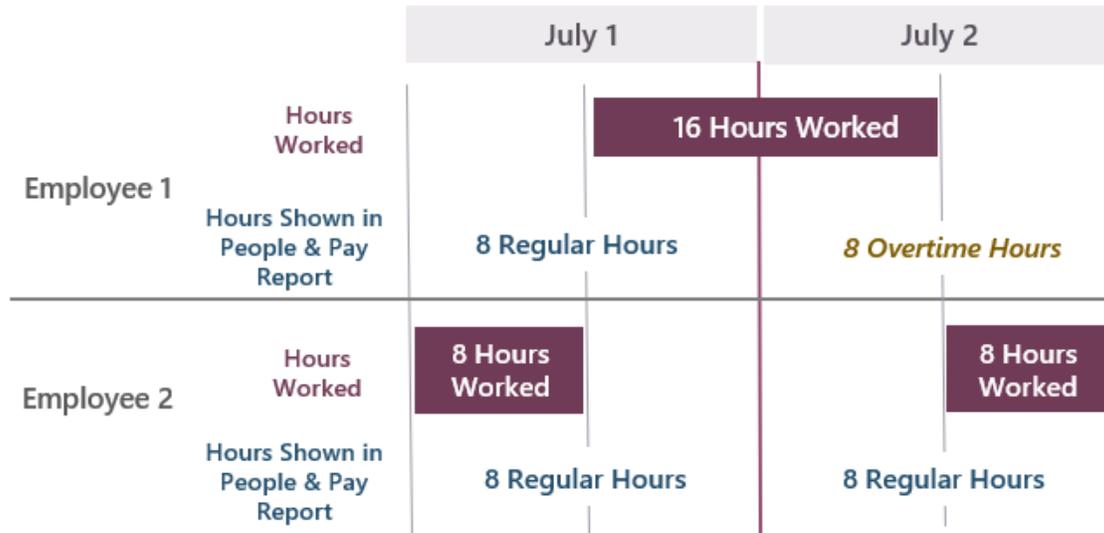
Note: \*RDO = Regular Day Off (employee is not regularly scheduled to work)  
 Source: Auditor analysis based on interviews of payroll staff, review of timesheets, and Sheriff policies and procedures

Without centralized timekeeping, the department would need to spend more time than necessary to confirm whether employees are working more hours than allowed or to determine where and how many hours an employee worked in a given period.

Compounding these challenges is the fact that the City’s People & Pay system does not allow the Sheriff to accurately monitor employees’ work hours when their shifts span two days. The People & Pay system, in its current configuration, shows how many hours were worked on a given day, but not whether those hours were the continuation of a shift that started the previous day or one of two separate shifts. As mentioned in [Finding 2.2](#) and shown in Exhibit 30, if an employee works 16 consecutive hours spanning two days, the People & Pay system only captures the hours worked on each day.

### Exhibit 30: The City's People & Pay System Is Not Configured to Show Staff Shifts Across Days

Two Employees' Shifts Both Recorded as 8 hours each day:

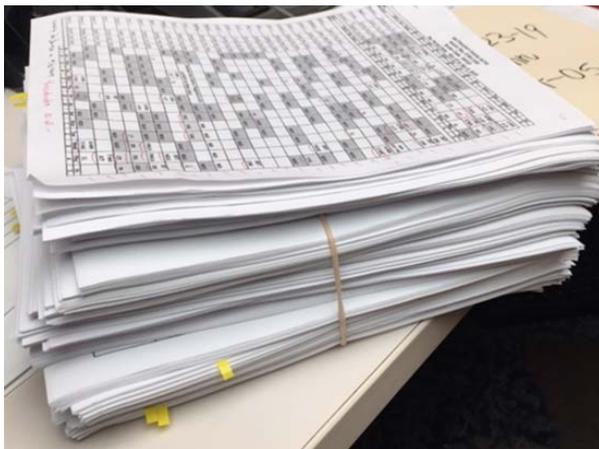


Source: Auditor analysis based on city payroll data and interviews of Controller's Payroll and Personnel Services Division staff

This system limitation makes it impossible for the Sheriff to systematically monitor whether employees work excessive hours, which would help the department prevent its staff from working while fatigued.

