



City of Durham North Carolina  
Police Department  
Professional Standards Division  
Office of the Staff Inspector



**Special Inspection:**  
Secondary Employment

June 27, 2008



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**Staff Inspector**

## Executive Summary

On January 21, 2008 a Special Inspection of Secondary Employment was initiated at the request of the Chief of Police. This inspection was requested, in part, due to a letter the Chief received making serious allegations about the management of the program. This inspection looked at policies and procedures, files and records, secondary employment in general, open agency jobs, coordinated jobs, regional practices and included numerous interviews.

Due to the nature of this report and the large quantity of information it covers, the findings and recommendations have been presented at the beginning. These findings and recommendations were grouped into five areas: supervision, policies and procedures, program administration, program management, and use of the CYA system.

**Supervision** - One of the most glaring issues with Durham's Secondary Employment Program was a failure to appropriately supervise and oversee the program. Supervision concerns included:

- **Failure to require proper monthly reports.**
- **Failure to correct deficiencies noted previously with Secondary Employment.**
- **Ineffective use of the Chain of Command.**
- **Supervisors providing unclear philosophy and direction.**
- **Members of the chain of command have been given and offered jobs that were never opened to all personnel.**
- **Members of the Chain of Command have limited working knowledge of the CYA system and no direct access to information.**

**Recommendations** In light of these findings, the following recommendations are offered:

- Require detailed monthly reports and establish some type of oversight.
- Make the program transparent to all personnel and ensure that the philosophy and direction of the program are made clear.
- Utilize the chain of command and remove high level command from administration decisions.
- Strict restrictions should be put in place for those in the SECs chain of command on what (if any) off-duty they can work.
- Provide training and access to at least one of the SEC's supervisors in the use and capabilities of the CYA system at an administrator level.

**Policies** - The current Secondary Employment program has both General Orders and Standard Operating Procedures that are intended to govern its application, but in many cases these policies are outdated, vague or simply ignored. Policy problems included:

- **Policies that do exist are not being followed.**
- **Policies are outdated or do not reflect current practices.**
- **Policies are vague and/or ineffective.**
- **No policy has been put in place in many areas.**

**Recommendations** In light of these findings, the following recommendations are offered:

- Review, update and rewrite current policies to reflect current practices, to provide transparency, and provide clear guidance on how to manage the program.
- Set policy that will define many areas that are currently unclear.
- Better define the time off required between secondary work and regular shifts.
- Set consistent policy on officers being allowed to use time to work off-duty.

**Program Administration** - The structure and method that our current program has been administered gives rise to additional concerns including:

- **The position of the program in the departmental structure.**
- **Use of a low ranking, sworn officer to administer the program.**
- **High degree of interpersonal interaction between the SEC and agency personnel.**
- **The Secondary Employment Coordinator has to split their time with other duties.**

**Recommendations** In light of these findings, the following recommendations are offered:

- Center the program in a neutral site.
- Consider hiring a civilian manager for Secondary employment.
- Consider running all pay through the city.
- Reduce access to the SEC or put rules in place restricting personnel from directly questioning the SEC about jobs.
- Run all SEC communication through electronic channels.
- If the coordinator remains a sworn officer, upgrade it to a Sergeant level and define work restrictions for that person.
- Remove ABC permit duties from the SEC.

**Program Management** - There are many elements of the program's current application that lend it to inefficiency and abuse. As with any program of this type, nothing will be perfect, but there are several areas that are open for improvement. Findings include:

- **Durham’s Secondary Employment Program has not been applied in a fair and equitable manner.**
- **No apparent oversight of coordinated jobs and their management.**
- **Notifications not being issued in a consistent manner.**
- **Employer requests for specific officers are not being tracked and there is no documentation to support these requests.**
- **Field inspections are not being done, and there is little effort to assess satisfaction of employers and performance of JSCs.**

**Recommendations** In light of these findings, the following recommendations are offered:

- Open Jobs – All open jobs should be posted and an email sent out notifying all personnel about their availability. In order to build more equity into open jobs consider the following:
  - Reduce the number of “open” shifts personnel can sign up for in a 24 hour period to 2 and release multiple jobs on a set schedule rather than piecemeal.
  - Put limitations and penalties on personnel transferring jobs.
  - Put a limit or guideline on how we honor requests.
- Coordinated Jobs –reviewed jobs to ensure they need to be coordinated, that workers in the job pool are working and that the work is distributed with reasonable fairness.
- Return to the use of a list or rotation to fill job pools.
- Consider instituting advantages for patrol officers.
- Develop and enforce penalties for personnel who miss work.
- Create transparency.

**Use of CYA-** CYA is a good tool for tracking and monitoring personnel’s secondary employment work. With that said, it is only a tool, and decisions must be made on how and when to use the tool. The system cannot be relied on as more than that. Some concerns with our use of the system are:

- **Little to no training has been offered to officers and coordinators.**
- **Settings in CYA not reflective of policy.**
- **Settings in CYA not utilized to encourage fair and equitable work distribution and management.**
- **Personnel are not putting details into CYA or it is being used inappropriately.**

- **“Secondary Employment” designation is being over-used.**
- **Job Pools being utilized inconsistently and not to our best advantage.**

**Recommendations** In light of these findings, the following recommendations are offered:

- Adjust existing CYA settings in a number of areas such as limiting the number of hours an officer can take, eliminating the ability to transfer jobs, requiring jobs to be closed in 24 hours and blocking the ability to sign up for conflicting shifts.
- Train officers and coordinators on policies, new settings and changes, and use of the CYA system.
- Closely monitor CYA data for problems with data entry or officers not putting in required details.

#### **Additional Findings/Recommendations**

- Limit reserve hours.
- Require auditing of secondary employment.
- Initiate a committee to develop policies and make recommendations.

While much of this report focuses on problems and concerns with secondary employment, it is important to note that there were many instances of fair and equitable practices as well. It is also noteworthy that since the SEC backup has been managing the program, there have been numerous compliments about how she is doing it from the officers. She has made several attempts to distribute the work equitably, and limit personnel from taking too much at one time.

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## **FINDINGS/RECOMMENDATIONS**

When compared to the programs of some of our peer agencies, Durham's Secondary Employment Program is clearly superior. In addition, some problems with the administration of our program have improved in recent months. From the detailed review that follows, however, there are still many areas that are in need of policy decisions, policy clarification, general improvement and redesign. While it should be acknowledged that no program is likely to be completely fair and equitable, many of the complaints of favoritism and mismanagement that have been leveled at our program can be supported by the evidence.

The findings and recommendations from this inspection center around five key areas:

- Supervision
- Policy
- Program Administration
- Program Management
- Use of CYA System

### **Supervision**

One of the most glaring problems with Durham's Secondary Employment Program was a failure to appropriately supervise and oversee the program. Supervision concerns included:

- **Failure to require proper monthly reports.**

The only monthly reports being required are a total of hours officers worked which provided NO information on the management of the program. According to the SOP's, the monthly report should have included the number of secondary job inquiries, site visits, officers suspended from secondary employment, number of long and short term jobs, and complaints investigated. This information, while not exhaustive, would have provided a much better picture of how the program was being managed.

- **Failure to correct deficiencies noted previously with Secondary Employment.**

In 2006, an inspection of the Executive Officer of the Uniform Patrol Bureau included problems with several Secondary Employment Policies. As of this inspection, there appear to have been no changes in those policies and they remain out of compliance.

- **Ineffective use of the Chain of Command.**

From personal observations and interviews, it appears that there is an extremely detailed level of involvement at the (then) Bureau Commander level of the chain of command. Due to a lack of policies and procedures, there seems to be a constant stream of small decisions that are being made by this top level, including how to staff certain job pools, who to assign as coordinators, and how to open and run individual jobs. The immediate supervisor in the chain appears much less involved.

- **Supervisors providing unclear philosophy and direction.**

The philosophy the program is being run under (fairness, equity, seniority, etc.) has not been defined and seems to vary by situation. There have been recent directives by the commander of the SEC to give new officers priority and advantage in some jobs, but it has not been applied uniformly, nor has any monitoring been done to ensure this is happening. Direction on how to staff job pools has wavered from using a list to opening the job and putting those who first sign up in the pool.

- **Members of the chain of command have been given and offered jobs that were never opened to all personnel.**

During the six month period that was examined, both the Captain and then Major received jobs from the SEC that were never opened to all personnel. Additionally, communication of jobs offered but not accepted was also found.

- **Members of the Chain of Command have limited working knowledge of the CYA system and no direct access to information.**

No one in the SEC's current chain of command has administrative level access to the CYA system so there is no way for them to monitor what the SEC is doing. In addition, unfamiliarity with the capabilities of the system makes it difficult for them to make good policy decisions on how to use it.

**RECOMMENDATIONS** In light of these findings, the following recommendations are offered:

- Require detailed monthly reports and establish some type of oversight. A system of tracking what and how jobs are assigned, as well as who is working is critical to ensuring the program is managed properly.
- Make the program transparent to all personnel and ensure that the philosophy and direction of the program are made clear. Personnel do not have to agree with the philosophy, but being aware of it allows them to understand decisions that are made.



- Utilize the chain of command and remove high level command from operational decisions. Staff should be adequately trained and policies put in place which would allow the SEC and their immediate supervisor to manage the program based on the philosophical direction provided by the commander. The commander should be provided the tools to monitor that the program is being run in accordance with their philosophy, but should not have to get mired in the minutia of operational decisions.
- Strict restrictions should be put in place for those in the SECs chain of command on what (if any) off-duty they can work. Depending on how the chain of command is structured (see Program Administration below), some options include:
  - Allowing personnel in the chain to work coordinated job pools, but not open-agency jobs.
  - Allowing personnel in the chain to work all jobs, but they must sign up for them through CYA and could be restricted by some type of required delay from the time the job is posted.
  - Allowing personnel in the chain to work jobs, but they must sign up through CYA and notify the Chief of Police of all jobs they are working.
  - Allowing personnel in the chain to work supplemental-type open agency jobs only (patrol, warrant service, etc) that they sign up for through CYA.
- Provide training and access to at least one of the SEC's supervisors in the use and capabilities of the CYA system at an administrator level. While no supervisor is expected to know every detail about how a subordinate does their job, having a good general knowledge base and the ability to access information themselves is critical. If the SEC or their back-up is unavailable, someone must be able to fill the void.

## Policies

The current Secondary Employment program has both General Orders and Standard Operating Procedures that are intended to govern its application, but in many cases these policies are outdated, vague or simply ignored. Policy problems included:

- **Policies that do exist are not being followed.**

There were numerous examples of parts or whole policies that were not being followed. One of the most obvious examples was the SOP on Monthly Reports which was not being followed. In addition, parts of the General Order, such as how to select

JSC's and the reserves being required to have a letter of approval on file, do not appear to have been followed.

- **Policies are outdated or do not reflect current practices.**

As with the previous, there were examples in the SOPs and General Orders of dated material (such as the GO describing the Outside Agency Employing Questionnaire which is no longer used with the advent of CYA).

- **Policies are vague and/or ineffective.**

The current policies leave many things undefined and do not provide (in the case of SOPs) a clear template for how to manage the program. An example of the ineffective nature of parts of the policy can be seen in the section of the GO that attempts to limit personnel from working secondary jobs before reporting for duty. The policy states "between two consecutive work days, employees shall have at least a six-hour block of time in which no type of secondary employment is performed." While the intent of this clause is good, it does little to stop the abuses it is intended to remedy. Several recent examples of the policy not working are listed below:

- On June 6<sup>th</sup>, an officer worked 1800 to 0600 on the 7<sup>th</sup>. At 0900 on the 7<sup>th</sup> they worked a secondary job at the NCSSM until 1300. They returned to patrol that night working 1800-0600. On June 14<sup>th</sup> they worked patrol from 0600-1800, then worked a secondary job at The Event Center from 2100 to 0030 on the 7<sup>th</sup>. At 0600 he reported to Patrol.
- On June 17<sup>th</sup> an officer worked patrol from 0600-1800. That night they worked a secondary job at the Event Center from 2100 to 0100 on the 18<sup>th</sup>. At 0600 on the 18<sup>th</sup> they reported for patrol.
- While the officer in the following example did not end up working, their ability to schedule this work, including some taken the day of the event while working patrol is concerning. On Monday June 16<sup>th</sup>, an officer worked 0600-1800 on patrol, then was scheduled to work Food Lion from 1830-2230. On Tuesday the 17<sup>th</sup> he worked patrol 0600-1800 and during that shift he signed up for a job that was just posted for 2100-0100 that night. The officer then returned to work the following day (18<sup>th</sup>) at 0600-1800 and was again scheduled for Food Lion that night from 1830-2230. After the fact he transferred all of the secondary jobs to another officer.

- **No policy has been put in place in many areas.**

There are many concerns that have never been addressed, or have been addressed without a policy being put in place and as such are open to abuse. Some examples include:

- No policy that defines Coordinated Jobs and provides criteria.
- No policy that defines how employer requests for specific officers should be handled or documented.
- No policy discussing the ability of the SEC or others with administration rights to accept jobs for themselves.
- No policy defining exactly how job pools should be formed.
- No policy limiting or controlling the amount of work officers can take, transfer and/or cancel from CYA.
- Penalties involving secondary employment appear to have been established, but are not clearly defined in policy.

