

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	:	CIVIL ACTION NO.
		12-CV-01924
VERSUS	:	
		SECTION E
	:	JUDGE SUSIE MORGAN
CITY OF NEW ORLEANS	:	
		DIVISION 2
		MAGISTRATE WILKINSON

BIANNUAL REPORT OF THE NEW ORLEANS POLICE DEPARTMENT

Pursuant to paragraph 469 of the Consent Decree entered in this matter, Defendant, the City of New Orleans (“City”), submits this status report to delineate the many steps taken by the New Orleans Police Department (“NOPD”) since the entry of the Consent Decree, the City’s assessment of its progress, plans to correct any issues, and to respond to any concerns that have been raised by the Consent Decree Monitor.

Introduction

Following the City’s initial Status Report filed on July 2, 2014, this document is the City’s second biannual Status Report, covering the period from July 3, 2014, to December 31, 2014. During this six-month period, the NOPD faced severe challenges and underwent momentous changes, notably including the August 18, 2014 departure of Superintendent Ronal Serpas and the ensuing appointment of then-Commander Michael Harrison (now Superintendent) assigned to fill the post. On November 12, 2014, the Inspector General issued a report that alleged pervasive problems within the NOPD’s Special Victims Section, which prompted staff reassignments and an internal investigation led by a newly created task force. On November 20, 2014, the New Orleans City Council approved the City’s 2015 Capital and General Fund

budgets, which includes funding for 150 new police officers, 100 new police cars, more body-worn cameras, and a 5 percent pay raise for officers. More recently, the NOPD celebrated the graduation of Recruit Class No. 170 on December 5, 2014, adding 26 newly minted officers to the police force. During the reporting period, the NOPD continually met with members of the Court-appointed Office of the Consent Decree Monitor (the “Monitor” or “monitoring team”), providing complete, unfettered access to personnel, operations, and data. Throughout the NOPD’s ongoing efforts to reform itself, the Department strives for transparency to assist and complement the Monitor’s oversight. The Monitor issued its Third 2014 Quarterly Report on December 22, 2014, which covered July to September 2014—a time during which the Department was undergoing extensive leadership changes while also taking substantial steps to implement reforms that comply with the Consent Decree.

When Ronal Serpas stepped down in August, Mayor Mitch Landrieu named as his interim replacement Michael Harrison, a 23-year veteran of the NOPD who was then serving as commander of the Seventh District. Nearly two months later, the Mayor promoted Harrison, removing the “interim” tag from his title. Superintendent Harrison revamped the NOPD’s leadership structure, moving key personnel to command staff positions, including the promotion of then-Lieutenant Richard Williams to commander of the Education, Training, and Recruitment Division, and the promotion of then-Commander Rannie Mushatt to Deputy Superintendent of the Investigations and Support Bureau, which oversees major criminal investigations such as those handled by the Special Victims Section. In his continuing effort to strengthen and rebuild the Department, Superintendent Harrison also announced morale-boosting initiatives including payment of the NOPD officer uniform allowance and a new incentive referral program through which employees can receive \$1,000 payments for recruiting officers who transfer from other

agencies. In August 2014 alone, Superintendent Harrison, along with Mayor Landrieu and several other City leaders, visited 20 faith-based organizations across the city to encourage more residents to consider a career in policing.

Compliance Bureau

The Compliance Bureau was created in direct response to the dictates of the Consent Decree, which required the City and the NOPD to create an “Implementation Unit” to serve as a liaison among the Court, the City, and Monitor, coordinating compliance and implementation actions and facilitating the sharing of data, documents, materials and access among the various personnel and parties. As a result of Department reorganization, the Compliance Bureau encompasses the Policy Standards, Training Standards, Compliance Standards, Performance Standards, and Information Systems sections.