#### Timekeeping is manual, leading to inefficiencies and potential errors.

### Exhibit 31: The Sheriff's Staff Must Process a Large Stack of Paper Timesheets Each Pay Period

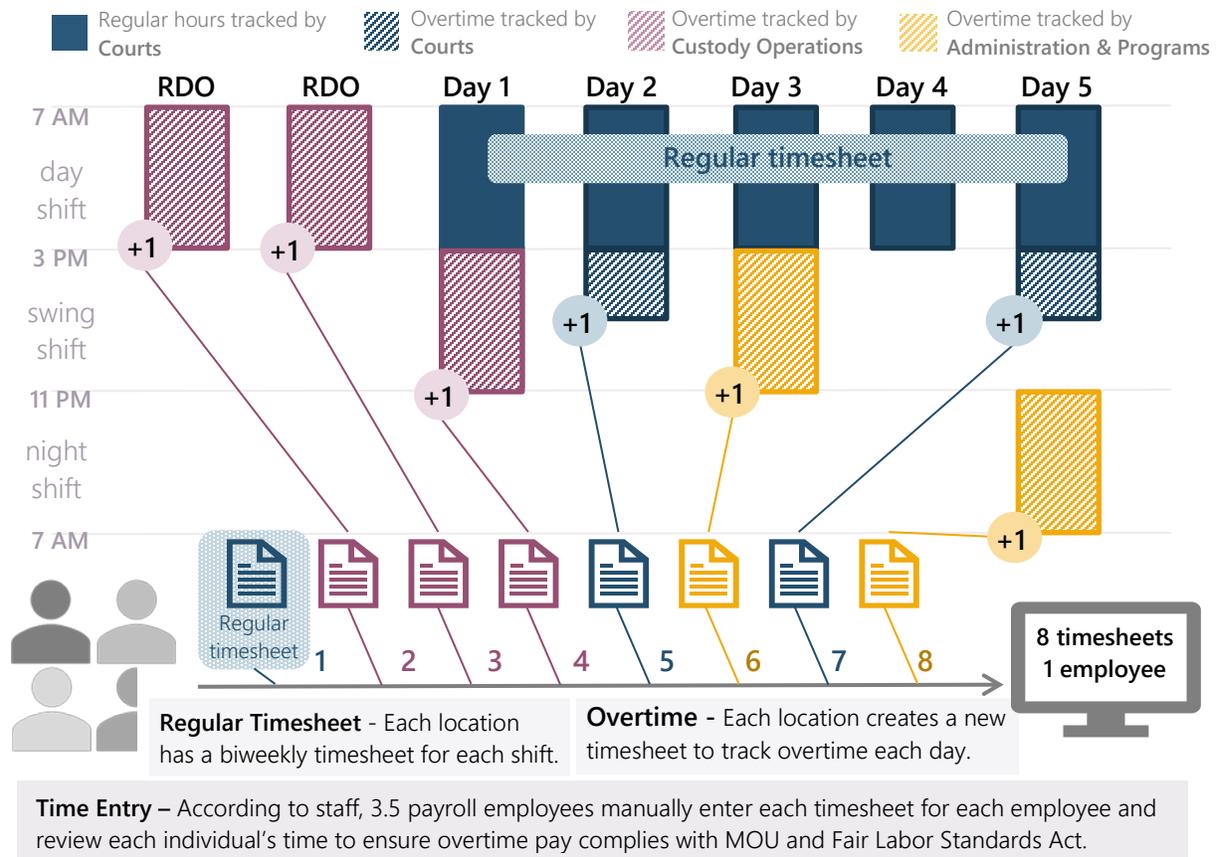


Source: CSA photo

The Sheriff lacks an electronic timekeeping system, and its manual timekeeping process requires significant staff time, is open to human error, and does not allow effective monitoring. As stated above, employees' time is tracked on paper timesheets that supervisors submit to the Payroll unit. An employee's regular work hours are tracked on a timesheet submitted by their regular work unit, but any overtime is tracked and submitted on separate timesheets by the unit where the employee worked the overtime. And because overtime is tracked on daily timesheets, an employee's name will be on multiple timesheets for one pay period, depending on the number of locations where the employee worked overtime. Exhibit 31 shows the quantity of timesheets that Payroll unit staff must process for a single pay period.