**RECOMMENDATIONS** In light of these findings, the following recommendations are offered:

- Review, update and rewrite current policies to reflect current practices, provide transparency, and provide clear guidance on how to manage the program. The program policies should be sufficiently clear to allow it to be managed without constant supervisory input and direction, and provide a guide for future SECs to fill the role. Above all, the policies should require fair and equitable management of the program.
- Set policy that will define many areas that are currently unclear.
  - How are JSC's to be selected?
  - How much work can someone sign up for at one time?
  - Will a "list" be used, if so how?
  - How will coordinated jobs be defined and will there be a limit to what one person can control?
  - How much and what type of work can the SEC and members of their chain of command take?
  - How will we address transfers of jobs – will it be limited or controlled to keep personnel from hoarding work?
  - Will there be penalties for missing or being late to an off-duty job, and if so what?

- Better define the time off required between secondary work and regular shifts. The current policy, as described above, really does not have the desired effect. Some limits in use in peer organizations that could be considered include:
  - Set a maximum number of hours (on and off duty) that an officer can work in a 24 hour period. Example: Officers can work no more than 16 hours in a 24 hour period. (24 hour period may need to be clearly defined)
  - Require the block of time between shifts to be continuous (unbroken).
  - Require the block of time to be before they start their regular duty shift. Example: Officers must have 8 hours off before the beginning of their next duty shift.
  - Limit the number of secondary hours they can work during a block of time before their regular shift. Example: officers can only work 4 hours in the 12 hours before they report for a regular duty shift.
  - Any policy would have to take into consideration its application to eight and ten hour shifts that some officers work.
- Set a consistent policy on allowing officers to take time off to work jobs, or being allowed to burn time during a shift to go work a job. There is definitely a clear inequity in the ability of administrative personnel to flex their schedules to accommodate secondary work compared to patrol officers. If requests for time off do not unduly impact the operation of the department and are in compliance with policies, then personnel should be allowed to use their leave time as desired. Currently there is a great deal of variance by units/divisions on what is allowed.

## **Program Administration**

The structure and method that our current program has been administered gives rise to additional concerns:

- **Position of the program in the departmental structure.**

The current position of the program within the Uniform Patrol Bureau creates an appearance that the program can be manipulated or at a minimum is biased toward certain groups. It can be inferred that one division or another could be provided an advantage or treated unfairly. In many peer organizations it is housed in the Chief's office or with Internal Affairs. Our current program was housed there in the past.

- **Use of a low ranking, sworn officer to administer the program.**

Management of this type of program requires many supervision skills. Having our program administered by one of the lowest levels of supervisors may create a situation where the person managing the program has not had a chance to develop the skills

needed to properly administer the program (as the rank of Corporal is designed for personnel to learn to supervise). In addition, having a sworn officer (of any rank) who is eligible to work jobs themselves administering the program creates an appearance of impropriety. Both the previous SEC and the temporary administrator currently managing the program regularly take open jobs before offering them to all personnel. THERE IS NOTHING IN PLACE THAT SAYS THIS IS IMPROPER, and as such they have done nothing wrong, but the appearance and ethical considerations of this practice are noteworthy.

- **High degree of interpersonal interaction between the SEC and agency personnel.**

The Secondary Employment Coordinator is constantly bombarded by requests from individual officers for work. Many individuals have commented to the presence of personnel “hanging around” the SEC’s office, and some of those interviewed during this inspection describe having received work due to being with the SEC at the right time. This inspector personally has observed this behavior on many occasions in the past and even witnessed it during this inspection when an officer visiting the SEC backup heard her talking about an upcoming job and pulled out his calendar asking what was available and when (he was not given any work at that time). In addition several descriptions of personnel approaching the SEC about hardships and needing work due to an emergency were described, and in no case did they follow proper procedures. Examples of personnel, who complained to the SEC about the lack of available work, then began to get called for jobs were also described. This open and unrestricted ability for officers to directly approach the SEC puts the SEC in an unfair and difficult position.

- **The Secondary Employment Coordinator has to split their time with other duties.**

Proper management of a program as large as Durham’s is a full time job. Several of the peer organizations have full time program administrators. Our current Secondary Employment Coordinator’s job duties include managing ABC permits as well as Secondary Employment. Having to divide the position’s time in this manner takes them away from monitoring the program as is needed to ensure fairness and equity.

**RECOMMENDATIONS:** In light of these findings, the following recommendations are offered:

- Center the program in a neutral site. Within our current organizational structure, the management of secondary employment would fit well as a part of the Office of the Chief, being managed from the Executive Officer to the Chief of Police, or under Professional Standards. Either location would provide neutrality and the weight of the Office of the Chief to ensure it is administered in a fair and equitable manner.

- Consider hiring a civilian manager for Secondary employment. This practice is already done in Wilmington and Greensboro. Having a civilian in this position would eliminate the concern about the administrator being able to work the jobs and would limit the interpersonal pressures.
- Run all pay through the city. Again, using Wilmington and Greensboro as examples, employers pay the city for the hours officers work as a set rate. The city in turn pays the officers in their regular city check. In most cases employers are charged slightly more money (\$1-\$2 per hour) than the officers are paid with the difference being retained to cover costs. In addition some cities charge an additional fee for jobs that require a city car to cover fuel and maintenance costs. While the structure of this process would have to be developed for Durham, models do exist and there are significant advantages:
  - The funds generated from the City’s portion can pay for the position and offset costs associated with the program. As an example, CYA shows that 154,751 hours of off-duty were worked by officers during 2007. In addition, 17,149 hours were designated as “vehicle hours.” While some of this work is supplemental and overtime work for the city, the work from private employers, even if the city only retained \$1 for each hour, should easily cover the cost of a Sergeant-level position at a minimum.
  - Payment through the city will reduce problems of personnel closing out fewer hours than they actually worked. Currently it is very difficult to detect someone working a cash job and then saying they did not work or worked less than they did, short of the employer reporting it.
  - It is very likely that officers working cash jobs are not reporting all the earnings (which is why some individuals pursue cash jobs). The current system creates a record of work that could be used to identify personnel not reporting earnings by other entities. Managing all pay through the city would force all work to be reported.
- Reduce access to the SEC or put rules in place restricting personnel from directly questioning the SEC about jobs. In reality the SEC position could be managed from a site outside of the Police Department or even from home. The program could (in theory) be managed by someone with a cellular phone and a computer with internet access. At a minimum, add a clause to the GO that directs officers not to contact the SEC directly to solicit jobs. This would help relieve interpersonal pressure on the position.
- Run all SEC communication through electronic channels. Requiring all communication with the SEC to be done electronically would provide a record that

could be reviewed and clear documentation of why things were done. This would also help relieve the interpersonal pressure.

- If the coordinator remains a sworn officer, upgrade it to a Sergeant level and define work restrictions for that person. Most of our peer programs use a Sergeant as the coordinator for their programs. Hopefully personnel at that level will have the required skills to adequately manage the program and be less reliant on off-duty work.
- Remove ABC permit duties from the SEC. The SEC needs to devote their time to managing the program. ABC permits could be farmed out to the districts, or added to the taxi/towing inspector position.

## **Program Management**

There are many elements of the program's management that lend it to inefficiency and abuse. As with any program of this type, nothing will be perfect, but there are several areas that are open for improvement. Findings include:

- **Durham's Secondary Employment Program has not been applied in a fair and equitable manner.**

It is clear that significant portions of work that should have been available to all personnel were not and that certain individuals had advantages in securing work. In addition, the current application of CYA gives an advantage to those with advanced technology, or even those who work administrative jobs vs. those on patrol. Apparent inequities were identified in:

- Open agency job assignments
- Inclusion in coordinated job pools
- JSC position assignments

- **No apparent oversight of coordinated jobs and their management.**

Coordinated jobs have not been clearly defined, and there is little clear reason as to why some jobs are coordinated. The extent to which pools are used varies significantly with some jobs having reasonably equitable distribution while others have a limited few getting all the hours.

- **Notifications not being issued in a consistent manner.**

Prior to May of this year, notifications were not being made about open jobs. Since that time notifications have become frequent, but there has been inconsistency in how

they are being issued. Initially they were issued as soon as the job was posted, or issued stating when a job would be opened. Some attempts to better balance the access to work have led to a delay in making the job available after the notification goes out. In some cases that delay has been significant and has caused officers to think the job was gone when in reality it just had not been opened yet.

- A very recent example is a shift on Monday 6/23 that became available that day. The job became available at 1157 and the SEC posted a notice at 1158 about it being available. At 1200 the job was moved to a “placeholder” and not available. At 1240 the “placeholder” was removed and the job was again available. It was not until 1323 that it was taken. During that time several officers I spoke to mentioned seeing the job and wanting to work it, but they thought it had been taken.

- **Employer requests for specific officers are not being tracked and there is no documentation to support these requests.**

A significant number of “open” jobs that were directly assigned were attributed to the employer requesting certain officers. This volume of requests seems to encourage officers soliciting work. In some cases the “requested” officer was able to request additional officers to work with them. One interviewee also pointed out that some employers like Visions nightclub and the Independent preferred officers of a particular lifestyle for their events.

- **Field inspections are not being done, and there is little effort to assess satisfaction of Employers and performance of JSCs.**

The practice of field inspections seems to have stopped. In addition there is no practice in place to assess employer satisfaction, especially when it relates to the management of coordinated jobs.

**RECOMMENDATIONS:** In light of these findings, the following recommendations are offered:

- Open Jobs – All open jobs should be posted and an email sent out notifying all personnel about their availability. The notification should follow the posting of the job immediately so personnel know what to expect. Large jobs with multiple shifts could be announced before they are posted notifying personnel when the jobs will be posted. In order to build more equity into open jobs consider the following:
  - Reduce the number of “open” shifts personnel can sign up for in a 24 hour period to 2. This would limit the ability to grab multiple shifts right away.
  - Designate set days each week that future jobs will be released, rather than releasing them piecemeal. While jobs that come up on short notice (within a



week for example) would need to be posted as soon as possible, jobs that are several weeks out or more could be held a few extra days to allow for more jobs to be posted at once, making the shift limit more effective and allowing officers a better idea what to expect.

- Put limitations and penalties on personnel transferring jobs. Transfers should be for emergencies and the current application encourages personnel to grab shifts even though they can't work it and redistribute it later. An example of a restriction could be to allow X number transfers per month or quarter, and if someone transfers more than that, they are suspended from off-duty for the following month or quarter. This practice could also be applied to coordinated jobs to decrease placeholding and redistribute the work. Between 6/2/07 and 1/24/08, 124 open jobs were transferred between officers, with 8 officers transferring more than 5. Far more were taken and then cancelled.
- Put a limit or guideline on how we honor requests. While some degree of requests should be honored, allowing an officer to monopolize a job encourages solicitation. Perhaps a requested officer could be given one or two shifts with the rest being opened to all officers. Requests need to be tracked and a limit to officers being repeatedly requested should also be considered, such as honoring one request per quarter. Officers who are frequently requested may also need to be monitored by Professional Standards to ensure they are not soliciting work.
- Document in CYA the reasons for any officer being assigned before a shift is opened to all personnel. There is a spot for "Administrator Notes" that could be used for this.
- Coordinated Jobs – Our current administration of coordinated jobs needs significant review. All coordinated jobs should be reviewed to ensure they need to be coordinated, that workers in the job pool are working and that the work is distributed with reasonable fairness. A clear definition of what type of job needs to be coordinated (so many hours, payroll requirement etc.) would be helpful. Additional considerations:
  - Set a limit on the number of pools an individual can be in.
  - If equity within the jobs is a priority, set a limit on the number of hours one person can get from one coordinated job. A percentage may be a good rule to help limit small numbers from getting all the hours.
  - Conduct a regular survey of coordinated jobs to ensure officers are performing to the satisfaction of the employer and that the job is being managed effectively.

- Return to the use of a list or rotation to fill coordinated job pools. The current practice of building the job pool from personnel who take the first offering of shifts allows for those with the administrative or technology advantage to get into multiple pools. The idea of having officers “renew” their commitment to job pools on a yearly basis may be useful.
- In keeping with recent emphasis to get more work to the younger officers, and to overcome the disadvantage patrol officers have compared to administrative personnel in securing jobs, consider giving Patrol some advantages in competing for open jobs. Some options to consider are:
  - Utilize the private pools capability of CYA and put all patrol officers in the private pool for open jobs, then open jobs to the private pool for 24 hours before opening it to the rest of the agency.
  - When a new job is posted, send out a notification by MDC before sending the email notification. MDC should lead the email by 15 minutes to one hour.
- Enforce a stated penalty for those who miss shifts or are late for scheduled hours. Secondary employment jobs are jobs, and as such officers should be at work and held liable if they are not. In addition, there may be liability on the city if an officer is supposed to have been at a location (and therefore a special relationship could be inferred) and fails to show and something tragic happens. This would require careful monitoring and accountability on the part of the SEC and JSCs. As an example:
  - First instance of a missed shift/not working required hours would result in a written warning and suspension from secondary employment for one month.
  - Second instance of a missed shift/not working required hours would result in a reprimand and suspension from secondary employment for three months and loss of membership in any associated job pools.
  - Third instance of a missed shift/not working assigned hours would result in removal from secondary employment for one year and a one day suspension from regular duty.
  - What constitutes not working hours and a missed shift, and what exceptions will be put into place must be clearly defined.
- Create transparency. Manage secondary employment in a way that all personnel can see where they stand on any list or rotation, where they can see how and to whom jobs were being assigned. This could be done as simply as posting information outside the SEC office and making monthly reports available. Many of the complaints from personnel could be alleviated if they knew what was going on.