As the City’s Initial Status Report pointed out, the Compliance Bureau was fully staffed by July 2014, including an implementation team of five Compliance Managers working under Deputy Superintendent Jay Ginsberg. During the past six months, the Compliance Bureau also welcomed the addition of Captain Heather Kouts and Commander John Thomas, who replaced former Commander Chris Lea following his retirement. Led by these veteran police officers, the Implementation Unit embarked on a Department-wide campaign to raise awareness about the Consent Decree, the Monitor, and their requirements. Compliance Managers gave brief educational presentations to Command staff at COMSTAT meetings in all eight Districts. The Implementation Unit also revamped NOPD’s Web site to make information more easily accessible to the public, including links to the Monitor’s web site and the Consent Decree itself as well as posting NOPD’s Policy Manual.

Because the Implementation Team's five Compliance Managers were hired in May and June 2014, the past 6 months is the first reporting period during which they were actively involved in achieving targeted goals delineated within the Consent Decree. The Compliance Managers have reported significant progress in various areas outlined below in this report. Significantly, Compliance Managers have been able to engage directly with the Monitoring Team to address their concerns and fulfill their requests. For example, Compliance Managers collected and provided to the Monitors two years of disciplinary data (including the names of accused employees, charges, and penalties or other outcomes), three months' worth of misconduct investigation case files, including audio files from investigators' interviews (and staff are collecting an additional three months' worth as requested), analysis of random samplings of body-worn camera use and in-car camera functionality, data on reported sex-crimes dispatch signals; three months' worth of traffic detail data, community engagement files for numerous meetings in all eight Districts, and data from field interview cards. Compliance Managers have been, and are currently, directly involved in the revision of key NOPD policies, in consultation with the Monitors and the Department of Justice (DOJ).

The Compliance Managers have worked diligently with the NOPD Municipal Training Academy to enhance recruit and officer training lesson plans and curriculum, update existing teaching materials and develop new curriculum with the assistance of outside subject matter experts in criminal law, domestic violence and sexual assault. To that end, to preserve the academy's updated teaching materials and ensure that all officers are consistently reviewing NOPD policies, both new and old, an RFP was developed to implement an electronic storage and management platform for all NOPD policies and correlated officer training and to track completion of testing on NOPD policies and training by all officers. Additionally, the

Compliance Managers coordinated communications and meetings among the Monitor, DOJ, the Court and various supervisors within NOPD. For example, the Compliance Managers are continually working with each District to facilitate weekly records-review requests from the monitoring team, ensuring that paperwork is available for routine inspection in an organized fashion. Although members of the monitoring team often interact directly with NOPD supervisors to obtain information, through informal requests, observation and “briefings,” the Compliance Managers serve as the primary point of contact for the monitoring team’s inquiries. When the monitoring team uses the Compliance Managers for access to records, research, data and other information, communication among all the parties is improved. The Compliance Bureau is dedicated to coordinating and facilitating the monitoring team’s inquiries and providing requested information on a timely basis without duplication of effort.

Although the City fully expects the Monitor to use its Quarterly Report to critique the NOPD’s operations, several of the Monitor’s reports have contained information that is misleading or not entirely accurate, analysis that is skewed or perfunctory, and criticism that appears designed to provoke negative public opinion rather than address real problems. The City and NOPD welcome constructive criticism and expect that increased communication among the Court, the City, DOJ and the Monitor will resolve these issues.

Policies

The initial process used by NOPD to draft policies prior to the reporting time period was described in the City’s first Status Report.¹ However, during the current reporting period, the Department has significantly improved its policy writing process. The Compliance Bureau has undertaken a comprehensive revision of NOPD policies through a systemic approach, utilizing subject-matter experts and other departmental personnel as needed. Further, the policies

¹ See R. Doc. 376, p. 6.

submitted for approval incorporate not only the Consent Decree mandates, but also model policies from other police departments around the country, including those that have already been subject to a consent decree and approval by the DOJ and the Court.

During this year, NOPD submitted more than sixty (60) policies and procedures to the Monitor and, based on the Monitor's comments and suggestions, most have not required major revisions. At times, however, the Monitor appears to interpret honest intellectual and well-founded disagreement over substantive policy issues as a recalcitrant resistance to reform, which could not be further from the truth. Additionally, the NOPD, DOJ, and Monitor have all expressed concerns about the revision process, which has been slow, inadequately structured and at times confusing, due in large part to (1) the number of entities that must review and provide comments to all policy revisions and (2) the absence of a consistent and agreed upon process by which all the involved reviewing entities shared comments and input.

