



## CITY OF NEW ORLEANS ETHICS REVIEW BOARD

525 St. Charles Avenue New Orleans, LA 70130-3409

[erb@nolaerb.gov](mailto:erb@nolaerb.gov)

<https://www.nolaerb.gov/>

### BOARD MEETING

Loyola University New Orleans College of Law

526 Pine St., Room 405

New Orleans, Louisiana

Monday, November 11, 2024, at 3:30 P.M.

### AGENDA

1. Call to order.
2. Approval of the minutes of September 2024 board meeting.
3. Monthly report of the Office of Inspector General.
4. Monthly report of the Office of the Independent Police Monitor.
5. Monthly report of the Ethics Trainer.
6. Monthly report of the General Counsel and Executive Administrator.
7. Executive session pursuant to Louisiana Revised Statutes section 42:17(A)(1) to discuss the character, professional competence, or physical or mental health of a person.
8. Executive session pursuant to Louisiana Revised Statutes section 42:17(A)(4) to discuss investigative proceedings regarding allegations of misconduct, namely, ERB Complaint No. 2023-02.
9. Discussion of future meeting locations.
10. Call for agenda items for future board meetings.
11. Adjournment.

**Draft Minutes of  
Previous Board  
Meeting**



## Ethics Review Board for the City of New Orleans

**Board Meeting of September 9, 2024, at Loyola University New Orleans College of Law,  
526 Pine Street, New Orleans, Louisiana**

### Minutes

1. *Call to Order.*
  - 1.1. The chair called the meeting to order at 3:32 p.m.
  - 1.2. Attendance
    - 1.2.1. ERB members present:
      - 1.2.1.1. Dawn Broussard, Chair
      - 1.2.1.2. Holly Callia
      - 1.2.1.3. Tyrone G. Jefferson, Jr.
      - 1.2.1.4. Sally Richardson
      - 1.2.1.5. Patrice Sentino
    - 1.2.2. ERB members absent:
      - 1.2.2.1. Monique G. Doucette
    - 1.2.3. Staff member present: Dane S. Ciolino, Executive Administrator & General Counsel
    - 1.2.4. Staff member present: Jordy Stiggs, Ethics Trainer.
  - 1.3. The agenda for the meeting is attached.
2. *Approval of Minutes.* Upon a duly made and seconded motion, the ERB unanimously approved the minutes of the regular ERB meeting held in August 2024.

3. *Monthly Report of the Office of the Inspector General.*
  - 3.1. Ed Michel appeared on behalf of the Office of the Inspector General. He appeared with Mike Laughlin, general counsel for OIG.
  - 3.2. The board accepted Mr. Michel's monthly report (attached).
  - 3.3. Mr. Michel announced and introduced his new public information officer.
  - 3.4. Mr. Michel reported on his office's productivity. He noted that his office has produced 17 reports last year and will produce more this year.
  - 3.5. Mr. Michel reported on the number of city employees and contractors who have been prosecuted, who have resigned, or who have been disciplined for misconduct uncovered by his office.
  - 3.6. Mr. Michel introduced a new OIG employee. He is a former FBI agent who was responsible for all training at the FBI Academy and other tasks. After retiring, he was an instructor at USL and now is with OIG.
  - 3.7. Ali Broyles reported on a new report being released on details being worked by the OPSO during carnival season.
  - 3.8. Patrice Rose reported on a new investigation regarding the Department of Property Management and its handling of HVAC systems. She also noted that her department is doing a report on Hexagon software issues and a loan that was taken out to pay for the software.
4. *Monthly Report of the Office of Independent Police Monitor.*
  - 4.1. Ms. Sziment appeared on behalf of the Office of the Independent Police Monitor.
  - 4.2. The board accepted Ms. Sziment's monthly report (attached).
  - 4.3. Ms. Sziment explained to the board what her office does during tropical storms. She and an assistant will be embedded with NOPD during the storm response. The rest of her team will evacuate if necessary. Her office will be closed on Wednesday, the expected day of landfall for Hurricane Francine.
  - 4.4. Ms. Sziment reported on an officer-involved shooting last week. Her office interviewed witnesses and reviewed camera footage. At this time, the shooting appears to be justified.
  - 4.5. Ms. Sziment reported on promotions at NOPD and on her office's monitoring of the promotion process.
  - 4.6. Ms. Sziment noted that she testified at a trial in federal court in the Vicknair case, which involved Officer Vicknair's personal relationship with the child victim of a

rape that later became a sexual relationship. The plaintiff prevailed and recovered more than \$1,000,000 because the NOPD did not properly supervise Officer Vicknair.

- 4.7. Ms. Sziment noted that her podcast, *The Monitor's Mike*, is going well. They humanize the officers for the public. The show airs on Fridays at noon.
- 4.8. Ms. Sziment is meeting with Councilman Thomas's office about a her office's PCAB proposal and a possible civilian oversight board that others have discussed.

5. *Monthly Report of the Ethics Trainer*

- 5.1. Jordy Stiggs appeared.
- 5.2. The board accepted Mr. Stiggs's monthly report (attached).
- 5.3. Mr. Stiggs reminded the board about training videos that the board members need to watch before year end.
- 5.4. Mr. Stiggs noted that the new website is being designed and will be published soon. Training for Mr. Stiggs and Mr. Ciolino is scheduled for later this week if Hurricane Francine does not cause any issues.
- 5.5. Mr. Stiggs reported that he has cancelled his training session due to credit card approval issues in the Finance Department. We hope to resolve this issue for Mr. Stiggs to travel in May 2025.

6. *Report of the Executive Administrator and General Counsel.*

- 6.1. Mr. Ciolino presented his monthly report (attached).
- 6.2. Mr. Ciolino reported that there have been no complaints received since the last board meeting.
- 6.3. Mr. Ciolino reported that one ERB position must be filled. The mayor's office is working on this.
- 6.4. Mr. Ciolino reported that four (4) Council and Mayoral appointments remain unfilled on QARACs for the IG and the IPM.

7. *Executive Session*

- 7.1. After a motion, duly seconded, the board voted unanimously to go into executive session at 4:24 pm. pursuant to Louisiana Revised Statutes section 42:17(A)(1) to discuss the character, professional competence, or physical or mental health of a person.
- 7.2. After a motion, duly seconded, the board voted unanimously to return to general session at 4:42 p.m.

8. *Request to Increase Pay to Outside Investigator*
  - 8.1. Discussion of request from Transcendent Law Group for a payment in the amount of \$7,223.55 in addition to the \$15,000.00 that it has already been paid. (Note that professional services contracts over \$15,000.00 require the competitive selection process established by executive order.)
  - 8.2. The board unanimously voted to deny the request after considering advice from the City Attorney's Office regarding the ordinances governing no-bid professional contracts.
9. *Discussion of Locations of Future Meetings*
  - 9.1. Mr. Ciolino will check with City Hall regarding availability of council chambers.
  - 9.2. Mr. Jefferson will look into other locations used by nonprofit organizations in Orleans Parish.
  - 9.3. This issue will be on the agenda for next board meeting.
10. *Adjournment.*
  - 10.1. A motion was made to adjourn the ERB meeting.
  - 10.2. The motion was seconded.
  - 10.3. The ERB unanimously voted to adjourn. The meeting was adjourned at 4:53 p.m.

\* END \*

**Monthly Report of  
OIG**

# **MONTHLY REPORT**

**OCTOBER 2024**



# **OIG**

**NEW ORLEANS  
OFFICE OF INSPECTOR GENERAL**

**EDWARD MICHEL, CIG  
INSPECTOR GENERAL**



# ADMINISTRATION DIVISION

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# 2,088

Number of registered X followers

## ADMINISTRATION

The Office Manager is responsible for the following:

- Human Resources
  - Coordinating the hiring process
  - Intern Program
- Finance
  - Managing and refining the OIG budget
- Procurement Process
  - Communicating with OIG vendors
  - Processing requisitions to create purchase orders
  - Overseeing the timely payment of OIG expenditures
- Operations
  - Coordinating with the OIG's landlord and various City departments on administrative matters

## COMMUNICATIONS

The Public Information Officer is responsible for the following:

- Public and Media Relations
- Social Media
- Monthly and Annual Reports to the ERB
- Editing | Writing | Reviewing

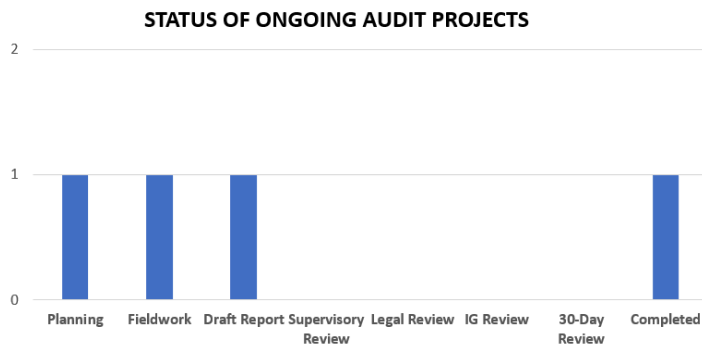
## INFORMATION SECURITY

The OIG Information Security Specialist is responsible for maintaining the OIG's information technology (IT) integrity through:

- Technical Support
- Hardware and Software Updates
- Communication and Coordination
- Consultation for IT Purchases

# AUDIT & REVIEW DIVISION

The Audit and Review Division conducts financial audits, attestations, compliance, and performance audits of City programs and operations. Auditors test for appropriate internal controls and compliance with laws, regulations, and other requirements.



The Audit and Review Division has the following projects in process:

- Orleans Parish Sheriff's Office
- Safety and Permits Third Party Contractors
- NOAB Contract Audit
- EMS Response Time

## **Project Phase Descriptions:**

**Planning** - includes background research, data gathering, initial interviews, and/or internal controls assessment.

**Fieldwork** - includes data and statistical analyses, interviews, testing of procedures, onsite observations, and/or physical inspections.

**Draft Report** - includes data and statistical reviews, documenting fieldwork results, initial report writing, revisions, and internal Quality Assurance Review (QAR) prior to supervisory review.

**Supervisory Review** - includes the review by both Deputy Inspector General and First Assistant Inspector General to ensure sufficiency and appropriateness of evidence, adequate fieldwork procedures, and proper conclusions, content, presentation, and readability.

**Legal Review** - Report review by in-house General Counsel and/or outside Legal Counsel to ensure appropriate and proper legal citations and/or interpretations.

**IG Review** - Report review by the Inspector General based on corrections and recommended changes resulting from the Legal Review.

**30-Day Comment Period** - 30-day deadline for the department to review the draft report and submit management responses for inclusion in the final report.

# MEASURING PROGRESS

## AUDIT AND REVIEW DIVISION

The following information provides a summary of the Audit Division's project phase and a summary of the audit objectives.

Project Name	Project Phase <sup>1</sup>	Anticipated <sup>2</sup> Completion Date
Orleans Parish Sheriffs Office	Completed	Expected Release Date: Nov. 12, 2024

**Summary of Objectives:** The purpose of the audit is to evaluate the operating effectiveness of the Orleans Parish Sheriff's Office's controls and expenditures related to payroll and paid details.

Safety and Permits Third Party Contractors	Drafting	Ongoing
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**Summary of Objectives:** The purpose of the audit is to determine the adequacy of S&P policies and procedures related to Third Party Inspections and verify that residential inspections performed by Third Party Inspectors were in compliance with those policies and procedures.

NOAB Contract Audit	Fieldwork	Ongoing
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**Summary of Objectives:** The purpose of the audit is to verify NOAB management compliance with relevant policies and procedures while procuring professional services contracts and assess the effectiveness of NOAB management controls in ensuring vendor compliance with contract terms.

EMS Response Time	Planning	Ongoing
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**Summary of Objectives:** The purpose of the audit is to determine whether the City is responding to medical emergencies timely and in accordance with their policies and national standards.

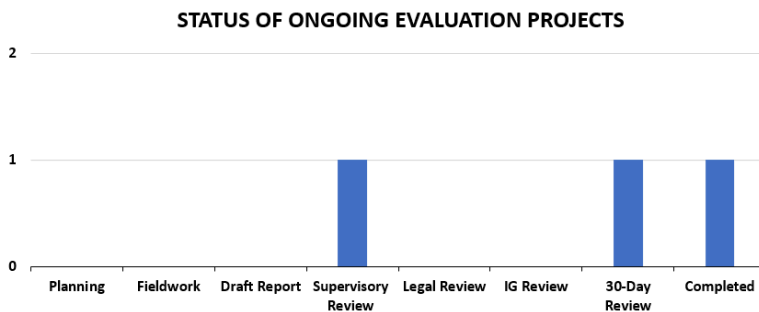
### Footnotes:

**1** - Project phase determination is based on the objective(s), scope, and methodology for each project. It is not determined by a standard set of hours and/or phase deadline.

**2** - The completion date may be re-evaluated if necessary.

# INSPECTIONS & EVALUATIONS DIVISION

The Inspections and Evaluations Division works to increase the efficiency, effectiveness, transparency, and accountability of City programs, agencies, and operations. Evaluators conduct independent, objective, empirically based and methodically sound inspections, evaluations, and performance reviews.



The Inspections & Evaluations Division has the following projects in process:

- OPCD Hexagon Contract
- DPW Traffic Light Maintenance
- NOPD Secondary Employment

## **Project Phase Descriptions:**

**Planning** - includes background research, data gathering, initial interviews, and/or internal controls assessment.

**Fieldwork** - includes data and statistical analyses, interviews, testing of procedures, onsite observations, and/or physical inspections.

