



CITY OF ALBUQUERQUE
OFFICE OF INTERNAL AUDIT

Nicole Kelley
City Auditor

STRATEGIC REVIEW

No. 22-402

FROM: Nicole Kelley, City Auditor
Office of Internal Audit

DATE: October 19, 2022

SUBJECT: Albuquerque Police Department – Strategic Review of Call-to-Service Overtime

EXECUTIVE SUMMARY

Pursuant to a request received from the Albuquerque Police Department (APD), the Office of Internal Audit (OIA) conducted a strategic review of on-call and call-out overtime (collectively referred to as call-to-service overtime) compensation for a sample of officers. The review assessed whether the call-to-service overtime compensation reported and paid was accurate and appropriate and complied with the City of Albuquerque's (the City's) Collective Bargaining Agreement (CBA) and APD policies and procedures.

The strategic review identified at least \$8,353.68 in questioned overtime payments resulting from possible noncompliance with APD policies and procedures. Specifically, the review found no evidence that officers logged into the Computer-Aided-Dispatch (CAD) system for 70.50 hours of call-to-service overtime hours claimed. Additionally, there were seven (7) instances totaling 36.45 overtime hours where the number of hours reported as worked in the CAD system were at least 30 minutes less than the total hours paid that day. The review also identified seven instances, comprising 54.75 overtime hours, where officers' On-Body Recording Devices (OBRD) were not activated at least once during the call-to-service shift reported as worked. These total instances related to 161.70 in overtime hours and resulted in \$8,353.68 in related payments made that were possibly not in compliance with APD policies and could not be substantiated as time actually worked. The OIA recommends that these instances be further investigated by the APD to determine whether the related overtime payments were in fact appropriate.

BACKGROUND, OBJECTIVES, METHODOLOGY, & AUTHORITY

Background

Rather than providing continuous coverage, on-call status provides flexibility in scheduling and allows the APD to cover periods of time when on-duty officers are unavailable. While on-call, officers are expected to assume full responsibilities of their assignment within one (1) hour notice. Officers assigned to on-call status receive eight (8) hours of straight compensatory time for each seven (7) days of such assignment. If an officer is on call on a day-to-day basis, the officer receives two (2) hours of straight compensatory time for every twenty-four (24) hours of such assignment, not to exceed eight (8) hours in a week. The determination of the need for the use of on-call status and the number of officers required will be made the by Chief or the Chief's designee.

Call-out status occurs when an officer is called by a supervisor to resume normal duties while in an on-call status. Call-back status occurs when an officer responds to a call-for-service outside of their regular duty shift. A call-back status differs from an on-call status because personnel are not expected to respond to a call-out to resume their regular duties during off-hours. In both of these instances, the officer is guaranteed pay at either time and half for two (2) hours' work or time and a half for hours actually worked, whichever is greater. Officers authorized or approved by the Chief or the Chief's designee for call-backs also receive five (5) hours of compensatory time each pay period, provided the employee is authorized or approved for this status for at least six (6) workdays during the pay period. Call-for-service time is accrued as a result of department personnel responding to a call for service outside of their regular duty shift.

The APD utilizes Kronos Workforce TeleStaff (TeleStaff), an automated scheduling system for public safety agencies that tracks uniformed police officers' work shifts, overtime hours, and all related requests for time off. Officer schedules are preloaded into TeleStaff and civilian schedules in Kronos Workforce Central (Kronos). Any deviations from the normal schedule, such as overtime, leaves, or training, must be manually entered into TeleStaff by the employee. It is each employee's responsibility to enter any overtime worked in a timely and accurate fashion. Each employee's supervisor is responsible for approving all time entries in TeleStaff each pay period. At the end of each pay period, time entry information from TeleStaff is transmitted to Kronos; then, all Kronos information is transferred to PeopleSoft, the City payroll system, to be processed by the Department of Finance Administrative Services for payment.

Scope and Objectives

The objective of the review was to assess whether overtime compensation related to call-to-service is accurate and appropriate and complies with the City's CBA and departmental policies.