Nonetheless, NOPD has made steady progress in the revision of its policies by working collaboratively with DOJ and the Monitor, and the parties appear to have established a process that will promote a more efficient exchange of information. On November 4-5, 2014, key NOPD personnel met with the Monitor and DOJ officials to discuss policies in a face-to-face meeting. As a result of this in-person meeting, NOPD and DOJ reached agreement in principle on three policies: Use of Force, Employee Misconduct Complaints and Internal Disciplinary Investigations, and Non-Disciplinary Counseling and Remedial Training for Minor Violations/Infractions. The first two of these are considered foundational policies that will dictate many aspects of subsidiary policies; DOJ has deemed them "trunk" policies from which other "branch" policies will follow.

During that November 4, 2014 meeting, DOJ officials further informed NOPD that they prefer NOPD policies to follow the “Chapter” format (which the Department previously used at the time of the DOJ findings letter), and NOPD agreed to make the reformatting part of its comprehensive revision, which will eradicate the need for separate policies and procedures. Although the City and NOPD welcome this change, it represents another challenge to policy revision that may extend the process. The City recognizes that the implementation of these reforms will take time. However, any suggestions by the Monitor that NOPD is slowing that process, intentionally or unintentionally, are unwarranted. As stated, the NOPD is committed to drafting and implementing policies that not only comport to the Consent Decree, but to the highest standards of constitutional policing.

In the past month, the NOPD and the DOJ have tentatively come to agreement on several additional policies: Canines, Vehicle Pursuits, Domestic Violence, and In-Car Cameras. NOPD anticipates the impending approval of these and several other subsidiary policies within the next six months. The City looks forward to increasing progress in this area and increased cooperation among NOPD, DOJ and the Monitor to achieve that goal.

Special Victims Section

The NOPD’s Public Integrity Bureau (PIB) collaborated with the Office of the Inspector General (“OIG”) for several months to probe the actions of five detectives within the Special Victims Section (SVS) who allegedly failed to provide documentation of their investigations or provided questionable documentation. In cases involving child abuse allegations, PIB immediately followed up on each case to ensure that the children were in a safe environment. All five detectives were reassigned—transferred out of the SVS—and systems of accountability were installed at every level to ensure that moving forward, the lack of performance by the

detectives and their supervisors will not re-occur. To ensure that each SVS case is investigated properly, Superintendent Harrison appointed a special task force, led by Commander Paul Noel, to conduct a comprehensive review of all investigations handled by the five identified detectives during their assignment in the section.

Superintendent Harrison replaced leadership at every level over SVS with the appointments of Deputy Superintendent Mushatt over the Investigations and Support Bureau, Commander Daryl Albert over the Criminal Investigations Division and Commander Gervais Allison over the Special Victims Section. Other systematic reforms Superintendent Harrison implemented include a requirement that detectives use a new standardized investigative checklist as part of their investigations which requires supervisor verification that the work is properly being performed, and an officer recently was transferred to Central Property & Evidence and tasked with the sole responsibility of coordinating the processing of sexual assault kits to the Louisiana State Police Crime Lab for DNA testing. The SVS commander and supervisors are required to attend all district attorney sex crimes charge conferences and new protocols are in place to enable NOPD to connect victims with community service providers, including the New Orleans Family Justice Center and the Metropolitan Center for Women and Children.

PIB launched a formal investigation on each of the five detectives outlined in the Inspector General's report. If the allegations prove to be true, Superintendent Harrison will pursue immediate disciplinary action.

In the Third 2014 Quarterly Report, the Monitor stated that changes in leadership in the Sex Crimes Unit during the past fourteen months suggests a lack of focus and commitment to policing free of gender bias. On the contrary, the City's recent and immediate actions in creating a task force to investigate sex crimes in the wake of the OIG's report is demonstrative of the

City's heightened focus and commitment to this critical issue that demands skilled and thorough policing.