**Draft Report** - includes data and statistical reviews, documenting fieldwork results, initial report writing, revisions and internal Quality Assurance Review (QAR) prior to supervisory review.

**Supervisory Review** - includes the review by both Deputy Inspector General and First Assistant Inspector General to ensure sufficiency and appropriateness of evidence, adequate fieldwork procedures, and proper conclusions, content, presentation and readability.

**Legal Review** - Report review by in-house General Counsel and/or outside Legal Counsel to ensure appropriate and proper legal citations and/or interpretations.

**IG Review** - Report review by the Inspector General based on corrections and recommended changes resulting from the Legal Review.

**30-Day Comment Period** - 30-day deadline for the department to review the draft report and submit management responses for inclusion in the final report.

# MEASURING PROGRESS

## INSPECTIONS AND EVALUATIONS DIVISION

The following information provides a summary of the Inspections and Evaluations Division's project phase and a summary of each project's objectives.

Project Name	Project Phase <sup>1</sup>	Anticipated <sup>2</sup> Completion Date
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OPCD Hexagon Contract	30-Day Comment Period	Ongoing
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**Summary of Objectives:** The purpose of the evaluation is to analyze the process used to procure Hexagon On Call Records, review the use of public funds in the project, and assess whether the product was suitable to meet public needs.

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DPW Traffic Light Maintenance	Released	Release Date Oct. 16, 2024
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**Summary of Objectives:** To determine whether traffic signals are repaired in a manner that is efficient and in line with industry standards/best practices for timeliness and identify obstacle of timely repairs.

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NOPD Secondary Employment	Supervisory Review	Ongoing
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**Summary of Objectives:** To review NOPD and the Office of Police Secondary Employment policies and procedures to minimize the risk of payroll fraud.

**Footnotes:**

**1** - Project phase determination is based on the objective(s), scope, and methodology for each project. It is not determined by a standard set of hours and/or phase deadline.

**2** - The completion date may be re-evaluated if necessary.

# INVESTIGATION DIVISION

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## ADMINISTRATIVE INVESTIGATIONS (OCTOBER HIGHLIGHTS)

### **NEW HIRE: Amanda Barry joins OIG team full-time as Intelligence Analyst**

Amanda Barry, who interned for the OIG, began her position as the OIG's first Intelligence Analyst. In this brand-new role for the office, Barry provides skilled analytical support to the Investigation Division and assists in the planning, coordinating, and documenting of investigations, audits and evaluations.

Duties include:

- Analyzing data from a variety of sources to develop trends, patterns, profiles, estimates, studies, and tactical information utilizing established intelligence techniques.
- Conducting highly complex analyses.

### **Licenses suspended indefinitely for electrician Jesse Earl Carr Jr. and his company**

The Louisiana State Licensing Board for Contractors indefinitely suspended electrical licenses for Carr's Electric Company, LLC, and Jesse Earl Carr, Jr., on Oct. 5, 2024, with a total revocation hearing set for November 2024. This development occurred after a joint investigation of the New Orleans Department of Safety revealed that Carr and his company were allegedly allowing unlicensed electricians to use his license. The investigation is ongoing.

### **Other ongoing investigations:**

The Investigation Division continues to assist in the criminal prosecutions of Randy A. Farrell, Sr., Leessa Augustine, and Tyrell Morris.

**Farrell**, a former third-party inspector, and his company, IECI & Associates, LLC ("IECI"), were charged in a 25-count indictment with conspiracy, wire fraud, and honest services fraud.

**Augustine**, a former New Orleans S&WB Senior Special Agent and reserve NOPD officer, was indicted in multiple fraud schemes with four counts of wire fraud, two counts of aggravated identity theft, and one count of making false statements to investigators.

**Morris**, former Executive Director of the Orleans Parish Communication District (OPCD), was indicted on charges of insurance fraud, malfeasance in office, impersonation of a police officer, injuring public records, and retaliatory termination of a whistleblower. The OIG Investigation Division provided investigative results to the Orleans Parish District Attorney's Office, which obtained a true bill after presenting to the grand jury. Court proceedings regarding the discovery process are ongoing. A motion hearing on this matter is scheduled for Nov. 24, 2024.

An indictment is merely a charge and the guilt of the defendant must be proven beyond a reasonable doubt.

# INVESTIGATION DIVISION

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## ADMINISTRATIVE INVESTIGATIONS (OCTOBER HIGHLIGHTS CONTINUED)

### **Progress of Department of Safety and Permits (DSP) Initiative**

The OIG is partnering with the New Orleans Department of Safety & Permits and the Louisiana State Licensing Board for Contractors to identify ways to ensure effective operations of DSP. This ongoing OIG initiative will foster effective DSP practices and develop methods to improve efficiency, boost accountability, and lessen the potential for corruption at this essential City agency. The City's Office of Business and External Services has agreed to participate in this endeavor. The initiative involves assigning OIG staff to DSP to review DSP policies, procedures, and internal controls with a focus on identifying and mitigating gaps and weaknesses to ensure effective operations at DSP. Interviews with DSP personnel continue to be productive and ongoing.

**During October**, the Investigation Division submitted one Request for Documents to the Chief Administrators Office, two Requests for Documents to the Sewerage & Water Board regarding two investigations, and one Request for Documents to the Department of Property Management.

The Investigation Division also submitted a referral to the Department of Safety & Permits regarding possible building code and zoning violations and a referral to the Department of Property Management regarding possible overbilling by a taxi driver.

The OIG received 26 complaints, which were processed through the OIG's newly created intake program.

# 2024 MONTHLY BUDGET

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**Total 2024 Appropriation \$ 4,184,733**


<b>Expenditures</b>	<b>Spent YTD</b>
<b>Personnel</b>	<b>\$ 2,259,374</b>
<b>Operating</b>	<b>\$ 558,686</b>
<b>Total</b>	<b>\$ 2,818,060</b>
<b>Remaining Balance</b>	<b>\$ 1,366,673</b>



# SOCIAL MEDIA


X/Twitter: @NOLAOIG

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 **New Orleans OIG** @NOLAOIG · Oct 16


An OIG report released today found severe understaffing and a lack of resources at the Department of Public Works led to major weaknesses in New Orleans' traffic signals maintenance. To view the report, visit [nolaoig.gov](http://nolaoig.gov).

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 **New Orleans OIG** @NOLAOIG · Oct 28

A new OIG letter found a lack of progress by the Orleans Parish Sheriff's Office in adopting a system that would allow for greater City oversight of OPSO finances. This follows our 2023 letter, which urged OPSO to adopt the financial management system used by other City agencies.

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 **New Orleans OIG** @NOLAOIG · Oct 28

The City provides over 70% of OPSO's budget. The OIG is again recommending OPSO transition to the financial management system used Citywide, enabling the City to ensure its limited resources are being used in an efficient and effective manner.

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 **New Orleans OIG** @NOLAOIG · Oct 1

IG Ed Michel spoke Monday with WWL Radio's Dave Cohen about the OIG's new initiative to ensure effective operations of the City's Department of Safety and Permits. Listen here.

[audacy.com/podcast/the-sc...](http://audacy.com/podcast/the-sc...)

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# SOCIAL MEDIA

Instagram: @NewOrleansOIG



**neworleansoig**

**View insights** **Boost post**

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**neworleansoig** Congratulations to the graduates of our second annual Citizens Academy! Today, our Citizens Academy attendees completed their training on the mission of the OIG and how to identify and mitigate fraud, waste, and abuse. The Citizens Academy is an engaging four-week program that provides City employees and community leaders with a greater understanding of the OIG's purpose and initiatives.

Comments are off. Review controls.

October 8



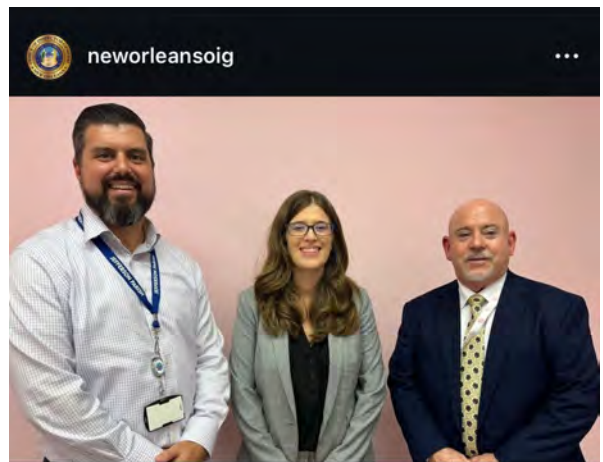
**neworleansoig**

**View insights** **Boost post**

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Liked by atloig and others

**neworleansoig** New Orleans OIG Chief of Investigations Mike Centola presented an overview of OIG initiatives to members at the Association of Certified Fraud Examiners (ACFE) New Orleans Chapter's recent Lunch and Learn at The Creole Creamery in the Lakeview neighborhood. The event offered a double scoop, as Jefferson Parish OIG Deputy Inspector General of Investigations Jeffrey Adolph also presented. Michelle Foster, vice president of the New Orleans Chapter of ACFE, presented the speakers. ACFE works to reduce fraud and white-collar crime through anti-fraud training and education. For details on this event, visit the ACFE New Orleans Chapter's website. To learn more about the New Orleans OIG or to report fraud, waste, or abuse, visit NolaOIG.gov.



**neworleansoig**

**View insights** **Boost post**



# SOCIAL MEDIA

Facebook: @NOLAOIG


 **New Orleans Office of Inspector General**  
Published by Edward Michel  
October 30 at 2:40 PM

Thank you to the New Orleans Real-Time Crime Center (RTCC) for inviting members of the OIG team to tour the facility.

RTCC Operations Manager Matthew Patin, fourth from left, and Administrator Ross Bourgeois, not pictured, recently completed our OIG Citizens Academy, a four-week program that provides training on the mission and initiatives of the OIG.

In turn, the RTCC leaders offered OIG staff an educational visit to the RTCC. The RTCC opened in 2017 and uses state-of-the-art technology to monitor locations across the city, providing critical intelligence to first responders in real time.



 **New Orleans Office of Inspector General**  
Published by Edward Michel  
October 8 at 1:40 PM

Participants of the Office of Inspector General's second annual Citizens Academy spent this morning learning more about the OIG's initiatives.

Chief of Inspections and Evaluations Patrice Rose described the role of OIG evaluators and gave participants a closer look at prominent projects that mitigated public fraud, waste, and abuse.

The OIG Citizens Academy is an engaging four-week program that provides City employees and community leaders with a greater understanding of the role and mission of the OIG through discussion and education.



 **New Orleans Office of Inspector General**  
Published by Edward Michel  
October 23 at 12:03 PM

Thank you to the [New Orleans Public Library](#) for inviting our Chief of Investigations Mike Centola and the investigative team to give a presentation at the Algiers Regional Library. OIG investigators spoke with library managers on the role of the OIG and tips for identifying and mitigating fraud, waste, and abuse in government agencies.



**Monthly Report of  
OIPM**



# OFFICE OF THE INDEPENDENT POLICE MONITOR

## MONTHLY COMMUNITY REPORT

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### October 2024



*Above, the OIPM team takes a selfie with partners at the National Day Against Police Brutality*

**Transparency. Accountability. Respect.**





# LETTER TO THE COMMUNITY

Dear New Orleans Community,

On September 27th, the City of New Orleans and the Department of Justice filed a joint motion to request a movement into the sustainment period. The filing of this joint motion kicked into motion a month of public discussion, debate, and questions as the public was given until **November 8th to provide public comment on the Consent Decree and the proposed sustainment strategy**. The OIPM hosted and participated in multiple public engagement opportunities for the community to provide public comment including coffees, forums, and radio shows. Members of the public can submit public comment prior to November 8th and we look forward to receiving more information about the eventual Fairness Hearing before Judge Morgan. Here are the ways that the public can still submit comment:

- Department of Justice: [community.nola@usdoj.gov](mailto:community.nola@usdoj.gov)
- Federal Monitors: [aburns@consentdecree monitors.onmicrosoft.com](mailto:aburns@consentdecree monitors.onmicrosoft.com)
- Judge Morgan: [clerk@laed.uscourts.gov](mailto:clerk@laed.uscourts.gov)

The OIPM joined together with the community organization, Families Overcoming Injustice, to mark the **National Day Against Police Brutality** with a community vigil on the steps of City Hall. This event was an opportunity for reflection and action. Some of that reflection included the uncomfortable truth that this event did not create the safe space for the families of those impacted by police violence that we intended to hold. When Jasmine Groves took to the microphone and said that this day, which was supposed to be about the families of those lost to police brutality, like her mother, instead was about applauding the police department that killed them, I realized that our intentions for the day failed. Tracee Ford from Community Mediation Maryland, spoke afterwards and said what needed to be heard: we need to sit in that discomfort and learn.

What did I learn? I learned that I don't know what next year's National Day Against Police Brutality will look like yet, because I want to make sure it reflects the hopes and vision of the families, not our office. Maybe that means no elected officials will be asked to speak, maybe that means we will screen the content of all speeches, maybe it means speakers will be selected only by affected families, or maybe it means no speakers at all. I do know that no matter what the day includes, we are the builders of the space and as the builders, we must require that everyone that enters the day does so committed to what the space and the day is for – that it is a day where we put the pain of the families and the lives of their lost love ones over any recognition of the police department. The fact that any family member would feel revictimized by a day that is supposed to give them a sense of solidarity and empowerment is truly upsetting and unacceptable to me and to the OIPM staff. On behalf the OIPM, I am sorry. I am sorry that this day wasn't what we intended it to be. We do this work in the memory of the community of people lost to and impacted by police violence and it's in their memory that we commit to doing better.

