

# Police Off-duty Work Audit

City of Minneapolis  
Internal Audit Department  
September 11, 2019

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## Executive Summary

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The City of Minneapolis (City) Internal Audit Department conducted an audit of the Minneapolis Police Department (MPD) off-duty work processes and internal controls. The objective of this engagement was to review police off-duty work policies, procedures, and processes to ensure internal controls are in place and operating effectively to adequately manage public safety risk and inform officer health and wellness programs.

For purposes of this report, police off-duty work is defined as law enforcement work performed by an eligible police officer, for another employer, during times when the officer is not working on-duty. Off-duty work does not include work arrangements with other agencies or City departments that pay MPD for officer time, and does not include any other police work categories.

City businesses and event organizers strive to provide a safe and secure environment for their customers by hiring off-duty police officers for security. Examples of off-duty work may include providing security at a bank, Twins or Vikings game, block party, grocery store, restaurant and bar, 5k race and other special events. Officers work most off-duty jobs in full uniform, respond to police calls the same as when on-duty, and are permitted to use marked squad cars for off-duty work when available.

While police off-duty work provides many benefits to the City, there are also associated risks that must be adequately managed. The MPD Off-duty Work Policy requires approval of the secondary employer and location of off-duty work, to ensure compatibility with police work, as well as officer approval by a supervisor to work the off-duty job. Otherwise, MPD does not manage police off-duty work. Job scheduling, payment and other communication for off-duty work are handled between officers and the secondary employers outside of MPD on-duty work. While working off-duty, an officer's primary responsibility remains with the City police department. Please refer to the Background section beginning on page 6 for more details.

Internal Audit also conducted a benchmarking review of off-duty policies and procedures at comparable police departments across the state and nation to provide perspective on the different off-duty policy requirements and management models. See the results of that review in the Appendix A-Benchmark Data.

Audit results and conclusion are discussed below, followed by the police off-duty work background section, audit scope and approach, and the details of observations and management action plans.

## Audit Results

As a result of this audit, four (4) issues were identified:

1. Technology enhancements are needed to improve tracking, management, reporting and analysis of police off-duty work. (HIGH)
2. Police off-duty work policy requirements should be strengthened. (HIGH)
3. Oversight and monitoring for compliance with MPD off-duty work policy requirements is not performed. (HIGH)
4. Controls should be strengthened for marked squad car usage related to off-duty work. (MOD)

Table 1 below contains the overall evaluation of the severity of the risk and the potential impact on operations. There are many areas of risk to consider including financial, operational, compliance, and reputation when determining the relative risk rating. Issues are rated as High, Moderate, or Low.

**Table 1**

**Police Off-duty Work Audit  
Summary of Observations and Issue Ratings**

High	Moderate	Low
1. Technology enhancements are needed to improve tracking, management, reporting and analysis of police off-duty work		
2. Police off-duty work policy requirements should be strengthened		
3. Oversight and monitoring for compliance with MPD off-duty work policy requirements is not performed		
	4. Controls should be strengthened for marked squad car usage related to off-duty work	

- **High Risk:** Some key controls do not exist or are not effective resulting in impaired control environment; high risk improvement opportunities require immediate corrective action
- **Moderate Risk:** Adequate control environment in most areas; moderate risk improvement opportunities identified which require corrective action
- **Low Risk:** Satisfactory overall control environment; small number of lower risk improvement opportunities identified which do not require a management action plan

The details of these observations are included within the *Observations and Management Action Plans* section of this report, beginning on page 12.

## Conclusion

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Overall, Internal Audit noted a number of opportunities for strengthening controls around police off-duty work processes to better inform officer health and wellness programs and public safety risk, improve allocation of resources, and improve department data-informed decision-making. While off-duty work data may be incomplete and not relied upon for on-duty scheduling, it can be informative in general and improve management oversight. Strong controls around management of police off-duty work processes can ensure policy and best practices are followed and help ensure officers have access to resources that optimize their health, wellness, and financial resilience.

*We conducted this audit in accordance with the International Standards for the Professional Practice of Internal Auditing. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.*

Ginger Bigbie, Internal Audit Director  
City of Minneapolis

### **Audit Team**

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Internal Audit would like to thank the Minneapolis Police Department, the Office of Police Conduct Review, and Data & Analytics Services for their time, cooperation, and subject matter expertise during this engagement. We would also like to thank the law enforcement agencies who completed our benchmark survey and provided copies of their police off-duty work policies.

### **Management Contacts for this Engagement**

#### **Primary Police Contacts**



Assistant Chief Michael Kjos  
Deputy Chief Henry Halvorson  
Deputy Chief Kathy Waite  
Commander Travis Glampe  
Commander Chris Granger  
Commander Jason Case

Robin McPherson

**Primary Office of Police Conduct Review Contact**

Ryan Patrick

**Primary Data & Analytics Services Contact**

Stacie Blaskowski

**Benchmark Survey Respondents**

Minnesota respondents:

Bloomington Police

Duluth Police

Minneapolis Park Police

Rochester Police

Saint Paul Police

Nationwide:

Atlanta, GA Police

Colorado Springs, CO Police

Kansas City, MO Police

Madison, WI Police

Mesa, AZ Police

Omaha, NE Police

Raleigh, NC Police

Seattle, WA Police

Virginia Beach, VA Police

## Background

MPD off-duty work shifts and hours are not formally tracked; however, the City’s Data & Analytics Services team extracted data from the computer aided dispatch (CAD) system and the police scheduling system to create various dashboards that combine some off-duty data with other police hours worked. The off-duty work information is only an estimate since not all off-duty activity is captured in the CAD system. Chart 1 illustrates partial off-duty hours worked and captured in CAD compared to other police hours worked.

