

Ethics Review Board
City of New Orleans

Tuesday
January 7, 2014
3:30pm – 6pm
Norman Mayer Library
3001 Gentilly Boulevard
New Orleans, Louisiana 70122

Minutes

Present: Dr. Michael Cowan, Chair; James Brown, Vice Chair; Allen Miller, Secretary; Dr. Joe Ricks, Jr., Elizabeth Nalty, Howard Rodgers, III
Staff: Steve Scheckman, General Counsel
Felicia R. Brown, Executive Director
Guest(s): Suzanne Wisdom, General Counsel, Office of Inspector General
Susan Hutson, Independent Police Monitor
Simone Levine, Deputy Independent Police Monitor

A quorum being present the chair called the meeting to order at 3:33pm. Ms. Nalty moved to approve the minutes of November 20, 2013, with a correction indicating that meetings in 2014 will be held in alternating months subject to call as needed. A second was offered by Mr. Brown. The motion passed unanimously.

The chair recognized Mr. Scheckman, general counsel for the Ethics Review Board, who reviewed the role of the Ethics Review Board with regard to the Independent Police Monitor, namely with respect to removal as provided by ordinance and explained the board's proceedings for the afternoon.

The chair recognized Suzanne Wisdom, general counsel for the Office of Inspector General.

Ms. Wisdom outlined the position of the OIG as regards its relationship to the Independent Police Monitor and as articulated in the OIG's memorandum to the board. She highlighted the historical context for the creation of the IPM as well as the OIG, noting media coverage with respect to the placement of the IPM within the OIG and referencing legislative language placing the IPM as a division within the OIG. Ms. Wisdom also explained the management relationship of the Inspector General to other units/divisions under his supervision, noting his supervision does not necessitate his having specialized knowledge within each functional area that is managed. She offered clarity in response to Mr. Rodgers' inquiry about the legislative changes creating the IPM.

A discussion ensued among board members Brown, Miller and Ricks, including Mr. Scheckman, comparing and contrasting the relationship between the OIG and IPM to that of the Ethics Review Board and the IG as regards supervision in daily oversight and work production, including a critique of work products.

Dr. Cowan recognized Ms. Susan Hutson, Independent Police Monitor. Ms. Hutson prefaced her comments by recognizing members of the public in attendance and thanking the ERB for an

opportunity to present. In particular she acknowledged the IPM as a division within the OIG, asserting such placement should not compromise its autonomy to produce independent work products nor stifle its independent voice. She too offered historical and legislative analysis with respect to creation of the IPM. Ms. Hutson further noted how the lack of resources (fiscal and personnel) impacts the office in completing the responsibilities outlined in the ordinance. She requested the assistance of the ERB in mediating the stalled MOU process between the IG and IPM as well as its support for additional resources.

In response to the question posed by Mr. Rodgers, Ms. Hutson acknowledged the financial implications for the city if the provisions of the consent decree are not met. In responding to Mr. Brown, she noted the MOU is with the IG. The chair inquired of the appropriate response on the part of the IG with regard to critique of IPM work products. Ms. Huston indicated the OIG could issue its own report and the IG could exercise the option of termination of employment.

Ms. Wisdom noted that the IPM has been given no role within the terms of the consent decree; however, Ms. Hutson clarified that the IPM-NOPD MOU has been incorporated into the consent decree.

Mr. Scheckman stated the provisions of the ordinance with regard to IPM personnel, noting the ordinance provides for three positions, namely: Independent Police Monitor, Deputy Police Monitor, and Executive Director for Community Relations.

In speaking to the issue of staffing pattern provided by the ordinance, Ms. Levine, deputy police monitor, noted no limiting clause was provided with respect to IPM personnel.

The chair recognized members of the public who wished to offer comments; see attached comment cards for the record.