Thank you,

*Stella Cziment*



**Above Kirschelle McGowan tables at Buckatown Coffee to receive public comment regarding the Consent Decree and the proposed sustainment strategy.**



**Above are photos from the National Day Against Police Brutality**



# ACHIEVEMENTS, UPDATES, & WORK

## 10 Years of Community - Police Mediation

The Office of the Independent Police Monitor's (OIPM's) Community-Police Mediation Program has proudly reached a significant milestone, celebrating a decade of fostering dialogue and understanding between community members and the New Orleans Police Department (NOPD). Over the past **10** years, the program has received **853** cases eligible for mediation, leading to more than **1,700** case counseling calls that provide vital support to both community members and NOPD employees. With **738** participants engaged in mediation, the program not only facilitates resolution but also enhances communication skills through comprehensive training initiatives. In total, **65** community members and **20** NOPD officers have completed a rigorous **50-hour** intensive mediation training, alongside **110 in-service trainings** designed to keep their skills sharp and effective in addressing conflicts.

Reflecting on his experience, one officer noted, ***"I am happy I was able to participate in the process. It was very informative and I appreciated being able to hear the victim's perspective on the situation. It made me think of ways I can change my approach in situations like this."*** This statement highlights the personal growth that participants gain through the mediation process.

This mediation program has emerged as a **nationally** recognized model for community-police relations, praised for its sustainability and high participation rates compared to similar initiatives in other jurisdictions. Its influence has extended to cities like Seattle, Chicago, and Miami, inspiring the development of similar programs across the country. Recent expansions include post-investigation mediation and active listening training for both officers and community members, while policy revisions now encompass mediation for bias-based policing allegations. The initiative's commitment to diversity and retention among mediators has strengthened its effectiveness, resulting in a more representative mediator pool and enhanced training opportunities. Notably, a Performance-Based Evaluation (PBE) process has been implemented, ensuring quality control and leadership development within the mediator community, further solidifying the program's legacy in New Orleans.





# ACHIEVEMENTS, UPDATES, & WORK

## 10 Years of Community - Police Mediation

*"This program is impressive in their processes to hear the citizens. The mediators were wonderful and made me feel safe. The officer and I both explained our experiences and were able to understand better what happened that day. I am no longer upset with her and we even both apologized. Thank you to the City of New Orleans for this program, keep up the good work,"* remarked a community participant.

Reflecting on a decade of remarkable growth, the Community-Police Mediation Program has evolved from a small initiative into a vital resource for community engagement and conflict resolution. With the successful launch of post-investigation and district-based mediation, the program is poised for continued expansion. Soon, mediation opportunities will extend to include interactions between NOPD employees, further enriching the collaborative environment. As we celebrate this significant milestone, the reflections of both officers and community members underscore the program's profound impact on fostering dialogue and understanding within our community. The next decade promises even greater achievements, reinforcing our commitment to bridging gaps and enhancing communication between the police and the neighborhoods they serve.





# ACHIEVEMENTS, UPDATES, & WORK

## National Association for Civilian Oversight of Law Enforcement Conference and Training

In October, OIPM staff participated in the National Association for Civilian Oversight annual conference and training in Tucson, Arizona. This event provided an invaluable opportunity to learn from oversight practitioners across the country, featuring sessions on national best practices for conducting reviews, tackling common challenges in data collection and creating metrics, and exploring new trends in Department of Justice investigations and policing tactics.

Stella Cziment participated in the Executive Forum day of sessions and round table discussions, where attendees from oversight agencies nationwide came together to address key issues impacting their offices. They exchanged valuable feedback and recommendations, fostering collaboration and innovation.

Finally, one of the standout moments was watching former Deputy of the OIPM, and current Police Monitor of Fort Worth, Bonycle Sokunbi run and win a seat on the board of the NACOLE.



## Performance Based Evaluation Training for OIPM Mediators

In October, the OIPM proudly implemented the Performance Based Evaluation process in our Community-Police Mediation program, marking a significant milestone for our team.

The OIPM celebrated the certification of Gahiji Barrow, Nancy Freeman, KaTrina Chantelle Griffin, and Lee Rea in the Inclusive Model of Community Mediation. **After more than 20 hours of rigorous practice and evaluation across 135 skills, they are now ready to lead and mentor others in our program.**



During this intensive training, our mediators observed their peers and explored various mediation styles, while our program director, Jules Griff, gained valuable experience in the scoring and evaluation process.

This collaborative effort underscores our commitment to providing the highest quality mediation services within our Community-Police Mediation program, promoting understanding and resolution in every interaction. We extend our heartfelt thanks to Community Mediation Maryland for their invaluable coaching and support.

## OIPM Statement on Encampment Sweeps

The OIPM joined in the concerns of local elected leaders, agencies, and community partners regarding the recent encampment sweeps conducted by Troop NOLA. The OIPM maintains these clashes will continue when are dual law enforcement agencies operating in New Orleans and implementing different policing strategies. The NOPD is bound by the requirements of the Consent Decree and is answerable to local leaders and our community; while the State Police are not. These sweeps demonstrate the real consequences and impact on our community when there are disagreements with the tactics used by Troop NOLA.





# ACHIEVEMENTS, UPDATES, & WORK



## Consent Decree and Sustainment Strategy Public Comment: Public Forums

Over the month of October, the OIPM joined Police Community Advisory Boards, the Federal Monitors, elected leaders, the Professional Standard and Accountability Bureau (PSAB) and community groups in hosting and attending public forums to collect public input, questions, and concerns regarding the Consent Decree and the proposed Sustainment Strategy.

The motion signifies a collaborative agreement between the City of New Orleans and the Department of Justice, acknowledging that the New Orleans Police Department (NOPD) has met the necessary requirements outlined in the Consent Decree. If approved, the "Sustainment Plan" will last for two years and focus on maintaining key reform areas while ensuring the effectiveness of existing remedial action plans. While the OIPM was not involved in this determination, we believe it is crucial for community voices to be heard in any final compliance assessment.

At these public forums over the month of October, the OIPM has heard comments and questions including:

- Concerns regarding the lack of information regarding the format and purpose of the Fairness Hearing.
- Frustration with the idea of NOPD being released from the Consent Decree while there are still corrective action strategies for sex crime and DV data correction and Gone on Arrivals (GOAs), and the Public Integrity Bureau.
- Concerns regarding potential conflicts with the Deputy Federal Monitor and employing current and former NOPD employees for his monitoring team in Minnesota.
- Questions regarding the data discrepancies in use of force, particularly around the use of force against black residents.
- Frustration that the PCAB plan has not been publicly shared and that PCABs are not in compliance prior to the sustainment.
- Desire for additional public comment opportunities.
- Questions regarding the lack of biannual community surveys.
- Desire to see alternative models to compliance be considered including partial compliance findings.
- Confusion over the status of the Motion to Terminate the Consent Decree.
- Requests to see local oversight be recognized in the sustainment strategy.



# ACHIEVEMENTS, UPDATES, & WORK

## NOPD Promotional Process for Captains and Majors

The OIPM monitored the evaluations of the major and captain candidates on September 10, 2024, and reviewed subsequent news stories on the freezing of the list and the joint petition for injunction, investigation, and evidentiary hearing on the promotional process filed by the Police Association for New Orleans (PANO) and the Black Organization of Police (BOP). In October, the OIPM submitted a formal letter to Chief Kirkpatrick requesting: first, the immediate injunction, investigation and evidentiary hearing regarding the promotional process in conjunction with PANO and BOP; second, the tolling of time on the current candidate list to not allow the list to expire until the completion of the investigation, for the list to be utilized if the integrity of the system is not compromised and there is no evidence requiring the investigation of wrongdoing on the part of the candidates; and finally, the immediate consecutive investigation of any individual employees or officers if it is determined during the Civil Service Commission investigation that there was wrongdoing, cheating, bias, or favoritism on the part of the candidates or the department promotional committee / scorers.



## The Monitor's Mic

This month on the Monitor's Mic, the OIPM interviewed guests from the Sexual Assault Awareness and Response (STAR) and the Innocence Project New Orleans (IPNO). Our listeners learned about the mission of IPNO and the impact that policing can have on wrongful convictions and unjust sentencing. With STAR, the OIPM discussed STAR's innovative legal services, how they assist survivors during police interactions, and their advocacy for important legislative changes. They emphasized the need for community support and how we can help keep their essential services running. STAR also provided their assessment on the Consent Decree and the sustainment strategy.

The OIPM also had Deputy Chief Gernon from the Professional Standards and Accountability Bureau (PSAB) on to discuss the Consent Decree compliance and the Sustainment Strategy. During the show, we received public comment and questions. This show was an opportunity to continue to engage and inform the community on these timely issues prior to the end of the public comment period on November 8th.



**OIPM** Office of the Independent Police Monitor  
www.nolaipm.gov | 504.309.9799

### THE MONITOR'S MIC

Where we talk oversight, policing, and you

**Guest of the Week:**  
Deputy Superintendent  
Nicholas Gernon

Have questions about compliance? Want to know about sustainment? Join us while we talk to the Deputy Superintendent of the Professional Standards and Accountability Bureau (PSAB) in the NOPD about the Consent Decree. Tune in and call in. We want to hear from you.

Chief Gernon pictured leading a Consent Decree public forum

**A call in talk radio show**  
**WBOK 1230 AM**  
**Airing Fridays at Noon**

Stella Ciment  
Independent Police Monitor

Kirashelle McGowan  
Deputy Police Monitor

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### THE MONITOR'S MIC

Where we talk oversight, policing, and you

**Guest of the Week:**  
Sexual Assault  
Awareness and  
Response (STAR)  
Advocate

Tune in to hear a representative from STAR discuss their organization and it's impact on legislation and policing in Louisiana.

Building a community free from oppression and sexual trauma.  
24/7: 1-(855)-435-STAR

**A call in talk radio show**  
**WBOK 1230 AM**  
**Airing Fridays at Noon**

Stella Ciment  
Independent Police Monitor

Kirashelle McGowan  
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### THE MONITOR'S MIC

Where we talk oversight, policing, and you

**Guests of the Week:**  
Meredith Angelson,  
Deputy Director  
&  
Richard Davis,  
Legal Director  
Innocence Project New  
Orleans (IPNO)

This week we will be discussing the vital work of the Innocence Project New Orleans and the Unjust Punishment Project, focusing on their efforts to address wrongful convictions and systemic injustices, along with the broader implications of policing in Louisiana's criminal legal system.

**A call in talk radio show**  
**WBOK 1230 AM**  
**Airing Fridays at Noon**

Meredith Angelson  
Innocence Project New Orleans / Unjust Punishment Project

Richard Davis  
Innocence Project New Orleans



# WHO WE ARE

The OIPM is an independent, civilian police oversight agency created by voters in a 2008 charter referendum. Its mission is to improve police service to the community, community trust in the NOPD, and officer safety and working conditions. Since first opening its doors in August 2009, the Office of the Independent Police Monitor has been responsible for representing the community of New Orleans, providing accountability and oversight to the NOPD, and assisting in the reforms required under the Federal Consent Decree.

The OIPM is protected and required by City Charter and Ordinance. The OIPM operates through a Memorandum of Understanding (MOU) with the City of New Orleans and the New Orleans Police Department and has distinct responsibilities outlined by ordinance. This means this office was created by the people of New Orleans to represent all people interacting with the New Orleans Police Department to improve the way our community is policed.

## Ensuring Compliance and Reform

- The OIPM reviews the NOPD's policies, practices, and investigations to ensure that every action taken is compliant with local, state, and federal law, and Consent Decree reforms.
- The OIPM advises on policy, tactics, training, and supervision to ensure that the NOPD is adopting national best practice and building a nondiscriminatory, safe, effective, and respectful police department that is responsive to the needs of the community and their employees.
- The OIPM does this through monitoring, case reviews, audits, and policy recommendations.

## Amplifying the Needs of the Community

- The OIPM engages with the community to ensure that they both know about our services and understand how the police department works. Through providing information, the OIPM is equipping and empowering the community to navigate police encounters safely and demand what they need.
- Provides Complaint Intake.
- Operates the Community-Police Mediation Program.
- Partners with Families Overcoming Injustice.
- Coordinates public forums and outreach opportunities for the community to provide vital input on the way they are policed.

## Making the NOPD a Safer and Nondiscriminatory Workplace

- The OIPM provides recommendations and assessments to ensure that the NOPD is a safe and nondiscriminatory work place for all employees.
- The OIPM assesses supervision and training to ensure that employees are being equipped and supported.
- The OIPM meets with police associations to hear concerns from their membership.
- The OIPM monitors disciplinary hearings to ensure that discipline is consistent and nonretaliatory.
- The OIPM receives commendations and accounts of positive policing from the community.



# WHAT DO WE DO?

## Mission, Vision, Work

We serve the community, ensure police transparency, compliance, and accountability, and make policing a safer and more rewarding employment experience.