**Chart 1**

All Officers, Segeants and Lieutenants				1 Other Hours Worked		
Year	Off-duty Hours	Total Other Hours 1	% Off-duty Hours	Regular	Overtime	Buyback
2019 (Jan-Aug)	69,989	1,103,596	6%	1,038,943	53,623	11,030
2018 (Jan-Aug)	72,127	1,119,541	6%	1,042,994	63,330	13,217
2018 (Full Year)	110,672	1,632,037	6%	1,526,398	85,738	19,901

Top 50 Officers, Sergeants and Lieutenants with Highest Off-duty Hours				1 Other Hours Worked		
Year	Off-duty Hours	Total Other Hours 1	% Off-duty Hours	Regular	Overtime	Buyback
2018 (Full Year)	34,842	94,830	27%	88,351	5,270	1,209

Chart 2 illustrates the partial number of officers working more than 64 hours per week during the time from January 1, 2018 to July 31, 2019 and captured in CAD. Two weeks during the Super Bowl (Feb. 2018) and one week during the Final Four (Apr. 2019) events were excluded from this chart.

**Chart 2**

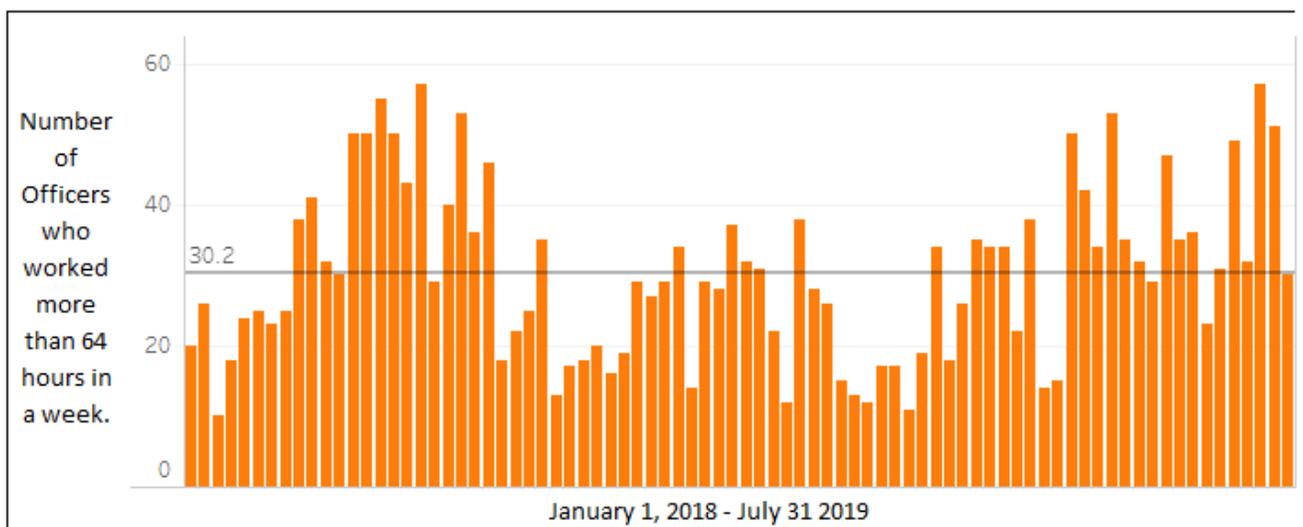


Chart 3 lists the total number of officers captured in CAD who worked at least one off-duty shift during the year and the number of officers who worked more than 64 total hours in a week at least five times during the

year.

**Chart 3**

Total Number of all Sworn Officers:		875 (as of Aug. 31, 2019)
<sup>2</sup> Total Number of Sworn Officers, Sergeants, and Lieutenants (excluding Administration):		849 (as of Aug. 31, 2019)
Year	Number of Officers who worked 1 or more off-duty shifts <sup>1</sup>	Number of Officers who worked more than a total of 64 hours in a week at least 5 times during the year <sup>1</sup>
2018	654 (77%) <sup>2</sup>	98 (12%) <sup>2</sup>
2019	607 (71%) <sup>2</sup>	65 (8%) <sup>2</sup>
<sup>1</sup> Off-duty hours are a conservative estimate based upon CAD data. Actual off-duty hours worked is not known.		

Benefits and risks of police off-duty work

There are benefits and risks surrounding police off-duty work. Secondary employers benefit from having highly trained officers who can handle a variety of situations and respond faster in an emergency. In addition, increasing uniformed police and squad car presence in the community through off-duty work improves crime deterrence. It may also result in reduced calls to police departments, which reduces costs to operate the police department and demand for on-duty resources, benefiting citizens. Costs of providing security to people living in or visiting the City are shared between the police department and local businesses. MPD covers off-duty work liability and other operational costs, including the use of marked police squad cars, while local businesses pay officer wages for off-duty work. The City benefits from off-duty as the work is not included in the City’s pension calculations, while MPD overtime is included in pension calculations. Officers can benefit financially from the availability to work a variety of off-duty shifts to supplement their income. Cash is an acceptable form of payment for off-duty work and preferred by some secondary employers and officers, but cash payments also introduce additional risk, such as reputational and fraud risk. Off-duty work cash payments may be perceived by the community as a means to avoid payroll taxes or income taxes.