Supervision

The NOPD has worked diligently to address the issues raised by the Monitor related to providing "close and effective supervision." On December 5, 2014, the Department released new, reformatted and refurbished Daily Activity Reports for officers and supervisors that capture the use of body-worn and in-car cameras, documents malfunctioning equipment, and in the case of supervisors, documents supervisory activities such as mandated orders, counseling, re-direction, and support provided, and malfunctioning equipment reported by officers under their command. The Department is currently standardizing additional baseline documentation to facilitate data collection and reporting. This standardization will facilitate the Monitor's review of documentation for photographic lineups, custodial interrogations, and supervisors' review of body-worn and in-car camera use.

The Monitor's Third 2014 Quarterly Report includes a number of statements asserting that there is a lack of supervision in the Department. The basis for many of these assertions is the lack of documentation demonstrating that supervisors have reviewed certain officers' actions. The lack of documentation should not be construed as a lack of supervision, and the Department is confident that revised reporting forms will assist in conveying to the Monitor that supervisors are closely and effectively supervising their subordinates.

Following an open national competition to obtain a vendor to implement the Early Warning System (EWS), the City selected a company that will assist NOPD in designing and implementing an EWS. The selected vendor has experience implementing Early Warning Systems in other jurisdictions under a consent decree, including the Los Angeles Police

Department and the Oakland Police Department. The City has negotiated a thorough scope of work with this vendor, as well as a detailed pricing schedule that ties payment to performance and provides opportunities for a comprehensive review of all deliverables. Project implementation is expected to begin in the first quarter of 2015. The EWS will assist supervisors in identifying issues that need to be addressed with subordinates through counseling, training, and/or discipline.

The Department has worked diligently to correct deficiencies in the functionality of the in-car cameras documented in the Monitor's Second and Third Quarterly Reports of 2014. First, the Department is in the process of upgrading the District servers, which were continually failing and causing cascading failure throughout the system. The new servers will be equipped with the latest software, increasing the efficiency of the data storage as well as improving the user experience.

Second, in an effort to make the entire in-car camera reporting process more efficient, the Department is working on an online reporting database to track the status of its in-car cameras on a regular basis. As a result, the Department has identified the remaining cars that are required to have a camera by August 2015 in accordance with the Consent Decree. Third, the Department has strengthened the reporting process from officers to their supervisors to the In-Car Camera Unit to ensure that non-functioning cameras are promptly repaired or replaced through the revised daily activity reports.

NOPD also has addressed supervisor training. All supervisors received 40 hours of in-service training in 2014 and, moving forward into January 2015, the Training Academy will enhance that in-service training by supplementing the set courses with additional supervisor-specific training courses with a focus on officer oversight, management skills and NOPD policy

and legal updates. Further, as noted by the Monitor, the Consent Decree does not require Body Worn Cameras (“BWC’s”), but the City proactively purchased and began utilizing BWC’s well in advance of the recent initiative by the federal government to provide such technology to police departments around the country. The City recognizes the importance of the use of such technology and will continue its work to train officers on the proper and effective use of BWC’s.

Crisis Intervention Team

NOPD has assembled a Crisis intervention Team (CIT) Planning Committee composed of representatives from NOPD command leadership, City-contracted mental health professionals, civilian leadership of the NOPD Mobile Crisis Transportation Unit, local municipal government, the New Orleans Metropolitan Human Services District, community mental health professionals, professionals from emergency health care receiving facilities, members of the local judiciary, the Orleans Parish Criminal Sheriff’s Office, a homeless service agency, and mental health professionals and advocates. The Planning Committee will have its first general meeting on January 13, 2015 and will focus on developing the CIT policy and training curriculum as well as other matters integral to the program.

Leading up to the formation of the CIT Planning Committee, NOPD met with local mental health experts and a national CIT expert, Dr. Randolph Dupont, to discuss the development of NOPD’s CIT program. In the process, NOPD obtained model policies and other resources that will facilitate the overall development of the program.

