



Ethics Review Board for the City of New Orleans

Board Meeting of July 12, 2021, at 3:30 P.M.

Conducted via Zoom Teleconference Due to COVID-19 Emergency

Minutes

1. *Call to Order.*
 - 1.1. The chair called the meeting to order at 3:31p.m.
 - 1.2. Board members present:
 - 1.2.1. Wanda A. Brooks
 - 1.2.2. Elizabeth Livingston de Calderon, Chair.
 - 1.2.3. Holly Callia.
 - 1.2.4. Michael A. Cowan.
 - 1.2.5. Monique G. Doucette.
 - 1.2.6. Tyrone G. Jefferson, Jr.
 - 1.2.7. Torin T. Sanders.
 - 1.3. Board member absent: None.
 - 1.4. Staff member present: Dane S. Ciolino, Executive Administrator and General Counsel.
 - 1.5. The Chair declared that a quorum of the board was present and commenced the meeting via Zoom videoconference and teleconference.
 - 1.6. The agenda for the meeting is attached.

2. *Ratification of Prior Written Certification of Emergency Need for Video Conference Meeting.* Pursuant to [State of Louisiana Executive Department Proclamation No. JBE 2020-30 Section 4 \(March 16, 2020\)](#) and subsequent orders and legislation addressing the COVID-19 state of emergency, the ERB unanimously agreed to conduct this meeting by video conference and audio conference after certifying that the ERB would not otherwise have been able to operate due to quorum requirements due to the ongoing COVID-19 emergency.
3. *Approval of the Minutes.* The Board unanimously approved the minutes of the June 2021, Board meeting, with one correction: that Holly Callia was present for the meeting.
4. *Report of the Office of Inspector General.*
 - 4.1. The Office of the Inspector General was represented by Interim IG Ed Michel. Other OIG staff members also were in attendance, including Erica Smith and Larry Douglass.
 - 4.2. Mr. Michel discussed the monthly report of the OIG. *See* Attached OIG Monthly Report.
 - 4.3. Mr. Michel noted that his office is doing more investigation into the assessor's office and its handling of homestead exemptions for deceased taxpayers.
 - 4.4. Mr. Michel discussed the OIG technology improvements. He noted that IT is in dire need of updating.
 - 4.5. The board had no questions about the monthly report.
 - 4.6. Ms. Calderon inquired about the hiring of counsel by the OIG. Mr. Michel responded that he would not hire counsel at the moment but believed that it would be more appropriate for the new IG to hire counsel of his or her choosing.
 - 4.7. Mr. Cowan asked about how much budgetary surplus the office anticipates. Mr. Michel and Ms. Smith responded that there will be a substantial surplus because of lower rent (as a result of COVID) and because of the lack of personnel.
 - 4.8. Ms. Calderon asked whether the office would undertake a full scale audit of the assessor's office. Mr. Michel responded that his office would not do so but would instead gather data.
5. *Motion to Change Order of Items.* A motion was made to take Item 12 before Item 8. The motion was seconded. The motion passed with a unanimous vote.
6. *Formation of Search Committee for IG Search*
 - 6.1. A motion was made to form a committee to take the lead on the search for the new Inspector General. The motion was seconded. The motion passed with a unanimous vote.

- 6.2. A motion was made to appoint Mr. Cowan, Ms. Callia, and Ms. Doucette to the committee. The motion was seconded. The motion passed with a unanimous vote.
- 6.3. Mr. Ciolino cautioned the committee to meet in compliance with the Louisiana Open Meetings laws.
7. *Report of the Office of the Independent Police Monitor.*
 - 7.1. Interim IPM Stella Cziment appeared for the OIPM. Ms. Sokunbi was also in attendance.
 - 7.2. Ms. Cziment discussed her office's monthly report. *See Attached OIPM Monthly Report.*
 - 7.3. Ms. Cziment noted that her office is implementing some of the QARAC's recommendations, for example, revitalizing the website.
 - 7.4. Ms. Cziment noted that staff from her office will attend future NOPD Police Academy trainings.
 - 7.5. Ms. Cziment released her Six Month Action Plan (attached).
 - 7.6. Mr. Sanders asked about the NOPD *Brady-Giglio* list. Ms. Cziment noted that her office received concerns from the police department. She will work with law enforcement and the DA's office to reconsider how the list is compiled and published. It would involve the implementation of standards for the list.
 - 7.7. Ms. Cziment noted that her office is working on a database of officer conduct that would be public facing. She will present on the state of this project to the City Council's Criminal Justice Committee.
 - 7.8. Mr. Cowan noted that Ms. Cziment's report was the "most informative" report yet. He also noted that the office needed to keep changes in place as a result of the consent decree. Ms. Cziment agreed to work with the NOPD on meta-audits and quality assurance checks.
8. *Vote to Commence Search for New Independent Police Monitor*
 - 8.1. Mr. Ciolino explained to the board the process of appointing a police monitor.
 - 8.2. A motion was made to commence a nationwide search for a new police monitor and to appoint a search committee. The motion was seconded. The motion passed by a unanimous vote.
 - 8.3. A motion was made to appoint Mr. Sanders, Ms. Brooks, and Mr. Jefferson to the new search committee. The motion was seconded. The motion passed by a unanimous vote.