## Use of CYA

CYA is a good tool for tracking and monitoring personnel's secondary employment work. With that said, it is only a tool, and decisions must be made on how and when to use the tool. The system cannot be relied on as more than that. Some concerns with our use of the system are:

- **Little to no training has been offered to officers and coordinators.**

Many of the officers interviewed described having never received training on how to use the system, find jobs etc. They were generally walked through it by a friend (who may or may not have known what they were doing). Several described having contacted the SEC for assistance and received little help. CYA does have a tutorial, but few officers seemed to be aware of it, and in my experience it was problematic. Several JSC's who were interviewed described receiving little or no training on how to manage their job in CYA and were "just figuring it out as they went along." Until recently, even the backup SEC had not been provided any formal training.

- **Settings in CYA not reflective of policy.**

CYA has a 60 hour per week limit that is not mentioned anywhere in policy. Considering we ask personnel to work 72 hours in one week during the patrol rotation, this seems to be an arbitrary limit. In addition, the time limit to close jobs is set at 7 days, but the GO specifies 24 hours and there seems to be little reason not to have the system set to the same time. In the case of this investigation, unclosed jobs presented significant challenges in trying to determine how and why things were being done. Timely closure of jobs will assist in the administration of the program.

- **Settings in CYA not utilized to encourage fair and equitable work distribution and management.**

CYA has many setting options that we do not utilize effectively. Many of these settings could promote more equitable distribution of work.

- Waiting list – officers are allowed to sign up for a waiting list for many shifts that are full, but there is no monitoring going on and no apparent use or effort of personnel to contact persons on the waiting list if they need to cancel a shift.
- Number of open jobs officers can sign up for – The system currently allows individual officers to sign up for 10 open jobs during a 24 hour period and 10 coordinated jobs in a 24 hour period. These settings allow individuals to take large chunks of what is available. During some recent offerings the SEC back-

up has tried to limit officers to taking two or three shifts and had to delete numerous personnel who took more than that.

- Allowing Personnel to Transfer jobs – The system is currently set to allow officers to transfer jobs. This allows personnel to take jobs without much concern of whether they can actually work it, and they can redistribute the work themselves. This can create defacto coordinators.
- Ability of JSC's to add personnel to pools – Though the GO says any additions to the job pools have to be run through the SEC, JSCs can currently add personnel to their job pool, and there is no record of this happening. Unless the SEC happens to catch it, a JSC could add personnel to their pool at will.
- The ability for officers to split shifts allows officers to “broker” work by controlling hours and being able to sign up for things they cannot work.

- **Personnel are not putting details into CYA or it is being used inappropriately.**

During this inspection, numerous errors and omissions were found in the information that was being put into CYA by officers and job site coordinators. Examples of these errors/omissions included:

- Jobs being closed out for “0” hours, or less than scheduled, with no explanation of why.
- Jobs being closed “0” hours but in the comments it says someone else worked it. In this situation, jobs should be transferred to the officer who worked, not closed “0” hours.
- Times listed in CYA do not match the actual times of the shifts. Several jobs had different “actual hours” from what was in CYA. This type of error makes it difficult to see individuals working conflicting jobs.
- Officers working different hours from those posted in CYA and not adjusting it when they close the jobs out.
- Jobs are being posted with little or no details about what is expected or what the job is. Having little to no job information makes it difficult for officers to know what they are signing up for and it makes it difficult later to audit and review the jobs.
- Job postings have conflicting information – some “time-and-a-half” jobs also have the \$25/hr rate listed.

- **“Secondary Employment” designation is being over-used.**

Many, but not all, open jobs are being listed under the “Secondary Employment” designation for the Employer, rather than putting the employer in. The practice makes it difficult to identify what the job was on reports the system produces. How we enter job name and employer data impacts how we can monitor the program.

- **Job Pools being utilized inconsistently and not to our best advantage.**

CYA allows for two levels of job pools to be associated with various jobs – “Preferred” and “Private” and there is inconsistency in how we are using it. In addition there are some jobs pools like “District 5” and “District 1 NECD” that appear to have the intent of having all department personnel listed in the pool – but they do not – which seems pointless. Job pools could be applied to eliminate the posting of “open” jobs for which you need to be on the payroll of the employer – such as the schools or Food lion.

**RECOMMENDATIONS:** In light of these findings, the following recommendations are offered:

- Adjust existing CYA settings in a number of areas:
  - Reduce the number of jobs a person can sign up for in 24 hours. (2 seems more reasonable)
  - Block the ability of officers to transfer jobs.
  - Limit the ability to split shifts.
  - Set the time to close a job at 24 hours.
  - Remove the ability of JSCs to add personnel to their job pools.
  - Block the ability of officers to sign up for conflicting shifts.
  - Remove the 60 hour/week limit (or make it policy).

Many of these can be done with current settings, but if settings do not exist, additional settings could be developed by CYA (though there may be associated costs) to help the program operate more equitably. It may be worthwhile to explore with CYA staff the feasibility of these features.

- Train officers and coordinators on policies, new settings and changes, and use of the CYA system. With so many potential changes, and the fact that the system tutorial is not all that good, it would be in everyone’s best interests to provide some quality training. One option would be to partner with Durham Technical Community College and build a class that could be offered online (and therefore used over and over with each new recruit class or even as a yearly training block). The class could cover our

policies and procedures, how to use the system, what is forbidden, and also address some safety issues that may come up during off-duty work.

- Closely monitor CYA data for problems with data entry or officers not putting in required details. Corrections and re-training need to be initiated any time someone is found to be using the system incorrectly. Because it is a computerized data system, the information going into it is critical for being able to monitor the program and get information out.

## **Additional Findings/Recommendations**

- **Limit reserve hours.** Numerous interviewees questioned the current ability of reserve officers to work the same number of hours as full time officers. If jobs cannot be filled by full-time officers then the limit on reserves could be raised. The importance of secondary employment as a benefit to reserves in recognition for their service is important, but making more work available to younger officers is much more critical as a retention tool.
- **Require auditing of secondary employment.** The SEC should be required to do a monthly audit to look for inequities and improper procedures. In addition a yearly audit could be initiated and added to the function of the Staff Inspections Unit, but the scope of that audit would need to be clearly defined as it could be a lengthy process.
- **Initiate a committee to develop policies and make recommendations.** Due to the nature and size of this program, as well as the impact it could have, consider creating a committee of personnel to help make recommendations and decisions on changes to put in place. This would give the rank and file a voice and some buy-in, but will take significant time.

## **Introduction**

On January 21, 2008 a Special Inspection of Secondary Employment was initiated at the request of the Chief of Police. This inspection was requested, in part, due to a letter the Chief received making serious allegations about the management of the program.

The purpose of this special inspection is to provide the Chief of Police with information he can use to evaluate the effectiveness of the Department's Secondary Employment Unit and personnel. Data on the Secondary Employment Unit was gathered through the following methods:

- Interviews with Unit Personnel,
- Interviews with Department Personnel outside the unit who utilize Secondary Employment,
- Direct contact with Cover Your Assets LLC (CYA),
- Review of CYA records.

Some acronyms used repeatedly throughout the report are:

- SEC – Secondary Employment Coordinator
- JSC – Job Site Coordinator
- CYA – Cover Your Assets system
- GO – General Order
- SOP – Standard Operating Procedure

## **Description of the Secondary Employment Unit**

The Secondary Employment Unit is staffed by a Police Corporal. This Corporal's function, according to the Uniform Patrol Handbook, is to "maintain a secondary employment list to ensure fair and equitable screening of secondary employment." This Corporal also monitors the number of jobs and hours being worked. In addition to the secondary employment duties, this Corporal also serves as the ABC Permits Coordinator and insures that ABC Permits are completed and returned in a timely manner from the other departments involved in approving the permits.

At the time of the inspection, the Secondary Employment Coordinator reported to the Uniform Patrol Bureau's Executive Officer (Captain) who in turn reported to the Uniform Patrol Bureau Commander (Major). A recent reorganization has changed some department structures and titles, but the chain of command has remained essentially the same.

## **POLICIES AND PROCEDURES**

For this inspection, departmental General Orders, Standard Operating Procedures, and Accreditation Standards governing the operations of the Secondary Employment Unit were reviewed. This portion of the report will address any non-compliance issues or inconsistencies.

### **General Orders**

#### **2017 R8 – Secondary Employment**

Finding: **Non-compliance.**

- The GO requires Reserves working secondary employment to have a letter of approval from the Reserve Lt. Colonel or designee on file with the SEC – no such files could be located.
- The GO states that when new jobs are posted, officers will be notified – this has not been happening.
- The GO describes JSC's being selected from a list established from letters of interest. Sixty-one (61) dated requests were found in an envelope, not organized in any clear manner. The Secondary Employment Coordinator did maintain a list on her computer, but only included twenty-nine (29) requests. It did not include any requests since April 1, 2005, but showed offers and assignments of jobs up to 2007. Outside of two recent JSCs being selected apparently from the list, there has been little apparent connection between the lists and personnel elected as JSCs.
- The Outside Employing Agency Questionnaire form referred to in Screening is no longer being used and most of the information is now being captured in CYA.
- The GO states that “every officer working a secondary employment job shall “close out” the job on the CYA website within 24 hours” but this is not being enforced, and it is not reflected in the settings in CYA, which currently allow seven days for a job to be closed. As of 6/23/08, there were **more than 242** jobs that remain unclosed beyond the 24 hour rule.

### **Standard Operating Procedures**

#### **SEC-1 Monthly Report**

Finding: **Non-compliance.** SEC-1 clearly defines 11 items that should be provided in the Monthly Report from the SEC. Currently only one item is being provided – number of hours personnel work each month.

#### **SEC-1 Field Inspections (duplicate number – correction needed)**



Finding: **Non-compliance**. Though there is no current documentation kept by the SEC, the SEC advised they did do some checks, but this was mostly the responsibility of the Watch Commander now. In speaking to a Watch Commander, they stated they no longer did this and it was not part of their evaluation.

## **SEC-2 Duty Hours Work Schedule**

Finding: **Non-compliance**. The SOP states 0800-1630 and can be adjusted for site visits. Based on observations and the SEC's voicemail, the standard hours of the SEC are 0600-1430.

## **SEC-3 Duty Uniform**

Finding: compliance

## **SEC-4 Equipment and Inspections**

Finding: **Non-Compliance**. The SOP describes inventory inspections of assigned equipment that are not being done.

## **SEC-5 Assigned Vehicle and Vehicle Operation**

Finding: Compliance

## **SEC-6 Cellular Telephones**

Finding: Compliance

**SEC-7 ABC Permits** - NO ABC functions were included in the scope of this inspection.

## **SEC-9 Review Board for Secondary Employment**

Finding: **Non-Compliance**. This looks like an incomplete SOP or a proposed SOP. The SEC appeared unfamiliar with it and there is no indication it has been attempted.

\*\*Non-Compliance in SEC -1 (Field Inspections), SEC-4, and SEC-9 were all noted in the inspection of the Uniform Patrol Bureau Executive Office conducted in July 2006 and remain uncorrected.

## **Accreditation Standards**

### **22.3.4 Extra-Duty Employment**

Finding: Compliance

## **FILES AND RECORDS**

As part of the inspection, various files and records maintained by the Secondary Employment Unit were examined. The Secondary Employment Unit maintained Secondary Police Employment Data Sheets on all employees who wish to work off duty; letters and requests from officers requesting consideration as Job Site Coordinators; and files on the individual coordinated jobs with data on schedules, complaints etc.

Secondary Employment Data Sheets were found in several locations around the office space. Most of the forms are kept in two binders and organized by date submitted. In addition to these binders, loose forms were found in several places including a group found in the same cubby as the binders, and a large packet of forms found in an envelope under the desk beside the refrigerator. The Secondary Employment Coordinator also maintained a computer file that contained contact information, a rank system for employees, and notes about job offers. The list appears dated and included personnel who are no longer here. All of the notes of contacts and job offers are in 2004-2005.

The Job Site Coordinator requests were found in an envelope under her desk beside the refrigerator (see photos in *Appendix 1*). Sixty-one (61) dated requests were in the envelope, not organized in any clear manner. The Secondary Employment Coordinator did maintain a list on her computer, but only included twenty-nine (29) requests. It did not include any requests since April 1, 2005, but showed offers and assignments of jobs up to 2007.

Files on Coordinated Jobs were being maintained, but did not appear current. The most recent file located was for the Emily K Center that began in 2006.

## SECONDARY EMPLOYMENT GENERAL SUMMARY

As a step in this inspection, Secondary Employment was looked at in general terms of who was scheduled for the most hours, who worked the most and what the differences were.