### WHAT WE DO



**Misconduct Complaints**



**Disciplinary Proceedings**



**Data Analysis**



**Community Outreach**



**Use of Force**



**Community-Police Mediation Program**



**Audits and Policy**



**Commendations**

The OIPM is the oversight body for the New Orleans Police Department (NOPD). The OIPM provides oversight through monitoring, reviewing, and auditing police activity and data. The OIPM is responsible for conducting complaint and commendation intake, on-scene monitoring of critical incidents and uses of force, overseeing the community-officer mediation program, reviewing investigations, providing assessments, identifying patterns, and making recommendations for improved practice, policy, resource allocation, and training. There are three components to the OIPM's work and mission:

The OIPM envisions a police force where the community is a valued and respected partner in public safety and law enforcement. This is achieved through:

- Assurance of transparency, accountability, and fairness within the NOPD and in all policing practices
- Community-driven policing policy that reflects the changing and dynamic needs of New Orleanians
- Continued efforts to engage the community and collaborate with community partners
- Recruitment and retention of a police force that is representative of and responsive to the community it serves
- Utilization of de-escalation techniques and methods when responding to calls of service
- Conducting only lawful and necessary arrests free of discriminatory practices
- Thorough and effective investigations resulting in appropriate arrests and prosecutions
- Clear and professional communication with victims and witnesses of crime and all that come into contact with the NOPD
- Responsible utilization of equipment and allocation of resources
- Development of highly trained supervisors and organizational leadership
- Interactions with the public and internally within the police force that are based in mutual trust and respect

**The OIPM seeks to amplify the voice of the community to ensure that all within the city – visitors and residents alike – can access police services equally and have a positive experience with officers.**



# DATA OVERALL: YEAR TO DATE AND MONTH

	2024	2023	2022	2021	2020	2019	2018	2017	Avg 2017-2023
Civilian Complaint Count	98	100	60	55	56	74	27	35	58.14
Police Complaint Count	1	1	1	4	5	2	5	2	2.86
Civilian w/in NOPD	0	0	0	1	1	0	0	0	0.29
Anonymous Complaint	23	19	24	19	26	0	0	0	12.57
Community Liaison Count	13	27	12	20	36	17	6	6	17.71
Case Monitoring Count	5	4	7	4	10	0	9	8	6.00
Case Review Count	0	1	4	5	3	4	8	0	3.57
Contact Only Count	94	51	28	17	29	14	2	8	21.29
Disciplinary Hearing Count	45	38	59	60	61	41	56	27	48.86
Critical Incident Count	8	4	5	7	10	9	7	7	7.00
Firearm Discharge Count	6	4	5	6	9	8	4	4	5.71
Lvl 4 Non-Critical	14	7	18	8	9	0	0	0	6.00
Force Monitoring *	5	1	0	0	0	0	0	0	0.14
Mediation Count	29	26	20	20	33	30	21	26	25.14
Commendation Count	7	5	0	8	1	5	1	2	3.14
<b>Grand Total</b>	<b>348</b>	<b>288</b>	<b>243</b>	<b>234</b>	<b>289</b>	<b>204</b>	<b>146</b>	<b>125</b>	<b>218</b>

	Oct 2024	Oct 2023	Oct 2022	Oct 2021	Oct 2020	Oct 2019	Oct 2018	Oct 2017	2017-2023 Average
Citizen Complaint Count	13	7	9	6	5	8	5	5	6.43
Police Complaint Count	0	0	0	0	0	0	0	0	0.00
Civilian w/in NOPD	0	0	0	0	0				0.00
Anonymous Complaint	2	2	0	0	1				0.75
Community Liaison Count	0	0	0	0	3	2	3	0	1.14
Case Monitoring Count	0	0	0	0	1	0	0	0	0.14
Case Review Count	0	0	0	1	1	0	0	0	0.29
Contact Only Count	14	8	1	0	1	0	0	4	2.00
Disciplinary Hearing Count	5	0	12	40	7	2	3	4	9.71
Critical Incident Count	2	1	0	0	1	1	2	0	0.71
Firearm Discharge Count	2	1	0	0	1	1	1	0	0.57
Lvl 4 Non-Critical	0	0	0	2	1				0.75
Force Monitoring *	0	0							0.00
Mediation Count	1	2	3	2	6	4	2	2	3.00
Commendation Count	0	0	0	0	0	1	0	0	0.14
<b>Grand Total</b>	<b>39</b>	<b>21</b>	<b>25</b>	<b>51</b>	<b>28</b>	<b>19</b>	<b>16</b>	<b>15</b>	<b>25.00</b>

\*indicates a new category or a category that was not always captured by OIPM

# CURRENT BUDGET

OIPM Budget Description	Amount
Personnel	\$709,781.00
Operating	\$400,000.00
<b>2024 Total OIPM Budget</b>	<b>\$1,109,781.00</b>
<b>2024 Total OIPM Budget</b>	<b>\$1,109,781.00</b>
Amounts Spent to Date:	\$885,831.00
<b>Unexpended funds</b>	<b>\$223,950.00</b>





# MISCONDUCT WORK

## Relevant Definitions

### Complaint

A complaint is an allegation of misconduct filed against a NOPD officer(s) by a member of a public or civilian (external) or another officer (internal). A complaint may concern an action or lack of action taken by a NOPD officer(s), an interaction with a NOPD officer, or a witnessed interaction with a NOPD officer.

### Complainant

A complainant is the individual who files a complaint against a NOPD officer(s). A complainant may be generated internally (by another officer or a supervisor) or externally (by a member of a public). The complainant does not need to be personally affected by the incident.

### OIPM Complaint Codes

When the OIPM receives a complaint referral, the OIPM organizes the complaint according to the source of the complaint.

- Civilian based complaints are classified as: CC.
- Complaints from police officers are classified as: PO.
- Complaints from civilians working within the NOPD are classified as: CN.
- Anonymous complaints are classified as: AC.

### Misconduct

Officer action or failure to take action that violates any rule, policy, procedure, order, verbal or written instruction of the NOPD or is a violation of any city ordinance, state or federal criminal law. Misconduct includes, but is not limited to:

- Use of Force
- Abuse of Authority such as unlawful searches and seizures, premises enter and search, no warrant, threat to notify child services, threats to damage of property, etc., refusal to take complaint, refuse to identify themselves, damages to property seized
- Failure to supervise
- Falsification of records
- Inappropriate language or attitude
- Harassment
- Interference with Constitutional rights
- Neglect of duty
- Discrimination in the provision of police services or other discriminatory conduct on the basis of race, colors, creed, religion, ancestry, national origin, gender, sexual orientation
- Theft
- Retaliation for filing complaint with NOPD or the OIPM

## Complaint Procedures

The OIPM does not verify the statements made during complaint intake or agree with the statements provided by the complainant. The OIPM strives to accurately capture the words, emotions, goals and narrative shared by the complainant and selects the policy, practice, or rule that each allegation of behavior / incident could have violated if determined to be true. OIPM personnel may review information in NOPD systems regarding the interaction complained of, including body worn camera video, in car camera video, electronic police reports and field interview cards. The OIPM may include information obtained from NOPD information systems in the complaint referral.

The OIPM assesses whether in the information provided should be provided confidentially or if the OIPM would recommend covert operations conducted by the Special Investigation Squad (SIS). Anything shared in this report is public information.