9. *Discussion of Amending Ethics Code to Prohibit Certain Campaign Contributions.*
 - 9.1. The board discussed a proposed amendment to the City Ethics Code to prohibit certain campaign contributions by vendors to the City of New Orleans such as Entergy.
 - 9.2. Peter Digre presented to the board on the merits of the proposal.
 - 9.3. Mr. Sanders asked that the issue be placed on the agenda of the next board meeting.
 - 9.4. Mr. Ciolino noted the potential First Amendment Issues associated with the proposal.
 - 9.5. Ms. Kanitra Caston-Hill spoke in favor of the proposal.
 - 9.6. Mr. Robert Demarais Sullivan submitted a note in favor of the proposal.
 - 9.7. Ms. Calderon noted that the board should solicit feedback from David Marcello and Entergy.
 - 9.8. Mr. Cowan noted that the board needed to be mindful of making a recommendation regarding campaign finance during an election cycle.
10. *Rescheduling Board Meetings*
 - 10.1. The board discussed the possibility of moving board meetings to the third Monday of each month to allow additional time for board members to review reports from the OIG and OIPM.
 - 10.2. The board was in favor of the proposal and asked Mr. Ciolino to see whether Council Chambers would be available for such meetings.
11. *Selection of Officers*
 - 11.1. The board discussed briefly the process for selecting officers.
 - 11.2. The board agreed to consider again at the next meeting.
12. *Public Comment on Agendas*
 - 12.1. Ms. Calderon noted that she would like to give the public an opportunity to suggest topics for future board meetings.
 - 12.2. The board was favorably disposed to her adding that as a regular agenda item.
13. *Report of Executive Administrator and General Counsel.*
 - 13.1. Mr. Ciolino reported that the board had received no new complaints.

- 13.2. Mr. Ciolino discussed the board's upcoming deadlines and events.
 - 13.3. Mr. Ciolino reported on the hiring process for replacing the Inspector General. The matter is in the contracting stage.
 - 13.4. Mr. Ciolino reported on the process of hiring a full-time ethics trainer. The Civil Service Department has reopened the position for additional applicants.
 - 13.5. Mr. Ciolino reported that a peer review committee to evaluate the Ethics Review Board is working on a peer review.
14. *Adjournment.*
- 14.1. A motion was made to adjourn the board meeting.
 - 14.2. The motion was seconded.
 - 14.3. The board unanimously voted to adjourn. The meeting was adjourned at 5:25 p.m.

* END *



CITY OF NEW ORLEANS ETHICS REVIEW BOARD

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

erb@nolaerb.gov

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

BOARD MEETING

Monday, July 12, 2021

3:30 P.M.

The board will conduct this meeting via Zoom Video Conference and Telephone Conference

Video Conference Link: <https://loyno.zoom.us/j/5049753263>

Telephone Conference Dial-In Number: 312-626-6799; ID No. 504 975 3263

Certification of Necessity pursuant to [Louisiana Revised Statutes section 42:17.1](#): The board hereby certifies that the Governor of the State of Louisiana has declared a state of emergency or disaster involving the geographic area of the City of New Orleans. A live meeting would be detrimental to the health, safety, or welfare of the public and the members of the Ethics Review Board. The agenda contains matters that are critical to continuation of the business of the Ethics Review Board and are not able to be postponed to a live meeting due to a legal requirement or other deadline that cannot be postponed or delayed by the Ethics Review Board. The public can attend and participate in the videoconference meeting by joining the conference by telephone or videoconference as described above.