Specifically, the strategic review evaluated the top five officers with the highest on-call and call-back compensation paid during the period, to determine whether:

- Officers logged required information into the CAD system for all instances of overtime.
- Information logged into the CAD system support amounts reported as worked in TeleStaff and reported as paid in Peoplesoft.
- OBRD supported events logged into the CAD system.

The scope of the period under review was January 1, 2021 through April 25, 2022.

Methodology

Methodologies used to accomplish the objectives include but are not limited to the following:

- Interviewed and observed key departmental personnel to gain an understanding of the processes, systems, and data examined.
- Reviewed and analyzed APD overtime policies and procedures, CBA and Memorandums of Understanding with the Police Officers' Association, and Department Special Orders.
- Reviewed prior audits, studies, and best practice publications surrounding police payroll and overtime practices.
- Verified the accuracy and appropriateness of the amounts paid for a sample of 31 days by comparing hours recorded in Telestaff to Peoplesoft to OBRD footage and CAD records.

Authority

City management is responsible for ensuring resources are managed properly and used in compliance with laws and regulations; programs are achieving their objectives; and services are being provided efficiently, effectively, and economically. The OIA's responsibility is to express a conclusion on the fulfillment of these responsibilities based on our review.

RESULTS

Finding 1 – Officers did not have Computer-Aided Dispatch reports to support 106.95 overtime hours claimed and at least \$5,626 in related payments received.

The 31 days tested were comprised of 76 individual pay code line items. Based on examination of these individual pay codes, the review identified 16 instances, spanning across all five officers,

where there was no CAD¹ to support the overtime reported as worked. These instances totaled 70.50 overtime hours and resulted in \$3,687.53² in related payments. For instance, according to TeleStaff an officer reported 13.5 hours of call-out overtime where a case number was referenced. However, there was no corresponding CAD entry to support the time reported and paid.

The review also identified seven (7) instances where the number of hours reported as worked in the CAD system was at least 30 minutes less than the total hours paid that day. These instances totaled 36.45 overtime hours and \$1,938.47² in related payments. For example, according to TeleStaff and PeopleSoft records, an officer worked and was paid for thirteen (13) hours of call-to-service overtime in a single day. However, the CAD system only had record of the officer working 3.13 hours of overtime during this time.

SOP 3-20, Overtime, Compensatory Time, and Work Shift Designation, requires that officers log all instances of overtime into the CAD system. Additionally, *SOP 2-10 Use of Emergency Communications* requires that officers log onto the CAD system before leaving their residence in a city-owned vehicle and not log off until they return at the end of their duty assignment. *Special Order 20-43 Overtime* states that “All overtime or compensatory time must be correctly entered into the payroll system for each pay period. All related codes for overtime or compensatory time must be accurate and will be approved by the supervisor.” In addition to possible officer noncompliance with policies, the APD is unable to effectively track or account for the hours worked by officers who do not properly record their duty information in the CAD system. Without this information, the APD lacks the documentation needed to ensure compliance with policies and substantiate the accuracy of the overtime hours reported as worked by officers.

Finding 2 – Officers’ on-body recording devices were never turned on during any point of the call-to-service time reported, which included 54.75 in related overtime hours and at least \$2,728 in related payments.

The review identified seven (7) instances, for three (3) officers tested, where the officer’s OBRD was not activated at least once during the call-to-service shift reported as worked in TeleStaff. These instances totaled 54.75 overtime hours and resulted in \$2,727.68² in related payments. For example, one officer reported and was paid for eleven (11) hours of call-to-service overtime, but

¹ CAD is the real-time record-keeping system that documents the call-in times when officers start and end their shifts and any response to calls for services that occurred during their shifts.

² This amount was calculated by taking the average overtime hourly rate and multiplying by the overtime hours. FLSA rate was not included in calculations.

the officer's OBRD was not activated at any point during the shift, even though a case number was referenced in TeleStaff.

