



Memorandum

TO: RULES COMMITTEE

FROM: Vice Mayor Madison Nguyen
Councilmember Johnny Khamis

SUBJECT: RETENTION OF POLICE
ACADEMY GRADUATES

DATE: October 29, 2013

APPROVED:

Madison Nguyen

DATE: October 29, 2013

RECOMMENDATION

Direct the City Manager to explore the following measure to ensure retention of Police academy graduates:

Include a "First Five" retention provision for new police recruits that provides for a pro-rata reimbursement by recruits to the City for the cost of training in the event the recruit leaves San Jose Police Department (SJPD) employment for another Police Department before completing at least five years of employment.

Request the City Manager to return to Council with a proposal by December 17th, 2013.

OUTCOME

The SJPD currently spends approximately \$170,000 per recruit to fully train officers for street level service. By defining a minimum amount of service time that recruits must complete before leaving for another department, San Jose will reduce or eliminate the practice of picking up the cost of providing high-quality training for the benefit of other police agencies. This will ensure that the investment into training an officer is retained within the department for a minimum time period. The policy will provide more certainty around SJPD staffing levels and improved retention of the city's exceptionally well-trained new officers.

ANALYSIS

San Jose is one of many large cities that face a police officer retention problem. While there are several factors that contribute to this issue, a glaring fact remains: the City needs its police force at full capacity.

Some of the recruits coming out of San Jose's premier, top-tier training program are being actively encouraged to leave employment with the SJPD through recruitment fairs hosted by San Jose Police Officers Association (SJPOA) benefitting other police agencies. This practice has resulted in San Jose being a training ground for other police departments. Recently, up to 20% of police academy graduates have left the SJPD for other departments after completing their training. In the most recent class of 40 graduates, five have left for other departments (four to

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Hayward and one to Morgan Hill), and two more are in the vetting process at another agency. This practice is costing the City as much as \$2 million per year and the loss of the department's newest talent.

Public Safety personnel retention is not a new issue for large cities, especially San Jose. Over the past 30 years, we have seen our police force grow and shrink in times of economic hardship and surplus. With each trend, City Staff is tasked to analyze and evaluate ways to ensure the safety of our residents. Sometimes, the best ideas come from the people we serve.

A local group that advocates for the delivery of high-quality and efficient City services, Citizens for Fiscal Responsibility, provides a specific recommendation for a four year retention policy. Their analysis indicates that the cost of training can lawfully be considered a loan and thus repayment can be required. They point out that other departments obtain a written agreement from trainees before they begin the Academy to provide for this reimbursement. Their proposal provides for the following pro-rata reimbursement schedule:

- 100% of the City's cost if the Police Academy graduate voluntarily leaves before 1 full year of San Jose Police Department (SJPD) employment after graduation;
- 75% of the City's cost if the Police Academy graduate voluntarily leaves after 1 year until 2 full years of San Jose Police Department (SJPD) employment after graduation;
- 50% of the City's cost if the Police Academy graduate voluntarily leaves after 2 year until 3 full years of San Jose Police Department (SJPD) employment after graduation;
- 25% of the City's cost if the Police Academy graduate voluntarily leaves after 3 year until 4 full years of San Jose Police Department (SJPD) employment after graduation;

San Jose residents have expressed their concerns over San Jose acting as a training ground for other departments. They have voiced frustration over the fact that the City of San Jose lacks a common-sense retention policy which has allowed the superior training provided by the SJPD's Academy to become a poaching ground for other police departments that would pay our recruits marginally more using the savings they realize by not having to invest in top-of-the-line training.

Costs are not limited only to training. Some examples of these costs could be advertising, recruiter salaries, new uniforms, testing, and medical, psychological, and drug screening. It is not our intention to ask for reimbursement of those costs but to highlight the large amount of investment the City and the Police Department makes in its academy recruits.

Some exceptions should be made to this provision. Officers injured in the line of duty or officers placed on disability should be pardoned from repayment in full.

CONCLUSION

San Jose is a city known for its innovation and sustainable growth. We should all work together to ensure the best possible outcomes for our police officers, fire fighters, public servants, and residents of this great city.

HONORABLE MAYOR AND CITY COUNCILMEMBERS

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A "First Five" retention provision will save the City of San Jose millions of dollars in lost training costs as well as help the SJPD retain talented officers that have completed the academy. This will allow the SJPD to build up their staffing levels to their budgeted maximum more quickly and provide some stability in the numbers of officers on patrol.

By establishing a "First Five" retention provision, officers will be incentivized to remain on the force for a minimum of five years. The long-term incentive is, that at the end of those five years, the officer will be fully vested for his or her retirement.