## Complaint Totals - October



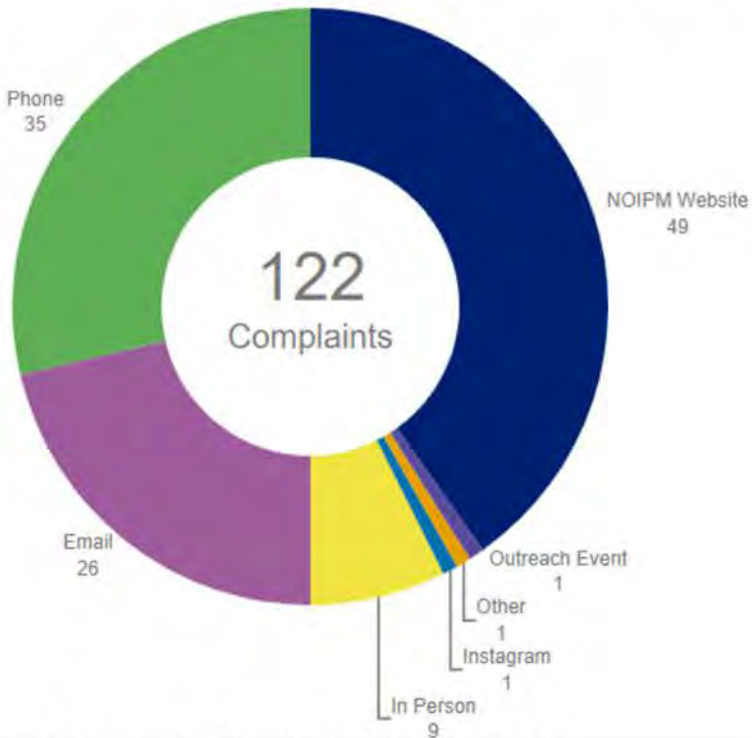
**15**

**Total Complaints  
Received this  
month**

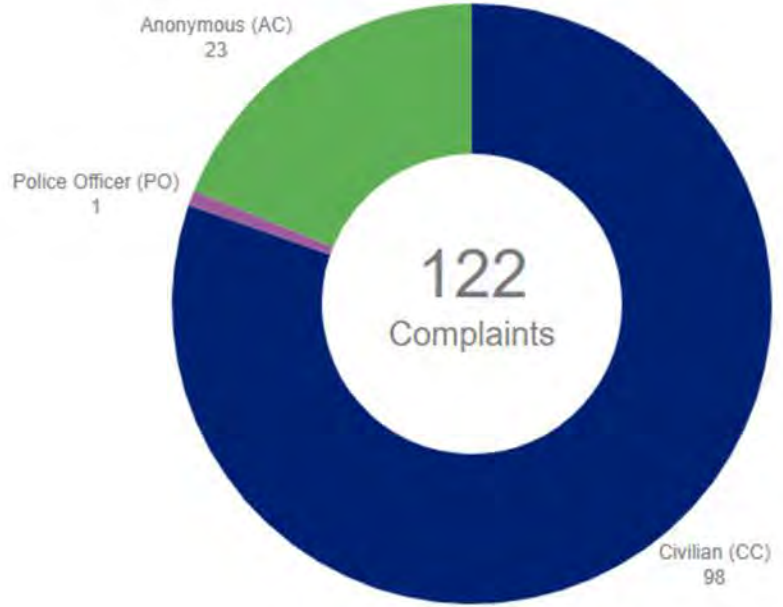
**122**

**Total Complaints  
Received This  
Year**

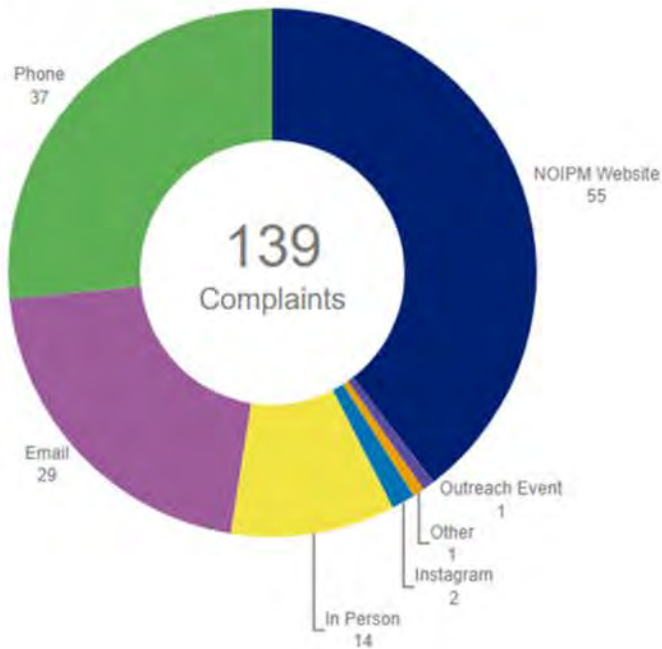
## Complaint Intake Source - 2024



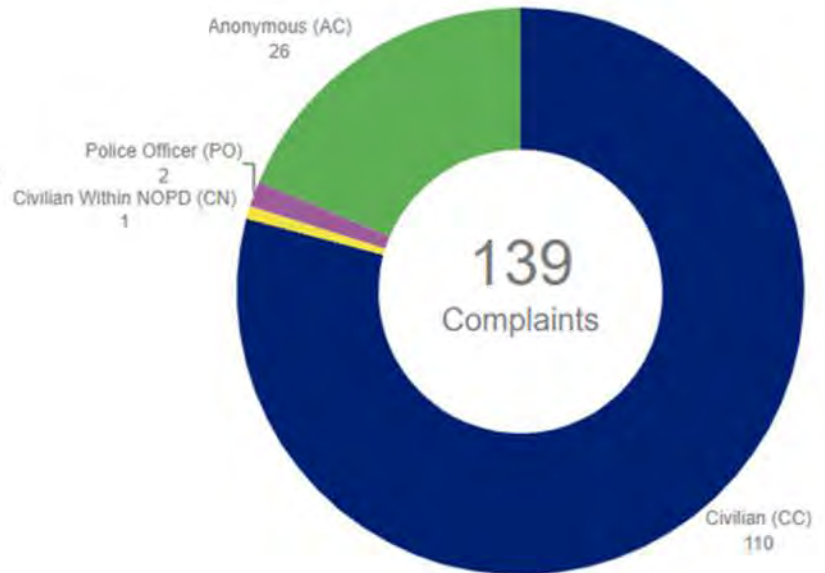
## Complainant Type - 2024



## Complaint Intake Source - Past 12 Months



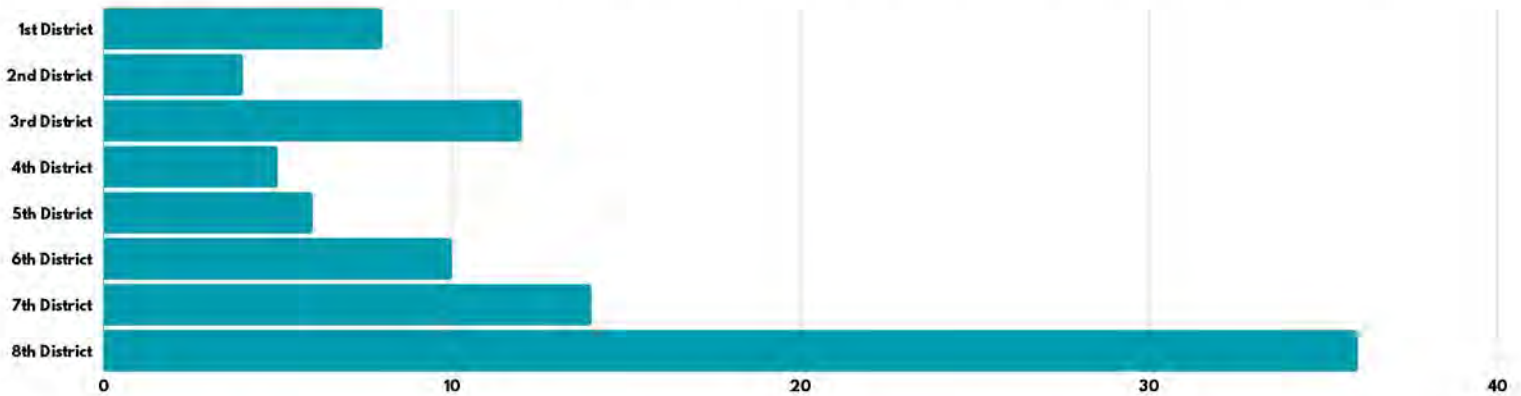
## Complainant Type - Past 12 Months



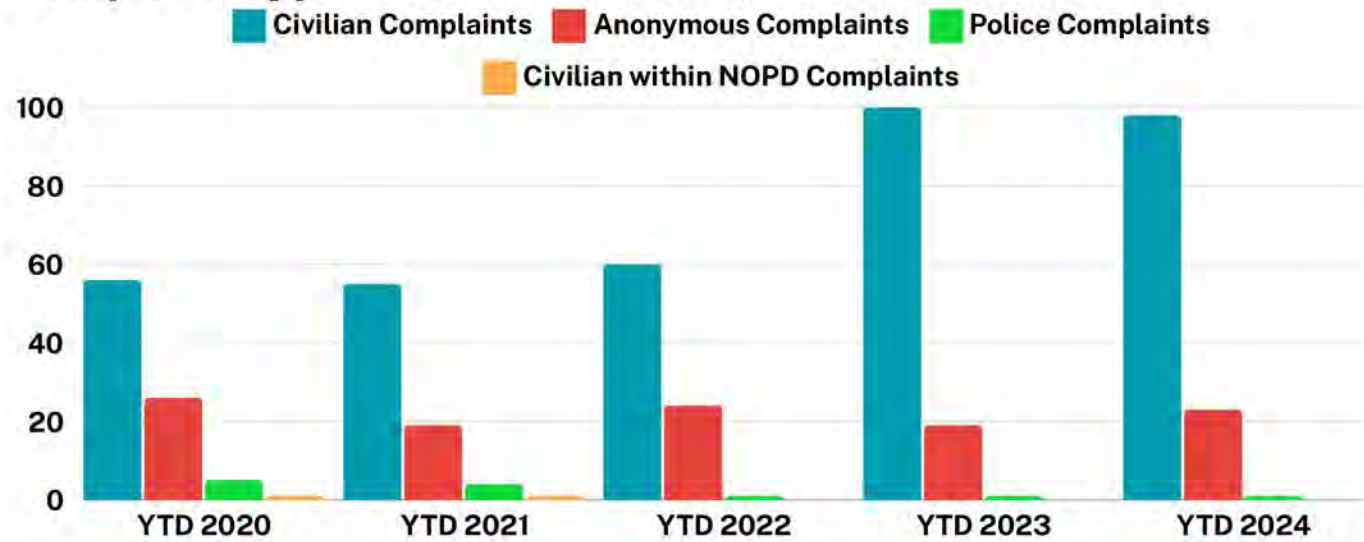


## Districts - Past 12 Months

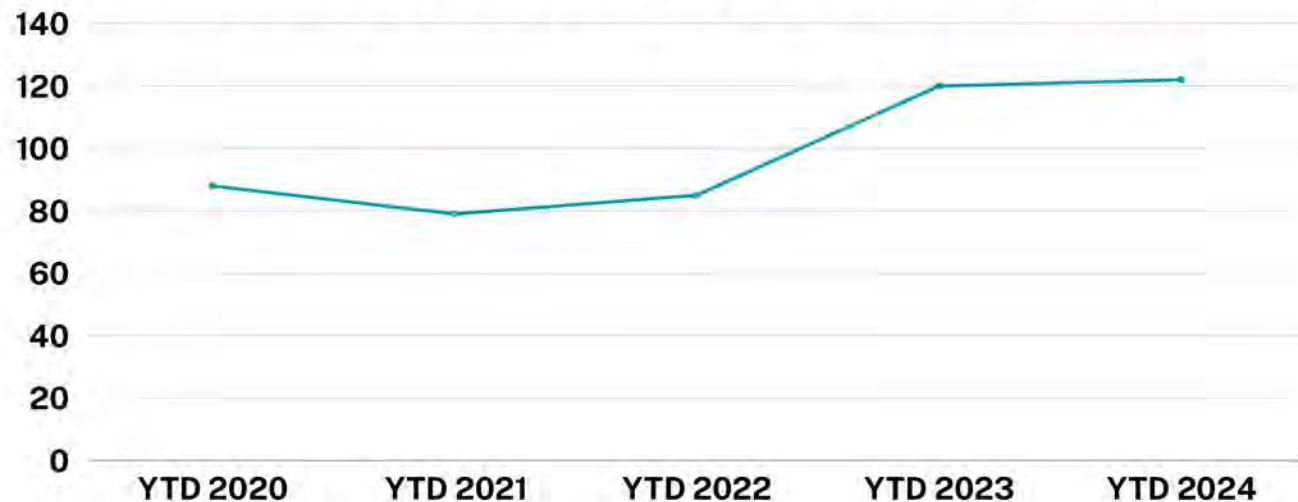
This chart communicates where the alleged misconduct occurred by police district. This requires the misconduct to occur in a physical space (instead of an incident that occurs over the phone or internet for example). This is based on complainant disclosure and the OIPM tries to verify this information through electronic police reports, body worn camera footage, and field identification cards.



## Complaint Type YTD - 2020, 2021, 2022, 2023, 2024

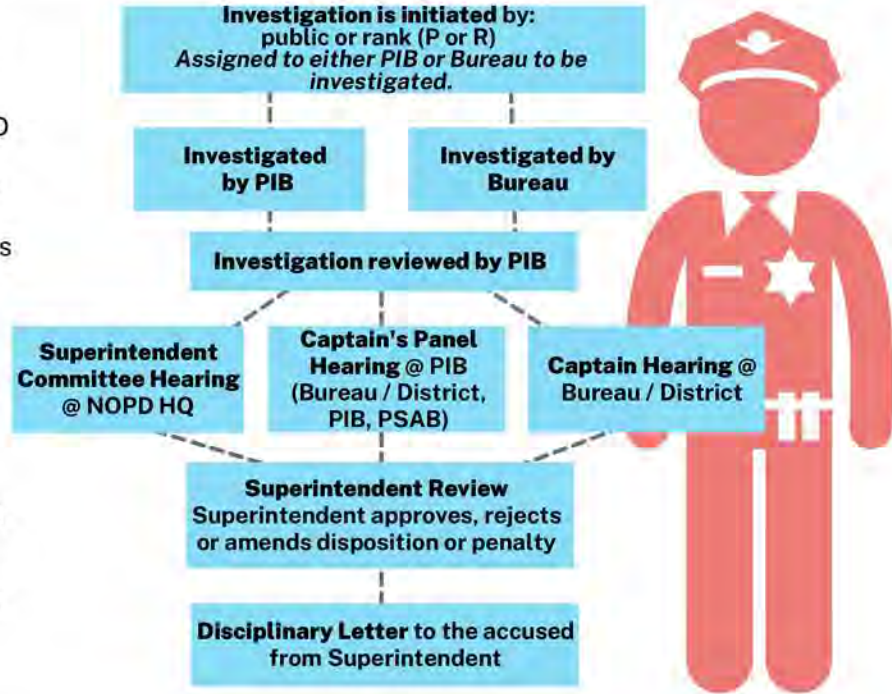


## Complaint Totals YTD - 2020, 2021, 2022, 2023, 2024



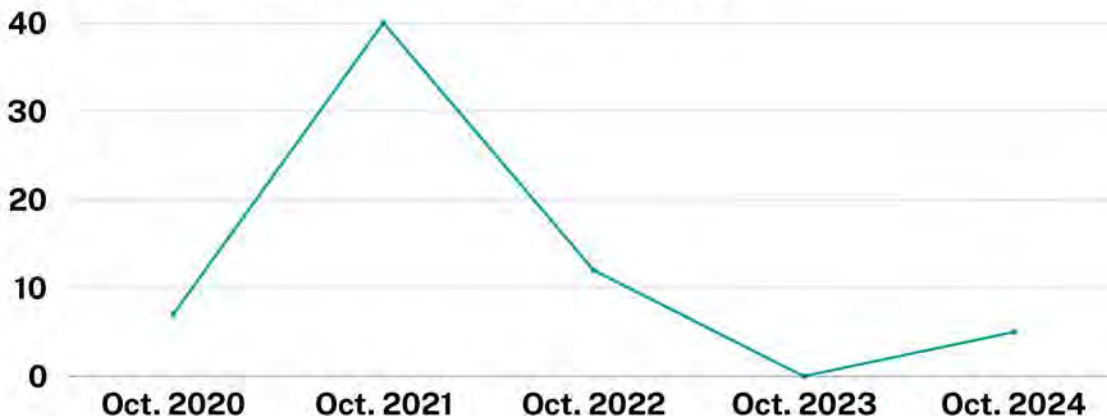
# DISCIPLINARY PROCEEDINGS

After the misconduct investigatory process, if the investigating officer sustained an allegation, then that allegation must be affirmed by NOPD leadership in order for that accused officer to be disciplined. This occurs through the disciplinary proceeding process. The disciplinary proceedings are conducted by the NOPD - either by Captains or Deputy-Chiefs. The OIPM monitors and assesses the efforts of NOPD to ensure all disciplinary investigations and proceedings are conducted in a manner that is non-retaliatory, impartial, fair, consistent, truthful, and timely in accordance with NOPD policies and law. Adjudication of misconduct is handled internally by the PIB or the Bureau of the officer / employee.



The OIPM may monitor the process conducted by the PIB or by the Bureau; however, under the MOU, there are detailed directions regarding how the OIPM is notified of investigations by the PIB and similar protocol does not currently exist for Bureaus. For that reason, the OIPM tends to be more involved with investigations and disciplinary proceedings conducted by the PIB. During every disciplinary proceeding, the OIPM remains in the room for deliberation with the NOPD leadership to give the hearing officers feedback and input. This process is how the OIPM provides our recommendations and feedback regarding the strength of the investigation, liability and risk management concerns, and areas where the policy required clarification or was being applied inconsistently. Though OIPM may provide this feedback in memorandums to the NOPD prior to the hearing or supplementing these hearings, these discussions during the deliberation process enable the NOPD to consider and digest our points before any final decision was made on the matter. These discussions are an opportunity for the OIPM to provide and receive insight into the NOPD investigation and often these comments lead to meaningful discussion with not just the hearing officers, but the assigned investigator on the case, since it was an opportunity for that investigator to explain investigatory decisions and to answer questions.

## Disciplinary Proceedings - October



**5**

**Total  
Disciplinary  
Cases Received  
this Month**

OIPM tracks Disciplinary Proceedings based on the date notice is received from NOPD and not necessarily on when the disciplinary proceeding occurs. Additionally, this figure does not account for investigations in which multiple officers are accused, or for hearing notifications received in a prior year but rescheduled to the current month. These proceedings are often rescheduled for scheduling conflicts. Tracking by notification date allows for consistent and accurate data collection.



# USE OF FORCE

## Relevant Definitions

### Critical Incident

Critical incidents are an internal definition that was agreed upon by the OIPM and the NOPD through the November 10, 2010 Memorandum of Understanding. This definition captures that the OIPM should be notified of deaths, certain levels of injuries, and officer involved shootings within an hour so the OIPM has the ability to monitor the on scene investigation by the Force Investigation Team. According to this shared definition, critical incidents are:

- All incidents including the use of deadly force by an NOPD officer including an Officer Involved Shooting ("OIS");
- All uses of force by an NOPD officer resulting in an injury requiring hospitalization;
- All head and neck strikes with an impact weapon, whether intentional or not;
- All other uses of force by an NOPD officer resulting in death; and
- All deaths while the arrestee or detainee is in the custodial care of the NOPD.

### Use of Force

Use of Force is when an officer uses physical contact on an individual during a civilian-police interaction. The force can be mild to severe based on the levels of force outlined in the NOPD policy. The force may be considered justified by NOPD policy considering the facts and circumstances known to the officer at the time which would justify that appropriate physical contact based on how officers are trained to handle that interaction. Force will be assessed based on the type of contact utilized compared to the resistance encountered, resulting injuries, witness statements, officer statements, and evidence found.

