



ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Ethics Review Board
City of New Orleans

Wednesday, August 17, 2016
4:00 P.M. - 6:00 P.M.

City Council Chambers
1300 Perdido Street
New Orleans, LA 70112

AGENDA

1. Approval of minutes: June 20, 2016
2. Inspector General's Report
3. Independent Police Monitor's report
4. General Counsel's report
5. Acceptance of annual report
6. Budget review
7. Training update
8. Proposal for continuing ethics training
9. Renewal of contract with counsel
10. Remaining meeting dates 2016: 9/21, 10/19, 11/15, 12/21
11. Election of officers for 2016-17
12. Adjournment

525 St. Charles Avenue
New Orleans, LA 70130-3409
Telephone 504-681-3208 Facsimile 504-681-3230
erb@nolaerb.gov
www.nolaethics.gov

Ethics Review Board

City of New Orleans

June 20, 2016

4:15 P.M. – 6:15 P.M.

City Council Chambers | 1330 Perdido Street | Orleans, Louisiana 70112

Minutes

Present: Dr. Michael Cowan, Chair; Mr. James Brown; Mr. Howard Rodgers; Dr. Joe Ricks;
Rev. Brandon Boutin

Staff: Dane Ciolino, General Counsel

Guest: Toni Hackett Antrum, the Hackett Group, Ethics Education Trainers

At 4:20 p.m., a quorum being present, the Chair called the meeting to order. On a motion by Mr. Rodgers seconded by Dr. Ricks, the board unanimously approved the minutes of May 25, 2016.

Inspector General's Report

The Inspector General (IG) Ed Quatrevaux told the board that on June 22, 2016, the Office of Inspector General (OIG) will release an audit report on Sex Crime Reporting.

The IG told the board that on June 29, 2016, the OIG will release an evaluation report on fuel dispensing controls.

The IG told the board that the OIG will also release a report on fleet management and a follow-up report on sanitation fee collections.

The IG told the board that since the ERB's May meeting he has spoken to the Neighbors First for Bywater Organization and the French Quarter Citizens Association.

Independent Police Monitor's Report

The Independent Police Monitor (IPM) Susan Hutson reported the Office of the Independent Police Monitor's (OIPM) year-to-date activities for 2016: 5 criminal cases, 31 complaints, 5 case monitorings, 3 contacts only, 5 disciplinary hearings, 3 uses of force, 2 firearm discharges, 52 mediation referrals with 18 mediations completed and 3 being scheduled.

In response to Mr. Brown, the IPM told the board that the Public Integrity Bureau (PIB) has referred more complaints to the OIPM; this is the reason why the mediations have increased.

The IPM told the board that the New Orleans Police Department (NOPD) submitted its report at the end of April and the OIPM has noticed discrepancies. The OIPM will work with the

Compliance Bureau to ensure that the final data including the number of complaints and uses of force for 2015 are accurate.

The IPM presented to the ERB the OIPM's 2015 Annual Report Part I, Year in Review. The highlights of the report included:

OIPM Changes Based on Recommendations by the Police Assessment Resource Center (PARC):

- OIPM has revised the detailed portion of their mission statement in order to accurately reflect the OIPM's broad mandate.
- OIPM will share short-term plans in order to better coordinate OIPM's plans with government officials and stakeholders.
- OIPM will duplicate the structure and content of their 2014 Annual Report as a model for future annual reports to better communicate complex data to the public.
- OIPM will continue to offer education and information about emerging issues in policing, both national and local.
- OIPM is currently seeking an auditor who can conduct audits and manage OIPM's budget. OIPM will budget for an independent audit in 2018.

The OIPM's Six Broad Responsibilities

- To ensure that all complaints regarding police misconduct are investigated and mediated fairly, timely and at the appropriate level.
- To monitor NOPD investigations and identify violations of civil rights, safety and adherence to law and policy.
- To review and analyze aggregate data from complaints, investigations, community concerns, public policy and improving the quality of services by the NOPD.
- To inform the community about the OIPM and prepare the community for engagement in NOPD policy and practice.
- To mend police and community relationships
- To collect police commendations, review & monitor police training and supervision issues and support a healthy work environment for NOPD employees.

2015 OIPM Accomplishments

- The OIPM made the following recommendations regarding the Terrance Saulny case:
 - Require all NOPD officers to be equipped with body worn cameras that will be activated in all parts of the Youth Study Center.