The executive director provided an update on Ms. Nadler's return visit later this month (Wednesday, January 29 and Thursday, January 30), specifically ethics education training will be provided to staff of the New Orleans Redevelopment Authority and the French Market Corporation board. The consensus of the board is to pursue the possibility of Ms. Nadler providing ethics education for the full board based on her availability. The executive director will explore with the consultant; however, she noted the ERB is currently operating outside the provisions of the contract and such training is not included within the professional services contract between the ERB and Ms. Nadler.

A discussion ensued regarding the ERB's intervention between the IG and the IPM. The board discussed the implications of its actions supporting/promoting legislative changes that would address the structural relationship between the two entities, the impending elections, as well as the need for further deliberations. Dr. Ricks moved that Mr. Brown and Mr. Miller facilitate the MOU process between the IG and IPM. Mr. Rodgers offered a second. All were in favor and the motion passed unanimously.

The board reviewed the staff evaluation forms revised by Dr. Ricks, with particular attention on the standards for evaluation of the general counsel. Mr. Brown moved that the board adopt the executive director and general counsel staff evaluations as revised; Mr. Miller offered a second. All were in favor and the motion passed unanimously.

The board reviewed the FY 2013 budget. The spreadsheet reflected a balance remaining of \$22,353.58 which will be returned to the city less any outstanding expenses applied through the end of the 2013 fiscal year.

The board reviewed the 2013 Annual Report. Mr. Brown moved that the board annually release its report on February 1; a second was offered by Mr. Rodgers; the motion passed unanimously.

At 5:57pm Mr. Miller moved to recess into executive session; Dr. Ricks offered a second. The motion was approved unanimously.

At 6pm, Dr. Ricks moved that the board resume the open meeting; Ms. Nalty offered a second; the motion passed unanimously.

A discussion ensued regarding the next meeting date which was set for March 11, 2014 at 3:30pm.

At 6:04pm, Dr. Ricks moved that the meeting adjourn and Mr. Brown seconded; all were in favor and the motion passed unanimously.

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 1-7-14

Mr./Ms. Chair: I would like to speak regarding Autonomy of OIPM

in support in opposition information only

Name: Edward Parker
(please print clearly)

Representing: NAACP

Address: 7802 Hervey St NO LA 70126

Remarks: _____

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 1-7-14

Mr./Ms. Chair: I would like to speak regarding Independent Place
Writers

in support in opposition information only

Name: Pat Bryant
(please print clearly)

Representing: Justice Beyond

Address: 2832 Seranite St

Remarks: _____

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 1-7-14

Mr./Ms. Chair: I would like to speak regarding Autonomy of OIPM

in support in opposition information only

Name: Wade Thierry
(please print clearly)

Representing: Safe Streets

Address: 100 O.C. Harvey

Remarks: _____

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 1-7-14

Mr./Ms. Chair: I would like to speak regarding IPM work product
Autonomy + increased funding

in support in opposition information only

Name: Katherine Cruch
(please print clearly)

Representing: _____

Address: 8421 S. Claiborne

Remarks: _____

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: JAN 7 2014
OF PM
~~SCOTT~~

Mr./Ms. Chair:
I would like to speak regarding SCOTT

in support in opposition information only

Name: RANDOLPH SCOTT
(please print clearly)

Representing: SELF

Address: 2209 D'ARBRE ST
NO LA 70119

Remarks: SUPPORT OF POLICE MONTON

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 1/7/14

Mr./Ms. Chair:
I would like to speak regarding Judges ORDER

in support in opposition information only

Name: BRUCE WALTER
(please print clearly)

Representing: A citizen

Address: 939 LAKE MARINA AVE

Remarks: _____

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 1-7-13

Mr./Ms. Chair:
I would like to speak regarding The Resources For The

Independent Monitor
 in support in opposition information only

Name: Rev. Dr. Ernest MARELLE
(please print clearly)

Representing: SELF

Address: 1631 Steeple Chase Ln.