### Top 50

Data from 2007 and 2008 (to June 16) are summarized as follows in terms of the top 50 officers being scheduled the most hours, and the top 50 officers in terms of actual hours worked:

2007 (top 50)				2008 (top 50)			
Most Scheduled	Hours	Most worked	Hours	Most Scheduled	Hours	Most Worked	Hours
	1,915		1,433		811		663
	1,504		1,362		795		658
	1,495		1,316		786		645
	1,493		1,311		758		623
	1,398		1,293		733		616
	1,381		1,277		722		615
	1,370		1,277		710		612
	1,364		1,274		707		600
	1,346		1,243		682		584
	1,346		1,188		679		572
	1,317		1,178		669		570
	1,316		1,168		654		568
	1,304		1,157		610		567
	1,292		1,141		608		565
	1,277		1,140		605		554
	1,275		1,139		604		553
	1,261		1,119		601		552
	1,245		1,116		597		547
	1,217		1,113		592		545
	1,196		1,077		589		543
	1,178		1,068		588		538
	1,164		1,056		582		532
	1,148		1,051		568		529
	1,123		1,041		567		522
	1,109		1,040		566		519
	1,103		1,039		565		511
	1,100		1,029		560		511
	1,059		1,023		560		507
	1,056		1,006		557		501
	1,044		1,001		556		492
	1,029		998		543		487
	1,029		991		541		487
	1,025		972		533		475
	1,016		969		529		469
	1,005		961		525		469
	984		959		497		468
	981		955		493		461

		972			935			486			450
		971			935			484			448
		970			931			483			448
		949			918			473			438
		933			912			463			432
		924			900			461			427
		921			894			460			426
		907			886			455			425
		906			884			454			425
		900			883			450			424
		900			880			444			421
		899			871			442			416
		896			869			442			415

### Scheduled Hours vs. Hours Worked

An additional point of interest was the difference between scheduled hours and those actually worked. Some officers are being scheduled for significantly more hours than they are actually working which appears to represent an unfair level of control over work hours. Officers with higher scheduled hours than those worked could indicate:

- Officers having jobs cancelled or not working when scheduled.
- Officers not closing out all the hours they do work.
- Officers transferring significant portions of the hours they sign up for. (Controlling work hours independent of the CYA system).

A summary of the top 25 in terms of this discrepancy is listed below:

2007		2008* *through June 16th	
Largest Difference in hours scheduled vs. worked	Hours	Largest Difference in hours scheduled vs. worked	Hours
	604		228
	405		199
	313		182
	246		171
	234		169
	221		160
	220		142
	220		135
	203		117
	197		117
	188		117
	166		114
	147		100
	137		99
	136		97

		129			94
		128			91
		123			85
		122			84
		119			83
		114			80
		110			78
		103			76
		103			74
		97			74

### Scheduling Conflicting Jobs

Another trend that was identified was the ability of officers to sign up for multiple jobs that have overlapping hours. As with the hours scheduled/hours worked discrepancy, the ability to schedule conflicting jobs is another way to control hours. A list of those signed up for conflicting schedules was pulled on May 19, 2008 for May 19<sup>th</sup> through August 17<sup>th</sup>. Jobs with the same end and start time are designated as “overlapping” in CYA, but have been ignored in this analysis. A detailed list of the overlapping jobs and their disposition is included in *Appendix 2*. The summary of findings is as follows:

- Twenty-two (22) employees were found to have overlapping shifts scheduled as of 5/19/08, for a total of 41 dates with conflicting shifts. Of those days, fourteen are scheduled in the future or have not been closed out so their disposition is unknown. One was determined to have been a scheduling error by a coordinator and the officer only worked 1 of the jobs. The remaining 26 days with conflicting shifts resolved as follows:
  - For 2 days one or more shifts were cancelled by the assigned officer or transferred before the scheduled work date.
  - For 10 days one or more shifts were transferred to other officers after the scheduled work date.
  - For 4 days officer worked none of the shifts, cancelling or transferring some of them before the scheduled date and others after.
  - For 4 days one or more shifts was shortened or worked in ways that did not conflict.
  - For 6 days the officers worked both jobs as closed them out in CYA showing an apparent conflict.

Those six officers with closed out overlapping jobs were interviewed. All of them attributed the situation to their having incorrectly closed out the jobs. In two cases the

job time was entered incorrectly in CYA (AM rather than PM) but the officer did not change it when it was closed out, once case involved a day that the job was cancelled and the officer closed it out as if they had worked, and other cases involved officers working different hours from those listed (such as starting early and ending early) but they did not change the times when closing them out. **Overall it showed a very sloppy and inaccurate level of record keeping.**

## ANALYSIS OF OPEN AGENCY JOBS

As part of the inspection, data on “Open Agency” jobs was reviewed. “Open Agency” jobs are those with no coordinator or job pool assigned and should be available to all employees to sign up for. In order to limit the scope of the inspection, data was reviewed on open jobs scheduled from 6/9/07 until 1/25/08. In total, there were 2453 job status changes (assignments, transfers, deletions, etc.) to 1505 work shifts over a variety of employers.

Of the 2453 job status changes, 453 were administrative assignments of work shifts (shifts that were assigned by administrators without having to be signed up for by the employee). The remaining entries include self-assigned, self deleted, transfers by employees and administrators, and deletions by administrators. One focus of this inspection is on open jobs that were assigned by administrators, specifically the extent to which these jobs were being assigned without being opened to all employees, and to whom they are being assigned.

Of the 453 open work shifts that were assigned by an administrator, 81 were identified as being for an Operation Bullseye - Community Service Bureau (CSB) operation, and as such those jobs were only open to CSB personnel. Those jobs were eliminated from the review.

372 shifts remained once the CSB shifts were removed. Of those, 313 were created and assigned the same day (only 59 were assigned more than 24 hours after being created). One factor that could explain open jobs being assigned by an administrator is jobs coming in at the last minute and needing to be filled. In theory, short notice jobs may require the Secondary Employment Coordinator to find someone to work the shift to ensure it is covered. Of the 313 jobs created and assigned the same day, only 74 of them were for shifts that would occur within the next 2 days (and could be considered “last minute”).

That left 239 open jobs that were created and assigned the same day by an administrator for shifts that would occur more than two days later. Of those 239, 207 were created and assigned within 15 minutes.

Once the basic nature of the shifts was defined, the personnel assigned to these shifts could be reviewed. The 313 shifts that were created and assigned on the same day (including the 74 that could have been “last minute” assignments) were all assigned among 79 different people. *Appendix 3* provides the full list of personnel jobs were assigned to. Forty-seven (47) individuals were assigned 2 or fewer jobs. Eighteen (18) individuals received five or more jobs, **including the Secondary Employment Coordinator, her back-up, their immediate supervisor, and that supervisor’s supervisor.** Of those 18, nine received ten or more jobs during the time period, **including the SEC and her back-up (who received the most at 24).**

During the analysis, an alarming trend appeared. Some complaints this inspector has heard centered around secondary employment being managed with a racial bias. The analysis of personnel assigned to jobs certainly provides concern along those lines. Of the 79 people these jobs were assigned to, twenty-six (33%) were white, while fifty-three (67%) were African-American. The number becomes more significant when you look at the breakdown of shifts assigned. Of the 313, 256 shifts (82%) were assigned to African Americans while 57 shifts (18%) were assigned to white officers. In addition, of the eighteen people with five or

more jobs assigned, sixteen (89%) were African-American, and all of those with ten or more jobs were African American.

At this point, a detailed analysis of individual jobs was needed to understand how and why some of the assignment decisions were being made and any mitigating circumstances. In order to make the process manageable, the focus was reduced to open jobs created between October 1, 2007 and January 24<sup>th</sup> 2008. A total of 52 jobs “open” or non-coordinated jobs (excluding most supplemental patrol and bullseye shifts), encompassing numerous shifts, were examined. Brief descriptions of the findings for each job are included in *Appendix 4*. Of the 52 jobs, only 4 were completely open to all personnel. 43 were completely or partially assigned before they were opened to all personnel. The remaining 5 were limited to specific personnel (and therefore not really open jobs) including Supplemental for the Community Service Bureau and coordinated jobs that were listed as though they were open. Supplemental patrol and bullseye were open to all personnel and self assigned with few exceptions.

Through interviews with personnel assigned and the SEC backup, a number of “explanations” were provided to why and how some of these jobs came to be assigned rather than being open to all personnel. Not all of the assignments can easily be explained, and there are problems with the explanations:

- Officer(s) being requested by the employer

*We have historically tried to honor requests, but there is no documentation to confirm the requests, and no way to verify requests verses favoritism. The current procedure is open to abuse and encourages work solicitation.*

- Officer(s) having worked that same event previously

*In many cases officers who worked an irregular event previously were given priority, but many events seem staffed with the same personnel. How did they come to work the event previously? There seems to be no special requirement or knowledge that the officers would need to work these events, and no reason why anyone should not have been able to work them, other than having gotten it before.*

- Officer(s) having worked for that employer previously

*Some events were assigned due to the officer having worked another event for that employer in the past. As with the previous one, these are often cash jobs so there seems to be no special requirement as to why getting it one time entitles individuals to it in the future.*

- Jobs being last minute

*Some interviewees stated they believed they were called due to it being the last minute and the SEC needing to get the job filled. If that were the case it can be understood, but many of these “last minute” fills occurred days before the*



*event, and few were \$35/hr jobs which would denote a real rush. Based on recent trends, jobs that are posted on CYA do not stay open for more than a few minutes, and therefore positing a job would likely get any last minute work filled.*

- Special skills were required/requested, such as Motor Officer or Bike Officer.

Jobs designated as SECONDARY EMPLOYMENT seemed to have a number of questionable occurrences of personnel being assigned without jobs being opened for all. To illustrate this, all jobs under the heading SECONDARY EMPLOYMENT for April 2008 were examined. 13 jobs fell under that heading during April. Of those 13, only 5 appeared to have been clearly open to all personnel. 2 additional jobs may have been open to all, but CYA logs are incomplete and the assignments confusing. The remaining 6 jobs had officers assigned by the SEC before the jobs were opened to all personnel. The jobs with personnel assigned before being opened are summarized below:

1. [REDACTED]: This was an assignment to provide supplemental personnel to Chapel Hill. [REDACTED] were assigned before the shift was opened to other personnel who then self-assigned.
  - Both of the officers assigned were interviewed and both stated they had worked the event previously. One of them cancelled the job on 4/1 and did not work. One stated he knew it would be coming up and told the SEC he would like to work it.
2. [REDACTED]: This assignment was for security at a party. It was assigned to [REDACTED] on 1/18.
3. [REDACTED]: This assignment was for security at a party. It was assigned to [REDACTED] on 1/18. Both of these jobs show to have been “opened” on 4/10, even though the shifts were already filled.
  - Both of the officers assigned were interviewed. One stated that they had worked this event in the past and that the employer had requested particular officers to work. The other stated they were “on the list” and had worked it before. She also stated that “because of the clientele,” the employer requested officers from a select group. (She alluded to their requests being based on the officer’s lifestyle preference.)
4. [REDACTED]: This assignment was for security at an event. [REDACTED] was assigned on 4/8 and [REDACTED] was assigned on 4/10. The job was then “opened” to all even though it was filled. 2 officers added themselves to the waitlist when it was made open.
  - The officers assigned were interviewed and stated they had worked the event previously. Based on CYA records, they worked it in 2006, but did not work any events in 2007 (there were 3 shifts in April/May of 2007).

5. [REDACTED]; This assignment was for security at a community celebration. [REDACTED] was assigned on 3/31, and [REDACTED] were assigned on 4/1. The job was “opened” so all personnel could view it on 4/10 even though all shifts had been filled.
  - Two of the officers assigned were interviewed. Both described having come up to the SEC office (separately) to pick up paperwork related to other jobs and in both cases the SEC told them there were open days on this shift and asked if they wanted any. One of the interviewees felt it was just a case of being in the right place at the right time.
  - The other officer assigned was interviewed and stated that the SEC had asked if she wanted to work and she did.
  
6. [REDACTED] (4/26): Traffic direction for church event. Assigned to [REDACTED] on 4/7. The job was “opened” for all personnel on 4/10 even though the shift had been filled.
  - The officer assigned was interviewed and stated that former Captain S. Harris was involved with this job and requested [REDACTED] specifically and she was the only one available. Apparently he “wanted someone pleasant for the job.”

### **Conclusions:**

The review of open-agency jobs provides evidence to support several conclusions:

- A large percentage of open-agency jobs were never opened to all personnel and were directly assigned by the SEC.
- There appears to have been a racial bias to these assignments.
- Members of the Secondary Employment Coordinator’s chain of command were found to have had jobs directly assigned to them without being opened to all personnel.
- No notice about open jobs being posted in CYA was being sent out.
- The SEC was contacting personnel directly and offering them jobs, and personnel who happened to be in her office or working the floor when jobs came in were offered them.
- Numerous reasons for how jobs came to be directly assigned were examined, but many were problematic and open to abuse.