### Levels of Force

- **Level 1:** Includes pointing a firearm at a person and hand control or escort techniques (e.g., elbow grip, wrist grip, or shoulder grip) applied as pressure point compliance techniques that are not reasonably expected to cause injury; takedowns that do not result in actual injury or complaint of injury; and use of an impact weapon for non-striking purposes (e.g., prying limbs, moving or controlling a person) that does not result in actual injury or complaint of injury. It does not include escorting, touching, or handcuffing a person with minimal or no resistance.
- **Level 2:** Includes use of a CEW also known as "tasers" (including where a CEW is fired at a person but misses); and force that causes or could reasonably be expected to cause an injury greater than transitory pain but does not rise to a Level 3 use of force.
- **Level 3:** Includes any strike to the head (except for a strike with an impact weapon); use of impact weapons when contact is made (except to the head, regardless of injury; or the destruction of an animal.
- **Level 4:** Includes all 'serious uses of force' as listed below:
  - (a) All uses of lethal force by an NOPD officer;
  - (b) All critical firearm discharges by an NOPD officer;
  - (c) All uses of force by an NOPD officer resulting in serious physical injury or requiring hospitalization;
  - (d) All neck holds;
  - (e) All uses of force by an NOPD officer resulting in a loss of consciousness;
  - (f) All canine bites;
  - (g) More than two applications of a CEW on an individual during a single interaction, regardless of the mode or duration of the application, and whether the applications are by the same or different officers, or CEW application for 15 seconds or longer, whether continuous or consecutive;
  - (h) Any strike, blow, kick, CEW application, or similar use of force against a handcuffed subject; and
  - (i) Any vehicle pursuit resulting in death, serious physical injury or injuries requiring hospitalization.

## Critical Incident / Use of Force Chain of Events



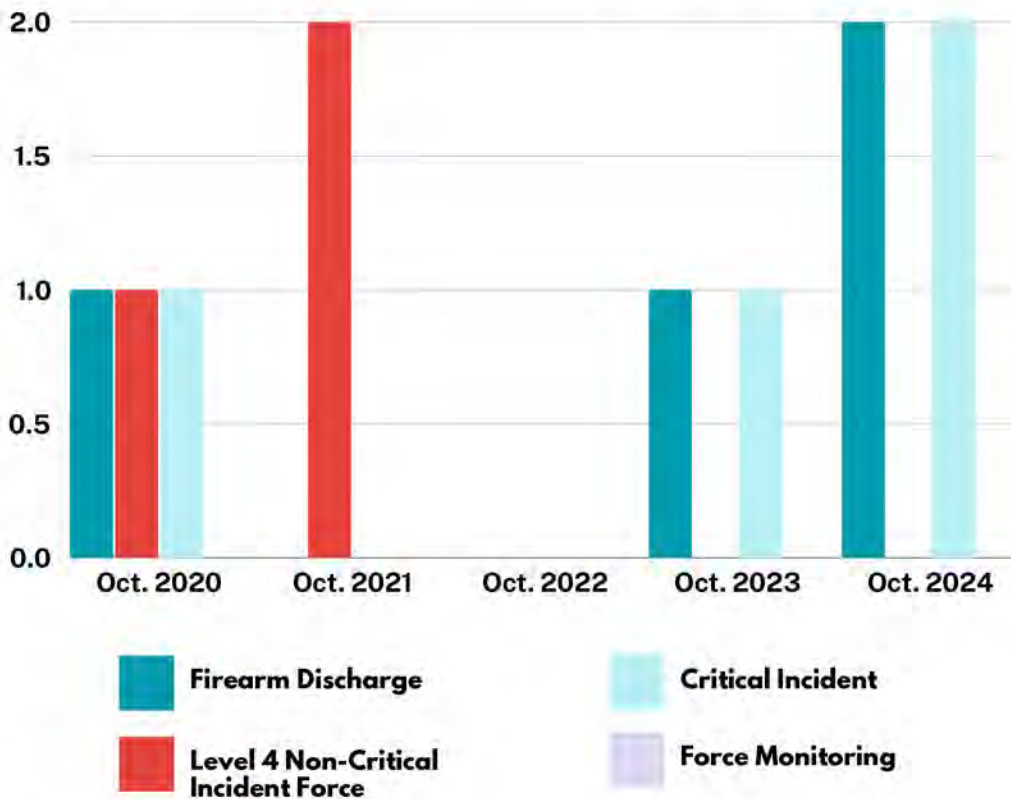


# Use of Force Work

Use of Force monitoring and reviews are an opportunity for the OIPM to conduct a qualitative assessment of an investigation to ensure thoroughness, timeliness, fairness, transparency, accountability, and compliance with law, policy, and the Federal Consent Decree. The OIPM monitors and reviews the use of force, in-custody death, and critical incident investigations conducted by the Force Investigation Team (FIT) within the Public Integrity Bureau (PIB) of the NOPD. The OIPM is required by City Code § 2-1121 and by the MOU to monitor the quality and timeliness of NOPD's investigations into use of force and in-custody deaths. The OIPM will attend the investigation or the relevant activity, and will document the activity taken and not taken by the NOPD. The expectation is that the OIPM representative does not participate in the activity, but instead observes the police actions and takes notes.

While OIPM is notified of each use of force that occurs, OIPM gives the most attention to the most serious uses of force incidents, Critical Incidents. However, OIPM will often review lower-level uses of force incidents to ensure NOPD policy is being upheld.

## Use of Force This Month 2020, 2021, 2022, 2023, 2024



**2**

**Firearm Discharge this Month**

**2**

**Critical Incidents this Month**

**0**

**Level 4 Non-Critical Use of Force this Month**

**0**

**Additional Force Monitoring this Month**

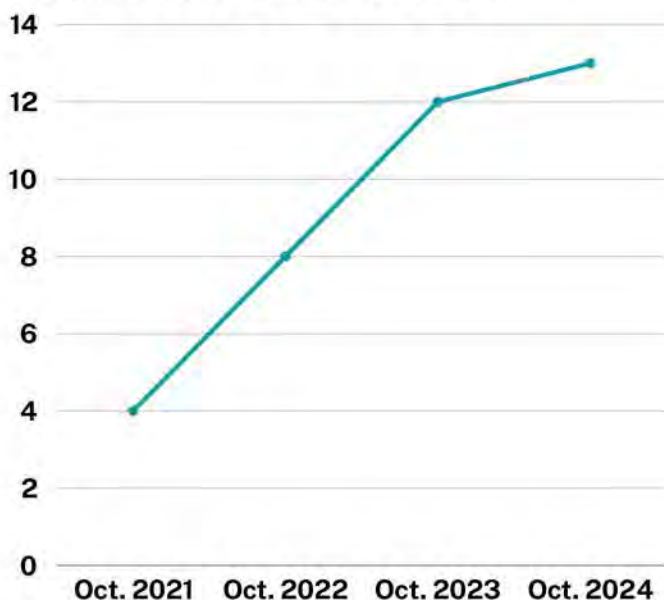




# COMMUNITY ENGAGEMENT

The community is vital to police oversight and the center of the work conducted by the OIPM. In the Memorandum of Understanding, the OIPM committed to developing relationships with community and civil groups to receive civilian and anonymous complaints, meeting with police associations, and conduct public outreach meetings and engagement activities. In this section of the Monthly Report, the OIPM explains the community outreach and public events that the OIPM coordinated or participated in the last month.

## Outreach - October 2021, 2022, 2023, 2024



## Outreach Events

- Completed Performance-Based Evaluation process to certify mediators, October 23 & 25 at NORD Sanchez Center
- Celebration for 10-year anniversary of mediation program, October 22 at Soule Café in MidCity
- Presented on mediation program to college students at Mercy University First Year Seminar on October 2nd, virtually
- Attended NOPD's Night Out Against Crime
- Attended NOPD's Fourth District Consent Decree Meeting
- Hosted Public Comment and Coffee at Backatown Coffee Parlour
- Office of Consent Decree Monitor's Consent Decree Forum via Zoom
- Attended First District PCAB and NOPD Public Forum
- Office of the Consent Decree Monitor Public Forum - Loyola
- Office of the Consent Decree Monitor Public Forum - Nora Navra Public Library
- Office of the Consent Decree Monitor Public Forum - New Orleans East Regional Library
- Presentation to the Criminal Justice Committee
- National Day Against Police Brutality

# 13

## Total Outreach Events this Month



OIPM take public comment at Backatown Coffee Parlour ahead of the November 8 deadline.



OCDM Consent Decree Public Forum at Nora Navra Public Library.



# COMMUNITY-POLICE MEDIATION

## Relevant Definitions

### Mediation

A mediation process helps parties develop a mutual understanding of a conflict. Mediation may help the parties identify disputed issues, facilitate communication, provide an opportunity to improve community relationships, and generate options that may help the parties reach a mutually acceptable resolution.

### Consent

All parties must voluntarily agree to participate in mediation and give consent. The consent process involves communication between the participant and the Mediation Director or program staff about the mediation process, what to expect, and clarification of any questions. Consent forms are signed in advance of confirming the mediation session.

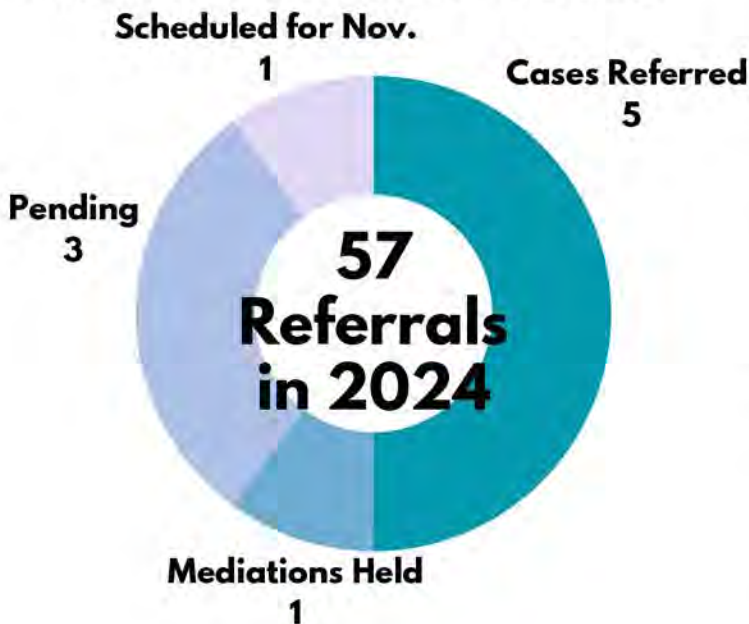
### Mediator

The role of the mediator is to be a neutral and trained third party who listens, clarifies, and facilitates conversation. Mediators are non-judgmental and do not give advice, take sides, or decide who is right or wrong. Mediators do not influence or pressure participants to come to an agreement. Mediators are trained and recruited by the OIPM.

### Voluntary

All participants engage in mediation at their own free will. They can end the process at any time and will not be forced to do anything or say anything they do not want to. No one is forced to agree to anything they do not want to.

## Mediation Numbers - October



## What is Mediation?

Mediation is an alternative to the traditional process of resolving complaints of police officer misconduct. Mediation provides a process facilitated by two professionally-trained community mediators to create mutual understanding and allow the officer and civilian to be fully heard and understood in a non-judgmental way. Mediation creates a safe, neutral space for officers and civilians to speak for themselves, share about their interaction and how it impacted them, explain what is important to them, and come to their own agreements and solutions about moving forward.

The Public Integrity Bureau (PIB) of the NOPD determines which complaints are referred to the Mediation Program. The types of complaints that are most often referred to mediation are those that allege lack of professionalism, neglect of duty, or discourtesy. Complaints such as unauthorized use of force, unlawful search, and criminal allegations are ineligible for mediation and continue through the formal complaint investigation process by the PIB.