According to APD management, most instances of calls-to-service result in encounters and/or contact with the community, which should require some OBRD footage recorded either prior to arrival or before leaving the scene. *SOP 2-8 Use of On-Body Recording Devices* states, "the department personnel shall activate their OBRD for any call for service that involves law enforcement encounters, contact with the community, and any investigative encounters involving the community.... Department personnel shall activate their OBRD prior to contact with individuals. At the available opportunity department shall activate OBRD immediately." SOP 2-8 specifies events that are mandated to be recorded. However, the SOP also states that "Department personnel shall have the discretion to activate their OBRD when they reasonably believe it would be appropriate or valuable to document circumstances. In exercising this discretion, Department personnel should balance the need to record with legitimate privacy concerns." Because the SOP provides for discretionary recording for non-mandatory recording events, and not all calls-to service result in contact with the community, the officer's supervisor (who should have direct knowledge of their assignment and whereabouts) would be in the best position to determine whether the OBRD should have been activated at some point during the call-to-service shift.

In addition to possible officer noncompliance with policies, the APD may have difficulty substantiating the hours reportedly worked by the officers who do not properly activate their OBRD. Without this information, the APD lacks the documentation needed to ensure compliance with policies and the ability to easily substantiate the accuracy of the overtime hours reported as worked by officers.

RECOMMENDATIONS

The Albuquerque Police Department should:

1. Research the sixteen (16) instances where there was no Computer-Aided-Dispatch (CAD) report to support the overtime reported as worked in TeleStaff and reported as paid in PeopleSoft, to determine whether the related overtime payments were appropriate.
2. Research the seven (7) instances where the number of hours reported as worked in the CAD system was at least 30 minutes less than the total hours paid that day, to determine whether the related overtime payments were appropriate.
3. Research the seven (7) instances where the officer's On-Body Recording Device was not activated at least once during the call-to-service shift reported as worked in the CAD system, to determine whether the related overtime payments were appropriate and whether

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such officers such be subject to monthly video inspections as provided for by Standard Operating Procedures.


4. If, upon research by the department, it is determined that the employee was overpaid, seek repayment from officers. The City Attorney's Office should be consulted if repayment is due from individuals who have since terminated employment with the City of Albuquerque. Additionally, the officers and their supervisors should be formally reminded to comply with Standard Operating Procedures and Special Orders related to overtime, CAD reporting, and Department-issued On-Body Recording Devices.

CONCLUSION

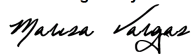
The strategic review identified instances that require further investigation by the APD. The APD's response to the report is attached as an appendix and includes areas where reforms are already underway. The OIA will work with the department to follow up every six months on the status of the open recommendations made in this report and the corrective action taken by the department. The OIA appreciates the assistance and cooperation of the APD staff throughout the review.

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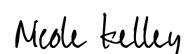
PREPARED:

DocuSigned by:

DCF283F3AC33444...
Connie Barros-Montoya, Principal Auditor
Office of Internal Audit

REVIEWED:

DocuSigned by:

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Marisa Vargas, Audit Manager
Office of Internal Audit

APPROVED:

DocuSigned by:

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Nicole Kelley, City Auditor
Office of Internal Audit

APPROVED FOR PUBLICATION:

DocuSigned by:

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Edmund E. Perea, Esq., Chairman
Accountability in Government Oversight Committee Chairperson

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APPENDIX

CITY OF ALBUQUERQUE

Albuquerque Police Department



Harold J. Medina, Chief of Police



October 5, 2022

Nicole Kelly
City Auditor, Office of Internal Audit
City of Albuquerque

RE: Strategic Review 22-402

I have received your initial report on this matter. Your report and all supporting documentation have been submitted to our Internal Affairs Professional Standards division.

They will examine everything to determine if any Albuquerque Police Department policies or New Mexico statutes were violated, and if so, the appropriate investigation(s) will be initiated.

After this process is complete, I will provide our findings to you.

400 Roma NW

Albuquerque

New Mexico 87102

www.cabq.gov

Harold J. Medina, Chief of Police
Albuquerque Police Department