## **COORDINATED JOBS**

As of 5/31/08, there were approximately 110 active coordinated jobs (active is defined as having at least one upcoming scheduled shift). There were numerous other coordinated jobs that occur irregularly and will likely have upcoming shifts that are not scheduled at this time.

### **Job Pools**

The job pool size ranged from 87 individuals (Duke) all the way to 1 (Kerr Drug – Fayetteville Street, Strawberry Hill Apartments, and Village Shopping Center).

The number of hours represented in these pools varied significantly as well. So far this year, some had more than 3000 hours (Duke -3816 and Durham Center Access – 3549) while others had less than 10 (Chamas – 7, and Triangle Swing Dance Society – 8).

The distribution of personnel in job pools appears unbalanced. Almost 75% of the employees in CYA are listed as being in three or fewer active job pools, with 65% being in none. At the same time, 67 employees (12%) are members in more than 5 active pools, with seven of those employees listed in 10 or more.

- School Pools – it is noteworthy that officers who work Durham Public Schools jobs are often listed in multiple “school” pools as each school has a separate pool. With that said, some officers are in five or more school pools while others only have one. If all school pools are counted as “1 pool” the inequity of distribution still remains with 48 people having more than five active jobs, and three still having ten or more.
- Inactive Pools – also noteworthy is the fact that, in addition to active pools, some officers have been in pools that are no longer active. Though not “active,” inclusion in these pools can show more opportunities for work. Looking at all pools (active and inactive), 45 employees have been in 10 or more pools, with three having been in 20 or more (including one with no schools). 63% of all employees in CYA are listed in 3 or fewer pools (active and inactive) and 22% (approximately 120) having never been in a job pool.

In order to better understand how personnel are being distributed into job pools, six coordinated jobs that were established in the last six months were examined: Cricket Communications, Durham Access, Extended Stay, Food World, Los Primos and Pop-A-Top.

Most of these jobs were created and the initial shifts opened to all personnel. The intent was for those who worked the first shifts to become the job pool, but there were notable discrepancies from this practice:

████████████████████ started on 9/24/07 and was run as an open job for several months before it became a coordinated job. Shifts were opened to personnel on 9/24, 10/19, 12/27, 1/25 and 2/19 and could be self-assigned. During each of these offerings some personnel had shifts directly assigned by the SEC before it was opened to all personnel. Once it became coordinated, the job pool seems to have been established

from personnel who took the first series of shifts, including those with shifts directly assigned to them by the SEC before the job was open to all personnel. Most of the pool was established from those in the first offering (9/24), but the person who ended assigned as the JSC and one of those directly assigned were the only personnel from the second round of shifts (10/19) to get into the pool. Eleven other officers who signed up for shifts during these same two offerings did not get included in the pool. Several of them were interviewed and had no idea why they did not make the cut – including two who got shifts during the first offering.

██████████ started on 10/3/07. As is discussed under the JSC section that follows, the coordinator was selected at the direction of command staff personnel. On 10/9/08 the initial offering of shifts was opened by the SEC. Personnel who took those initial shifts became the job pool with few exceptions. As of 3/25/08, only two officers are listed in the 30 person job pool who did not get shifts in that initial offering. One of them was entered before the job really started by the SEC due to their involvement in the CIT program but has never worked. The other was on light duty during the initial offering, but was involved in the CIT program so was allowed to join the pool. There have been a few deletions of inactive personnel since then.

██████████ started on 2/22/08 as a short notice job. The JSC stated during an interview that the job came up short notice and he told the SEC that he could do it. On 2/22/08 the SEC directly assigned shifts from 2/22 – 3/29 to the JSC and another officer, and then opened the remaining shifts to all personnel. Three officers picked up these initial shifts. On 3/31 the JSC opened shifts and six officers were able to self-assign days (these six were the job pool that was established). Five of those in the pool had taken the initial shifts offered (though one of them transferred that first shift and did not work), but one individual did not take or work any of the initial shifts and was included in the job pool for unknown reasons.

██████████ was created on 3/26/08. The JSC was selected by the SEC due to his being next on her list. The JSC was interviewed and stated he was given three officers to include in the pool – one who found the job and two new officers. He was then told to just pick the remaining personnel to fill the pool. No shifts from this job were opened to all personnel. The job pool consists of the JSC, the three officers he was directed to include, four he picked and two others who have filled in open shifts and been included.

██████████ started on 4/10/08 and the job pool was established from personnel who self-assigned the first offering of shifts which was posted on 4/10/08. The person selected as coordinator was contacted by the SEC as they were next on the list she had. The job pool only contains those who took the first shifts.

██████████ started on 5/8/08 and its pool was established from personnel who took the initial offering of shifts. The SEC opened the initial offering on 5/8/08. The JSC was requested by the business (this job almost started in 2007, and JSC had been working to set it up then –with approval of the SEC- but the business decided to wait). Of the officers taking the initial shifts, all but four ended up in the job pool. Three of those

who did not make it transferred their days, and as such did not work, the other asked not to be included.

One important note to the method of opening the first shifts to all and building the job pool from that, is that it allows individuals to get into multiple job pools, rather than spreading the opportunities. In the pools for these jobs, there are two officers who got into three of the pools and five officers who got into two of the pools.

While there does appear to be inequity in how personnel were assigned to job pools, records maintained by the Secondary Employment Coordinator did show some personnel being provided to a Job Site Coordinator based on off-duty work requests that she kept in binders. In 2006, a group of 9 officers in the book was provided to a JSC for a job pool. During an interview, a different JSC stated he was given personnel off “the list” for his job pool 2 or 3 years ago.

Coordinated jobs were also examined to see the extent to which the job pools were actually being used and the distribution of hours within those pools. Many of the pools appear to have personnel assigned who do not actually work, and in many cases (including this inspector) personnel are in pools they do not know about and have never worked. For many pools there are a small number of officers working most of the hours, with a few others getting just a few hours each and some getting none. In some cases individuals may only want a few hours while others want more. The fair and equitable distribution of work within the coordinated pools is up to the Job Site Coordinator. Some examples of disparity in the use of the pool from January 1<sup>st</sup> to the present include:

- [REDACTED] – 464 hours worked by 6 employees. The job pool includes 14 employees. One employee got only 4 hours while others got over 100.
- [REDACTED] – 1563 hours among 18 employees. There are 28 employees in the job pool. Five employees had less than 10 hours, while six had more than 100 and one had more than 200.
- [REDACTED] – 170 hours among 11 employees. There are 31 employees in the job pool. The hours among the 11 employees are reasonably balanced ranging from 3 to 29.
- [REDACTED] – 642 hours were worked by 33 employees. The job pool includes 79 employees. Several employees who got hours have less than 5, while others have more than 50.
- [REDACTED] – 1235 hours among 20 employees. There are 42 employees in the job pool. Five employees had only five hours while three had more than 100. The JSC did not have any hours during the period.
- [REDACTED] – 3213 hours among 32 employees. There are 52 employees in the job pool. Several employees with less than 10 hours, one with more than 500.

- [REDACTED] all use less than half of their listed job pool.

During the review of coordinated jobs, there were several jobs that had pools that appeared to consist (or should have consisted) of all department personnel. With that said these groups did not appear to have been updated and contained different numbers of personnel. These jobs need to be reviewed to ensure they need to have pools, and if so that personnel are accurate. It appears that these jobs should just be open agency jobs. They are summarized below:

Job Name	# of People in Pool*
District 1	537
District 1 NECD	528
District 4 Weed & Seed	517
District 5	527
Amusements of America	484

*\*as of 3/23/08*

### Job Site Coordinators

The distribution of Job Site Coordinators also appears unbalanced. The Secondary Employment Coordinator did not appear to be maintaining an organized file of who had requested Job Site Coordinator (JSC) positions. There was a partial file on her computer and a pile of requests in a folder on the floor. The 110 active jobs are being managed by 83 different coordinators. 63 JSCs manage single jobs while 16 manage two. Three JSCs have three jobs each and one JSC controls five active jobs. When CYA records that include inactive jobs are reviewed, six individuals are found to have coordinated more than three jobs, 29 had two or three jobs, and 70 had coordinated a single job. Some of the coordinators with multiple pools were interviewed and many of them described having inherited the pools from the previous Job Site Coordinator.

- Command Staff Direction - During an interview with the SEC, she stated that JSC positions are assigned based on the waiting list and by requests. She also stated that some personnel receive JSC positions at the direction of then Maj. Council. Two examples she described were [REDACTED]. I spoke with [REDACTED] about his selection and he stated that he was selected by Council due to his work in the [REDACTED] program and her desire to develop the partnership between [REDACTED]. He also stated that Council directed them to open the initial jobs and create the job pool from those who signed up for these open jobs (disregarding any use of a job pool list).

*It is noteworthy that the selection made by Council for ██████████, in the opinion of this inspector, was an excellent one. ██████████ seems to be administering the job in a fair, open and equitable manner. He is active at ensuring everyone gets some work hours, and that personnel who are not participating are removed.*

- Discrepancies - During the interviews with the SEC and other staff, some discrepancies did arise. One of the most notable is the coordinator assignment for ██████████. One of the workers interviewed stated he was approached by the business and asked to coordinate the job. He told this to the SEC but was told that Maj. Council had directed her to assign coordinator jobs to people who had not coordinated before, which he had, so she could not. ██████████ ended up getting the coordinator position. I asked the SEC how ██████████ had been chosen (since there were obviously people on the list ahead of her). The SEC told me the business had requested ██████████. During an interview with ██████████, she stated a job she had coordinated came to an end recently, so she thought that was why the SEC selected her.
- Training – several Job Site Coordinators who were interviewed described having received no training in the use of CYA and were just “figuring it out on their own.” Others described very limited training and seemed unsure if they were using the system correctly or not. In one case, the assigned JSC did not know how to use CYA, so the SEC backup was inputting the data for him.

The chart below lists the top 15 Job Site Coordinators in order in terms of the number of hours they have controlled from January 1<sup>st</sup> through May 30<sup>th</sup> of 2008. It also lists the number of active jobs those hours have come from.

Coordinator	# of Hours	# of Jobs
██████████	6050	4
██████████	3577	1
██████████	3549	1
██████████	1781	1
██████████	1741	2
██████████	1732	3
██████████	1663	1
██████████	1557	5
██████████	1471	1
██████████	1456	2
██████████	1456	1
██████████	1378	1

██████████	1362	2
██████████	1325	2
██████████	1234	2

## Conclusions

In terms of coordinated jobs, there is significant evidence from which to draw a number of conclusions:

- There is a significant variation in the size of job pools and there is little relationship between job pool size and the available hours.
- There is significant variation in the degree to which all personnel listed in a pool are used.
- Many job pools contain inactive personnel who have not worked any hours in that job this year.
- There is significant variation in how coordinated jobs are defined.
- Multiple methods of determining Job Site Coordinators has been used, and discrepancies of how and why personnel were selected exist.
- Job pool membership has been set through different methods and there is evidence of personnel being added questionably.



## Favoritism

From the letter sent to the Chief of Police and numerous interviewee comments, it is clear that there is significant belief that certain individuals have had advantages in securing work in the way Secondary Employment was being managed. The statement of “you always see the same people working the good jobs” was expressed repeatedly.

First the distinction between “good jobs” and all jobs must be made. Typically the “good jobs” are defined as cash jobs or jobs that require little work and/or are unlikely to result in enforcement action. Generally the “good jobs” that were described were often those found to have been administratively assigned and not opened to all personnel.

In order to draw conclusions about favoritism, three elements, all of which could relate directly from favoritism out of the SEC office, were considered:

- Individuals with administratively assigned jobs (5 or more)
- Individuals in a high number of job pools (10 or more)
- Individuals who have been allowed to coordinate numerous jobs (3 or more)

When these three factors are reviewed certain personnel are found in two or more of these categories. Presence in two of these categories could indicate favoritism, and presence in three of these categories seems a clear indication of favoritism. An abbreviated chart is included below showing just those who were found in two or more categories – the full table is included in *Appendix 5*.

	In 10 or more job pools	Had 5 or more "open" jobs assigned	Listed as coordinator on 3 or more jobs
██████████	X	X	
██████████	X	X	X
██████████	X	X	
██████████	X	X	
██████████	X	X	
██████████	X		X
██████████	X	X	
██████████	X	X	X
██████████	X	X	X
██████████	X	X	
██████████	X	X	
██████████	X	X	X
██████████	X	X	
██████████	X	X	X

[REDACTED]	X	X	
[REDACTED]	X	X	

NOTES

- “10 or more job pools” is as of 3/23/08 according to CYA records. Some of these may be inactive jobs. Inclusion in multiple school pools was counted as “1” pool.
- “5 or more open jobs assigned” is based on the list of 313 jobs administratively assigned the same day they were created between 6/9/07 and 1/24/08.
- “Coordinator on 3 or more jobs” is based on CYA and SEC records over the past five years. Some of these may be inactive jobs or short assignments, but still shows opportunity.

With these factors in mind, there are numerous others that could be considered, but the three used above seem the most likely to indicate favoritism. Also considered were:

- Total work hours – but many of those with the highest work hours never came up in any of the above categories and seem to get all their hours through coordinated jobs or by signing up for open jobs. Many of those believed to have had an advantage did not work high numbers of hours, but appeared to be selective.
- Total hours coordinated – but many of these larger jobs were “inherited” or in place prior to the advent of CYA and the current SEC.

