

Work Session

Agenda Item #	4
Meeting Date	May 27, 2014
Prepared By	Alan Goldberg
Approved By	Brian Kenner

Discussion Item	Discussion of Police Overhire Policy												
Background	<p>Based on the Council discussion on May 5, 2014 regarding police recruitment and hiring policies, including Ordinance No. 2002-33 regarding overhiring of police officers, staff is proposing changes to the overhire policy. In particular, these changes reflect efforts to better address challenges such as multiple officers on medical or injury leave, multiple officers eligible for retirement, the police academy timeline for new recruits, and the hiring timeline for new sworn officers. The changes also reflect the fact that personnel expenditures usually continue when officers are not on active duty due to illness, injury or training. Under Ordinance No. 2002-33, an overhire can only be made when the Departmental budget is not exceeded during the fiscal year in which the hiring takes place.</p> <p><u>Police Budget Information</u></p> <p>In reviewing the Police Department budgets for the last six years, the total budget for the Police Department has been in the \$6 million range and the personnel budget has been in the \$5.5 million range (about 92% of the total). Only about seven percent of the personnel budget is spent on overtime.</p> <p>In a review of the personnel budgets for the Police Department over the past six years, it is clear that there is little excess budget capacity to accommodate overhires under the current policy. The percent of the personnel budget that was actually expended during the past six years is as follows:</p> <table border="1"> <tr> <td>FY 13</td> <td>99.37 %</td> </tr> <tr> <td>FY 12</td> <td>99.89 %</td> </tr> <tr> <td>FY 11</td> <td>102.18 %</td> </tr> <tr> <td>FY 10</td> <td>103.15 %</td> </tr> <tr> <td>FY 09</td> <td>97.70 %</td> </tr> <tr> <td>FY 08</td> <td>99.97 %</td> </tr> </table> <p><u>Proposed Changes to the Overhire Policy</u></p> <p>Staff is recommending that Ordinance No. 2002-33 be replaced with the attached proposed ordinance. It would allow the City Manager to identify occasions or thresholds that may trigger an overhire. Such situations could include: knowledge of the planned imminent retirement or resignation of an officer; reasonable belief that one or more officers out on injury, illness or other leave, one or more officers will not be returning to work; or knowledge that a certain percent or more of the force is eligible for retirement and therefore the likelihood of an officer retiring within a certain amount of time is high.</p> <p>Under the proposed policy, the City Manager would communicate with the Council about the situations when they occur. If the budget will be exceeded due to an overhire situation, a budget amendment would be proposed for Council consideration.</p>	FY 13	99.37 %	FY 12	99.89 %	FY 11	102.18 %	FY 10	103.15 %	FY 09	97.70 %	FY 08	99.97 %
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FY 11	102.18 %												
FY 10	103.15 %												
FY 09	97.70 %												
FY 08	99.97 %												
Policy													
Fiscal Impact	N/A												
Attachments	Proposed ordinance; Ordinance No. 2002-33												

Recommendation	Discuss whether changes should be made to the current policy.
Special Consideration	

Introduced by:

First Reading:
Second Reading:

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE NO. AUTHORIZING THE CITY MANAGER TO HIRE POLICE OFFICERS OVER AND ABOVE THE NUMBER AUTHORIZED IN THE ANNUAL BUDGET IN ANY FISCAL YEAR

- WHEREAS, it is difficult to maintain the Police Department at the strength authorized in the Council approved budget and it is particularly difficult to maintain active officers at the authorized level; and
- WHEREAS, this difficulty is due to police officer resignations, retirements, injury, illness, or administrative leave, combined with the length of time required to hire new officers; and
- WHEREAS, it can requires 18 months to train and certify a new officer and can require 14 weeks to hire an officer through a lateral appointment; and
- WHEREAS, the number of officers, authorized by the budget, is the minimum required to meet the mission of the Police Department as established by the Council; and
- WHEREAS, it is desired to maintain the Police Department's operating strength at the level authorized by the budget in order to meet public safety commitments; and
- WHEREAS, it is appropriate to begin the hiring process for new officers before the authorized strength of the Police Department falls below the number needed for public safety; and
- WHEREAS, the City Manager is able to identify occasions or thresholds that should trigger beginning the hiring process, which may include: knowledge of the planned imminent retirement or resignation of an officer; reasonable belief that a particular officer out on injury, illness or other leave will not be returning to work; reasonable belief that of several officers out on injury, illness or other leave, one or more will not be returning to work; knowledge that ten percent or more of the force is eligible for retirement and therefore the likelihood of an officer retiring is high; and other similar criteria.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT the City Manager is hereby authorized to hire police officers above the number authorized in the budget to ensure that the operating strength of the Police Department is adequate to meet public safety demands.

AND BE IT FURTHER ORDAINED THAT, if hiring police officers above the number authorized in the budget cannot be accommodated within the approved funding for the Department during the fiscal year the hiring takes place, the Council will consider a budget amendment to provide the funding

Adopted this by roll-call vote as follows:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Introduced by: Councilmember Austin-Lane

First Reading: October 28, 2002
Second Reading: November 12, 2002

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE NO. 2002-33
AUTHORIZING THE CITY MANAGER TO HIRE POLICE OFFICERS
OVER AND ABOVE THE NUMBER AUTHORIZED IN THE ANNUAL BUDGET
IN ANY FISCAL YEAR

WHEREAS, it is difficult to maintain the Police Department at the strength authorized in the Council approved budget; and

WHEREAS, this difficulty is due to the turnover of police officers and the competition within the Metropolitan area for new hires; and

WHEREAS, it requires a minimum of 18 months to train and certify a new officer; and

WHEREAS, there are many times when one or more officers cannot perform their duties due to work related injuries and illnesses; and

WHEREAS, the number of officers, authorized by the budget, is the minimum required to meet the mission of the Police Department as established by the Council; and

WHEREAS, it is desired to maintain the Police Department's operating strength at the level authorized by the budget in order to meet public safety commitments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT the City Manager is hereby authorized to hire police officers above the number authorized in the budget to ensure that the operating strength of the Police Department is adequate to meet public safety demands providing that the approved funding for the Department is not exceeded during the fiscal year that the hiring takes place.

Adopted this 12th day of November, 2002 by roll-call vote as follows:

AYES: Porter, Austin-Lane, Dawes, Elrich, Stewart, Williams

NAYS: None

ABSENT: Maack

ABSTAIN: None