This process also makes it extremely cumbersome for payroll staff to verify employees' time worked. To do so, according to the Sheriff's payroll staff, the payroll team would need to locate all the timesheets on which an employee appears in a pay period, including their regular time and overtime. Payroll staff indicated that, because this would be so laborious to do for every employee, only spot checks are performed to ensure payroll was entered correctly. Exhibit 32 illustrates how one employee's time is tracked on several sheets of paper.

### Exhibit 32: Payroll is Complicated Because Each Employee May Have Multiple Timesheets



Source: Auditor analysis based on interviews of payroll staff and Sheriff's policies and procedures

The manual timesheet process is also open to error. According to payroll staff, supervisors sometimes do not indicate on timesheets what date the overtime was worked. This can make it appear, for example, that the employee worked overtime on the day when the timesheet was submitted, rather than the day before. This creates extra work for the payroll staff and can lead to payroll errors.

While verifying employees' timesheets, the audit found an error in the Sheriff's payroll that caused an employee to be erroneously paid for eight hours of overtime. Although this error may have been an isolated incident, it might have been prevented if the Sheriff did not have a manual time entry process and was able to systematically review all timesheets to reduce the risk of human error.

Compounding these problems, Sheriff employees have different work weeks based on their rotating day off. Having different work weeks that do not align with the City's work week means that employees become eligible to earn overtime on different days. This means that it is cumbersome to use payroll data to check whether overtime is charged appropriately; it requires payroll staff to check each employee's paper timesheet. According to Sheriff payroll staff, verifying payroll is extremely challenging because the People & Pay system cannot produce reports that match the Sheriff's work weeks and shifts to calculate things such as overtime compensation.

Instead, according to Sheriff staff, as they make the entries, four payroll employees must check whether the information on the hundreds of paper timesheets they are entering complies with overtime rules. This takes much more time and is more prone to human error than a process in which supervisors would enter or approve time directly in the system and payroll staff could then run reports designed to flag hours that do not comply with overtime rules.

### **Other departments use systems that facilitate coordinated scheduling and generate shift-specific timekeeping data.**

Other city departments, such as the Police Department and SFMTA, which have night shift staff, have scheduling and timekeeping systems that integrate with the People & Pay system. The Police Department's system centralizes timekeeping data and tracks employees' schedules, and SFMTA's system allows the agency to schedule transit operators, track hours of service, plan for relief for staff who are out, and bid out overtime shifts.

According to the U.S. Government Accountability Office, management should use quality information to achieve the entity's objectives.<sup>22</sup> This means that management must design a process to identify timekeeping information needed to achieve the objectives and obtain relevant data from reliable internal and external sources in a timely manner. Further, management must process the obtained data into quality information that supports the department.

As of April 2019, the Sheriff had not implemented a scheduling and timekeeping system that would track shift lengths and work hours. However, in 2018 the Sheriff began evaluating a system intended to streamline the employee scheduling and timekeeping process by allowing the department to view shift types and hours, build employee work schedules, create templates for shift rotations, and, according to staff working on the implementation, allow the department to create schedules online and no longer use paper timesheets for timekeeping. Although a significant improvement, according to Sheriff's management, because employees still start their work weeks on different days, the new system will be unable to automatically check overtime eligibility.

### **Recommendations**

The San Francisco Sheriff's Department should:

6. Conduct a fixed-post analysis for its jails and field operations, considering jail activity schedules and inmate needs.
7. Calculate relief factors by following the National Institute of Corrections' *Staffing Analysis Workbook for Jails*.

---

<sup>22</sup> *Standards for Internal Control in the Federal Government*, 2014.