One other factor that was examined was assignments of all open jobs during the period of 6/9/07-1/24/08. The chart below shows the top 25 personnel who got shifts during that period (both self-assigned and assigned by admin) including jobs such as supplemental that were factored out of much of the previous analysis.

Employee	# jobs
[REDACTED]	45
[REDACTED]	43
[REDACTED]	38
[REDACTED]	34
[REDACTED]	33
[REDACTED]	32
[REDACTED]	30
[REDACTED]	29
[REDACTED]	29
[REDACTED]	28
[REDACTED]	25
[REDACTED]	25

[REDACTED]	25
[REDACTED]	24
[REDACTED]	24
[REDACTED]	23
[REDACTED]	22
[REDACTED]	22
[REDACTED]	21
[REDACTED]	21
[REDACTED]	21
[REDACTED]	21
[REDACTED]	20
[REDACTED]	20
[REDACTED]	

While some of the names that appeared in two or more favoritism categories are still included, others do show up. In most cases these other names are personnel who were self-assigning and working large amounts of supplemental and few of them had any jobs administratively

assigned. A total of 248 individuals were able to get at least 1 shift during that period, with 70 having 10 or more.

### **Conclusions**

In terms of favoritism, there is significant evidence from which to draw a number of conclusions:

- Numerous personnel appear in categories that are indicative of favoritism.
- Many of these names appeared throughout the investigation in numerous areas.
- Much of the advantage seems to have been in securing “good jobs” and being included in job pools.

## **Regional Practices Comparison**

As part of this inspection, selected agencies across the state were contacted and interviewed about their policies and practices to help develop a picture of “best practices.” The agencies contacted were:

- Greensboro PD
- Winston Salem PD
- Raleigh PD
- Cary PD
- Fayetteville PD
- Asheville PD
- High Point PD
- Wilmington PD

From these interviews, it was clear that no agency has come up with a truly equitable system, and our program is superior to many. Detailed notes from each organization are included in *Appendix 6*. In summary, there were some common elements that many programs shared:

- Written policies governing secondary work.
- No off duty until all phases of training are complete.
- Officers must sign up and be approved to work off-duty.
- Standard pay rate of \$22-\$30.
- Some type of requirement that officers have a certain amount of time off between their regular work days.

With that said, there were a number of practices, different from our own, that stood out and may be worthy consideration for our own program. These included:

- Using Contracts.
- Controlling pay through the city.
- Having a civilian Secondary Employment Coordinator, and/or having secondary employment controlled under Professional Standards or the Office of the Chief.
- For jobs that required a marked vehicle, additional fees are charged to the employer.
- Rotating or targeting job announcements for particular patrol squads.
- Officers must meet with the Secondary Employment Coordinator annually to “renew” jobs they are actively working. If they are not actively working or they do not renew they are removed.

## APPENDIX 1: Photos of SEC work area



Photo of the SEC's General Work Area



Photo of material under SEC desk



Location of the JSC request forms. The forms were located in the manila folder that is circled in red.



The "list" was kept in two of the binders pictured above, but loose forms were found in the papers under the binders as well as other locations in the workspace.

## APPENDIX 2: Overlapping Shifts detail

██████████ 5/22/08 ██████████ 0800-1300, ██████████ 1145-1445  
• Did not work ██████████, transferred job to ██████████ on 5/23.

██████████ 5/24/08 ██████████ 1000-2100 (2 shifts), ██████████ 1630-2230  
• Worked ██████████ 1000-2100, transferred ██████████ to ██████████ on 5/26.

6/13/08 ██████████ 1000-1700, ██████████ 1600-2200  
6/14/08 ██████████ 1000-2100 (2 shifts), ██████████ 1600-2200  
6/21/08 ██████████ 1000-2100 (2 shifts), ██████████ 1630-2230

██████████ 5/29/08 ██████████ 0700-1530, ██████████ 0830-1530  
• Did not work either job. Transferred ██████████ to ██████████ on 6/2, and transferred ██████████ to ██████████ on 6/2.

5/30/08 ██████████ 0700-1530, ██████████ 0830-1530  
• Worked ██████████ 0830-1530. Transferred ██████████ to ██████████ on 6/2.

██████████ 6/4/08 ██████████ 1000-1700, ██████████ 1300-1600  
• Worked ██████████, transferred ██████████ to ██████████ on 6/5.

6/5/08 ██████████ 1600-2200, ██████████ 1900-2200  
• Worked ██████████ 1600-2200, Transferred ██████████ to ██████████ on 6/5. In addition was assigned to work and worked ██████████ that day as well. Worked ██████████ 0800-1600.

6/19/08 ██████████ 1600-2200, ██████████ 1900-2200  
6/26/08 ██████████ 1600-2200, ██████████ 1900-2200  
7/3/08 ██████████ 1600-2200, ██████████ 1900-2200  
7/10/08 ██████████ 1600-2200, ██████████ 1900-2200  
7/31/08 ██████████ 1600-2200, ██████████ 1900-2200  
8/14/08 ██████████ 1600-2200, ██████████ 1900-2200

██████████ 5/23/08 ██████████ 2130-0030 ██████████ 2345-0345  
• Worked ██████████ 2130-0030, transferred ██████████ to ██████████ on 5/26.

██████████ 5/30/08 ██████████ 2230-0230, ██████████ 2230-0230  
• Worked ██████████ 2230-0230, transferred ██████████ to ██████████ on 6/1.

██████████ 5/31/08 ██████████ 2200-0230, ██████████ 2230-0230  
• Worked ██████████ 2200-0230, transferred ██████████ to ██████████ on 6/1.

██████████

5/30/08 ██████████ 0730-1030, ██████████ 0900-1700

- Worked both jobs, closed out ██████████ starting at 0730 and working 3 hours, closed out ██████████ starting at 0900. The officer was interviewed and stated that ██████████ reform had been put into CYA incorrectly and was actually 7:30 PM – 10:30 PM. She stated she just did not think to change the times when she closed it out.

██████████

5/30/08 ██████████ 0730-1730, ██████████ 1700-2000

- Worked ██████████ 0730-1730, then worked ██████████ 1730-2030.

██████████

6/1/08 ██████████ 1600-2000, ██████████ 1830-2230

- Worked ██████████ 1700-2145, transferred ██████████ to ██████████ on 5/30.

6/8/08 ██████████ 1600-2000 ██████████ 1830-2230

- Did not work either shift. Deleted himself from ██████████ on 6/2 – later self assigned by another officer, transferred ██████████ to ██████████ on 6/6.

6/22/08 ██████████ 1600-2000, ██████████ 1830-2230

- Deleted himself from ██████████ on 6/22, later self assigned by another officer.

██████████

6/6/08 ██████████ 1000-1400, ██████████ 1200-1500

- Did not work either shift. ██████████ transferred to ██████████ on 6/10 and ██████████ transferred to ██████████ on 6/5.

6/20/08 ██████████ 1000-1400, ██████████ 1200-1500

██████████

6/8/08 ██████████ 0900-1300, ██████████ 1000-2300

- According to CYA, worked both jobs. Closed out ██████████ working 0900-1300, closed out ██████████ working 1000-1500.

██████████

5/24/08 ██████████ 1900-0000, ██████████ 2300-0500

- According to CYA, worked both jobs. Closed out ██████████ working 1900-0000, closed out ██████████ working 2330-0500. The officer was interviewed and stated he started early at ██████████ and left at 2330, and did not change the times in CYA. He stated he often starts one job early or starts the other late.

5/30/08 ██████████ 2100-0200, ██████████ 2300-0500

- According to CYA worked both jobs. Closed out ██████████ working 2000-0100, closed ██████████ working 2300-0500. The officer stated that he actually started ██████████ late this date at 0100 and did not change the times in CYA.

6/21/08 [REDACTED] 1900-0000, [REDACTED] 2300-0500

- According to CYA worked both jobs. Closed [REDACTED] working 1900-0000 and closed [REDACTED] working 2300-0500. As with the previous he started [REDACTED] early but did not adjust the time.

6/28/08 [REDACTED] 1830-2300, [REDACTED] 1900-0000, [REDACTED] 2300-0500.

- According to CYA worked [REDACTED] then [REDACTED], but worked "0" hours at [REDACTED]. During the interview he stated he had someone who was supposed to work for him at [REDACTED], but called at the last minute and cancelled and he could not find anyone.

[REDACTED] 5/31/08 [REDACTED] 1800-0100, [REDACTED] 2230-0130.

- Worked [REDACTED] 2300-0200. Self deleted [REDACTED] on 5/27.

[REDACTED] 5/26/08 [REDACTED] 0830-1530, [REDACTED] 0900-2000, [REDACTED] 1830 – 2230

- According to CYA worked all three jobs. Closed [REDACTED] working 0830-1530, closed [REDACTED] working 0900-1100, and closed [REDACTED] working 1430-1830. The officer was interviewed and stated that [REDACTED] is a flexible job and that he did not actually work it from 0900-1100 as he closed it. He stated that he works the two hours sometime between 0900 and 2100, or may carry it to the following day working 4 hours.

[REDACTED] 6/9/08 [REDACTED] 1700-2100, [REDACTED] 1900-0000

- Did not work either job. Self-deleted from [REDACTED] on 6/2, and transferred [REDACTED] to [REDACTED] on 6/10.

[REDACTED] 5/31/08 [REDACTED] 2200-0100, [REDACTED] 2345-0245

- According to CYA worked both jobs. Closed [REDACTED] working 2200-0100, closed [REDACTED] working 0030-0300. The officer was interviewed and stated that he actually worked [REDACTED] 2130-0030 but did not change the times in CYA.

[REDACTED] 5/19/08 [REDACTED] 1700-2100, [REDACTED] 2000-2300

- Worked [REDACTED] 1700-2100, and worked [REDACTED] 2100-0000.

[REDACTED] 5/29/08 [REDACTED] 0700-1500, [REDACTED] 1030-1700

- Worked [REDACTED] 0700-1500, was scheduled for [REDACTED] in error and did not work (no sign of job being transferred).

[REDACTED] 5/23/08 [REDACTED] 0800-1600, [REDACTED] 1000-1700



- Worked [REDACTED] 0800-1600, transferred [REDACTED] to [REDACTED] on 5/23.

[REDACTED]

5/24/08 [REDACTED] 1900-0000, [REDACTED] 2345-0245

- Worked [REDACTED] 1900-0000, then worked [REDACTED] 0015-0315.

5/31/08 [REDACTED] 1900-0000, [REDACTED] 2345-0245

- Worked [REDACTED] 1900-0000, then worked [REDACTED] 0015-0315.

6/22/08 [REDACTED] 1900-0000, [REDACTED] 2300-0700

[REDACTED]

5/20/08 [REDACTED] 1500-2200, [REDACTED] 2030-2330

- Worked [REDACTED] 1500-2100, transferred [REDACTED] to [REDACTED] on 5/28.

**APPENDIX 3:** Personnel breakdown of 313 jobs between 6/9/07 and 1/24/07 assigned by administrators on the same day they were created. (Yellow highlight indicates 5 or more shifts, bold and highlighted indicates 10 or more shifts)

Summary:

313 jobs assigned to 79 individuals.

79 individuals: 26 white (33%) 53 African-American (67%)

313 jobs: 256 assigned to African Americans (82%) 57 assigned to white officers (18%)

## APPENDIX 4: Notes on jobs analyzed from 10/1/07 until 1/14/08

1. [REDACTED]: 10 shifts were created on 10/2 and immediately assigned by the SEC. This assignment was restricted to Community Service Bureau Personnel. The shifts were provided to the SEC who then entered them into CYA.  
  