The Monitor stated that the Department lacked commitment to the CIT requirements, but the City is committed to ensuring that incidents involving mentally ill individuals are handled appropriately.

Use of Force

The Force Investigation Team (FIT) established by the NOPD continues to investigate all serious use of force events and use of force events in which criminal conduct by an officer may be indicated. From January 2014 through the end of November 2014, more than 370 use of force events were reported to FIT using a single, uniform reporting system in accordance with Consent Decree Paragraph 76.² Approximately half of those reports occurred during the latter half of the year. NOPD is in the process of analyzing the year's force data to determine significant trends, and identify and remedy deficiencies; a report of this analysis will be published and made available publicly after year's end. This report will detail those events that resulted in misconduct investigations, including allegations of criminal conduct. Data from the report also will be integrated into the EWS. NOPD recognizes that thorough review and, where appropriate, investigation of officers' use of force is among the most important tasks of the Public Integrity Bureau and a foundational element of the public's trust.

During the reporting period, FIT discovered several deficiencies in the use of force reporting process, and NOPD has taken several steps to address those issues. These deficiencies, some of which were identified in the Monitor's Third 2014 Quarterly Report, include supervisors' failure to photograph subjects, interview additional witnesses, and obtain statements from officers present during the use of force event. Supervisors also failed to properly document their review of evidence such as body-worn camera footage. It should be noted that these deficiencies are not present in the majority of use of force reports and generally occurred in less serious cases; all serious use of force events are investigated thoroughly by FIT. NOPD has ordered increased training on use of force reporting for all supervisors, and one of FIT's sergeants is providing additional training during supervisor in-service training. FIT also hired an

² Consent Decree Paragraph 76 addresses Use of Force policy, reporting and delineates 4 levels of Use of Force.

additional sergeant to review all use of force reports to identify deficiencies upon receipt by FIT. Incomplete reports are now returned to the supervisors who drafted them for correction and, if necessary, additional investigation. Supervisors who repeatedly conduct deficient use of force investigations are subject to discipline.

The City disagrees with the Monitor's suggestion in its Third 2014 Quarterly Report that reporting deficiencies indicate NOPD "may be tolerating higher than necessary levels of force." Notably, the Monitor provided no quantifiable evidence to support this statement. Higher than necessary levels of force, when used, are investigated for potential misconduct and criminal conduct where indicated. Any reporting deficiencies identified do not equate to tolerance, and NOPD remains committed to a policy of officers using only the force necessary and appropriate in each incident.

Photographic Lineups

NOPD is conducting effective photographic line-ups in accord with the U.S. Constitution, Louisiana law, the Consent Decree, and NOPD policy. Department policy dictates that officers who are involved in an investigation do not participate in the administration of these lineups, and those officers who administer the lineups have no knowledge of the suspect in the investigation. Although NOPD has long followed these practices, they were not explicitly stated in the forms used during lineup administration. In response to the monitoring team's suggestion, NOPD revised those forms to clarify that all requirements of the Consent Decree are met. For example, the Eyewitness Identification Form now contains a statement, signed by the officer administering the lineup, that he/she is not involved in the investigation and has no knowledge as to which photographs depicts the suspect in the case for which the lineup is administered. This form was adopted by the Investigations Support Bureau's Homicide Section, reviewed for use by the Field

Operations Bureau, and distributed throughout the Department. It was approved by the Monitor as demonstrating compliance with the Consent Decree.

The Monitor's Third 2014 Quarterly Report finds NOPD did not demonstrate full compliance with lineup requirements because the Department was "unable to produce complete records" for the monitoring team's review. In addition to adopting the revised Eyewitness Identification Form and Individual Photo Sequence Form in September 2014, NOPD created new spreadsheets for use throughout the Department that should obviate all the Monitor's concerns regarding record-keeping for photographic lineups. NOPD is confident that its widespread adoption of the forms and spreadsheet will lead to compliance with all photographic lineup requirements in the Monitor's forthcoming quarterly reports.