8. Implement a staffing plan for the entire department by following the National Institute of Corrections' *Staffing Analysis Workbook for Jails*.
9. Continue to monitor the gap between total work performed and budget net of attrition and incorporate strategies to address this gap into its staffing plan.
10. Implement additional controls to prevent employee fatigue, such as imposing a minimum number of hours between shifts and limiting the number of work hours in a two-week period, except in an emergency.
11. Track and analyze data related to criminal investigation caseloads and use it to inform the department's staffing plan to better monitor impacts of scheduling and staffing decisions.
12. Track and analyze all requests for additional security beyond memorandums of understanding from client departments regardless of whether the Sheriff fulfills the request. This will inform the department's staffing plan to better monitor impacts of scheduling and staffing decisions.
13. Track and analyze instances when the department could not meet minimum staffing levels indicated in its labor agreements or work order agreements in a centralized manner. This will improve the monitoring of the impacts of scheduling and staffing decisions.
14. Create and implement a standardized process for tracking lockdowns, including defined categories for each lockdown's date, time, location, cause, and other applicable information.
15. Track and analyze inmate programming and services cancelled due to lockdowns or understaffing.
16. Implement a scheduling and timekeeping system that allows the coordination of an individual employee's schedule across divisions and provides shift-level timekeeping data for strategic workload analysis and monitoring of excessive work hours.
17. Ensure any new scheduling and timekeeping system integrates with the City's central payroll system and use the system to match staffing needs and staffing availability across the department.
18. Determine what, if any, financial impact would result from moving all staff to a uniform pay period. If the financial impact is acceptable, begin using a uniform pay period by July 1, 2022.
19. To facilitate enforcement and monitoring of existing and new controls to prevent fatigue:
  - a. Ensure that its new timekeeping and scheduling system provides overtime approvers access to the prior regular and overtime hours worked by deputies.
  - b. Implement a policy that requires overtime approvers to review an employee's actual and planned hours worked prior to approving overtime.

# Appendix: Department Response



**OFFICE OF THE SHERIFF  
CITY AND COUNTY OF SAN FRANCISCO**

1 DR. CARLTON B. GOODLETT PLACE  
ROOM 456, CITY HALL  
SAN FRANCISCO, CALIFORNIA 94102



**VICKI L. HENNESSY  
SHERIFF**

June 6, 2019  
Reference: 2019-056

Tonia Lediju, PhD  
Chief Audit Executive  
Office of the Controller  
City Hall, Room 316  
One Dr. Carlton B Goodlett Place  
San Francisco, CA 94102

Dear Dr. Lediju:

Thank you to you and your staff for investing time and thoughtful analysis in reviewing the San Francisco Sheriff's Department staffing process.

I am impressed with your interest and understanding of the challenges we face as well as the professionalism your team showed my department through many meetings and discussions.

The Office of the Controller, City Service Auditor's summary and recommendations validate the frustrations my department has experienced over the last five years. The lack of significant investment in the San Francisco Sheriff's Department Full Time Employees (FTEs), combined with increased mandates and service requests, has resulted in long-term consequences on my department's ability to serve the City and County of San Francisco. It also has created an avalanche of overtime in lieu of permanent full-time employees.

Since becoming Sheriff in 2016, I have hired 250 sworn members and 150 civilian staff; while we make progress, we find ourselves playing a perpetual game of catch-up, covering retirements and separations that occurred nine years ago coupled with an increased workload as your report highlighted. The Sheriff's Department has provided information to past Mayoral administrations regarding the need for increased FTEs and a higher relief factor, using the tools recommended in your report. Unfortunately, our previous requests for help have been refused.

In lieu of FTEs, we have filled staffing gaps through overtime – voluntary and involuntary – to compensate for vacancies left unfilled from 2010 through 2015. This has resulted in a department that is out of balance with overtime, which now accounts for up to 22 percent of our personnel costs when it should be no more than 10 percent.