(10/16): As with the previous, this assignment was restricted to Community Service Bureau Personnel. The shifts were provided to the SEC who then entered them into CYA.
2. [REDACTED]: 4 shifts were created on 10/3 and assigned within 2 minutes by the SEC. On 10/17 one of these officers was deleted and another officer assigned in their place. One of the personnel who worked it was interviewed and stated that the SEC asked them if they wanted to work the job. They also stated all the personnel had worked it the previous year. This was confirmed by others interviewed. The workers were paid by the homeowners association by check.
3. [REDACTED]: 3 shifts created on 10/3 by the SEC and assigned within 1 minute. One of the personnel who worked it was interviewed and stated that they were contacted directly by the SEC and asked if he wanted to work. He stated he was told they were trying to find someone to fill it at the last minute. He stated he had not worked it before. *According to CYA admin logs, this job was never opened to all personnel even though the job was 3 days away.* Another of the workers interviewed stated they had worked [REDACTED] before and were called directly by the SEC.
4. [REDACTED]: 1 shift was created on 10/3 and immediately assigned by the SEC. This job appears to be a short notice job having been created 24 hours before the assignment. The officer assigned was interviewed and stated they knew one of the people involved with the event, and the person contacted the SEC and requested them. The officer assigned did not work the event the previous year.
5. [REDACTED]: 1 shift was created on 10/4 and immediately assigned by the SEC. This is a short notice job listed as \$35/hour. According to CYA records, [REDACTED] is listed as a coordinated job, but this was not handled by the coordinator and the officer assigned is not on the [REDACTED] list. The person listed as coordinating the employer was interviewed and advised that they were told by the SEC that the SEC would be coordinating the employer without any explanation. According to CYA records, an August job listed the coordinator, but he was not listed on this job. This job was assigned without ever being made available to all personnel. The officer assigned was interviewed and could not provide a reason why they were selected.
6. [REDACTED]: 1 shift was created on 10/8 by the SEC and made available and subsequently self-assigned. On 10/9 the SEC created and immediately assigned 7 additional shifts. One of the assigned officers was interviewed and stated that they were contacted directly by the SEC and asked if they wanted to work. They stated they had not worked the event before. The interviewee did state that the month before they complained to the SEC that they were never contacted about jobs, and then they started getting called. They were also called about another job during this period. These additional shifts were never opened to all personnel. Another interviewee told of seeing the SEC in the parking lot and

telling them of a hardship and asking to be considered if any jobs came up – then got the call. *I could find no record in CYA of this event happening previously.*

7. [REDACTED]: 1 shift was created on 10/9 and immediately assigned by the SEC. Same as previous [REDACTED], coordination was removed from coordinator without explanation and personnel who were never on the list were assigned. The officer assigned was interviewed and stated they were contacted by another officer and asked to work last-minute. I interviewed that officer and they advised that this job was related to the UNC football team and that a family member actually managed the business and had requested they coordinate it. The interviewee stated they talked to the SEC who approved their being the coordinator, but they apparently were never entered into the system as the coordinator. They stated they called the officer because they “wanted someone who would not screw up.”
8. [REDACTED]: 12 shifts created on 10/9 and 10 of them immediately assigned by the SEC. The remaining 2 shifts were opened on 10/12 and self assigned. One of the personnel who worked it was interviewed and stated he was contacted by the SEC about working this event. They had not worked it previously, but stated they had worked a similar event, the [REDACTED], that was no longer happening, and that is why the SEC contacted them. Others interviewed stated they had worked this event before. *CYA records show that 6 of the 10 personnel assigned to this job had worked the [REDACTED] and/or the previous [REDACTED]. 4 had not worked either, though one may have been a replacement for a motor officer who worked it previously. It is unclear why the 2 shifts were held 3 days before being opened unless responses from previous workers were pending, and it is unclear how 3 people were selected for assignment before the job was open.*
9. [REDACTED]: 4 shifts were created on 10/9 and immediately assigned by the SEC. On 10/17, 2 additional shifts were created and immediately assigned. I interviewed one of the personnel who worked this shift, and they advised they were contacted by the SEC for the job, and that he had worked the job previously. Another stated that he was offered the job because he had worked other [REDACTED] in the past. *CYA records do not show any of the employees assigned to this job as having worked it the previous year.*
10. [REDACTED]: 2 shifts were created on 10/12 by the SEC and posted as open jobs and subsequently self-assigned by officers.
11. [REDACTED]: 1 shift was created on 10/12 by the SEC and immediately assigned. This is not listed as a coordinated job according to CYA records, and there is no indication of why this job should not have been posted for all employees. The officer assigned was interviewed and stated that he works at [REDACTED] and knows a lot of the kids who were at the party, and he was requested by parents.

[REDACTED]: 1 shift was created on 10/24 by the SEC and immediately assigned. [REDACTED] seems to have periodic events and is in CYA under Secondary Employment and under [REDACTED] as the employer, but it is not listed as a coordinated job. This assignment was listed as a cash job. *This could have been short notice (but only listed as \$25/hr job), but CYA records show all events at this location have a history of being assigned by administrators and not open to all personnel.* The officer assigned was interviewed and stated that he had worked events there before.

[REDACTED] 1 shift was created on 11/8 by the SEC and immediately assigned. *As with the previous event at this location, this could have been short notice (but only listed as \$25/hr*

job), but *CYA records show all events at this location have a history of being assigned by administrators and not open to all personnel.*

██████████: 1 shift was created on 11/14 by the SEC and assigned. As with the previous events at this location, the officer had worked there before, but no indication of why they had priority of this cash job.

12. ██████████: 2 shifts were created on 10/15 by the SEC and one was immediately assigned while the other was held for almost 4 hours before being assigned. This was a cash job at the ██████████. One of the personnel assigned was interviewed and stated that they were contacted by the SEC and believe they got called because of their squad assignment and availability to work. *CYA records show that the officer assigned to this job at 1455hrs went into CYA at 1326 and deleted themselves from a coordinated job they were assigned that would have conflicted with this job. This job was kept in hidden status and never opened to all personnel.* The other officer assigned was interviewed and could not recall a reason they were selected.
13. ██████████: 2 shifts were created on 10/16 by the SEC backup and one of them was immediately assigned, while the other was left open and self assigned by an officer. The SEC backup was interviewed about this job and stated that the job was actually an ██████████ (that she coordinated) being held at a different venue, so she assigned someone from her ██████████ list.
14. ██████████: 2 shifts were created on 10/16 and immediately assigned by the SEC. There were more than 48 hours between creation and the assignment date, so it is unclear if this could be considered short notice. One of the assigned officers was interviewed and stated they were not sure how they got this job, but had been contacted by the SEC to work jobs and believed it was due to their squad assignment, availability for work, and willingness to work. *According to CYA records, the job was never made open to all employees. There is no record of this being a reoccurring event.* The other officer assigned was interviewed and stated they were called by the SEC, but did not know why they were selected.
15. ██████████: 2 shifts were created on 10/16 and immediately assigned by the SEC. One of the officers assigned was interviewed and stated he knew the people who managed the location and that they requested certain officers to work the jobs there based on their familiarity with them. *According to CYA records, this is a cash job with no assigned coordinator. There have been several events in the past, some worked by the two officers initially assigned, though other officers have worked this site.*  
  
██████████: 2 shifts were created on 10/19 and immediately assigned by the SEC. At 1530 One of them was deleted and another officer directly assigned by the SEC. This is a \$35/hour last minute job, but was never opened to all personnel.
16. ██████████: 1 shift was created on 10/16 and assigned by the SEC. *Based on CYA records, the job remained "hidden" and not open to all personnel and was assigned on 10/18 by the SEC.* The officer assigned was interviewed and stated that the SEC called them about the book signing. They stated they had worked events there before, though no record could be located in CYA (it is unknown how it may have been entered).

17. [REDACTED]: 7 shifts were created on 10/19 by the SEC and 2 of them were immediately assigned. The remaining shifts were left open and self assigned by officers. One of the assigned personnel was interviewed and stated they were selected for the job because they had “coordinated” a lot of events at the location due to their position in the District and had a history of working these events. *The other person assigned was not on the [REDACTED] list and had no history of working [REDACTED] events in CYA. It is unclear why this was listed as an open job and not through the coordinated [REDACTED].*
18. [REDACTED]: 2 shifts were created on 10/23 and assigned by the SEC. This job was never opened to other personnel. This does not appear to be a reoccurring job nor did it qualify as last minute. *According to CYA records, the location where the event was held, [REDACTED], is actually a coordinated site, but neither the coordinator nor anyone on the list was involved in this assignment.*
19. [REDACTED]: 3 shifts were created on 10/23 by the SEC and immediately assigned. One of those assigned had worked [REDACTED] events in the past, and one of the others interviewed stated they were on a motorcycle and likely selected due to that. (Note: [REDACTED] events in the past had not specifically required motor officers.) According to CYA this is not a coordinated event.
20. [REDACTED]: 8 shifts were created by the SEC and immediately assigned. Three of those assigned had worked this event the previous year. This job was never opened to all personnel. One of the assigned officers was interviewed and stated that they were contacted directly by the SEC and asked if they wanted to work. *By reviewing CYA records, there were 3 [REDACTED] events from September to October. Different people were assigned to all of these events with all but the three listed above not having a record of working [REDACTED]. None of these were last minute jobs. All were directly assigned by the SEC.*
21. [REDACTED]: 2 shifts were created on 10/31 by the SEC and one of them was immediately assigned. The other was left open and self assigned by an officer. *Similar to the previous [REDACTED] event, the officer assigned was on the [REDACTED] list, but the officer who signed up was not. Again, while [REDACTED] is coordinated, this was apparently an open job.* The officer assigned was interviewed and stated they had worked the event before, but not in 2006.
22. [REDACTED]: 2 shifts were created on 11/2 by the SEC and opened for all personnel. 2 officers subsequently self-assigned. *In reviewing CYA records, it appears this job, while not coordinated, had a “preferred pool of people associated with it, though none of them got this job. It shows to only be released to that pool, but it is unclear if that is the case and if so how the individuals who got it found it. This job appears to have been posted and signed up for legitimately.*
23. [REDACTED]: 2 shifts were created on 11/2 and immediately assigned by the SEC. (One officer later transferred his shift and then it was cancelled, so only one officer worked.) Not short notice and no indication of why this was not open to all employees. The officer assigned was interviewed and stated the SEC called him and he did not know why he was selected.
24. [REDACTED]: 1 shift was created on 11/2 by the SEC and opened to all employees. It was subsequently self-assigned.

25. [REDACTED]: As with previous [REDACTED] jobs, this was not run through the coordinator or pool. The officer who worked the 11/9 event was interviewed and stated they got the job because they have worked [REDACTED] (the job was being at the hotel since the team was there) assignments in the past. *CYA logs are unclear on when this job was created and assigned, but it was assigned to the officers directly on 11/3.*
26. [REDACTED]: 2 shifts were created on 11/6 by the SEC and opened to all personnel. They were subsequently self-assigned by officers.
27. [REDACTED]: Several shifts were created on 11/6 by the SEC, but only one appears to have been opened and subsequently self assigned. The remaining shifts were assigned to a placeholder and never filled. Notes say 4 officers were needed, but only 1 ended up working.
28. [REDACTED]: 3 shifts were created on 11/8 by the SEC and 2 were immediately assigned. The remaining shift was left open and self assigned by an officer. This was a cash job. *Previous events to this location show one of those assigned as being the coordinator, but this job lists no coordinator. Both of those assigned were listed in the "preferred pool" of the jobsite when it was coordinated.* One of the officers assigned was interviewed and stated it was previously a job he coordinated, but was infrequent now.
29. [REDACTED]: 3 shifts were created on 11/8 by the SEC and immediately assigned. This was a cash holiday job (\$35/hr) and it was not opened to all personnel. One of those assigned was interviewed and stated that it was "Black Friday" and that she and one of the others had worked it before. *CYA records confirm that all personnel had worked [REDACTED] assignments before.*
30. [REDACTED]: 2 shifts were created on 11/8 by the SEC and immediately assigned. One of those assigned was interviewed and stated that the employer was a friend/relative of one of the officers and had requested the officers to work the event through the SEC.
31. [REDACTED]: 3 shifts were created on 11/9 by the SEC and immediately assigned. This was a last minute job (\$35/hr) and shifts appear to have been created after one of the workdays. One of those who worked was interviewed and stated that it was last minute and he was contacted and could get off and work so he did. Another of those assigned stated he was contacted directly by the SEC.
32. [REDACTED]: 1 shift was created on 11/9 by the SEC and assigned. This job was created and posted by the SEC, but the jobsite is coordinated by another officer. This job was restricted to personnel who were on the school payroll. The person assigned was on the school payroll.
33. [REDACTED]: 4 shifts were created on 11/12 and 11 shifts created on 11/13 by the SEC. All were self-assigned by officers.
34. [REDACTED]: This job appears to have been created and assigned after the assignment date. It was created and assigned to the then [REDACTED]. No details are available on this job.