Chart 4 summarizes a recent University of Illinois Law Review survey of law enforcement agencies permitting off-duty work which noted the following statistics for justifications to work off-duty, with community relations being the top benefit:

**Chart 4**

	Agency Size by Number of Full-Time, Sworn Employees							
	All	>1000	999-500	499-250	249-100	99-50	49-25	<25
Agencies	130	34	23	15	23	16	10	9
Officers	123,643	96,918	15,833	5,415	3,893	1,126	336	122
Community Relations	40 (30.76%)	14 (41.17%)	5 (21.73%)	6 (40%)	7 (30.43%)	3 (18.75%)	5 (50%)	0 (0%)
Staffing	33 (25.38%)	11 (32.35%)	5 (21.73%)	4 (26.66%)	8 (34.78%)	3 (18.75%)	0 (0%)	2 (100%)
Supplement Officer Income	32 (24.61%)	4 (11.76%)	8 (34.78%)	3 (20%)	4 (17.39%)	5 (31.25%)	5 (50%)	3 (150%)
Increase Visibility	18 (56.25%)	5 (14.7%)	4 (17.39%)	3 (20%)	1 (4.34%)	1 (6.25%)	2 (20%)	2 (100%)
Required by Collective Bargaining	15 (11.53%)	4 (11.76%)	2 (8.69%)	0 (0%)	6 (26.08%)	0 (0%)	1 (10%)	2 (100%)
Public Safety	11 (8.46%)	4 (11.76%)	1 (4.34%)	2 (13.33%)	4 (17.39%)	0 (0%)	0 (0%)	0 (0%)
Established Policy or Practice	6 (54.54%)	2 (5.88%)	1 (4.34%)	0 (0%)	2 (8.69%)	1 (6.25%)	0 (0%)	0 (0%)
Legislative Choice	4 (3.07%)	2 (5.88%)	0 (0%)	0 (0%)	1 (4.34%)	1 (6.25%)	0 (0%)	0 (0%)
Public Demand	4 (3.07%)	2 (5.88%)	1 (4.34%)	1 (6.66%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Benefits Officers	4 (100%)	1 (2.94%)	2 (8.69%)	1 (6.66%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Other (Various)	4 (3.07%)	2 (5.88%)	0 (0%)	1 (6.66%)	0 (0%)	0 (0%)	0 (0%)	1 (50%)
No response / Nonresponsive	27 (20.76%)	5 (14.7%)	6 (26.08%)	5 (33.33%)	4 (17.39%)	4 (25%)	2 (20%)	1 (50%)

Source: <https://illinoislawreview.org/wp-content/uploads/2017/10/Stoughton.pdf>

Police face difficult situations every day with risk of injury or death. Additional risks related to off-duty work include the financial incentive to maximize off-duty work pay, which can lead to long hours of work, insufficient rest, and can become more important than on-duty work performed for the City if not monitored. An officer who serves as site coordinator to schedule off-duty work for a secondary employer may be perceived as having inordinate influence on other officers, including their supervisors, regarding allocation of off-duty work, which may also negatively impact on-duty interactions between those officers.

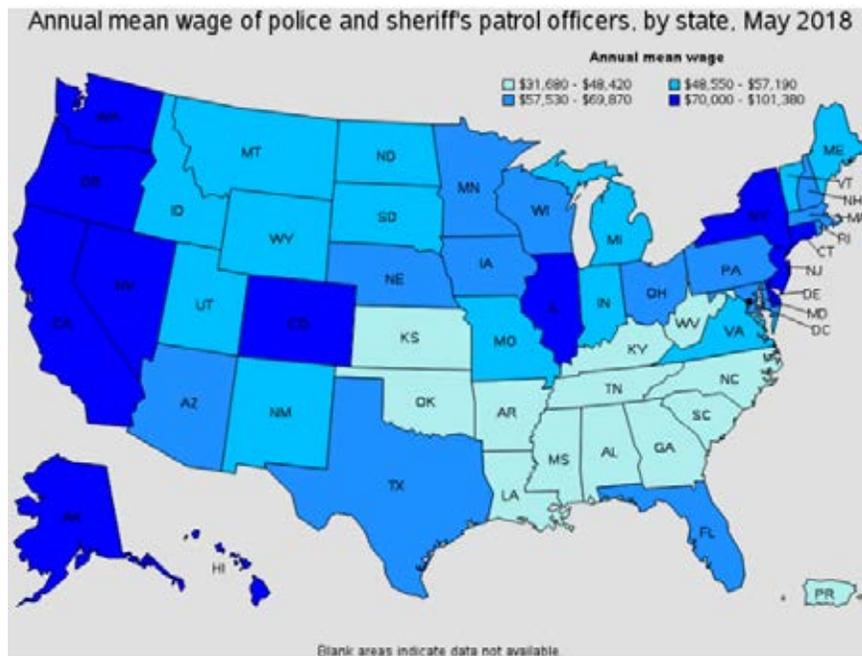
The number of hours an officer works directly impacts officer health and wellness. In the Law Enforcement Mental Health and Wellness Act Report to Congress in March 2019, the Department of Justice Community Oriented Policing Services states that shift work, overtime, or off-duty work may lead to inadequate sleep. Other studies have noted that fatigue may heighten pre-existing biases, increase complaints and use-of-force

incidents, impair driving performance, and in general lead to impairment of performance of routine skills.<sup>1</sup> Another study showed that fatigued officers used more sick leave, experienced more accidental injuries, and experienced more difficulty dealing with community members and other law enforcement agencies.<sup>2</sup>

Ensuring that officers have access to adequate health and wellness resources, including financial management resources, can help address officer fatigue and work-related stress. MPD, through their Early Intervention and Health and Wellness efforts, have been working to identify and provide health and wellness resources and assistance to officers.