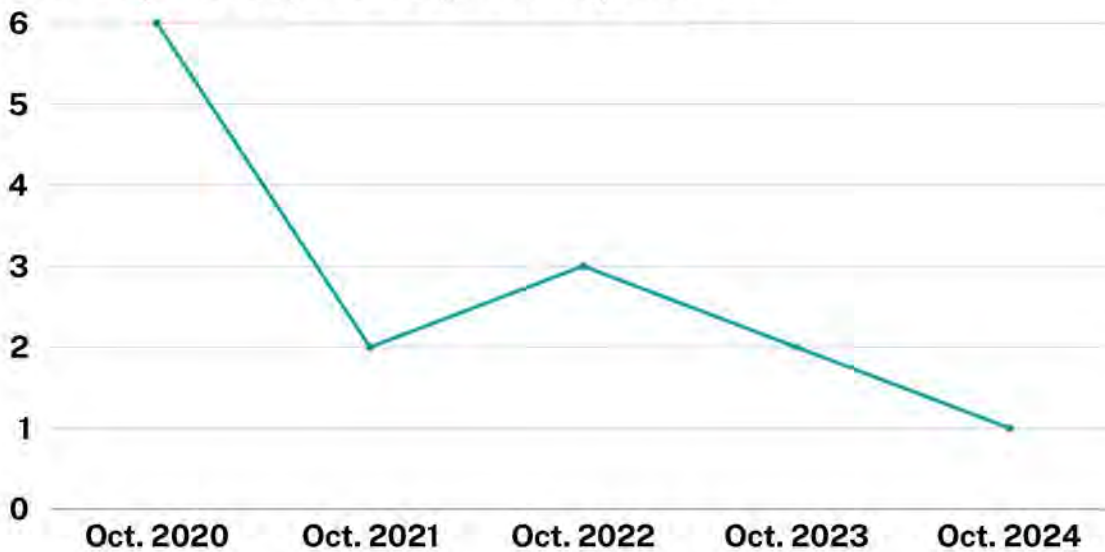
**Non-judgmental**  
**Confidential**  
**Voluntary**



**Mediation is:**

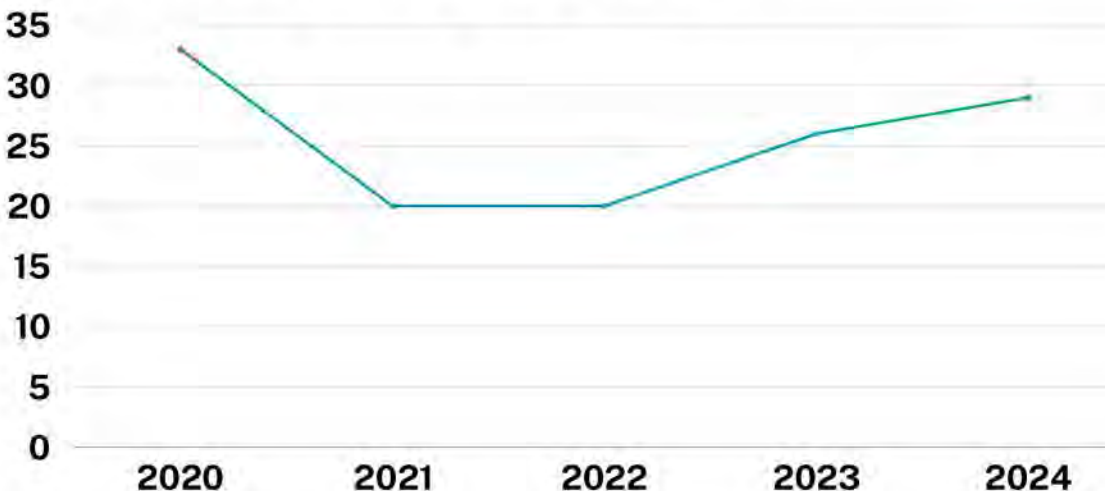
- ➔ A participant-guided process that helps the community member and the officer come to a mutually-agreeable solution. This helps to create mutual understanding and improve relationships.
- ➔ A space of discussion without the need to say who is right or wrong. No evidence is needed. The mediators are not judges. The mediators do not present their thoughts on the issue.
- ➔ It's about dialog, not forced resolutions. People are not forced to shake hands or make-up. The role of the mediators is to be neutral 3rd party facilitators. They will not pressure either participant to come to an agreement.
- ➔ An opportunity for the community member and the officer to be in charge of their own process and outcome. It will not be decided by an outside agency or person. It is outside of any punishment framework or the legal process. There is no appeal because mediation is voluntary.

**Mediations Held This Month  
2020, 2021, 2022, 2023, 2024**



**1**  
**Total Mediations Held this month**

**Mediations Held YTD In  
2020, 2021, 2022, 2023, 2024**



**29**  
**Total Mediations Held YTD**



# CONSENT DECREE & OVERSIGHT BACKGROUND

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The OIPM is providing the following information in our monthly reports as a way to keep our partners and the public informed of the role of oversight, the policing history that led to the creation of the Consent Decree, and the differences between different types of oversight.

The OIPM wants to use every opportunity available to share valuable information and historical context to our work so everyone working towards the goal of accountability, transparency, and police oversight can be equipped, informed, and engaged.

Over the year, the OIPM may add to this section additional resources and information that we assess as helpful and empowering.





# LEGAL JURISDICTION; OBLIGATIONS OF THE OIPM OFFICE AND STAFF

The OIPM operates under three core legal documents that guide the scope of local oversight and the jurisdiction of our work. Additionally, below are overviews of other ordinances that affect our work and create new legal obligations on the OIPM.

## **New Orleans Code of Ordinances Stat. § XIV: Office of the Independent Police Monitor**

This statute was created by voter referendum and provides the legal responsibilities, perimeters, and budgetary support of the OIPM. This was put to a public vote in November 2016 and passed. This statute states the responsibilities of the OIPM and requires particular work streams and tasks. The statute also describes the disclosure requirements of the office.

## **Louisiana Revised Stat. § 33:2339: Detail or Secondary Employment; City of New Orleans**

This statute was created in 2013 and gives legal abilities and subpoena power for the OIPM to investigate allegations of misconduct in the secondary employment system operated by the Office of Police Secondary Employment. The statute is silent as to the ability for the OIPM to refer these investigations to the NOPD or the District Attorney's Office for subsequent criminal or administrative accountability based on the OIPM investigation.

## **Memorandum of Understanding between NOPD and OIPM Executed November 10, 2010**

The MOU is a Memorandum of Understanding between the NOPD and OIPM which outlines the responsibilities, expectations, and authority of the OIPM when providing oversight to the NOPD. Through this MOU, there is clarity regarding the work the OIPM will complete and how the OIPM will access NOPD records, data, and reports and monitor NOPD during on scene investigations. The MOU was entered into in November 2010 and in the coming year the OIPM intends to work with NOPD leadership to review this agreement and determine if it should be updated to ensure it is still relevant and considers updates to technology.

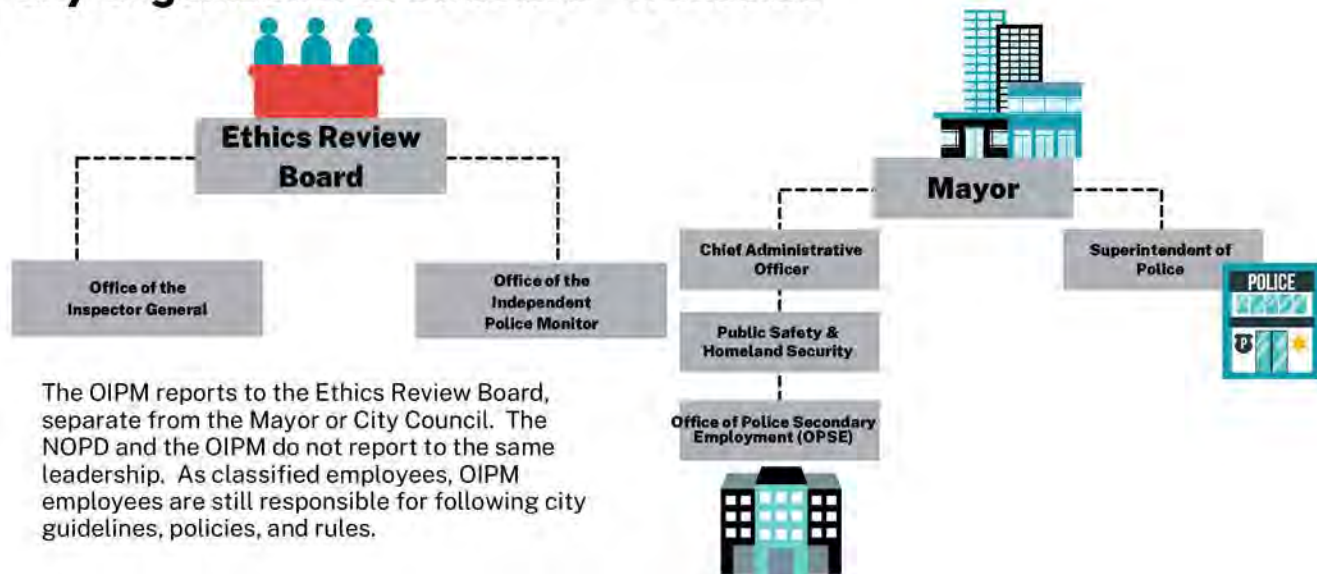
## **Ordinance 29130: Sharing of Data**

Ordinance 29130 requires that our office (along with other public safety agencies) provide data monthly to City Council.

## **Ordinance 29063: Quarterly Presentations to the Criminal Justice Committee**

Ordinance 29063 requires that our office (along with other public safety agencies) present quarterly to the City Council Criminal Justice Committee.

## City Organizational Structure - Truncated



# OVERSIGHT MODELS

## Different Reasons Why There is Oversight / Monitors

### Court Ordered

Court ordered monitors through litigation brought by the US Dept. of Justice to end "patterns and practices" of unconstitutional policing under federal law.

### Consent Decree Monitors

Monitors that are the result of federal Consent Decrees.

### Oversight Agencies

Oversight agency like civilian oversight that is responsible for review, auditing, or investigation.

.....  
New Orleans has both of these types of oversight  
.....

## Models of Civilian Oversight

### Review-Focused Model

*Review-Focused models tend to utilize volunteer boards and commissions.*

- Review-focused models assess the quality of finalized investigations conducted by an internal affairs division or the police department
- Conduct reviews of the agency's policies, procedures and disciplinary proceedings.
- Hold public forums, hear appeals, or make recommendations for investigations regarding allegations of misconduct

OIPM reviews the quality of finalized investigations conducted by the Public Integrity Bureau (which is the internal affairs of the NOPD)

### Investigative-Focused Model

*Investigative-focused models will employ professionally trained staff*

- Investigative-Focused Conduct independent misconduct investigations
- Operate as an intake site for complaints.
- These models may: mediate complaints, analyze policies and practices issue recommendations to the police and public.

OIPM is a complaint intake site and OIPM has investigatory power over the secondary employment office.

### Auditor / Monitor-Focused

- Auditor / Monitor-Focused model assesses systemic reform efforts.
- Review processes, evaluate policies, practices, and training. Based on those assessments, this oversight model will identify patterns and make recommendations Share findings with the public.
- These oversight agencies may participate in investigations.

OIPM assesses systemic efforts and will evaluate and review policies, practices and training then provide recommendations to NOPD.

### Hybrid Civilian Oversight Model

Hybrid Civilian Oversight Hybrid civilian oversight means there is one office serving functions from different models or multiple agencies in one jurisdiction which may be different models (like an advisory civilian board and the investigatory OIG).

OIPM is a hybrid oversight agency because it has elements of all the different types of oversight models. Additionally, New Orleans has hybrid civilian oversight since we have multiple oversight agencies serving different functions.

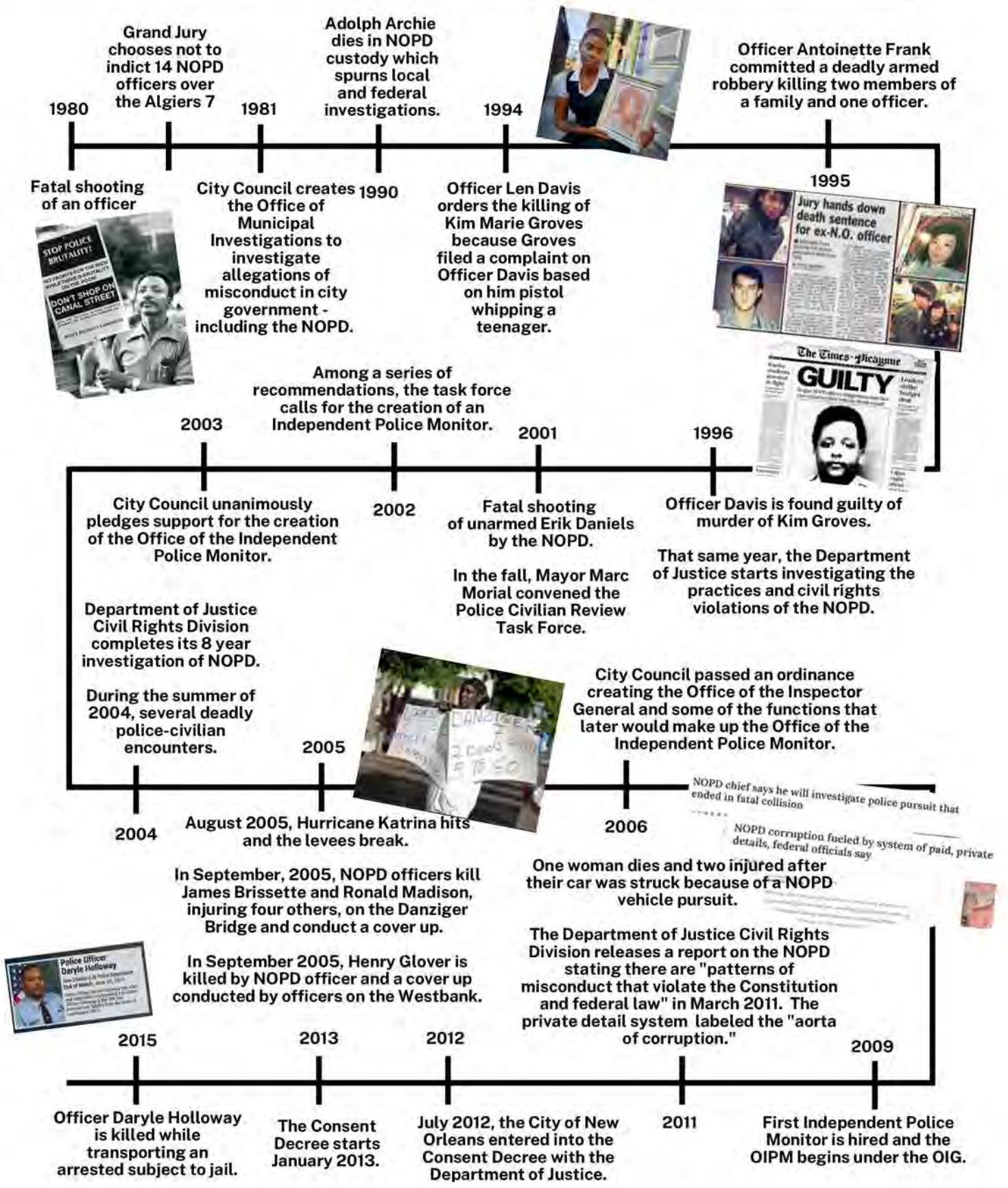
## 13 Principles of Effective Oversight

The National Association for Civilian Oversight of Law Enforcement (NACOLE) identifies these 13 principles as necessary for effective oversight. The OIPM adopted these principles:

- Independence
- Clearly defined and adequate jurisdiction and authority
- Unfettered access to records and facilities
- Access to law enforcement executives and internal affairs staff
- Full cooperation
- Sustained stakeholder support
- Adequate funding and operational resources
- Public reporting and transparency
- Policy patterns in practice analysis
- Community outreach
- Community involvement
- Confidentiality, anonymity, and protection from retaliation
- Procedural justice and legitimacy



# BRIEF HISTORICAL HIGHLIGHTS OF THE CONSENT DECREE; POLICING IN NEW ORLEANS



# UNDERSTANDING THE CONSENT DECREE AND HISTORY

New Orleans entered a formal consent decree in January, 2013. This Consent Decree process started in the years prior with the investigation of the patterns and practices of the NOPD by the Department of Justice's Civil Rights Division. In order to understand the necessity of the Consent Decree and the reforms required within it, it's important to understand the historical context of the city and the NOPD's problematic behavior within the community.