Custodial Interrogations

NOPD is conducting effective custodial interrogations in accord with the U.S. Constitution, Louisiana law, the Consent Decree, and NOPD policy. Although NOPD has long followed legal practices in conducting custodial interrogations, the Monitor's Third 2014 Quarterly Report states that NOPD did not demonstrate full compliance with the record keeping surrounding the conducting of Custodial Interrogations because the Department was "unable to produce complete records" for the monitoring team's review. NOPD created new spreadsheets for use throughout the Department that should obviate all the Monitor's concerns regarding record-keeping for custodial interrogations. NOPD is confident that its widespread adoption of the forms and spreadsheets will lead to compliance with all Custodial Interrogation Log requirements in the Monitor's forthcoming quarterly reports.

Training and Personnel Development

Over the past six months, NOPD has made great progress in revitalizing and revamping its process of training and personnel development. The Department made key changes in its leadership in this area, hiring a new Curriculum Director in August 2014 and promoting a Lieutenant serving in the Public Integrity Bureau to Commander of the Education, Training, and Recruitment Division in October 2014. Lesson plans and all Power Point presentations used in training and education are in the process of being updated to reflect Consent Decree requirements as to adult learning techniques, fact-based scenarios and simulations to enhance recruit and patrol officer and supervisor in-service training. Online training is utilized in certain situations when it is appropriate in light of existing staffing shortages. With an increased emphasis on record-keeping, NOPD is implementing a system of electronic storage for training records, completion certificates, and signatures of officers indicating completed review of policies and/or training. NOPD is completing an RFP for a new software platform to maintain and track training electronically.

Other key highlights in training during the reporting period include a complete overhaul of the recruit-based class, Legal Aspects, with new subject matter instructors as well as updated lesson plans and curriculum for Recruit Class No. 171. Class No. 172 will receive the same Legal Aspects training with updated lesson plans and legal updates reflected in the curriculum. At this time, an RFP is in the process of being prepared by the Academy to procure the services of a legal director who will oversee future Legal Aspects training and coordinate qualified instructors for the following recruit class, No. 173 and all future recruit Legal Aspects classes. Additionally, new instructors in the area of Domestic Violence have been identified and recruit and patrol officer and supervisor in-service domestic violence lesson plans and are in the process

of development, beginning with current recruit class No. 171. Both the field training officers program and the last two weeks of all in-service training in 2014 received the benefits of the new instructors and updated, interactive teaching materials on Domestic Violence, new laws and NOPD Domestic Violence policy, including the *Blueprint for Safety*, as discussed further below. Furthermore, NOPD will participate in additional Domestic Violence training provided by a Louisiana Attorney General (AG) federal grant. This AG-supported Domestic Violence training is scheduled to begin in late January 2015 and run through April 2015 with an emphasis on supervisory-level courses and one, two-day train-the-trainer session.

Further, Sexual Assault training took place November 17-19, 2014 and was conducted by the *National Law Enforcement Training and Capacity Building Project*. Approximately 20 NOPD officers attended the first two days, and NOPD's Sex Crimes Unit had approximately five individuals attend the third day of train-the-trainer sessions. Training included the following areas: Sexual Assault Response, Investigation, Evidence Collection and Use, Sex Offenders, Detecting Deception, Interview Techniques, and Theme Development. Additionally, NOPD received a \$1,000 technical assistance grant, which will be used to purchase a video camera to record instructional modules and a computer with a web camera to allow webinars to be developed in the future. Lastly, as body-worn cameras were assigned to NOPD officers, the Training Academy developed a lesson plan and curriculum for training on proper use of the cameras. Recently graduated Class No. 170 was the first class trained on body-worn cameras and training also occurred during patrol officer and supervisor in-service training.