Outcome: The officers in the juvenile division will be redeployed to work patrol and will be provided with body cameras at that time.

- All NOPD officers who are housed in the juvenile unit should be specifically trained in verbal de-escalation, treatment of a juvenile and use of force.
Outcome: NOPD had de-escalation training as a part of its use of force training and as a part of its Crisis Intervention Team training.
- OIPM's review of the March 7, 2012 death of Wendell Allen
 - Recommended better training, debriefing, and planning in the use of search warrants.
Outcome: NOPD has a checklist that determines which unit will serve more high risk warrants, as well as determine if a warrant service at a residence is worth the risk.
- The OIPM's leadership in transparency has helped to shape the NOPD's more transparent approach to major incidents. The OIPM began instituting the changes in June 2015 in regards to providing more information to the public surrounding officer involved shootings.
Outcome: The change led to NOPD's February announcement to release videos sooner.
- OIPM followed the OIG's report about the Special Victims Section of NOPD.
Outcome: This has resulted in substantial changes in that unit's structure and practices.
- Recommendations and monitoring of the investigation regarding the death of Officer Daryle Holloway.
Outcome: There was immediate roll call training to help officers become safer. The final internal review will be conducted in August.
- OIPM helped organize and also presented at a community seminar on the FBI's Civil Rights Division.
- OIPM presented at conferences regarding the changes in the country regarding policing, police monitoring, mediation, de-escalating training, strong police oversight and strengthening community engagement in police reform.
- OIPM's Mediation Coordinator has spoken nationally regarding best practices in creating a community police mediation program. The OIPM also assisted Ferguson, Missouri in starting a program.
- OIPM presented the "Know Your Rights and Responsibilities during a Police Encounter" to Warren Easton Charter High School students.
- OIPM has trained NOPD officers at the Training Academy and in-service training regarding the proper handling of complaint investigations.

In response to Mr. Brown, the IPM told the board that it's a part of the OIPM's mission to monitor police safety practices.

In response to Dr. Ricks, the IPM told the board that the Use of Force Review Board's role is to conduct a debriefing of an incident and the investigation to make sure that policies and trainings

are available to NOPD officers for safety. Another role includes reviewing investigations to make sure they were conducted properly.

In response to Dr. Ricks, the IPM told the board that the OIPM, NOPD Supervisors and PIB can make recommendations to NOPD early on. However, the Use of Force Review Board is the main unit to review for recommendations and are also developing a way for this to be reviewed in a more detailed way and for training to be implemented quicker.

OIPM 2016 Publications

- March 2016- A letter recommending free speech rights and safety. NOPD advised that they were handling events appropriately.
- April 2016- A letter supporting PIB Chief Arlinda Westbrook in a more expansive approach to criminal investigations. OIPM met with Chief Harrison and Chief Westbrook to encourage this approach.
- April 2016- OIPM Training Bulletin- Regarding training officers to better identify observed behavior as opposed to race and location. OIPM has not received a response yet.
- 2015 Year in Review Report
- 2015 Mediation Annual Report- The report is complete; awaiting NOPD response.
- 2015 Compliant Intake and Review- The report is in draft mode. The anticipated completion date is in August.
- 2015 Critical Incidents and Uses of Force- In the process of gathering data to draft a report. Awaiting the approval of contracts to hire a contractor to assist with the report.
- 2015 Bureau Disciplinary Hearing Monitoring and Review- In the process of gathering internal data to draft a report. Awaiting the approval of contracts to hire a contractor to assist with the report.

In response to Mr. Brown, the IPM told the board that she anticipates having the Critical Incidents and Use of Force Report completed before the end of the year.

In response to Mr. Brown, the IPM told the board that between January 2016 and June 2016 there has only been 2 incidents of deliberate discharge of a firearm by a NOPD officer. This includes an incident with an animal and an accidental incident. She also told the board that there were 13 incidents of deliberate discharge of a firearm by a NOPD officer in 2015.

In response to Mr. Brown, the IPM told the board that the OIPM will work to try and identify the reason why there are so few incidents of deliberate discharges of a firearm by a NOPD officer in 2016 when compared to 2015.

The IPM told the board that the OIPM will also identify the reason why there are so few complaints. The number of complaints have gone from 1600 to 850 since the time that the IPM started her position.