The department's dependence on overtime has other unintended consequences which include:

- Inconsistent and unpredictable jail workforce resulting in the “substitute” teacher effect, i.e. a different deputy every day, reduces our ability to utilize the tenets of direct supervision effectively.
- When overtime runs out, as it did early in the current fiscal year, we are unable to support additional training to deputies in Crisis Intervention Training and Mental Health Disorders.
- Deputies who are consistently drafted to work overtime experience more fatigue and frustration and are more likely to call in sick or take off more time. This creates more vacant positions, which must be filled with more overtime employees, and impacts morale. We attempted to resolve this dilemma in 2017 through our “Fair Share Overtime” program which distributed overtime equally to all deputies instead of a few. The program worked well until the courts overturned Fair Share in response to the union's objection.
- Managers and supervisors on every shift, seven days per week spend much of their shift engaged in administrative work to ensure staffing for all court, hospital, and jail shifts, leaving little time to supervise.
- Administrative positions take second fiddle and therefore, critical support functions such as data collection and analysis as well as transparency goals suffer. Department priority is operations.

The Sheriff also manages and processes a huge amount of booking, jail, and civil court data. For FY 2018/19, I requested funding for three civilian staff to replace deputized staff in our IT Unit to meet the growing demand for department data. My request followed a previous CSA recommendation. The Mayor, at that time, refused my ask, which included a qualified Chief Information Officer for leadership of the unit responsible for strategic planning, day-to-day administration, and project management.

Despite no additional City FTE funding or support, SFSD IT staff forged ahead, in many cases on overtime, and at my direction to address many of the recommendations articulated in your report. These current projects include:

- New, flexible Jail Management software providing daily public reports on jail population composition and trends – a multi-year project to replace our current outdated jail management system.

- Centralized scheduling software that will integrate with the City's payroll system and will be fully tested by the end of 2020.
- Subscription service to replace all policies and procedures with fully developed, state-specific policies researched and written by public safety professionals and vetted by public safety attorneys. Department staff will monitor and redact information for public release with each new update to comply with SB 978.
- Purchase, training, and use of Body Worn Cameras to comply with security concerns and produce redacted video for public records requests and AB 748 compliance.
- Development and launch of a new, user-friendly, accessible, and transparent website. We are preparing to post our new training, policies, practices, and operating procedures online in January 2020 to comply with SB 978 "Law Enforcement Agencies: Public Records."

We are grateful that the Office of Controller, City Service Auditor is shining a light on the San Francisco Sheriff's Department's staffing challenges and hope this attention will result in additional department FTE positions, with the appropriate funding for recruitment, testing, backgrounding, hiring and training to meet public demand for our services, public records, information and transparency.

Our fundamental duty is to serve the community. The San Francisco Sheriff's Department remains committed to working with City and County of San Francisco to ensure, in words of the CSA, that we "...improve our staffing practices so we can better communicate our need for more staff to stakeholders and city decision makers." We look forward to fully realizing your recommendations and continuing our partnership with you.

Sincerely,



Vicki L. Hennessy  
Sheriff

## Recommendations and Responses

For each recommendation, the responsible agency should indicate in the column labeled Agency Response whether it concurs, does not concur, or partially concurs and provide a brief explanation. If it concurs with the recommendation, it should indicate the expected implementation date and implementation plan. If the responsible agency does not concur or partially concurs, it should provide an explanation and an alternate plan of action to address the identified issue.

Recommendation	Agency Response	CSA Use Only Status Determination*
The Sheriff's Department should:		
1. Evaluate staffing levels of the Community Programs unit and determine whether those levels are adequate for safe and effective oversight of the electronic monitoring function.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur The SFSD is consistently evaluating staffing levels in this area and others. Since the Humphrey decision, the department has increased staffing to handle the upsurge in electronic monitoring orders from the Superior Court. It is likely the requirements may change again when the federal court issues an order in the Buffin v SF Sheriff lawsuit in the next few months.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
2. Identify the level of staffing needed to work in mandated functions to reduce the significant levels of overtime worked in those functions.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur The SFSD plans to utilize the National Institute of Corrections (NIC) worksheets in time for the FY 20/21 budget submissions. (We have used this method in the past, specifically in 2013, but our conclusions were not recognized by the then Mayor's budget office.) Please see our response to item #10.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
3. Negotiate for lower compensatory time accrual caps in its labor agreements.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur The SFSD will be meeting with the affected unions prior to July 1, 2019, to inform them of any changes that are allowable per our newly negotiated labor contract that will meet this goal.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested

\* Status Determination based on audit team's review of the agency's response and proposed corrective action.