Misconduct Complaint Intake, Investigation, and Adjudication

The NOPD revised and updated its complaint form and created informational materials, including brochures and placards, which describe the process of misconduct complaint intake,

investigation, and adjudication. In addition, NOPD sought bids from professional translation services to translate the forms and informational materials into Spanish and Vietnamese, in accordance with the Consent Decree. The NOPD's Compliance Bureau also reached out for translation assistance to community organizations representing key segments of Hispanic and Vietnamese residents. Distribution of updated complaint forms was delayed in part because NOPD's policy governing misconduct was in the process of revision during the reporting period, and revisions suggested by the DOJ required the use of one form for reporting misconduct complaints as well as minor violations or infractions, both by civilians and supervisors. These revisions may require further changes to the complaint form. However, copies of the updated form have been distributed to all District stations and are also available at NOPD Headquarters and City Hall. Brochures and placards are also being distributed to each District and will be posted or available prior to 2015. The City and NOPD will continue to distribute the forms and related materials in accord with the Consent Decree. Likewise, the City and NOPD will ensure that the forms and materials are available in Spanish and Vietnamese as soon as the documents are translated and reviewed for accuracy. Residents may also fill out an online form via the NOPD's web site to submit a misconduct complaint.

Secondary Employment

The Office of Police Secondary Employment remains compliant with the vast majority of secondary employment requirements and is currently focusing on incorporating task-based details, such as traffic escorts and second lines, into its operations. The Office of Police Secondary Employment will publish an annual report in the coming months as required by the Consent Decree.

Policing Free of Gender Bias

NOPD submitted an improved Domestic Violence Policy for review by the Monitor and DOJ. The City and NOPD collaborated with DOJ's Office of Violence Against Women to craft a policy that incorporates the *Blueprint for Safety*, a best-practice, interagency approach to domestic violence.

NOPD is working toward creating a best-practice Sexual Assault policy that addresses all Consent Decree requirements. The Sexual Assault Task Force's review of the cases mentioned in the OIG's recent report will help shape this policy. This policy will require increased oversight and proper documentation of Sexual Assault investigations. NOPD's Sex Crimes leadership and detectives attended two best-practice trainings, one hosted by the aforementioned *National Law Enforcement Training and Capacity Building Project* and another entitled the *New Orleans Sexual Assault Best Practices Conference*, in the last quarter of the year. Information from these trainings will be incorporated into policy and future training.

NOPD continues to participate in the Sexual Assault Response Team (SART) general meetings and open-case review.

Community Engagement

In accordance with Paragraph 229 of the Consent Decree,³ NOPD has incorporated data regarding crime trends, trends in misconduct complaints, and community priorities into COMSTAT meetings. COMSTAT utilizes spatial mapping and scientific deployment to fuel problem-solving policing efforts. Specifically, NOPD utilizes a Corona deployment application and DDACTS (Data-Driven Approaches to Crime and Traffic Safety) maps to assess its staffing allocation and personnel deployment.

³ Consent Decree Paragraph 229 delineates specific measures to reconstitute NOPD's COMSTAT meetings.

Each District has a Community Coordinating (CoCo) sergeant and Quality of Life officer who engage in problem identification and solving activities with community members. The CoCo sergeants and Quality of Life officers attend community meetings throughout their Districts, in addition to attending weekly District COMSTAT and monthly New Orleans Neighborhood Police Anti-Crime Council (NONPACC) meetings, to listen to and address community concerns.

NOPD is engaged in community policing activities throughout the city and working to build better mechanisms to track its community engagement efforts with a specific focus on measuring officer outreach and the effectiveness of its community partnerships. NOPD will launch these mechanisms in 2015 and report the results as required by the Consent Decree.

Finally, NOPD's mission statement reflects its commitment to community-oriented policing and agrees to integrate community and problem-oriented policing principles into its management, policies and procedures, recruitment, training, personnel evaluations, resource deployment, tactics, and accountability systems.

