

**ATTACHMENT**

**Moya, Jesica**

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**From:** michael  
**Sent:** Wednesday, February 24, 2021 7:25 AM  
**To:** Moya, Jesica  
**Subject:** Proposal for Independent Police Auditor  
**Attachments:** Pasadena RFP Response 2 24 21.pdf

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Dear Ms. Moya,

Please find attached OIR Group's Proposal for Independent Police Auditor. Please advise if you have any further questions and if you could be so kind, verify receipt.

We look forward to the possibility of engaging with the City of Pasadena and its residents in this important initiative.

Best regards,

Michael Gennaco  
Principal  
OIR Group



## Proposal for Independent Police Auditor

February 23, 2021

Submitted to: City of Pasadena, California  
Office of the City Attorney/City Prosecutor 100 N. Garfield  
Ave., Room N-210 Pasadena, CA 91101  
  
Attn: Jessica Moya, Legal Administrative Supervisor

Proposal by: OIR Group, LLC

Principle business address:  
  
Playa del Rey, CA 90293

Submitted by: Michael J. Gennaco  
323 821 0586

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## 1. Title Page

Please see above.

## 2. Transmittal Letter

Dear Ms. Moya,

Thank you for the opportunity to submit the following information responsive to the City of Pasadena's ("City") request for proposals ("RFP") for an Independent Police Auditor. This proposal addresses the specifications of Sections 1., 2. a, c, d, e, and 3. of the RFP, but is not responsive to section 2. b.

### **Experience**

With regard to the duties of the Independent Police Auditor as set out by the City, OIR Group's breadth and depth of experience in performing similar functions is unmatched. OIR Group currently serves as a "best-practices" advisor to the Davis Police Accountability Commission and the Anaheim Police Review Board, attending regular meetings, and advising both bodies on progressive policing practices.

Both for its ongoing work as the Independent Police Auditor for the Cities of Anaheim, Davis, Santa Cruz, and Palo Alto as well as discrete projects for numerous other jurisdictions, OIR Group has reviewed serious uses of force, assessed the strength of the investigation and its objectivity, and recommended systemic changes. In fact, OIR Group has performed that very type of analysis for the City of Pasadena on two prior occasions:

1. 2009 Report to the City of Pasadena Concerning the Officer-Involved Shooting of Leroy Barnes, Jr.,  
[https://a45ae0bd-a86b-4264-bab6-651d19eb0842.filesusr.com/ugd/d85a96\\_d118de2c9071448daddda64083cb42ef.pdf](https://a45ae0bd-a86b-4264-bab6-651d19eb0842.filesusr.com/ugd/d85a96_d118de2c9071448daddda64083cb42ef.pdf)
2. 2014 Report to the City of Pasadena Concerning the Officer-Involved Shooting of Kendrec McDade,  
[https://a45ae0bd-a86b-4264-bab6-651d19eb0842.filesusr.com/ugd/d85a96\\_32eef3e2500a405fb194a205bbb167bf.pdf](https://a45ae0bd-a86b-4264-bab6-651d19eb0842.filesusr.com/ugd/d85a96_32eef3e2500a405fb194a205bbb167bf.pdf)

Recently, the City has contracted with OIR Group to perform a similar analysis of another force incident, a project which is ongoing.

OIR Group regularly reviews investigations of personnel complaints of bias-based policing and has done so for the cities of Burbank, Davis, Palo Alto, Los Angeles County Sheriff's Department and numerous other agencies. OIR Group has also worked with some of these jurisdictions to develop restorative justice approaches to these allegations.

OIR Group regularly performs policies, procedures, and training reviews either on a discrete or ongoing basis and has made scores of recommendations intended to improve policing in each of these areas. For Anaheim and Davis, OIR Group works with the review body in crafting such reforms, as envisioned by the Pasadena ordinance.

OIR Group regularly issues public reports, all of which can be found at our website: [OIRGroup.com](http://OIRGroup.com). We also provide regular updates on our work and contemporary police practices at the Davis and Anaheim review board meetings.

In our work as the law enforcement monitor for the County of Santa Clara, we have been recently provided subpoena authority to access documents and witnesses and are working with the County Attorney to develop protocols to implement that authority.

We recognize the need to comply with all local and state laws regarding confidentiality and privacy of peace officer records and regularly provide training on the state law regimen that currently exists.

We regularly dialogue with both community-based advocacy groups and police associations in order to gain diverse perspectives about policing that help frame our approach and review functions.

## **Independent Police Auditor Experience**

### **1. City of Anaheim**

For over a decade, OIR Group has served as Independent Police Auditor ("IPA") for the City of Anaheim. In that work, OIR Group initially performed reviews of significant uses of force, and internal affairs investigations and provided reports to the City Manager. Over the years, OIR Group's duties have increased and with the creation of the Review Board, OIR Group serves as a

best practices advisor and regularly attends and presents at meetings. OIR Group's public reporting is now to the City Manager, the Review Board, and City Council.

Average annual cost of services: \$75,000/yr.

Contact person: Lylyana Bogdanovich  
Senior Administrative Analyst  
City Manager's Office  
City of Anaheim

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## **2. City of Davis**

OIR Group has served as the IPA for the City of Davis for over two years. OIR Group provides technical assistance on best practices to the City's Police Accountability Commission and conducts systemic audits at the request of the Commission. OIR Group also reviews all complaints and internal investigations and significant uses of force and issues public reports to the Commission regarding its findings.

Average cost of services: \$80,000/yr.