35. [REDACTED]: 1 shift was created and assigned on 11/16 and another created on 11/19 by the SEC. The shift on the 16<sup>th</sup> was opened to all personnel and self assigned by the officer. CYA logs are unclear on how the shift on 11/19 was assigned. This was a \$35/hr holiday job.
36. [REDACTED]: 2 shifts were created on 11/9 by the SEC and immediately assigned. It appears to be a cash job that has occurred periodically. Both the officers who were assigned have worked there in the past (along with others), but it is listed as an uncoordinated job. One of those assigned was interviewed and stated he had worked it a few times before, and thought he got it because he knew the officers who worked it regularly. It was never opened to all personnel.
37. [REDACTED]: Multiple shifts were created for this job and opened city-wide. All shifts were self-assigned by officers, but only 11/26 and 11/27 ended up happening. All others were cancelled.
38. [REDACTED]: 2 shifts were created on 11/27 by the SEC and immediately assigned. One of the officers assigned was interviewed and believes the job involved a family member of their former commander and that they were requested.
39. [REDACTED]: 2 shifts were created on 11/29 by the SEC and immediately assigned. Both officers assigned were motor officers and the assignment was to escort a torch run. *CYA records indicate there have been [REDACTED] jobs this year for similar escorts/traffic that were open to all personnel.*
40. [REDACTED]: 1 shift was created on 11/29 by the SEC and later assigned on 11/30. *This assignment is for traffic direction at a [REDACTED] and CYA records indicate it was kept "hidden" and have never been opened to all personnel.* The officer assigned was interviewed and stated he was called by the SEC and offered the job.
41. [REDACTED]: 1 shift was created on 11/29 by the SEC and immediately assigned. The officer assigned was interviewed and stated that a civilian department employee contacted the SEC about the job and requested this officer for the job.
42. [REDACTED]: 1 shift was created on 12/4 by the SEC and immediately assigned. This job was for security at a Christmas party and was never opened agency wide.
43. [REDACTED]: 4 shifts were created on 12/12 by the SEC and immediately assigned to one officer. That officer later transferred some shifts to others. The officer assigned was interviewed and stated he was contacted by the SEC and believes it was short notice. He stated that he had a history of being available for short notice jobs.
44. [REDACTED]: 1 shift created on 12/17 by the SEC and immediately assigned. This was just a traffic direction job and it paid cash. Possibly short notice. The officer assigned was interviewed and stated it was in the District he was working and needed a car, so the SEC contacted him.
45. [REDACTED]: 1 shift was created on 12/17 by the SEC backup and immediately assigned. 5 shifts were created by the SEC backup and assigned. 3 were assigned to an officer, 2 were assigned to [REDACTED]. The SEC backup was interviewed and stated that the officer assigned initiated the job and was acting as the "coordinator" though it only had 2 people and she did all the assignments in CYA. She stated [REDACTED]



[REDACTED]. The other officer was interviewed and stated he was not sure how he came to get the job, that a relative of a Captain worked there and the Captain contacted the SEC requesting a “good” (reliable) person work the job. He believed the SEC then contacted him. He stated he did not know anyone there previously. He stated he and [REDACTED] worked all of it, and he never did anything in CYA. This job is not listed as a coordinated job.

46. [REDACTED] 2 shifts were created on 12/17 by the SEC and opened for all personnel. Both shifts were self-assigned by officers.
47. [REDACTED] 3 shifts were created on 12/20 by the SEC and one of them was immediately assigned. The other two were opened to all personnel and self assigned by officers. The assigned officer later self-deleted and the opening was self assigned by another officer. The assigned officer was interviewed and stated that it was an open job, that the SEC had offered them a shift.
48. [REDACTED] 2 shifts created on 1/3 by the SEC backup and immediately assigned. One of those assigned was interviewed and stated that he and the other officer knew the owners of the business and the business requested them through the SEC. When interviewed, the SEC backup also confirmed that these officers had worked for the employer in the past.
49. [REDACTED] This shift was assigned to an officer after the shift had been worked. CYA records show it was assigned to a “placeholder” before that, but it is not clear when the shift was created.
50. [REDACTED] 9 shifts created on 1/14 and 3 were assigned by the SEC. The remaining shifts were opened to all and self assigned. 2 of the three assigned shifts were motor officers, the other assigned party was interviewed and stated he “coordinated” it while serving in District 4 and worked it.
51. [REDACTED] This shift was created and assigned by the SEC, but this appears to have been a coordinated job and it was assigned to someone in the job pool. Appears to have been entered as an open job in error.
52. [REDACTED] 3 shifts were created on 1/24 and assigned by the SEC. Several of those who worked were interviewed and stated it was a political event that was being run by the owner of the Durham Bulls and that the owner requested officers who worked at the ballpark work this event.

**APPENDIX 5:** Officers found in one or more of the possible favoritism categories.

	In 10 or more job pools	Had 5 or more "open" jobs assigned	Listed as coordinator on 3 or more jobs
██████████	X	X	
██████████		X	
██████████			X
██████████		X	
██████████	X	X	X
██████████	X		
██████████	X	X	
██████████			X
██████████	X	X	
██████████	X		
██████████	X		
██████████		X	
██████████	X		
██████████	X		
██████████	X		
██████████		X	
██████████	X	X	
██████████	X		
██████████	X		
██████████	X		
██████████	X		X
██████████	X	X	
██████████	X	X	X
██████████		X	
██████████	X	X	
██████████	X		
██████████	X		
██████████	X	X	
██████████			X
██████████		X	
██████████	X		
██████████	X		
██████████	X	X	
██████████			X
██████████	X		
██████████	X		
██████████		X	
██████████	X		

██████████	X		
██████████		X	
██████████	X	X	X
██████████	X		
██████████	X		
██████████	X		
██████████	X		
██████████	X		
██████████	X		
██████████	X		
██████████	X		
██████████	X		
██████████	X	X	
██████████		X	
██████████	X	X	X
██████████			X
██████████	X		
██████████	X	X	
██████████	X		
██████████	X		
██████████	X		
██████████			X
██████████		X	
██████████	X	X	
██████████	X		
██████████	X		

NOTES

- “10 or more job pools” is as of 3/23/08 according to CYA records. Some of these may be inactive jobs. Inclusion in multiple school pools was counted as “1” pool.
- “5 or more open jobs” based on the list of 313 jobs administratively assigned the same day they were created between 6/9/07 and 1/24/08.
- “Coordinator on 3 or more jobs” is based on CYA and SEC records over the past five years. Some of these may be inactive jobs or short assignments, but still shows opportunity.

## **APPENDIX 6: Regional Practices Comparison**

### **Greensboro PD**

Coordinator: Civilian attached to Administrative Service Bureau.

Process: Employers contact the SEC. SEC faxes them the paperwork and they complete it and fax it back. The paperwork is posted in a shared folder all officers can view. Officer can look through the folder and if they see a job they want to work they contact her. She assigns them on a first-come-first-serve basis. Once she tells them they have the job, they are responsible for showing up.

Pay: Officers are paid through the department and the employers wanting officers are billed by the city. They charge \$26.75 for officers and \$31.75 for a supervisor. Officers receive \$25 and supervisors receive \$30. Once officers have worked a job, they submit a pay sheet to the SEC and receive the pay in their check.

Restrictions: Captains and above cannot work off-duty. Officers cannot work until done with all field training, and during an officer's first year they can only work off-duty jobs that have a supervisor. Officers must have a request to work off duty approved and on file with the SEC.

Equity Controls: No specific equity controls, but the coordinator will limit officers taking multiple jobs. Officers do transfer jobs (little control over it), but are not supposed to "broker" jobs – take jobs they do not intend to work. The SEC stated it is hard to detect those who are "brokering" jobs.

Additional notes: Greensboro does try to honor requests for specific officers. Greensboro does use "assignment coordinators" to coordinate long term jobs.

### **Winston Salem PD**

Coordinator: Internal Affairs coordinates the jobs – no single designated coordinator.

Process: People wanting off-duty officers contact Internal Affairs, who takes all the info and puts it out in a department wide email. Officers then contact the employer directly and if they get the job they then contact IA and fill out a form on the job.

Pay:

Restrictions: Seems to be no restrictions or oversight.

Equity controls: No controls in place – stated it was not a problem.

Additional Notes: Seems to be very loosely run, with little oversight and control.

### **Raleigh PD**

Coordinator: Not really coordinated in any way, but a Desk Sergeant under Special Operations is the contact person.

Process: Officers find jobs directly and contract directly with the employer. There is a city contract that is used, but its main purpose is to protect the city from workman's comp liability. Jobs that come in to the contact are posted on an intranet and officers contact the employer and negotiate details. If it is a long term job, a coordinator is advertised on the intranet as well.

Pay: Average is \$30/hr, but not spelled out. Very few instances of city vehicle use.

Restrictions: Officers cannot work more than 16 hours during a 24 hour period, but not clearly defined.

Equity controls: No real equity control. Put out for everyone, first-come-first-serve basis. Alerts about posted jobs are sent out by email and on to MDCs so on-duty personnel who do not have email up are notified. No tracking of those getting too much or controlling work.

Additional Notes: Raleigh had a double-dipping problem recently and the initial reaction was to put more controls in place, but it was found to not be feasible and the new administration had not made it a priority so they have returned to a very uncontrolled system.

## **Cary PD**

Coordinator: Coordinated by a Sergeant – the “Special Projects Coordinator” who currently works under the Special Operations Commander under Patrol. They are looking at moving it under Internal Affairs and upgrading it to a Lieutenant. All requests go through the Special Projects Coordinator (SPC) or his supervisor.

Process: Person wanting off duty officers contact the SPC. The SPC gets the information on the job and sends it out one of several ways. For upcoming or short notice job, he sends it out through an instant messenger to all officers. Long term jobs or those a month out are sent out in a monthly sheet of upcoming available jobs and officers respond with a “bid” sheet showing which shifts they would like to have. For short notice jobs he will request an immediate response and selects (generally) the first responder. For upcoming jobs that can’t be put on monthly sheet, he sets a respond by date and then takes all the responses and decides who to assign the job to. Once he gets the bid sheets back he sorts the responses and decides who to give the jobs to. The decision of who to give jobs to is made by the SPC and is intended for jobs to be spread as equitably as possible. Detailed records are kept on why persons were selected for jobs to justify the equitable distribution.

Pay: \$30 for officers, \$35 for supervisors. Officers are paid directly by the employer for most off-duty jobs. “Extra-duty” jobs, that is jobs for city departments or jobs that must be filled but no one volunteered, are paid as overtime through the 171 hour rule.

Restrictions: Currently officers can only work 24 hours of off-duty or extra-duty work per week. They also cannot work directly before their city shift and must have at least 8 hours off before their next shift. It is not very common, but ranking officers can work off-duty, but not extra-duty due to the overtime issue.

Equity controls: The main purpose of the SPC is to ensure that work is distributed as fairly as possible. All work goes through the SPC.

Additional Notes: Cary does not use any job site coordinators. All jobs, including long terms ones are managed by the SPC. Generally officers who want to work get 2-3 days of off-duty a month.

## **Fayetteville PD**

Coordinator: A Sergeant in Professional Standards

Process: Jobs come to the coordinator who gets all the information and then puts out the work on email. Officers then respond and fill out paperwork and sign contracts with the employers. Generally first come first serve. Officers can also find jobs and bring them to the coordinator. The officers have to have the site reviewed to ensure it does not violate policy to have officers there (not a nuisance business). Generally the coordinator will let them then manage the job and ensure all steps are followed. For long-term jobs, an officer is chosen to manage the site and they are responsible for all scheduling etc with no control from the coordinator.

Pay: \$25-30/hr. – negotiated by officers and business. Officer can work for less if they want to.  
Restrictions: Can't work more than 16 hours in a day (regular duty plus off-duty). Officers are limited to 28 hours per cycle.

Equity controls: Coordinator tries to give work to officers who have not gotten much when short notice stuff comes in.

Additional Notes: Off-duty is managed through an access database. Each year officers have to see the coordinator and “renew” jobs they are working by confirming they are still active. If they do not do this within 30 days they are removed from the jobs. Contracts are used because they have had collection issues in the past.

### **Asheville PD**

Coordinator: Coordinated by a Sergeant in Professional Standards

Process: For internal jobs, officers are notified by email and officers who want to work contact the department with the work – for example parks and rec – and work out the details. External jobs, notice is sent out by email about the job, and officers go directly to the employer and get them to fill out the paperwork. Last minute jobs may go to “whoever is around.”

Pay: Internal are paid through the city, external are paid by the employer.

Restrictions: can only work 4 hours in the 12 hours preceding a work shift. Cannot work while on sick, family, worker comp, admin or suspension leave. Probationary employees can only work off duty at City-sponsored function, and have to be done with field training.

Equity controls: Job announcements are rotated so they go out at various times to catch different shifts and work groups.

### **High Point PD**

Coordinator: Secondary employment is coordinated by an officer who reports to the Chief's Administrative Lieutenant.

Process: Employers call the coordinator directly. Coordinator then calls officers based on their availability (work schedule) and a list. If he does not find anyone he will “walk the halls” and find someone who wants to work. Employers can also contact officers and the officer can coordinate the job themselves. They notify the coordinator and get approval, then run it all with little dept involvement.

Pay: Regular rate is \$22-\$25, \$35-\$40 for short notice. The coordinator tries to get \$25 for all jobs, and will up the rate based on perceived complexity of the job.

Restrictions: Limited to 16.5 total hours of work each day (includes regular shift – 10.5 hours for patrol). Officers must have 6 hours off before a work shift. All officers must be approved to work off-duty.

Equity controls: At the beginning of the year all officers who want to work sign up for a pool and are randomly shuffled. Officers who are working long term jobs have to renew each year if they want to continue working them.

Additional Notes:

**Wilmington PD**

Coordinator: Civilian who works under Support Service and is physically located in the Chief's office.

Process: Employers contact the coordinator. The coordinator gets the information and gets a contract signed by the employer. The coordinator then determines what squad is eligible for the job and sends notice of the job to the sergeant. The sergeant then determines who will work and lets the coordinator know. The coordinator also maintains a "hot list" for last minute jobs and will directly call officers off that list if a job needs to be filled.

Pay: Employers are charged \$30 for an officer. Officers are paid through the city, and get about \$22. The difference is used to pay for the SEC and administration of the program.

Restrictions:

Equity controls: The coordinator keeps a spreadsheet of all the squads by platoon and tries to rotate the work through squads based on availability. No real control over how the work is divided up by the sergeants.

Additional Notes: If the employer is an individual rather than a business, the coordinator gets the money up front, otherwise they bill businesses. If the job requires a city car, the employer is billed an additional \$20.