

Ethics Review Board
City of New Orleans

Wednesday, May 21, 2014
3:30pm – 5:30pm
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): Edouard Quatrevaux, 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 3:30pm. Mr. Rodgers moved to approve the minutes of March 11, 2014. A second was offered by Ms. Nalty. The motion passed unanimously.

The chair recognized Mr. Quatrevaux. The inspector general offered an overview and highlights of OIG reports issued since the board's March meeting and indicated future reporting regarding the New Orleans Police Department. He responded to inquiries posed by Mr. Brown and Dr. Ricks regarding the Performance Audit of the New Orleans Police Department (NOPD) Uniform Crime Reporting (UCR) of Forcible Rapes; they each expressed their concerns regarding the misclassification of rapes by NOPD, as reflected in the audit.

Dr. Cowan recognized Independent Police Monitor Susan Hutson. Ms. Hutson reported the OIPM has received 46 complaints to date and responded to 9 critical incidents. She explained the circumstances in which the OIPM responds to critical incidents and further noted the OIPM is working with NOPD to clarify the notification process of critical incidents to the OIPM. The office will soon hire personnel to fill the position of coordinator of its Community-Police Mediation Program; the hire should be made by week's end. Additionally, a Schweitzer Fellow will work with the OIPM to support Project Restoration, which addresses PTSD (post-traumatic stress disorder) experienced by victims and officers. Ms. Levine, deputy independent police monitor, commented the program has the support of various police associations in the area. In responding to an inquiry by Mr. Rodgers, regarding the OIPM's recent reporting to the Criminal Justice Committee, Ms. Hutson indicated she believed the OIPM could receive additional funding through the consent decree, given the functions served by the OIPM in supporting the efforts of the consent decree monitor.

At 3:49pm, Mr. Brown moved to recess into executive session; Dr. Ricks offered a second. The motion was approved unanimously.

At 4:41pm, Mr. Rodgers moved that the board resume the open meeting; Ms. Nalty offered a second; the motion passed unanimously.

During the discussion of summer meeting dates, the board set a special meeting for June 11 at 3:30pm.

Mr. Brown moved that Mr. Miller identify prospective counsel to be retained by the Ethics Review Board to advise the board with respect to prospective litigation. Dr. Ricks offered a second; the motion passed unanimously.

A discussion ensued regarding the ethics education RFP (with the executive director reviewing the FY 2014 budget and the availability of funds) and the city's selection committee process with respect to vendors. On motion from Dr. Ricks, the board approved the RFP for ethics education consultation and the expenditure of \$35,000 for the consultancy; a second was offered by Mr. Rodgers; the motion passed unanimously.

On motion by Dr. Ricks, the board approved the participation of the ERB's board chair as a member of the RFP selection committee; a second was offered by Mr. Miller. The motion passed unanimously.

The executive director reviewed the ERB's budget process as outlined in the MOU with the OIG, noting officers and non-officers have participated in development of the budget in the past. On a motion from Mr. Rodgers, with a second from Ms. Nalty, board members Brown, Miller and Ricks were designated to assist with the ERB's budget process for FY 2015.

While discussing the process for review of the IG's annual compensation, it was noted that the OIG Quality Assurance Advisory Committee would not complete its report by the May 31 deadline and that it was unclear when the report would be available. The executive director noted the administration is in the process of designating its appointee; however, it is uncertain when the appointment will be made. There was indication that the ERB might delay its process (the OIG-ERB MOU indicates the ERB's consideration of annual salary review for the IG's compensation must be complete by June 30) in order to review the advisory committee's report. The chair indicated he would contact the administration regarding the appointment.

A discussion ensued about professional development for the ERB. The executive director indicated that the individuals and entities reflected in the memo to the board had been identified prior to the working group's incorporation of professional development into the ethics education consultancy. She noted that some individuals and entities had been included as prospective vendors and referred members to the listing contained in the RFP materials.

Mr. Brown and Mr. Miller reported that the MOU mediation process being facilitated between the OIG and OIPM is tabled at this time.

Dr. Cowan indicated that three nominees have been submitted to the mayor from Tulane University for his consideration. The person selected will replace Ms. Nalty, who is resigning from the board. The chair inquired whether board members could connect with Dr. Walter Kimbrough, president at Dillard University, regarding nominees. Mr. Miller indicated he could contact Dr. Kimbrough and Dr. Ricks also noted he knows the provost of the institution.

The chair commended Ms. Nalty's efforts as a founding board member of the ERB and presented her with a plaque in recognition of her service to the board. Ms. Nalty expressed her appreciation for the opportunity to serve on the ERB and lauded its high standards; she wished the board well in its endeavors.

At 5:17pm, Mr. Brown moved that the meeting adjourn and Dr. Ricks seconded; all were in favor and the motion passed unanimously.