AGENDA

1. Ratification of certification of necessity for videoconference/teleconference meeting (Chair).
2. Approval of minutes of previous board meeting (Chair).
3. Discussion of monthly report from the Office of Inspector General (Chair).
4. Discussion, nominations, and vote on formation of Search Committee for Inspector General (Chair).
5. Discussion of monthly report from the Office of Independent Police Monitor (Chair).
6. Vote to commence national search for Independent Police Monitor.
7. Discussion, nominations, and vote on formation of Search Committee for Independent Police Monitor (Chair).
8. Discussion on possible rescheduling of board meetings for the third Monday of each month starting in September 2021, and possible vote on new schedule (Chair).
9. Discussion regarding procedure for annually selecting board officers (Chair).

- a. *Alternative 1 For Consideration:* Each officer will serve until the first June 30th to occur after appointment. On July 1st, the Vice-Chair will automatically move up to Chair, and the Secretary will automatically move up to Vice-Chair. In or before June of each year, the board shall elect the vacant Secretary position by a majority vote; any board member may nominate any board member for the position. If any officer position becomes vacant at any time, the board shall elect the vacant position by a majority vote; any board member may nominate any board member for the vacant position.
 - b. *Alternative 2 For Consideration:* Each officer will serve until the first June 30th to occur after appointment. In or before June of each year, the board shall elect all vacant positions by a majority vote; any board member may nominate any board member for the positions. If any officer position becomes vacant at any time, any board member may nominate any board member for the vacant position.
10. Discussion on opportunity for public comment/suggestion regarding future agendas (Chair).
11. Report of Executive Administrator and General Counsel (Chair).
 - a. Report on status of RFP for executive search firm for new Inspector General.
 - b. Report on revision to process for approving purchases and contracts.
 - c. Report on status of hiring of ethics trainer.
 - d. Report on ERB peer review.
12. Discussion of proposed amendment to City of New Orleans Ethics Code to prohibit certain campaign contributions and to require related disclosures (Mr. Sanders).
13. Adjournment (Chair).

**Monthly Report of
OIG**

Report to the Ethics Review Board
June 2021

Administration

The OIG is in the final stages of initiating and issuing professional credentials for all OIG staff. Office Manager is currently managing the following tasks:

- Coordinating activities with the selected vendor to update the OIG Challenge Coin design
- Posted the Criminal Investigator IV, Evaluator, and Forensic Auditor vacancies to various job websites for increased visibility and to generate a potential pool of qualified applicants
- Organizing and securing OIG personnel files, and creating the appropriate filing system
- Coordinating and maintaining the OIG vehicle service records and travel logs
- Coordinating the OIG Records Management activities to ensure compliance, and attended the State Records Management Training in Baton Rouge on June 9th.

Audit & Review

The Audit & Review division has the following audits underway: BRASS Purchasing, Orleans Parish Communications District, Department of Public Works and Sewerage & Water Board coordination. The follow-up project for the Sewerage & Water Board's Internal Audit Performance Audit report originally issued August 2019 is currently under supervisory review.

Please see the attached project status spreadsheet for details.

Inspections & Evaluations

The I&E division has the following two evaluations underway in the fieldwork phase: Firefighter's Pension Fund and the inspection project of the City's Competitive Bidding/selection processes for Invitation to Bid (ITB) and Requests for Proposals (RFP). The Job Order Contracts (JOC) project is currently in the draft report preparation phase.

Please see the attached project status spreadsheet for details.

Investigations

The Investigations Division received seven (7) complaints in June 2021. Four (4) concerned matters outside of the OIG's purview.

OIG Investigations Division activities and cases:

- **Criminal Investigations:**
Issued two Requests for Documents to the Civil Service Commission
Issued two Requests for Documents to Safety and Permits
- **Administrative Investigations:**
Issued a letter to Assessor's Office concerning residential properties which continued to receive a homestead exemption and senior freeze reduction despite the listed homeowner reportedly being deceased. Assessor's Office confirmed that one homeowner was deceased, while the other two had surviving spouses for whom the homestead exemption and senior freeze reduction was still in effect.

OIG Information Security Division activities for June 2021:

Recurring Monthly tasks

Daily backup monitored and backups are working effectively

Software updates

Updated support ticket classifications to make IT service desk support request analysis more precise and effective.