Recommendation	Agency Response	CSA Use Only Status Determination*
The Sheriff's Department should:		
<p>4. Civilianize 34 positions in Central Records and Warrants unit, Personnel unit, Community Programs unit, Information Technology and Support Services, and Fleet and Communication unit.</p>	<p><input checked="" type="checkbox"/> Concur      <input type="checkbox"/> Do Not Concur      <input type="checkbox"/> Partially Concur</p> <p>The SFSD concurs with this plan. In the FY 18/19 budget the SFSD requested a civilian Chief Information Officer (CIO) and two IT specialists (recommended by a previous CSA report) and it was not approved by the Mayor's budget Office. In the FY 19/20 budget discussions we asked for 13 positions and were only allowed to civilianize 7 for the first year however we also will be hiring a CIO for IT. In addition to the civilian positions recommended by the CSA, the SFSD has historically not had civilian support staff in the areas of assisting our executive and command staff. We have one secretary for the entire department and our executive staff has no civilian support personnel for their administrative duties.</p>	<p><input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested</p>
<p>5. Amend its work order agreements with other departments to recover additional indirect costs associated with providing services.</p>	<p><input type="checkbox"/> Concur      <input type="checkbox"/> Do Not Concur      <input checked="" type="checkbox"/> Partially Concur</p> <p>The SFSD recently increased our workorder request to add a 5% training fee. Since most of our client departments are general funded as we are, this may present an issue for the Mayor's Budget Office. We will be discussing this with the Mayor's Office and others for our FY 20/21 budget submission.</p>	<p><input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested</p>
<p>6. Conduct a fixed-post analysis for its jails and field operations, considering jail activity schedules and inmate needs.</p>	<p><input checked="" type="checkbox"/> Concur      <input type="checkbox"/> Do Not Concur      <input type="checkbox"/> Partially Concur</p> <p>The SFSD has completed this in the past and will update it again using the NIC format for this purpose. In time for the FY 20/21 budget discussions.</p>	<p><input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested</p>
<p>7. Calculate relief factors by following the National Institute of Corrections' <i>Staffing Analysis Workbook for Jails</i>.</p>	<p><input checked="" type="checkbox"/> Concur      <input type="checkbox"/> Do Not Concur      <input type="checkbox"/> Partially Concur</p> <p>See above. This audit instrument includes the calculation of appropriate relief factors (See answer to #2) In time for the FY 20/21 budget discussions.</p>	<p><input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested</p>

\* Status Determination based on audit team's review of the agency's response and proposed corrective action.

Recommendation	Agency Response	CSA Use Only Status Determination*
The Sheriff's Department should:		
8. Implement a staffing plan for the entire department by following the National Institute of Corrections' <i>Staffing Analysis Workbook for Jails</i> .	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur See above. Also included. In addition, the SFSD has purchased and been testing scheduling software for the last year to allow us more flexibility and data recovery. In time for the FY 20/21 budget discussions.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
9. Continue to monitor the gap between total work performed and budget net of attrition and incorporate strategies to address this gap in its staffing plan.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur The SFSD currently looks at these figures every month and plans accordingly. The SFSD had a vacancy of 100 sworn positions at the beginning of 2016. Since then we have hired 250 sworn and 150 non-sworn personnel. We know we have an annual separation on average of 50 sworn staff per year. We continue to require funding for recruitment, testing, backgrounds, and training in order to hire sufficient FTEs to close the gap and reduce our dependence on overtime. See response to #10.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
10. Implement additional controls to prevent employee fatigue, such as imposing a minimum number of hours between shifts and limiting the number of work hours in a two-week period, except in an emergency.	<input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input checked="" type="checkbox"/> Partially Concur The SFSD's goal is to reduce our overtime from the current 22% overtime use for all staffing to no more than 10%. This would eliminate much of the concern regarding overtime fatigue. As reported, the SFSD requires additional funding to recruit, test, background, hire and train the appropriate number of FTEs. In the meantime, the overtime policy is dependent on the provisions found in CBAs with the unions.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
11. Track and analyze data related to criminal investigation caseloads and use it to inform the department's staffing plan to better monitor impacts of scheduling and staffing decisions.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur The SFSD plans to implement better tracking of caseloads in both of our investigative units in the next fiscal year. We hope to have a plan in place for this purpose July 1, 2019.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested

\* Status Determination based on audit team's review of the agency's response and proposed corrective action.

Recommendation	Agency Response	CSA Use Only Status Determination*
The Sheriff's Department should:		
12. Track and analyze all requests for additional security beyond memorandums of understanding from client departments regardless of whether the Sheriff fulfills the request. This will inform the department's staffing plan to better monitor impacts of scheduling and staffing decisions.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur  The SFSD generally captures these requests by asking the department seeking service to send an email. We will centralize these to keep better track by July 1, 2019. In the meantime, the SFSD purchased scheduling software last year and will be testing it in FY 19/20. We expect it to assist in all aspects of employee scheduling and provide data for analysis.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
13. Track and analyze instances when the department could not meet minimum staffing levels indicated in its labor agreements or work order agreements in a centralized manner. This will improve the monitoring of the impacts of scheduling and staffing decisions.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur  Until the scheduling software becomes universal, the department will develop and implement a centralized system for tracking the items in this recommendation as well as #14 and #15. Anticipated to have in place by July 1, 2019.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
14. Create and implement a standardized process for tracking lockdowns, including defined categories for each lockdown's date, time, location, cause, and other applicable information.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur  Please see answer to item #13. Same implementation date.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
15. Track and analyze inmate programming and services cancelled due to lockdowns or understaffing.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur  Please see answer to item #13. Same implementation date.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
16. Implement a scheduling and timekeeping system that allows the coordination of an individual employee's schedule across divisions and provides shift-level timekeeping data for strategic workload analysis and monitoring of excessive work hours.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur  The SFSD believes an increase in FTEs, as noted in our answer to #10, will alleviate this problem however the scheduling software should also assist us in gathering data to analyze and determine adjustments to our processes. We hope to have the scheduling software available for the entire department by April of 2020.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested

\* Status Determination based on audit team's review of the agency's response and proposed corrective action.

Recommendation	Agency Response	CSA Use Only Status Determination*
The Sheriff's Department should:		
17. Ensure any new scheduling and timekeeping system integrates with the City's central payroll system and use the system to match staffing needs and staffing availability across the department.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur The SFSD purchased scheduling software that will integrate with the city's Emerge payroll system.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
18. Determine what, if any, financial impact would result from moving all staff to a uniform pay period. If the financial impact is acceptable, begin using a uniform pay period by July 1, 2022.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur The SFSD is analyzing the ramifications of such a move, due to some of our CBA language and hope to make this move as soon as possible, hopefully at the beginning of FY 19/20.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
19. To facilitate enforcement and monitoring of existing and new controls to prevent fatigue: <ul style="list-style-type: none"> <li>a. Ensure that its new timekeeping and scheduling system provides overtime approvers access to the prior regular and overtime hours worked by deputies</li> <li>b. Implement a policy that requires overtime approvers to review an employee's actual and planned hours worked prior to approving overtime.</li> </ul>	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur It is intended that the Aladtech scheduling software will include the capability to provide this level of oversight. The SFSD will ensure the design provides the ability to allow supervisors the ability to check schedules in order to confirm that staff work no more than 16 hours in a consecutive 24-hour period. It is anticipated this will be rolled out towards the end of FY20/21.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested

\* Status Determination based on audit team's review of the agency's response and proposed corrective action.