

**CITY OF NEW ORLEANS
CIVIL SERVICE FORM
EXTRAORDINARY OR SUPERIOR QUALIFICATIONS, EXPERIENCE, CREDENTIALS**

Please complete this form and attach the posted job announcement and verifiable documentation of extraordinary qualifications, experience, and/or credentials. If it is a provisional employee, please submit a prior announcement. Make sure you have vetted the candidate pool to determine how many candidates possessed extraordinary qualifications. Please keep a copy for your records and send a copy of the form to the Civil Service department for the employee's official personnel file. Do not enter this increase in ADP until you have filled out this form.

Appointing Authority Name: Susan Hutson
Appointing Authority Department: Office of the Independent Monitor
Appointing Authority Phone Number: 309-9799
Appointing Authority E-mail: shutson@nolaipm.gov

EMPLOYEE INFORMATION

Name of Employee with Extraordinary Qualifications: Tonya McClary
Current Class (if current employee): n/a
Proposed Class: 0729 - Chief Monitor
Is this a promotion or a new hire? New Hire
What is the new job class? n/a

JOB POSTING & APPOINTMENT

Duration of job posting: 90 days **How position was advertised:** City of New Orleans Job Portal
Date of appointment: June 19, 2017 **Type of appointment (provisional, etc.):** Permanent

Detailed position description:

Professional, administrative and supervisory work assisting the Independent Police Monitor in the management of the office. Work includes supervising investigations that involve the New Orleans Police Department's Use of Force, Disciplinary Hearings, as well as other investigations. Work also includes participating and overseeing investigatory processing as well as reviewing, compiling, organizing, evaluating and summarizing statistical data; and related work as required.

QUALIFICATIONS

1. How many applicants were on the eligible list? 3
2. How many of them possessed this extraordinary qualification (described below)? 1- Tonya McClary
3. Minimum qualification(s) exceeded and description of credential(s) (experience, education, certifications, etc.) that exceed(s) the minimum qualification(s):

Minimum Qualification (from job announcement)	Employee's Qualification that exceeds the minimum	Details (university, location, relevance, etc.)
1) A Master's Degree, Juris Doctor or equivalent graduate degree in law, criminal justice, law enforcement, public administration or	Ms. McClary has juris doctor. In addition to having a law degree, Ms. McClary has been admitted to practice in four different bar associations, including the states of Texas, Louisiana, and Maryland; and the United States	Ms. McClary has a juris doctor is from the University of Baltimore School of Law. No other applicant except for Ms. McClary was admitted to four different bar associations. It is rare to find an attorney with that many admissions. In addition, Ms. McClary's criminal law experience is unparalleled to the other

<p>related field from an accredited college or university must be submitted to the Department of Civil Service within two (2) weeks of application.</p>	<p>District Court for Maryland. It is rare to find an attorney that is able to pass this many bar examinations and clearly shows the applicant's ability to adapt to and learn many different legal standards.</p>	<p>applicants. McClary worked as a public defender. Ms. McClary spearheaded several national and local campaigns on prison reform and policing while working at the American Friends Service Committee. Her commitment to social justice reform and legal reform is also unparalleled. During Hurricane Katrina, Ms. McClary was a member of a national delegation of attorneys that worked in the Gulf Shore of Mississippi and New Orleans to uncover abuses by various agencies such as the U.S. Immigration and Customs Enforcement (ICE), the police departments in various affected cities and the Federal Emergency Management Agency (FEMA).</p>
<p>2) Six (6) years of professional experience in investigations in a government investigatory agency on a municipal, state or federal level.</p>	<p>Ms. McClary has 22 years of experience as an attorney in several states. Ms. McClary's work for two decades addressed policing, indigent criminal defense, criminal justice and human rights – comprising of policy advocacy, supervision, training and direct representation of indigent clients in criminal cases. It is in these areas that Ms. McClary has experience investigating police agencies. No other applicant had her breadth of experience.</p>	<p>As an advocate, many of the issues that Ms. McClary worked on included investigations into either the Department of Corrections or the police department in various states and/or municipalities. Sometimes this work also included looking into various state agencies such as the District Attorney's Office.</p> <p>At the American Friends Service Committee, Ms. McClary investigated the overuse and/or misuse of solitary confinement in a cross-section of correctional facilities: state Departments of Corrections, Departments of Juvenile Corrections, and immigration detention centers.</p> <p>During Hurricane Katrina, Ms. McClary conducted hands-on investigations, interviewing people affected by the hurricane to uncover abuses by various agencies such as the U.S. Immigration and Customs Enforcement (ICE), the police departments in various affected cities and the Federal Emergency Management Agency (FEMA).</p> <p>Ms. McClary co-coordinated a working group of organizations that documented abuses in jails and prisons across the United States and produced a Shadow Report that was submitted to the United Nations. No other applicant had international investigation experience.</p> <p>Ms. McClary's work has also included the monitoring of policing issues across the country and the development of strategies to combat the problems. Some of those</p>