In response to Mr. Brown, the IPM told the board that the OIPM is still working to determine the number of legitimate and proper incidents of deliberate discharges of a firearm by a NOPD officer. The IPM also told the board that the data analyst that will be hired will assist greatly in determining these findings.

OIPM Future Publications

- OIPM reviews of completed disciplinary investigations as conducted.
- OIPM follow-up to Anti Retaliation Policy recommendations. The anticipated completion date is winter of 2016.
- NOPD's final data on UOF and complaints- completed April 2016.

The IPM told the board that all of the OIPM reports will emphasize the OIPM's methodologies, standards and authorities.

In response to Dr. Cowan, the IPM told the board that the OIPM is looking to hire a police performance auditor or a CPA.

In response to Dr. Cowan, the IPM told the board that the independent auditor would be used to monitor controls, the budget and performance.

In response to Dr. Cowan, the IPM told the board that she would like to get the ground rules for the separate operation of the OIPM completed prior to the vote of the separation proposal between the OIG and the OIPM.

Mr. Brown told the board that it's essential to note foreseeable problems as documents are drafted and before any ordinances are adopted.

General Counsel's Report

Mr. Dane Ciolino, the ERB's General Counsel advised the board that since the ERB's May meeting no new complaints have been received but there is 1 open complaint with no new developments and an executive session was not necessary.

Mr. Ciolino told the board that a memo was given to Dr. Cowan on June 12, 2016 where he suggests that some of the prosecutorial functions are given to the OIG since the investigative staff is available and the office has the ability to bring charges.

Mr. Ciolino told the board that he expects to hear from the OIG within 2 weeks in order to have decisions and principles in place by the next ERB meeting.

Mr. Brown told the board that there needs to be a separation of prosecutorial and adjudicative functions. He also suggested that the OIG could add a separate division that would perform prosecutorial functions only.

In response to Dr. Ricks, Mr. Ciolino told the board that selecting a department with independence is essential in the selection process when determining who would perform the prosecutorial functions for the ERB.

Mr. Ciolino told the board that he will draft options for the ERB in regards to the performing of prosecutorial functions for the ERB.

In response to Mr. Rodgers, Mr. Ciolino told the board that the possibility of the OIG performing the prosecutorial functions for the ERB will not have any bearing on the possible separation of the OIG and the OIPM.

Ethics Education Report

Ms. Toni Hackett Antrum of the Hackett Group told the board that since the ERB's May meeting the updated evaluations were submitted at the end of May 2016.

Ms. Hackett Antrum told the board that the ethics education training with the City Council will be held on July 18, 2016 and will include the Council Research Division, the Fiscal Division and all of the City Council Staff.

Ms. Hackett Antrum told the board that the ethics education training with the Mayor's Office, Public Works and the Finance Department are a work in progress.

Ms. Hackett Antrum told the board that the Hackett Group will attend a 2 hour training on August 24, 2016 in Baton Rouge, LA for additional ethics training.

In response to Dr. Cowan, Ms. Hackett Antrum told the board that the Hackett Group's contract will end by September 30, 2016.

In response to Mr. Brown, Ms. Hackett Antrum told the board that the Hackett Group has met all of the deliverables in their contract with the ERB.

Dr. Cowan told the board that he would like for the ERB and the Hackett Group to continue to collaborate on the departments that are targeted for ethics education training going forward.

Dr. Cowan told the board that the ERB guidelines state that the officers take their seats at the first ERB meeting after the month of July.

Dr. Cowan told the board that Mr. Rodgers has agreed to chair a working group with Mr. Brown and Mr. Miller to provide candidates for 2017 at the ERB meeting in August.

Dr. Cowan told the board that the next ERB meeting is in August.

At 5:36 p.m., Dr. Cowan moved that the meeting adjourn, a second was offered by Dr. Ricks. The motion carried unanimously and the meeting adjourned.



ETHICS REVIEW BOARD

CITY OF NEW ORLEANS

2015 ANNUAL REPORT

Board Members

Dr. Michael Cowan, Chair

Mr. Allen C. Miller, Vice Chair

Dr. Joe M. Ricks, Jr., Secretary

Mr. James A. Brown

Mr. Howard Rodgers, III

Rev. Dr. Donald R. Frampton

Rev. Brandon Boutin

Staff Members

Mr. Dane S. Ciolino ~ General Counsel

Ms. Jessica Lang ~ Executive Assistant

525 St. Charles Avenue, Suite 300

New Orleans, LA 70130-3409

Telephone: 504.681.3208

Fax: 504-681.3230

nolaethics.org

Table of Contents

Message from the Chair.....	4
Members of the Ethics Review Board.....	6
Mission Statement.....	9
History.....	9
Functions and Authority.....	9
Complaints.....	9
Future Work.....	11

Message from the Chair

July 20, 2016

Dear citizens of New Orleans,

The Ethics Review Board of the City of New Orleans (ERB) has responsibility for overseeing the Office of Inspector General (OIG), enforcing the city's ethics code, and promoting ethics awareness through education and training.