Many factors affect total officer compensation and officer willingness to work extra overtime and off-duty shifts. In some cities low officer wages significantly impact the number of off-duty hours worked; however, MPD salaries appear to be above national averages. In Chart 5, below, The U.S. Bureau of Labor Statistics indicates average mean wages of patrol officers across the nation. Wages do not include off-duty work paid by secondary employers.

**Chart 5 – Annual mean wage by state**



Source: <https://www.bls.gov/oes/current/oes333051.htm>

<sup>1</sup> Governing Magazine, October 2017. <https://www.governing.com/topics/public-justice-safety/gov-police-officers-overworked-cops.html>

<sup>2</sup> National Institute of Justice, 2009. <https://nij.ojp.gov/topics/articles/impact-sleep-deprivation-police-performance>

### Police off-duty work management models

While MPD follows a decentralized off-duty work management model, some police departments manage all off-duty work activities in-house while others follow a partially centralized model.

**Decentralized:** Some police departments do not manage off-duty work. MPD does require approval of secondary employers to ensure officers work off-duty only at locations permitted by policy. Officers are also required to be approved by their supervisors to work for an off-duty employer. MPD policy allows officers to use marked squad cars for off-duty work where requested and when available. Policy requires officers to also sign in and out with dispatch for each off-duty shift worked. MPD does not otherwise manage police off-duty work.

Businesses and organizations interested in hiring off-duty officers typically reach out to officers directly or contact a precinct, where officers can direct the requests to an officer interested in coordinating scheduling. Eligible officers are free to accept off-duty work and handle their own coordination of work with secondary employers, including scheduling and payment. Pay is determined through a variety of market factors, including the type, location, and time of the job, and overall supply and demand for off-duty police officers.

**Centralized:** Some police departments manage and coordinate all police off-duty work in-house. Secondary employers request off-duty officers through the police department and pay the police department for the off-duty work. The police department negotiates with secondary employers, schedules officers for off-duty work shifts and pays officers through the standard payroll process.

**Partially Centralized:** Some police departments have a partially centralized off-duty work model, managing some processes and secondary employers internally. The department may manage off-duty work for a particular venue, employer, or type of event, coordinate scheduling, and facilitate payment, while other off-duty work may be managed by the off-duty officers independently of the police department.

**Liability:** MPD assumes liability for police while they work off-duty shifts and covers the costs of use of squad cars for off-duty work except for larger secondary employers that have a higher demand for off-duty work with squad cars. Those employers are invoiced at an hourly rate for squad car usage. Some police departments require secondary employers to share the cost of liability insurance and/or squad car usage for police off-duty work. See the Appendix A-Benchmark Data for more details.

### Leveraging technology

MPD currently uses several different systems for certain off-duty work processes. Improving systems functionality and integration, or utilizing third-party solutions, can harness available technology to provide improved management solutions for off-duty work activities, regardless of the City's off-duty work model. Cloud-based systems and mobile applications and tools can manage off-duty work approvals of officers and secondary employers, payments for off-duty work, signing in and out for off-duty shifts, scheduling of shifts and squad cars, dashboard reports, and other related functions.

Monitoring off-duty work-related data can be integrated with on-duty data to give MPD leadership a more complete picture of officer total hours worked, and of demand for officers for all types of law enforcement work in the City. During this audit, the Data & Analytics Services team extracted data from the CAD system to determine the individual shift start and end times for personnel resources assigned to an off-duty radio name

related to off-duty work. Data from MPD's time keeping system were used to determine the shift start and end times for all other shifts, including regular, buyback, and overtime. These two data sets were then matched based on personnel identification numbers to determine the individual combined on-duty and off-duty total hours worked in a day, a week, and a rolling 7-day window. The information will be made available to MPD management through various dashboards with appropriate permission levels.

## Audit Scope and Approach

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The scope of this review included an assessment of the design and operating effectiveness of controls related to MPD off-duty work policies, procedures and processes currently in place. A limited amount of data from January 1, 2018 through August 31, 2019 was analyzed. We performed audit procedures, including inquiry, observation, and substantive testing, for the following processes:

### **Governance**

- Reviewed adequacy and completeness of *policies and procedures* governing off-duty employment
- Assessed adequacy of MPD's management of *reporting, oversight, and monitoring* for off-duty hours worked and related activities to ensure implementation of and compliance with policy
- Reviewed monitoring of complaints, lawsuits and settlements relating to off-duty work to identify root-causes and minimize risk of future occurrences

### **Off-Duty Work Processes and Internal Controls**

- Interviewed administrative staff and reviewed *internal controls* over *application and approval* processes for employees and secondary employers of off-duty work
- Interviewed officers and reviewed *internal controls* over the processes of coordinating, scheduling, and tracking of off-duty work
- Surveyed a sample of local businesses regarding their perspective of police off-duty work
- Reviewed systems controls related to scheduling and tracking of off-duty work

### **Benchmarking**

- Conducted *benchmarking* of off-duty work with several comparable police departments

### **Data Analysis**

- Obtained and *analyzed* raw data related to off-duty hours worked

## Observations and Management Action Plans

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Internal Audit acknowledges that some MPD management action plans may be limited by MPD's Federation contract; therefore, contract negotiations may be necessary in some instances.

### ISSUE #1

*Technology enhancements are needed to improve tracking, management, reporting and analysis of police off-duty work. (HIGH)*

#### Observation

Audit noted manual or inefficient systems processes that impact police off-duty work activities. Specifically:

##### CAD sign on

The CAD system requires a radio or call to dispatch for reporting off-duty start and end times, regardless of whether a computer was used for sign on. From a police computer, CAD does not allow some fields related to off-duty shifts to be edited or populated, resulting in a need for an officer to also radio in to dispatch to provide off-duty shift information.