Contact person: Kelly Stachowicz  
Assistant City Manager  
City of Davis

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## **3. City of Palo Alto**

OIR Group has been the IPA for the City of Palo Alto's Police Department for over a decade. Its work has consisted of reviewing all complaints, certain uses of force, and providing semi-annual public reports of its findings and recommendations. Recently, City Council has moved to increase OIR Group's scope of work to include additional matters for review.

Average cost of services: \$25,000/yr.

Contact person: Molly Stump  
City Attorney

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## **Key Members**

**Michael Gennaco** is a nationally recognized expert on law enforcement reform and accountability systems. He was the Chief Attorney of the Office of Independent Review for Los Angeles County and is a founding Principal of OIR Group. Mr. Gennaco has performed a number of monitoring tasks, audits and reviews for a federal judge, special masters, and other governmental entities. He has assisted law enforcement entities throughout the country with constitutional policing issues, critical incident reviews, internal affairs investigations, and design of effective oversight mechanisms. Under his leadership, OIR Group has become a resource for numerous California cities grappling with officer-involved shootings and other critical incidents in an effort to bridge the gap between the police and the communities they serve and to utilize those incidents as learning tools.

Prior to starting OIR, Mr. Gennaco was Chief of the Civil Rights Section at the United States Attorney's Office for the Central District of California. He also served for ten years as a trial attorney with the Civil Rights Division at the Justice Department in Washington, D.C. Mr. Gennaco received a J.D. from Stanford University and his B.A. from Dartmouth College.

**Robert Miller** is a Principal of OIR Group and also served as supervisor of the legal section in the Los Angeles County Office of Inspector General from 2014 to 2016, responsible for providing oversight of the Los Angeles County Sheriff's Department. Prior to that assignment, Steve worked as head of the Office of Independent Review for the Los Angeles County Probation Department and as Deputy Chief for the OIR for Los Angeles Sheriff's Department. In those capacities and as a member of OIR Group since its founding in 2001, Rob has reviewed and analyzed hundreds of officer-involved shootings, deaths in custody, internal affairs investigations and disciplinary determinations and worked on numerous policy and training related projects.

Mr. Miller is a graduate of Stanford University and holds a law degree from UCLA. He was a resident of Pasadena for 27 years until 2018, and remains dedicated to its future, having attended numerous city council meetings, both as an invited presenter and as an interested citizen, made presentations to civic organizations and interacted extensively with members of the Police Department and Pasadena Police Executives as well as city council members and other officials.

**Stephen Connolly** is a principal and founding member of OIR Group. He also served as the Executive Director of the Orange County Office of Independent Review from 2008 to 2016 and has been the operational lead of the City of Palo Alto's Independent Police Auditor team since 2013. Prior to his work with OIR, Mr. Connolly was an attorney in private practice and served as

pro bono counsel to the Rampart Independent Review Panel, formed to assess misuse of force and corruption at the Los Angeles Police Department. Mr. Connolly has worked on numerous projects as a principal of OIR Group. He graduated from Holy Cross College and Loyola Law School.

**Teresa Magula** is a member of OIR Group and a former Special Investigator for the Los Angeles Police Department's Office of Inspector General responsible for investigating of misconduct allegations. She is an expert on use of force policy and the response to high-profile, large-scale events. Ms. Magula was the lead investigator in the OIG's review of the events of the 2001 "May Day" incident in MacArthur Park; in this capacity, she collected and evaluated event data from various sources, such as surveillance and body worn camera footage, radio communications and media stories, interviewed stakeholders, victims, and involved officers, and attended community meetings.

Ms. Magula has a broad range of experience, including as a Senior Consultant with Deloitte Consulting, LLP where she specialized in data system implementation, audits, and reviews. Ms. Magula served on the Los Angeles Mayor's Performance Management Unit, where she was the liaison between City public safety agencies and the Mayor's Office and worked with the Santa Monica Commission on the Status of Women and Girls. She received a Master's Degree in Public Policy from UCLA's Luskin School and has expertise in database management and statistical analysis. She also is a native Spanish speaker.

### **Primary Office Location**

OIR Group

Playa del Rey, CA. 90293

### **Cost Proposal**

The scope of work outlined in the Request for Proposals is appropriately broad and flexible to establish a well-designed independent auditor mandate. Many of the tasks before the Independent Auditor will respond to incidents that do not follow a predictable pattern or frequency – e.g., assessing police department investigations of officer-involved shootings and other significant uses of force, reviewing investigations of biased policing complaints, etc. In light of this, we do not propose a specific yearly budget, however we do suggest a yearly maximum.



OIR Group members will bill at a rate of \$225.00 per hour for each team member. OIR Group takes pride in never having exceeded a cost projection in its sixteen years of executing numerous services contracts and most frequently being able to complete projects significantly under projection. Nevertheless, mindful of the City’s need for predictable future costs, OIR Group would be willing to execute a contract with a “do not exceed” provision of \$86,200.

We estimate that OIR Group could accomplish the diverse tasks described in the Scope of Work within 372 billable hours or less per year. The table below gives estimates of the anticipated percentage of the Independent Auditor’s total time expended on the major task areas:

<b>Task</b>	<b>Estimated % of total Hours</b>
Reviews and assessments of police investigations of force and bias complaints	50%
Meeting with the Community Police Oversight Commission and serving as best-practices advisor to the Commission	15%
Reviewing Police Department policies, procedures and training and recommending changes or additions	10%
Conferring with police department leaders and union leaders.	10%
Drafting public reports and preparing public presentations to the Commission	15%
<b>Total</b>	<b>100%</b>

Estimated Maximum Fees: **\$83,700** for **372** total hours at **\$225/hour**

Please contact me if you have any questions or require references or further information.

Yours sincerely,  
 Michael Gennaco  
 OIR Group

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