The NOPD had a long history of misconduct, violence, discriminatory practices, and corruption stemming back decades. In the 1980s was the beginning of a community effort to organize civilian based oversight of the NOPD. This effort resulted in multiple initiatives from the Office of Municipal Investigations to the Police Civilian Review Task Force to eventually the creation of the Office of the Inspector General to the Office of the Independent Police Monitor.

While these local efforts were evolving, simultaneously, the federal government was conducting ongoing investigations of the NOPD, the most recent ending in March 2011. Ultimately, the Department of Justice found that the patterns and practices of the NOPD violated the Constitution and federal law. The report identified systemic deficiencies in multiple operational and substantive areas including policy, supervision, training, discipline, accountability - all of which "led to unconstitutional discrimination, uses of force, stops, searches, and arrests." The findings of the Department of Justice may have surprised the country, but the community of New Orleans was already well aware of the violent and unchecked behavior of the NOPD and the culture of obstructionism and discrimination that existed within the department.

This shared history of policing is briefly overviewed on the next page and the OIPM included examples of the dynamics of the NOPD and the crimes committed that directly impacted the safety of the community and public trust in the police department.

The OIPM strives to acknowledge and remember those in the community who both fought for oversight and were impacted by the pain caused by the NOPD. This is why a tenant of the work completed by civilian oversight is to amplify the voice of the community. It is in that memory that the OIPM works and stays vigilant monitoring the policing occurring today because a possible backslide from compliance, depending on the severity, could result in a return to a pattern and practices of policing that was corrupt, violent, and unconstitutional.

The goal of the Consent Decree is for the reforms to be so deeply enmeshed into the operations, policies, systems, and culture of the police department that to dismantle those reforms would be easily catchable and not only cause alarm in the community but also be virtually impossible because of the changed culture and expectations within supervision and the police department.

The position of the OIPM is that New Orleans must own our history with the police. Our history informs our fears. This is why there is a fear of history repeating itself. In New Orleans there is a real concern of "backsliding" and a return of the "old NOPD." Our neighbors, friends, coworkers, and loved ones may have experienced injustices at the hands of the NOPD. In our recent history as a city, filing a misconduct complaint about the police could have ended with retaliation or violence, walking in an unfamiliar neighborhood may have resulted in intrusive and illegal searches, arrests were conducted with force, officers could be bought, and supervisors turned a blind eye to a culture of corruption, discrimination, and violence.

For this reason, the OIPM is sensitive of allegations or noncompliance in areas that touch on these historical problems and shared fears that may exist in our community. The OIPM will not sweep these fears under a rug, but instead ensure that these allegations are immediately prioritized and addressed:

## **Criminal activity or associations**

**Corruption**

**Violence**

**Use of Force**

**Receiving payouts**

**Field strip searches**

**Targeting of young African American boys**

**Supervisors failing to take misconduct allegations**

**Unauthorized pursuits**

**Cover-up of wrong doing and manipulation of misconduct investigations**

**Discriminatory practices**

# LOCAL & FEDERAL OVERSIGHT IN NEW ORLEANS

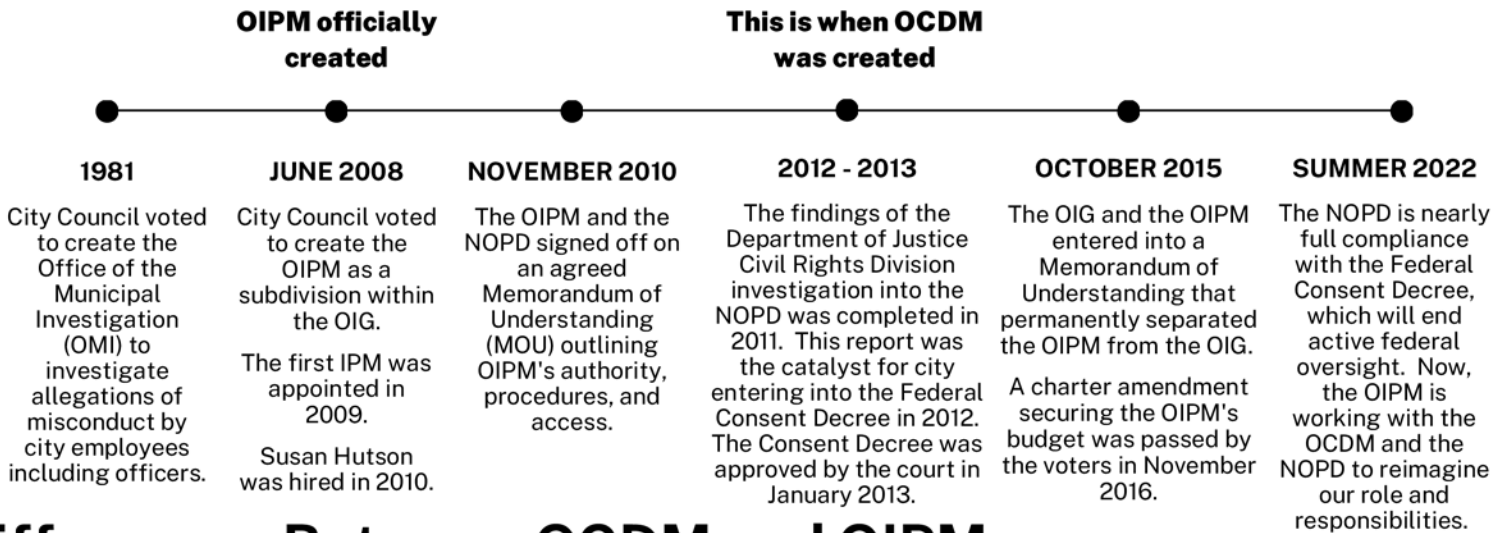
There are two types of monitors in New Orleans. There are three reasons why a city may have oversight or monitoring:

- Court ordered monitors through litigation brought by the US Dept. of Justice to end "patterns and practices" of unconstitutional policing under federal law.
- Monitors that are the result of federal Consent Decrees.
- Oversight agency like civilian oversight that is responsible for review, auditing, or investigation.

New Orleans has monitors for two of these reasons. There are monitors that a result of a federal consent decree and civilian oversight that is responsible for auditing, review, and / or investigation. The two offices have different responsibilities, were created through different mechanisms, and have different jurisdiction - all of which is described below.

## Timeline of Oversight

Below is the timeline of oversight in New Orleans. While the Office of the Independent Police Monitor is rather new, the concept of oversight and accountability for officers and public employees has existed in New Orleans since 1981. The OIPM was created in 2008 and became independent in 2015, two years after the Consent Decree was entered into by the City of New Orleans.



## Differences Between OCDM and OIPM

### Office of the Independent Police Monitor (OIPM)

- Created by City Council and receives jurisdiction and responsibilities from Ordinance.
- Everyone in the office is a city employee.
- On the ground and community based work - complaint intake site, runs the Community-Police Mediation Program,
- On scene monitoring including Use of Force and disciplinary proceedings.
- Provides recommendations and assessments based on reviews of finalized NOPD investigations and policies.
- Monitors investigations in real time and provides real time recommendations that become exhibits in NOPD investigations.
- Analyzes data and builds tools that will benefit the community and increase transparency.
- Funded through .16% of the general fund

### Office of the Consent Decree Monitor (OCDM)

- Appointed created by the Consent Decree and receives jurisdiction and responsibilities from the Consent Decree.
- Law firm bid on the city contract to monitor the compliance with the Consent Decree. Predominantly monitors from out of state. No one is employed by the city.
- NOPD needs present all policy rewrites and practice changes to OCDM for approval.
- OCDM worked with the Dept. of Justice to finalize all recommendations then presents to Judge Morgan for final sign off.
- OCDM conducted audits to determine NOPD compliance with the changes.
- Only focuses on matters identified in the Consent Decree.
- Monitors are paid through a contract that was entered into with the city as a necessity of the Consent Decree (Section O: Selection and Compensation of the Monitor)

The overlap between OIPM and OCDM is in policy recommendations, monitoring audits, and creating public reports or holding public forums.

**Monthly Report of  
Ethics Trainer**



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# OCTOBER 2024

# MONTHLY REPORT

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TRAINING DIVISION  
NEW ORLEANS ETHICS REVIEW BOARD





# 2024 ETHICS EDUCATION & SEXUAL HARASSMENT PREVENTION TRAINING

The annual deadline for completion of 2024 Ethics Education and Sexual Harassment Prevention for City of New Orleans employees and the members of the Ethics Review Board

is

**Friday, December 13, 2024.**

The programs may be completed online utilizing the links below:

**2024 Louisiana State Ethics Education:**

**<https://laethics.net/EthicsTraining>**

**2024 City of New Orleans Sexual Harassment Prevention Training:**

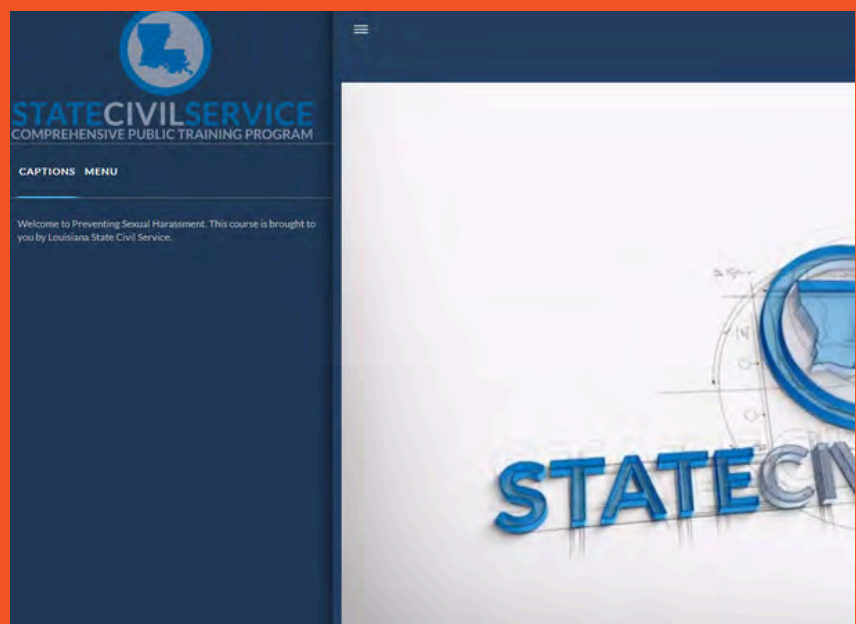
**<https://nola.gov/sexual-harassment-training/employee/>**

Please submit certificates/proof of completion to

**ERB Training Coordinator by**

**Friday, December 13, 2024**

If you are a new user, you must register for access to the portal in order to continue. If you already have a login from previous years, it is still valid to access the system and you may continue through to complete your educational requirement under the tab labeled, "Ethics Training for Public Servants." A detailed walkthrough is available below, for your convenience.







# ONGOING PROJECTS

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## WEBSITE RENOVATION

The Web Development Team within the Office of Information Technology and Innovation of the City of New Orleans has completed the redesign of the Ethics Review Board's website.

The new site is hosted on the City of New Orleans server and all maintenance and troubleshooting will be provided by the Office of Information Technology and Innovation going forward.

The new direct website URL is:

<https://nola.gov/next/ethics-review-board/home>

However, the good news is that the current **NOLAERB.GOV** URL will redirect users to the new site as well.

The new website will be presented to the Board at the next meeting.

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The New Orleans Ethics Review Board YouTube page may be accessed via the link below:

<https://www.youtube.com/@neworleansethicsreviewboard>

You Tube

**Monthly Report of  
Executive  
Administrator**

## MEMORANDUM

To: Ethics Review Board  
City of New Orleans

From: Dane S. Ciolino  
Executive Administrator and General  
Counsel

Date: November 8, 2024

Re: *Monthly Report for October 2024*

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### I. COMPLAINTS

The ERB received no new complaints since the last board meeting. Two complaints remain pending (2023-02 and 2024-02).

### II. APPOINTMENTS TO ERB

The Dillard ERB position remains unfilled. Dillard has sent over nominees to the mayor's office.

### III. APPOINTMENTS TO QUALITY ASSURANCE REVIEW ADVISORY COMMITTEES

No action has been taken by the mayor's office or the council to fill four vacancies on the QARACs for the OIPM and the OIG.