The past year's work included the launching of the Ethics Review Board's ethics training for city employees, elected and appointed officials, and members of boards and commissions. The training is based on the use of ethical dilemmas associated with real-life circumstances posing ethical dilemmas of the kind that city employees and officials, members and staffs of boards and commissions, and others might be expected to encounter in their specific situations, as well as exposure to relevant ethical provisions of the city and state ethics codes. Recipients are selected and training is designed in consultation with the ERB and conducted by the Hackett Group, a local consulting firm. In December of 2015 the first two ethics training sessions occurred for members of the city's Department of Safety and Permits. A total of 31 city inspectors took part in sessions on December 14 or 21. A summary of evaluations by 2015 participants is available for inspection on the ERB website (www.nolaerb.gov). In preparation for becoming state-certified ethics trainers, members of the Hackett Group took part in trainings sponsored by the State of Louisiana. As of this writing training sessions have been completed in 2016 for 25 support service and engineering personnel of the Sewerage and Water Board and 25 engineers and managers in that same agency. Plans are being made for 15-20 members of the mayor's office, the city council and the finance department to take part in the training in the coming year.

2015 brought intense public discussion about whether the Office of Independent Police Monitor (OIPM) should remain within the Office of Inspector General or be separated from it. The result of this debate was a decision by city council to place a charter amendment on the ballot in November 2016. The measure would provide for the separation of the OIPM from the OIG and the assignment of agreed portions of the money set aside annually by charter for operation of the OIG, OIPM and ERB. In the new institutional arrangements, the OIPM would report to the ERB, as the OIG now does, and presumably be subject to the same accountability as the OIG. The council also passed an ordinance requiring that ERB members file annual financial disclosure statements.

Finally, in 2015 the ERB retained attorney Dane S. Ciolino as its general counsel. A respected expert in legal and governmental ethics, he is a professor in the Loyola

University New Orleans College of Law. His expertise will add great value to the work of the ERB. As a matter of efficiency, the ERB decided not to replace its former full time executive director, accepting instead the offer of Inspector General Quatrevaux to assign a member of his staff, Ms. Jessica Lang, to assist the ERB part time. As of the end of 2015, the arrangement was working well. It will be reviewed annually.

I noted in previous reports that, while the relationship between an inspector general and public officials will inevitably include tensions, it need not be adversarial. In the arena of government ethics, the best of possible worlds is a strong, independent office of inspector general and a senior elected official who sees that office as an ally in the quest for effective, efficient, fair and law-abiding government. Those powerful stars continue to be aligned in New Orleans. This matters because around the world, good government has been shown not just to make government less wasteful and corrupt, but also to increase economic opportunity and reduce racial and other inter-group tensions. Whoever cares about those two matters cannot allow waste and corruption to contaminate public institutions.

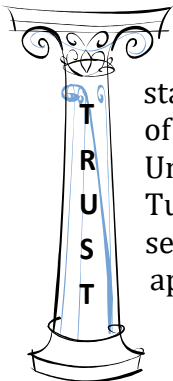
Should you have comments, questions or suggestions for the Ethics Review Board, I encourage you to visit our website www.nolaerb.gov click on "Contact" and complete the comment form. If you would prefer to call, our number is (504) 681-3208.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael A. Cowan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Michael A. Cowan, Ph.D.
Chair
Ethics Review Board, City of New Orleans
May 26, 2016

Ethics Review Board Membership



The Ethics Review Board consists of seven volunteer members who serve staggered seven-year terms. Six members are appointed by the mayor from lists of three nominees submitted by the presidents or chancellors of Dillard University, Loyola University, Southern University in New Orleans (SUNO), Tulane University, University of New Orleans (UNO), and Xavier University. The seventh member is appointed by the mayor. Each appointment is subject to approval by a majority of the members of the City Council.