Dispatch personnel perform manual processes to enter the off-duty sign in information into the CAD system by writing down off-duty shift information on two different pieces of paper, then entering information into the CAD system. These manual processes increase the risk of error and do not leverage efficiencies that can be gained through improved technology.

##### Call sign for off-duty sites

The 4-digit call sign for off-duty sites begins with a specific digit. Because off-duty sites call signs are only 4 digits, available numbers are limited and floating numbers are used for less frequently worked sites. All sites should have a unique call sign number for an accurate audit trail. Floating call signs for secondary employers should be limited to emergency use when an officer reports for an off-duty shift for a site that is not yet in the system. It should later be determined why the site was not in the system and a fixed call sign should then be assigned to the site. IT supporting dispatch confirmed 5 digits can be used for off-duty work call signs. Technology supporting dispatch processes should allow search/look up functionality so a partial name can be entered to quickly locate and automatically select the correct off-duty work call sign.

##### Scheduling system

The scheduling system does not support complete tracking of off-duty work shifts at this time. In addition, not all off-duty work site and officer approval information is complete or up to date in the scheduling system. Not all necessary fields to capture off-duty work site and officer approvals are available in the system which resulted in secondary manual tracking being established.

Legacy systems can result in inaccurate or incomplete off-duty work information which can lead to inefficient processes, inaccurate reporting, and increases the risk that compliance with policy cannot be measured.

##### User access management

User access permissions are not adequately limited in the police scheduling system to limit view of some personnel data based on the need-to-know principle. A lack of appropriate user access permissions increases the risk of unauthorized access to personnel data and inappropriate use or communication of restricted data. Personnel data, including police off-duty work data, should be

communicated only to those with a need to know to perform their duties. Otherwise, access to and view of the data should be restricted.

#### Overall system integration

Not all data that is needed for off-duty work monitoring and decision-making is fully integrated into key systems. As MPD management and Information Technology continue to build out scheduling capabilities to better track off-duty work activities and resources, an overall technology improvement plan should govern conversations. New technology and third party-hosted solutions can significantly simplify management, tracking and reporting for off-duty work activities and automate the entire process. City-wide data governance, privacy, and information security best practices should be followed.

### **Recommendation**

Audit commends MPD management for beginning the conversation with City partners, including Information Technology Security, and Data & Analytics Services, on possible approaches for technology solutions.

Management should:

#### CAD sign on

Simplify CAD sign on so that off-duty work shifts can be initiated and ended with a computer or mobile app and not require an additional radio call to dispatch.

#### Call sign for off-duty sites

Change off-duty call sign from 4 digits to 5 digits and ensure all recurring secondary employer sites are assigned a fixed radio name.

#### User access management

Collaborate with Information Technology for assistance in applying a user access management program that can be applied to all department systems and tools to help manage the access to and protection of confidential data.

#### Scheduling system and overall system integration

Continue working with Information Technology to identify key off-duty work processes, data around those processes, and the most efficient and effective systems to manage those processes and related data. Manual processes and duplication of efforts should be reduced or eliminated.

MPD's technology project plan can facilitate meeting key milestones for all technology replacements and updates and ensure adequate prioritization and resource allocation. MPD system and process changes should be properly reviewed, approved and documented. Reviews should ensure data is accurate and complete. MPD and Information Technology management are working to evaluate a new time and scheduling system due to end of life, and requirements for off-duty monitoring should also be evaluated when reviewing available options.

## Management Action Plan

1. MPD will research and study phone applications which can be integrated with our CAD technology to improve the off-duty work sign on process in CAD.
2. MPD will utilize a numbering system to assign unique CAD call sign numbers for off-duty work sites. We will work with Minneapolis Emergency Communications Center to assist with the conversion and messaging to employees.
3. MPD has already begun working with City IT to identify efficient systems and tools to assist with processing the off-duty data. We will continue these discussions with City IT personnel and develop and prioritize a collaborative plan that includes user access management for systems and tools used in the department.

**Target remediation date:** March 11, 2020

**Responsible party:** Commander Jason Case

**Accountable parties:** Deputy Chief Henry Halvorson

Commander Travis Glampe

**Consulted party:** Commander Chris Granger

Diaa Abu-Shaqra, Chief Information Security Officer (CISO)

**Informed party:** Chief Medaria Arradondo

## ISSUE #2

*Police off-duty work policy requirements should be strengthened. (HIGH)*

### Observations and Recommendations - Policy

MPD has established an off-duty work policy that covers certain key requirements. The following observations were noted that present opportunities to strengthen the off-duty work policy and internal controls:

1. Notification for off-duty hours worked in excess of the established threshold of 64 total hours worked per week (HIGH)

The MPD off-duty work policy requires notification be provided to the officer's Precinct/Division Commander when an officer works total hours in excess of 64 hours per week; however, the notification can be verbal and is not enforceable or documented. In addition, notification occurs inconsistently at various stages in off-duty work processes.

Verbal notifications do not provide an adequate audit trail and increase the risk of noncompliance with policy. Because there is currently not a control in place to review and monitor officer total hours worked, MPD policy should establish a base level at which formal electronic notification and review is required in order to work hours in excess of the established threshold (currently 64 hours per 7-day period). Scheduling strategy should include a consideration of policy on maximum hours worked per shift and per week inclusive of on-duty, overtime and off-duty employment. Additional human resources will likely be needed to build out this and other MPD quality assurance activities.

2. Oversight and Monitoring Responsibilities (HIGH)

The off-duty work policy does not establish oversight and monitoring roles and responsibilities for policy compliance. Establishing oversight and monitoring responsibilities for off-duty work policy requirements will increase policy compliance and will facilitate data-informed decision-making processes. Monitoring helps identify inefficiencies, errors and other problems in a timely manner and can support officer health and wellness programs.