		<p>issues included over-policing and brutalization of vulnerable communities (LGBT) and varied racial/ethnic communities. Many cases involved unnecessary use force, racial profiling and deaths in police custody, the same type of investigations over which she will be providing oversight for this office.</p> <p>As a Public Defender, investigations – which included police departments and the District Attorney’s Office - was a routine and necessary part of Ms. McClary’s work to thoroughly represent her clients. The investigations included a spectrum of tasks - from preliminary inquiries of the police to full investigation of police officers involved in the arrests of clients, and investigating personnel history of officers. Ms. McClary will conduct the same type of investigations as a part of this office.</p> <p>No other applicant had the breadth and width of experience of Ms. McClary.</p>
<p>3) At least two (2) years of this experience must have been in a supervisory capacity. Professional experience must have been attained after the receipt of a Bachelor’s degree.</p>	<p>Ms. McClary was a supervisor in 3 separate agencies, totaling more than 10 years and supervising more than 90 individuals.</p>	<p>At the American Friends Service Committee Ms. McClary supervised fourteen staff across the country which were located in regional offices.</p> <p>At the Orleans Public Defender’s Office McClary was a supervising attorney. In that capacity supervised a group of 10-15 staff attorneys, pre-trial services staff, investigators and a court support administrative assistant.</p> <p>As the Circuit Chief in Baltimore City, Maryland Public Defender’s Office Ms. McClary had direct oversight of seventy (70) staff comprised of attorneys, paralegals, secretaries and intake workers. This is just a brief sketch of her supervisory experience, as she a supervisor in almost all of her employment roles. No other applicant had this breadth of supervisory experience.</p>

Description of how similar qualifications are not readily available in the labor market at minimum entrance rate:

An attorney with 20+ years of experience and over 10 years of supervisory experience is rare to find for less than \$100,000 per year. In addition, Ms. McClary’s work experience so closely parallels the work that this office does. Someone with her experience in this field, should be making more than six figures. Our office is attempting to reach very close to the maximum rate to ensure the retention of this employee, and given our budget and the range of pay available.

4. How are the duties of the position relevant to the advanced qualification?

Ms. McClary's work experience so closely parallels the work that this office does, from reviewing investigations into the conduct of police officers and police agencies, to reviewing the legal sufficiency of criminal charges, and in working to reform problems in the criminal justice system.

5. How will hiring this person at the rate specified below be a financial advantage to the City? Please provide an objective financial analysis.

As mentioned previously, an attorney with 20+ years of the kind of experience that so closely resembles the work of this office and with over 10 years of supervisory experience is rare to find at the rate that this office is able to pay. Ms. McClary was willing to take a pay cut in order to be able to come work for the city and provide her valuable leadership, skills, and experience. It is the least that this office can do to request the 16.25% increase over the minimum for Ms. McClary.

6. List other departmental employees in this classification. Do they also possess the exceeded qualification and is it job related? Please attach copies of this form for people with the same or equivalent extraordinary qualifications.

No other department employees have this classification. No one else possesses the exceeded qualifications Ms. McClary has as it relates to the needs of this position.

Rate granted (in steps; % must be in increments of 1.25): \$ 85,112.00 (\$72,420 is the minimum amount provided in the civil service job description. The Great Place to Work Initiative states that a 25% increase above the pay is permissible through this means. The amount requested is a 16.25% increase.

Appointing Authority Signature: _____



6/26/17