Current members of the Ethics Review Board

Dr. Michael A. Cowan, chair, is a psychologist and theologian. On the faculty of Loyola University since 1990, he also serves as special assistant to the university president. He was co-founder of the Jeremiah Group, an interracial and interfaith community organization, and Shades of Praise, the New Orleans interracial gospel choir. After Hurricane Katrina, he served as chief of staff of the Government Efficiency and Effectiveness Committee of the bring New Orleans Back Commission, and subsequently founded Common Good, a network of civil society organizations to build multiracial consensus on the rebuilding of New Orleans. He served on the Human Relations Commission of the City of New Orleans from 2001-2008, chairing the commission from 2002-2008. He is a visiting fellow of Harris Manchester College in Oxford University and the Irish School of Ecumenics in Trinity College, Dublin. He is a nominee of Loyola University; his term will expire June 30, 2022.

Allen C. Miller, vice chair, practices in the area of commercial litigation. He concentrates his practice in the areas of general business torts; products liability; casualty litigation, banking and lender liability; class-action litigation; bankruptcy litigation; construction litigation and contracts; civil RICO; trade secrets litigation; professional malpractice; and a wide variety of other corporate litigation matters. His experience includes, without limitation, first chair litigation counsel in numerous bench and jury trials in state and federal court. He is solely responsible for the litigation strategy and handling of cases for several institutional firm clients, and regularly supervises commercial litigation associates and paralegals. His memberships and affiliations include: Louisiana State Bar Association, Minority Involvement Section, New Orleans Bar Association, American Bar Association, National Bar Association, Federal Bar Association (Board of Directors, Eastern District of Louisiana), International Association of Defense Counsel, Louisiana Association of Defense Counsel, Louisiana Association of Defense Counsel Trial Advocacy (Faculty Member, 2006 - Present), and National Institute of Trial Advocacy (Faculty Member, 2004 - Present). He is a "40 Under 40" Award Recipient (National Bar Association) as well as "40 Under 40" Award Recipient by Gambit Weekly. Additional board service includes Odyssey House of Louisiana, Inc., as Vice-President and Executive Committee Board Member, and member of the board of directors for WRBH Radio for the Blind and Print Handicapped. Mr. Miller is a graduate of Southern University Law Center and Xavier University. Mr. Miller is a nominee of Xavier University; his term will expire June 30, 2018

Dr. Joe M. Ricks, Jr., secretary, is chair of the Division of Business and the J.P. Morgan Chase Professor of Sales & Marketing at Xavier University of Louisiana. Dr. Ricks earned a Ph.D. in marketing with a minor in cognitive psychology from Louisiana State University, a Master's of Business Administration from the University of New Orleans and a Bachelor's degree in Marketing from Southeastern Louisiana University. Professionally, Dr. Ricks has published in *Business and Society Review*, the *Journal of Selling and Major Account Management*, the *European Journal of Marketing*, the journal *Performance Improvement*, the journal *Industrial Market Management*, the *Journal of Consumer Marketing*, the *Journal of Business Ethics*, the *Journal of Business Research*, and the *Journal of Vocational Behavior*. He has also been an editorial contributor to *Data News Weekly*, providing commentary on current issues relevant to the African American community. Dr. Ricks has been a visiting professor at Young & Rubicam Advertising Agency in New York in addition to the Corporate Customer Contact Center, Occupational Health and Environmental Safety Division, and the Sales Center of Excellence at 3M Company in St. Paul Minnesota. He has also served as a marketing intern coordinator for McIlhenny Company (Tabasco). Currently, he serves on the board of the Louisiana Quality Foundation that awards the Louisiana Performance Excellence Award based on the Malcolm Baldrige quality criteria. Prior to his academic career, Dr. Ricks' experiences included retail management, state government, the United States Army, and the Louisiana National Guard. Dr. Ricks is married to Mrs. Dianne Way-Ricks and has one daughter Jaelynn Ricks. Dr. Ricks is Mayor Landrieu's appointee; his term will expire June 30, 2020.