Management should enhance the off-duty work policy to include oversight and monitoring roles and responsibilities for key off-duty policy requirements. Monitoring should include review of officer total hours worked (including off-duty hours). Monitoring should also include clearly defined follow up processes when policy noncompliance is identified to ensure consequences are clearly established and consistently followed.

#### Additional Considerations

While a formal action plan is not needed for the following points, management should consider enhancing the off-duty work policy and procedures to:

- Strengthen requirements around an officer scheduling a supervisor for off-duty work. Scheduling one's supervisor for off-duty work increases the risk of conflict of interest and may influence how an officer is treated while on duty.
- Establish standard operating procedures (SOP). There are no SOP to guide officers in arranging off-duty work with a secondary employer. SOP should include a one-page guide that covers key factors that should be discussed with a secondary employer, including form of payment and basic tasks that an officer may or may not perform based upon the type of business. The SOP should help establish understanding of job and communication requirements between the secondary employer, the officer who schedules off-duty work for that employer, and the officers who work off-duty shifts for that employer.
- Eliminate cash payments. Cash payments are permitted for off-duty work; however, officers and management should consider the risks around handling cash, as well as public perception of cash payments, compared to the benefits of accepting cash payments to determine if other methods of payment should be utilized.
- Review and approve all secondary employers for off-duty work annually. Require an annual update of approved secondary employers and locations for off-duty work, and establish a process to archive outdated records stored in the scheduling system.

#### **Management Action Plan**

1. MPD will review and update the current off-duty policy regarding the 64 hour work week rule. Using standardized model policies, MPD will consider current trends regarding off-duty work and consider other agencies policies.
2. MPD will identify key roles and supervisors that can assist with oversight and monitoring of off-duty work activities and policy compliance.
3. MPD will review and update the current off-duty policy regarding scheduling of supervisors for off-duty work and create an SOP for establishing communication between the officer and secondary employer. MPD will consider using standardized model policies, review current trends regarding off-duty work, and consider other agency policies.

**Target remediation date:** March 11, 2020

**Responsible party:** Deputy Chief Henry Halvorson

**Accountable party:** Assistant Chief Michael Kjos

**Consulted party:** Robin McPherson, Police

**Informed party:** Chief Medaria Arradondo

### ISSUE #3

#### *Oversight and monitoring for compliance with MPD off-duty work policy requirements is not performed. (HIGH)*

##### **Observation**

Oversight and monitoring for off-duty work policy compliance is not performed. The MPD Research and Policy Development team does facilitate review and approval of off-duty secondary employers and approval of officers to work at those sites; however, relevant information entered in the scheduling system is not complete and some records are not current, preventing accurate reporting and monitoring. Specifically, not all secondary employer sites were found in the scheduling system. Not all officer approvals to work at secondary employer sites in the scheduling system have been updated, though they are required to be updated annually. Not all officers who work for a secondary employer are approved in the scheduling system to work for that employer.

A lack of oversight and monitoring for compliance with off-duty work policy requirements increases the risk that policy is not followed, and policy violations are not identified timely to adequately mitigate public safety risk and risk to officer health and wellness.

##### **Recommendation**

Management should identify the key off-duty policy requirements to be monitored for compliance and then determine what relevant data is available or needed in order to monitor each key policy requirement. Management should collaborate with IT Data Analytics & Services to determine the best use of dashboards for monitoring needs and ensure monitoring system user access permissions are applied based on need to know principle.

The off-duty work policy should establish oversight and monitoring roles and responsibilities (see Issue #2). To minimize the risk of control override, details of specific system rules to monitor policy compliance should not be widely shared, rather, limited to MPD leadership and those carrying out oversight and monitoring duties.

When a policy compliance exception is identified, management should perform a root cause analysis to ensure processes and systems controls are corrected and strengthened where applicable. First time dashboards and reports will require an adjustment period as exceptions are investigated, false positives are understood, and data quality is improved. Accountability for consequences of policy noncompliance is established in policy and consistently and equitably applied in oversight and monitoring activities.

As technology improvements are implemented, other considerations in an oversight and monitoring program should be performed:

- Collaborate with the Office of Police Conduct Review to periodically analyze off-duty work-related complaints, lawsuits and settlements. Understanding root causes of issues and identifying trends in a timely manner can help strengthen controls and reduce the risk of future litigation.
- Begin to track and review the number and types of all off-duty work shifts, and shifts that go unfilled, to better gauge the total demand for police officers. This may be incomplete data but will help lend perspective to overall community and department demand for police officers.

- Analyze all police work hours by category, including off-duty work, to identify trends and improve data-informed decision-making.
- Periodically survey secondary employers and other local businesses to support continuous process improvement and identify potential problems.

### Management Action Plan

Management will determine which key off-duty policy requirements will be monitored and the frequency, identify roles and responsibilities for the monitoring process, and define a process to follow up and track issues as they arise. As dashboards and other tools are developed to monitor compliance with key off-duty policy requirements, management will continue to collaborate with Data & Analytics and Information Technology partners to assist with data collection and reporting, and to leverage advances in City-wide user access management programs.

<b>Target remediation date:</b>	June 30, 2020
<b>Responsible party:</b>	Deputy Chief Henry Halvorson
<b>Accountable party:</b>	Assistant Chief Michael Kjos
<b>Consulted party:</b>	Commander Chris Granger
<b>Informed parties:</b>	Robin McPherson

### ISSUE #4

*Controls should be strengthened for marked squad car usage related to off-duty work. (MOD)*

#### Observation

Marked squad car usage for off-duty work is not consistently approved or tracked. The policy requires squad car usage for off-duty work to be approved by the precinct supervisor on duty and logged manually at the precinct. Audit determined noncompliance occurs periodically at all five precincts.