Recruitment

NOPD has conducted affirmative outreach to a broad group of community members in its recruitment efforts. As noted in the Monitor's Third Quarterly report of 2014, Mayor Landrieu, Superintendent Harrison, and several other city leaders visited 20 faith-based organizations across the city in August 2014 in an effort to recruit qualified candidates for the NOPD. This is the sort of affirmative community outreach activity that is contemplated by the Consent Decree. As the Monitor also noted, the City and the NOPD, in conjunction with NOPD and Justice Foundation ("NOPJF"), announced an expanded recruitment effort in July 2014 titled "Get Behind the Badge." The program incorporates an online presence (www.joinnopd.org), digital

marketing, and the use of “job posting tactics” on career-based web sites. In addition to these efforts by Superintendent Harrison and Mayor Landrieu and the online push for recruitment, NOPD’s recruitment team continues to attend numerous recruiting events across the city with the goal of reaching out to a variety of potential recruits and bolstering NOPD's overall recruitment efforts.

NOPD established a standardized scoring system to be used by interview panelists and trained all interview panelists on the system. Additionally, NOPD is in the process of finalizing multiple internal documents to demonstrate compliance with Consent Decree requirements. Finally, the entire NOPD recruitment team participated in an employment law training program presented by the Equal Employment Opportunity Commission specifically for NOPD.

Throughout the Monitor’s Third 2014 Quarterly Report, there are statements related to police Districts’ lack of preparedness for Monitor site visits, lack of documentation, and assignment of Field Operations Bureau District officers to a single supervisor. These statements are indicative of the staffing shortage the Department is experiencing, in some part, due to certain unintended consequences related to Consent Decree provisions. Nonetheless, the City is committed to aggressive recruitment efforts to ensure that an adequate number of officers are hired and that the Department is able to provide all documents to the Monitor to demonstrate the work that is being done by the Department.

Transparency and Oversight

The Consent Decree and relevant reports are now publicly available at all police districts, police headquarters, and City Hall in the City Attorney’s Office. These documents are also widely accessible to the public via the Internet at public libraries. NOPD posted all of its current

policies on its web site. As revised policies are approved, they will be posted on the web site as well.

NOPD plans to host community meetings on Consent Decree progress in each District in early 2015. At these meetings, NOPD will provide summaries of all pertinent Consent Decree reports, inform the public of policy changes and other significant actions taken as a result of the Consent Decree, and address areas of community concern. At least one week before such meetings, NOPD will publicize the meetings to inform the public about these opportunities to discuss progress in the reformation of the Department.

Throughout the past six months, Compliance Managers have spent much time and effort coordinating within NOPD to provide the Monitors with requested documentation. The Compliance Managers will continue to do so going forward to provide the full transparency required for this process to succeed.

NOPD also continues to participate in the Police-Community Advisory Boards (PCABs) in each District. NOPD works collaboratively with PCABs to develop and implement public safety strategies that respect and reflect each community's public safety priorities and concerns regarding particular police tactics. District PCABs are beginning to submit formal recommendations for changes of NOPD practice and NOPD will either adopt these recommendations or provide substantial explanation why they cannot be adopted. NOPD also continues to participate in the United States Attorney Criminal Justice Coordination Group, as documented in the Monitor's quarterly reports.

The Monitor, DOJ, Court, and NOPD continue to work collaboratively to implement the requirements of the Consent Decree. The City and NOPD are encouraged by the progress made toward this goal and remain committed to continuing reforms to achieve full compliance.

Respectfully submitted,

/s/ Sharonda R. Williams
CHRISTY HAROWSKI (LSB #30712)
CHIEF DEPUTY CITY ATTORNEY
CHERRELL R. SIMMS, 28227
SR. CHIEF DEPUTY CITY ATTORNEY
SHARONDA R. WILLIAMS (LSB#28809)
CITY ATTORNEY
1300 Perdido Street, Ste. 5E03
New Orleans, Louisiana 70112
Telephone: 504-658-9920
Facsimile: 504-658-9868
shrwilliams@nola.gov

*Attorneys for the City of
New Orleans*

CERTIFICATE OF SERVICE

I do hereby certify that on this 31st of December, 2014 a copy of the foregoing was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent by operation of the court's electronic filing system. I also certify that a copy of the foregoing will be sent to all non-CM/ECF participants by United States Mail, properly addressed and postage pre-paid.

/s/ Sharonda R. Williams
Sharonda R. Williams