James A. Brown is a shareholder with the New Orleans law firm of Liskow & Lewis, P.L.C., and heads the firm's Commercial Litigation Section as well as its Professional Liability Practice Group. He also serves as the firm's Loss Prevention Partner and formerly served on the Board of Directors. Mr. Brown is a Fellow of the American College of Trial Lawyers. He is ranked among America's leading commercial litigators by Chambers and Partners USA Client Guide. He is listed in *The Best Lawyers in America* in the fields of Bet-the-Company Litigation, Commercial Litigation, Legal Malpractice Defense, and Professional Malpractice Law. He also is included in *New Orleans Magazine's* listing of Top Lawyers. He is listed in Louisiana "Super Lawyers" and in *Benchmark Litigation*. He is the Chair of the American Bar Association Presidential Standing Committee on Lawyers' Professional Liability. Mr. Brown is an adjunct professor of trial advocacy and torts at the Louisiana State University Law Center and is a member of the New Orleans, Louisiana, and American Bar Associations. He serves as a member of the Advisory Council for the LSU Honors College. Mr. Brown received his B.A. degree, summa cum laude and valedictorian, from Louisiana State University in 1981. He received his J.D. from the LSU Law Center in 1984. He served as Editor-in-Chief of Volume 44 of the *Louisiana Law Review* and as law clerk to the Honorable Alvin B. Rubin, Circuit Judge, United States Fifth Circuit Court of Appeals, 1984-1985. He and his wife of 33 years, Kelly, have three sons, two daughters-in-law, and one grandson. Mr. Brown is a nominee of the University of New Orleans; his term will expire June 30, 2019.

Howard L. Rodgers, III, is executive director of the New Orleans Council on Aging/Area Agency on Aging. He holds a master's degree in Social Work from Southern University at New Orleans and a certificate as a Certified Aging Planner from Louisiana State University. Mr. Rodgers is a past board member of the National Council on Aging and the Southwest Society on Aging. Howard currently serves on the National Association of Social Workers Geriatric Committee, National Association of Social Workers Legal Defense Fund as a trustee, Family Service of Greater New Orleans as a board member, and Advisory Board of the Sisters of the Holy Family Lafon Nursing Home. He is a 2010 National Council on Aging Geneva Mathiasen Award Recipient and was recognized as a 2011 Role Model by the Young Leadership Council of Greater New Orleans. Rodgers is a former board member of PACE New Orleans and former president of the Louisiana Aging Network Association. Mr. Rodgers is a nominee of Southern University at New Orleans; his term will expire June 30, 2017.

Reverend Dr. Donald R. Frampton currently serves as senior pastor of St. Charles Avenue Presbyterian Church (SCAPC), the largest Presbyterian Church (USA) in Louisiana. The church is widely known for its worship, mission, and educational programs. In partnership with hundreds of Presbyterian and other churches across the country, SCAPC has played a leading role in post-Katrina work, housing over 4,000 volunteers, gutting 210 houses, building 29 Habitat for Humanity homes, and donating nearly \$1,000,000 to recovery efforts. Previously, Dr. Frampton was pastor of First Presbyterian Church, Rockingham, North Carolina, and Associate Pastor of First (Scots) Presbyterian Church in Charleston, South Carolina. He received his B. A. in History from the University of South Carolina and his D. Min. from Columbia Theological Seminary in Decatur, Georgia. Within the Presbytery of South Louisiana, Rev. Frampton is past Moderator of the Council and Moderator of the Presbytery. He has also served as Moderator of the Committee on Ministry. Additional civic and community service includes his participation in various capacities within the business, political, and religious sectors. Dr. Frampton and his wife, Colleen Harvin Frampton, have three children: Harrison, Catherine, and McCord. Rev. Frampton served as a member of the Ethics Review Board from 2011 - 2013 and returns as a nominee of Tulane University. His term will expire June 30, 2016.

Reverend Brandon Boutin is the First Assistant Pastor and Pastor of Ministries at Greater St. Stephen Full Gospel Baptist Church in New Orleans. He is a native of New Orleans and a graduate of St. Augustine High School, studied Xavier University, and is a graduate of New Orleans Baptist Theological Seminary. In 1999, he was licensed as a minister and in 2006 ordained as an elder. Deeply concerned about people, Pastor Boutin may be found on a daily basis in community meetings, at speaking engagements in the city and on college campuses, and participating in youth activities, as well as carrying out his extensive pastoral responsibilities. He is a fitness enthusiast, participates in a New Orleans sitcom entitled *Driven*, and runs in local races for various community causes. Wherever God takes Pastor Boutin into the future, he is determined to serve with passion, humility, and power. Rev. Boutin is a nominee of Dillard University.

Mission Statement

The Ethics Review Board seeks to uphold and enforce high ethical standards and promote the public's confidence in the government of the City of New Orleans.