In addition, squad cars located at the MPD service garage are sometimes taken by officers for on and off-duty work. It is not known whether officers obtain authorization before taking a squad car from the service garage because the activity is not tracked and not all squad cars have GPS tracking capability. The service garage does not mark their parking areas to identify squads that are in a state of repair, increasing the risk that a squad under repair will be driven and damaged.

#### Recommendation

Management should add GPS tracking to all marked squad cars and enable dashboard monitoring of squad cars by precinct with appropriate user access permissions applied. Furthermore, GPS data can be combined with police scheduling and related information, including off-duty schedules, to improve oversight and monitoring activities, and data-informed decision-making, such as planning, forecasting, and allocation of resources.

Police policy should be updated to clearly establish and communicate whether squad cars located at the MPD service garage may be used for off-duty work and how approvals will be tracked. If use will be permitted, the service garage should clearly communicate which cars may be used to prevent removal of squad cars that are in a state of repair.

## Management Action Plan

Management will enable GPS tracking and dashboard monitoring for all marked squad cars. Management will also review department procedures for use of squads cars while at the service garage and update policy or procedures as needed.

<b>Target remediation date:</b>	August 31, 2020
<b>Responsible party:</b>	Commander Chris Granger
<b>Accountable party:</b>	Deputy Chief Halvorson
<b>Consulted party:</b>	Assistant Chief Kjos
<b>Informed party:</b>	Chief Medaria Arradondo

## Appendix A – Benchmark Data

Table 1 summarizes various Minnesota police department survey responses and policy requirements.

**Table 1 - Survey and Policy Summary: Minneapolis vs. Other MN Cities**

	Minneapolis	St. Paul	Rochester	Bloomington	Duluth
Regular shift hours for sworn employees	10	8,9 or 10	12	8,10, or 12	8,9,10,11, or 12
Maximum number of hours sworn employees may work in a 24-hour period	No maximum	No maximum	16	No maximum	18
Maximum number of hours officers may work in a week	64 hours / 7 days	24 <sup>1</sup>	No maximum	No maximum	84 hours / 7 consecutive days
Rest requirements prior to starting an on-duty shift	None	30 minutes	8 hours	None	None
System in place to track and monitor total number of off-duty hours worked by officers	None	TMS	None	None	Scheduling System
Possibility for officers to solicit their own off-duty work assignments	Yes	Yes	No	No	No
Department or centralized system in place to manage and coordinate off-duty work	No	No	Yes	Yes	Yes
Off-duty rates of pay set by department or negotiated between officers and the secondary employers	Negotiated	Negotiated	Set	Set	Set
Officers paid directly by secondary employer or through Police department	Directly	Directly	Through Department	Through Department	Through Department
Restrictions on who can work off-duty jobs	Yes	Yes	Yes	No	Yes
Restrictions on where officers may work while off-duty	Yes	Yes	No - However, all extra duty assignments are approved through the Services Lieutenant and Officers cannot solicit their own jobs.	No	Yes
Use of City equipment (including squad cars) allowed	Yes	Yes	Yes	Yes	Yes
City assumes liability for officers working off-duty	Yes	No	Yes	Yes	Yes
Secondary employers or off-duty officers required to contribute their own liability coverage	No	No	No	No	No

<sup>1</sup> Off-duty hours only

Tables 2 and 3 summarize various police department survey responses and policy requirements from agencies across the country.

**Table 2 - Survey and Policy Summary Minneapolis vs. Other U.S. Cities (Part I)**

	Minneapolis, MN	Atlanta, GA	Colorado Springs, CO	Madison, WI	Kansas City, MO
Regular shift hours for sworn employees	10	8	10	8	10 (Patrol Officers) 8 (All others)
Maximum number of hours sworn employees may work in a 24-hour period	No maximum	16	No maximum	16	No maximum
Maximum number of hours officers may work in a week	64 hours / 7 days	25 <sup>1</sup>	No maximum	84	No maximum
Rest requirements prior to starting an on-duty shift	None	None	None	6 hours	None
System in place to track and monitor total number of off-duty hours worked by officers	None	APD Extra Job Site	Payroll System	Telestaff (Kronos Scheduling Software)	SEMS/CYAUSA
Possibility for officers to solicit their own off-duty work assignments	Yes	Yes	No	No	Yes
Department or centralized system in place to manage and coordinate off-duty work	No	No	Yes	Yes	Yes
Off-duty rates of pay set by department or negotiated between officers and the secondary employers	Negotiated	Negotiated	Set	Set	Set or Negotiated
Officers paid directly by secondary employer or through Police department	Directly	Directly	Through Department	Through Department	Directly
Restrictions on who can work off-duty jobs	Yes	Yes	Yes	Yes	Yes
Restrictions on where officers may work while off duty	Yes	Yes	Yes	Yes	Yes
Use of City equipment (including squad cars) allowed	Yes	Yes	Yes	Yes	Yes
City assumes liability for officers working off-duty	Yes	Yes	Yes	Yes	N/A
Secondary employers or off-duty officers required to contribute their own liability coverage	No	No	No	No	No