Remarks: _____

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 1/7/14

Mr./Ms. Chair:
I would like to speak regarding Independent Police Monitor

in support in opposition information only

Name: Rev Dwight Webster, PhD
(please print clearly)

Representing: Justice and Beyond

Address: 1700 Contist. New Orleans LA 70112

Remarks: Unfettered support of IPM are consistent with W.C.T. staff & rest of the team

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 1-7-14

Mr./Ms. Chair: I would like to speak regarding Autonomy of the

IPM

in support in opposition information only

Name: Kwanza Abdul-Khalig
(please print clearly)

Representing: UMMAH 1

Address: NEW ORLEANS, LA.

Remarks: "DUE PROCESS IS REQUIRED"

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 1/7/14

Mr./Ms. Chair: I would like to speak regarding IPM/OIG

in support in opposition information only

Name: Jerris Henderson
(please print clearly)

Representing: O.I.E.

Address: P.O. Box 13622

N.O. La, 70185

Remarks: _____

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 2/1/14

Mr./Ms. Chair: I would like to speak regarding OIG. Part invest-

igation of N.O.P.D. and stop of Frisk
 in support in opposition information only Photos of N.O.P.D.

Name: Donald Chopin
(please print clearly)

Representing: J.O.L.E. SAFE STS.

Address: 812 N. Maple ST

N.O. La.

Remarks: Open

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 7 Jan, 13

Mr./Ms. Chair: I would like to speak regarding Standing, Stalking

& Autonomy of the IPM #2
 in support in opposition information only

Name: Lois W. Adams (Deliver)
(please print clearly)

Representing: 7th WNA & Church. Unity & Beyond

Address: 1526 Rouselin Dr,

NOLA 70119

Remarks: _____

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 1-7-2014

Mr./Ms. Chair: I would like to speak regarding 1.P.M INDEPENDENT FROM

G.I.G.

in support in opposition information only

Name: IRVIN FORET

(please print clearly)

Representing: MYSELF

Address: 4228 DOWNMAN RD. APT.2

N.O., LA. 70126

Remarks: IMPROVE FUNDING AND MAKE I.P.M.

INDEPENDENT FROM G.I.G.

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: _____

Mr./Ms. Chair: I would like to speak regarding the intent of

the original charter change

in support in opposition information only

Name: Bethel Finsera

(please print clearly)

Representing: _____

Address: _____

Remarks: _____

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: JAN 7, 2014

Mr./Ms. Chair: I would like to speak regarding INDEPENDENT

MONITOR FUNDING

in support in opposition information only

Name: BEAT LOOERIG

(please print clearly)

Representing: (SELF)

Address: 3438 ANNETTE

New ORLEANS LA 70122-2999

Remarks: _____

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 01-07-2014

Mr./Ms. Chair: I would like to speak regarding IG funding

in support in opposition information only

Name: Braden Dominguez

(please print clearly)

Representing: Non-profit comedy

Address: 2428 Lakeview St

DOLA 70117

Remarks: Please support. I have been a victim of NPPD discrimination

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 1/7/14

Mr./Ms. Chair: I would like to speak regarding OIPM auto no my

I don't wish to speak *
 in support in opposition information only

Name: Flo Zell Daniels Jr.
(please print clearly)

Representing: Urban League of GNO

Address: 4750 Sclunston Dr.
KSO LA 70127

Remarks: Support Full Funding / auto no my

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date: 1/7/14

Mr./Ms. Chair: I would like to speak regarding #2 OIPM

in support in opposition information only

Name: Erika McConduit
(please print clearly)

Representing: Urban League of Greater New Orleans

Address: 2912 Canal St
NO, LA 70119

Remarks: Yes

ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Date:

Mr./Ms. Chair: I would like to speak regarding ~~PIG - Ethics Review Board~~ PIG - Ethics Review Board

in support in opposition information only

Name: Venessa G. Holder
(please print clearly)

Representing: Community

Address: 2019 Frenchmen

Remarks: Justice