History of the Ethics Review Board

In 1996, citizens of New Orleans voted to amend the Home Rule Charter to mandate the City Council to establish, by ordinance, an Ethics Review Board. Under that ordinance, the ERB is empowered to issue advisory opinions, promulgate rules regarding interpretation and enforcement of the Code of Ethics, retain counsel and impose fines. The initial selection of board members occurred in December 2006. Pursuant to Article XIII, Sec. 2-1120 (3) of the Code of Ordinances for the City of New Orleans, the ERB is also designated as the appointing authority for the inspector general.

In the past three years, in addition to exercising its annual oversight activities, the Ethics Review Board has dedicated its energies to formulating its own priorities in order to ensure an effective government ethics program throughout the City of New Orleans, including ethics education, advice and enforcement.

Functions and Authority

The Ethics Review Board is authorized by the Code of Ordinances for the City of New Orleans to administer and enforce the provisions of the Code of Ethics of the city. The Code of Ethics was established to remind each public official and employee that, individually and collectively, public officials and employees must adhere to high ethical standards not simply to avoid sanctions or criticism. It applies to all officials of city government, whether elected or appointed; all employees, whether classified or unclassified; and all members and employees of all boards, agencies, commissions, advisory committees, public trusts, and public benefit corporations of the city.

The ERB is empowered to represent the public interest in the administration of any law within its jurisdiction; offer and enter into consent opinions regarding violations of the provisions of any law within its jurisdictions; refer to fact-finding complaints, advisory opinions, media reports, oral reports, referrals, or any other source; prescribe rules of order, evidence, and procedure to govern its meetings, hearings, and investigations; take such steps as may be necessary to maintain proper order and decorum during the course of its hearings and other proceedings, consistent with the resolution of matters coming before it for consideration; and include on the agenda for Board consideration any matter that is of interest to any Board member and that is within the Board's jurisdiction.

Complaints

Any person may file a complaint concerning violations of the City's Code of Ethics with the Ethics Review Board. Any public employee who reports information which the employee reasonably believes is a violation of any ordinance, statute, policy, order, rule, regulation or

other ethical mandate is protected by the New Orleans Municipal Code Division 3. Code of Ethics, Subdivision 3. Generally, Section 2-772 (a) Freedom from reprisal and disclosure of improper acts, which states such employees “shall be free from discipline or reprisal for reporting such acts of alleged impropriety. An employee with authority to hire and fire, supervisor, agency head, or elected official may not subject to reprisal any public employee because of such employee’s efforts to disclose such acts of alleged impropriety.”

The Board may consider any matter that it has reason to believe may be a violation of any law within its jurisdiction, including but not limited to, a notice or report sent to the Board by the Inspector General. The Board may close the file, refer the matter for investigation, or take such other action as it deems appropriate.

During 2015, the Ethics Review Board received two (2) complaints alleging ethical misconduct. Those two complaints remained under investigation at the end of the calendar year.

	2012	2013	2014	2015
Received	25	4	8	2
Closed ¹	18			0
Referral ²	3- New Orleans OIG 3- Office of Independent Police Monitor 1- Louisiana Disciplinary Board	2- New Orleans Office of Inspector General 1- Office of Independent Police Monitor 1- Louisiana State Ethics Board	2- New Orleans Office of Inspector General 3- Louisiana Office of Inspector General 2- Louisiana State Ethics Board 1- Judiciary Committee of Louisiana 1- Juvenile Justice Project of Louisiana	0

The ERB received no formal requests for advisory opinions during 2015.

	2012	2013	2014	2015
Received	1 ³	2	0	0
Closed		2		
Referral				

¹ Closed: Ethics Review Board did not have jurisdiction, or the ERB determined that even if true, it did not violate the City Code of Ethics.

² Complaints outside of the ERB’s jurisdiction are referred to the appropriate entity for review. Complaints may be referred to multiple agencies.

³ The Ethics Review Board took no action.

Future Work

The Ethics Review Board views education and training as integral to an effective government ethics program and as a means of achieving an ethical climate. The ERB's ethics training described above. We anticipate that approximately 100 additional city employees will have participated in ERB ethics training by the end of 2016.

The Ethics Review Board will also continue to identify and explore avenues for the promotion of a healthy ethical culture throughout city government, including advancing awareness of the board's functions as well as the local ethics code.