<sup>1</sup> Off-duty hours only

**Table 3 - Survey and Policy Summary: Minneapolis vs. Other U.S. Cities (Part II)**

	<b>Minneapolis, MN</b>	<b>Omaha, NE</b>	<b>Raleigh, NC</b>	<b>Virginia Beach, VA</b>	<b>Mesa, AZ</b>
Regular shift hours for sworn employees	10	8	12	10	10
Maximum number of hours sworn employees may work in a 24-hour period	No maximum	No maximum	No maximum	16	16
Maximum number of hours officers may work in a week	64 hours / 7 days	No maximum	No more than 240 hours during any one 28-day cycle	68	No maximum
Rest requirements prior to starting an on-duty shift	None	None	6 hours in the 12-hour period preceding the actual start time of an off-duty shift. Can be consecutive or non-consecutive.	None	15 minutes
System in place to track and monitor total number of off-duty hours worked by officers	None	None	SEMS (Secondary Employment and Special Event Management System powered by Cover Your Assets LLC)	PD Form	Access Program
Possibility for officers to solicit their own off-duty work assignments	Yes	Yes	No	No	No
Department or centralized system in place to manage and coordinate off-duty work	No	Yes	Yes	No	Yes
Off-duty rates of pay set by department or negotiated between officers and the secondary employers	Negotiated	Negotiated	Set	Negotiated	Set
Officers paid directly by secondary employer or through Police department	Directly	Directly	Directly	Directly	Directly
Restrictions on who can work off-duty jobs	Yes	Yes	Yes	Yes	Yes
Restrictions on where officers may work while off duty	Yes	Yes	Yes	Yes	Yes
Use of City equipment (including squad cars) allowed	Yes	Yes	Yes	Yes	Yes
City assumes liability for officers working off-duty	Yes	No	Yes and No	No	No
Secondary employers or off-duty officers required to contribute their own liability coverage	No	No	Yes	Yes	Yes

**Table 4 -Sworn Officers Per Capita**

City	State	Population Size <sup>1</sup>	Police Department Size <sup>2</sup>			Officers Per 10K Population <sup>4</sup>
			Sworn	Civilian	Total	
Minneapolis	Minnesota	428,483 <sup>3</sup>	888 <sup>3</sup>	187 <sup>1</sup>	1075	20.3
St. Paul	Minnesota	306,696	610	180	790	20.6
Rochester	Minnesota	115,228	142.5	66	208.5	12.1
Bloomington	Minnesota	85,704	123	60	183	13.5
Duluth	Minnesota	86,306	155	50	205	17.3
Atlanta	Georgia	481,343	1617	400	2017	35.8
Colorado Springs	Colorado	472,958	756	310	1066	13.9
Madison	Wisconsin	255,850	479	119.7	598.7	18.9
Kansas City	Missouri	484,948	1200	500	1700	28.3
Omaha	Nebraska	449,388	869	180	1049	17.9
Raleigh	North Carolina	468,261	758	98	856	15.8
Virginia Beach	Virginia	454,353	<del>191</del> 833	<del>833</del> 191	1024	17.2
Mesa	Arizona	492,268	750	350	1100	16.8

2017 data obtained from the FBI website: [https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-](https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-2017/tables/table-78/table-78.xls/view)

<sup>1</sup> [2017/tables/table-78/table-78.xls/view](https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-2017/tables/table-78/table-78.xls/view)

<sup>2</sup> Data obtained from survey responses

Data obtained from the Minneapolis Police Department Staffing Overview

<sup>3</sup> presented to the Public Safety Committee in July 2019. The population is as of 2018.

<sup>4</sup> 2016 data from Governing: <https://www.governing.com/gov-data/safety-justice/police-officers-per-capita-rates-employment-for-city-departments.html>

## Appendix B – Benchmark Survey

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Below is a copy of the benchmark survey that the City of Minneapolis Internal Audit Department sent to various law enforcement agencies.

### Policies and Procedures

- 1) Would you be willing to provide a copy of your department's off-duty work policies and procedures? Please attach in the email with this survey if applicable.
- 2) Would you be willing to provide a copy of your department's labor agreement related to off-duty work? Please attach in the email with this survey if applicable.

### Background

- 1) How many employees are in your department?  
Sworn: \_\_\_\_\_  
Civilian: \_\_\_\_\_
- 2) How many hours is a regular on-duty shift for sworn employees?  
\_\_\_\_\_
- 3) What is the maximum number of hours sworn officers may work in a 24-hour period, regardless of the type of work??  
\_\_\_\_\_  No maximum
- 4) What is the maximum number of hours an officer may work in a week for:  
Off-duty \_\_\_\_\_  No maximum  
All types of work \_\_\_\_\_  No maximum
- 5) Are there any rest requirements prior to starting an on-duty shift?  
If yes, can you briefly explain?  Yes  No
- 6) Does your department have a system in place to track and monitor total number of off-duty hours worked by officer?  
If yes, can you briefly explain?  Yes  No

### Off-Duty Work Process

- 7) Are officers allowed to solicit their own off-duty work assignments?  Yes  No
- 8) Is there a department or centralized system in place to manage and coordinate off-duty work? If yes, can you briefly explain the system in place?  Yes  No
- 9) Are off-duty rates of pay set by your department or negotiated between officers and the secondary employers?  Set  Negotiated
- 10) Are officers paid directly by the secondary employer for off-duty work, or is payment done through the department?  Directly  Through department
- 11) Are there restrictions on who can work off-duty jobs?  
If yes, can you please explain?  Yes  No
- 12) Are there restrictions on where officers may work while off-duty?  
If yes, can you please describe?  Yes  No

- 13)** Are officers allowed to use city equipment while working off-duty jobs?  **Yes**  **No**
- 14)** Does your city assume liability for officers working off-duty?  **Yes**  **No**
- 15)** Are secondary employers or off-duty officers required to contribute their own liability coverage? Is there other liability-related information you wish to provide?  **Yes**  **No**
- 16)** Is there any other police officer off-duty information you wish to provide?
-