Technical Support provided, hardware related

Completed hardware assessment for infrastructure replacement needs

Technical Support provided, non-hardware related

26 service desk tickets resolved

BRASS purchasing system account administration and support

City of New Orleans e-mail connectivity issues resolved

Printing issues resolved

Secure Telecommunications account access created for OIG staff

VPN connection issues resolved

Document scan to file project kick-off

Communications

Communicated with Federal Cyber Security Partners to coordinate security systems hardening for OIG data and network resources

Submitted support request to COX for phone call issues

Worked with vendor to resolve SPAM filter hardware issues

Purchasing

Assisted Audit/Office Manager with purchase renewals for support and licensing expirations

Training

Registered for Cyber Forensic training

Attended Louisiana State Document Retention training

Status Report for OIG Projects - Audit and Evaluations Division

Report Date: Wednesday, June 30, 2021

Project Number	Project Name	Project Phase *						Expected Release Timeline for Report**		
		Planning	Fieldwork	Draft Report	Supervisory Review	Legal Review	IG Review	30-45 Days	60 Days	90 Days
Audit/Review										
AD-19-0002	DPW/SWB Coordination		X							
AD-20-0001	BRASS Purchasing		X							
AD-20-0002	Orleans Parish Comm District (OPCD)+	X								
AD-21-0001	SWB Internal Audit Follow Up				X			X		

+ The Current OPCD audit confirming jurisdictional authority was heard and adjudicated by the Civil District Court on September 29th, 2020. We are awaiting the decision from the 4th Circuit Court to confirm or reject the initial ruling by the Civil District Court.

Project Number	Project Name	Project Phase *						Expected Release Timeline for Report**		
		Planning	Fieldwork	Draft Report	Supervisory Review	Legal Review	IG Review	30-45 Days	60 Days	90 Days
Inspections/Evaluations										
IE-19-0001	Firefighter's Pension Governance		X							
IE-20-0001	Job Ordering Contracts			X						
IE-21-0001	Competitive Bidding		X							

Legend	Description
Planning	Background Research, Data Gathering , Initial Interviews, and/or Controls Assessment
Fieldwork	Data and Statistical Analyses, Interviews, Testing of Procedures, Onsite Obsevatons and/or Physical Inspections
Draft Report	Data/Statistical Reviews, Documentaries of Fieldwork Results, Initial Report Writing, Revisions and Internal QAR prior to supervisory review
Supervisory Review	Review by both Division Director and First Assistant Inspector General to ensure sufficiency and appropriateness of evidence, fieldwork procedures, proper conclusions, content, presentation and readability
Legal Review	Report Review by In-house General Counsel and/or Contracted Counsel Services for appropriate and proper legal citations and/or interpretations
IG Review	Report Review by Inspector General, based on corrections and recommended changes resulting from the Legal Review

* Project phase determination is based on the objective(s), scope, and methodolgy for each audit/evaluation project, and is not determined by a standard set of hours and/or phase deadline. This phase will be decided based on the nature of work to be performed, and at the discretion of OIG management.

** Expected Release timeline for the report may be determined based on the start of the legal review process, and may be later reevaluated based on both the legal and timing of the IG reviews, and the 30-day timeline of the proposed final report to the client and the subsequent receipt of management responses.



2021 OIG Fund Balance & Expenditures

Funding:	\$3,484,529
Expenditures:	Amount
Personnel	\$2,149,658
Operating	\$667,419
Total Expenditures	\$2,817,077
Fund Balance	\$667,452



2021 OIG Expenditures

Operating Expenditure Description	Encumbered Amount	Paid Amount
Advertising	\$100	\$13
Clothing & Food Supplies	\$864	\$864
Computer & Tech Repairs & Maintenance	\$6,000	\$6,000
Computer Software & Applications	\$60,610	\$32,888
Computer Technology & Equipment	\$106,602	\$49,602
Consulting Professional Services	\$7,600	\$0
Convention & Travel	\$6,293	\$821
Dues & Subscriptions	\$4,864	\$1,360
Education	\$15,000	\$4,948
Local Telephone	\$23,000	\$9,234
Misc. Supplies	\$874	\$874
Motor Vehicle Other/Parts & Supplies	\$1,666	\$1,666



2021 OIG Expenditures (continued)

Operating Expenditure Description	Encumbered Amount	Paid Amount
Office Supplies	\$2,988	\$2,988
Postage	\$158	\$158
Rents & Leases	\$5,800	\$0
Security Professional Services	\$2,000	\$0
Utilities	\$23,000	\$1,493
Legal Services	\$400,000	\$102,804
Total	\$667,419	\$215,713



OIG-Information Technology Improvements 2021

Network Switches

Provides elevated security and efficient data transfer making work more productive



New Next Gen. Firewalls

Provide network redundancy, increased security, and logs for accountability. While providing a cost savings over our old firewall maintenance.



Data Center Servers, Storage, and Backup Devices

New server processors and storage equipment advances will provide redundancy for data as well as optimal file transfer. Allowing more efficient management and retention of data. Making work more reliable and efficient.

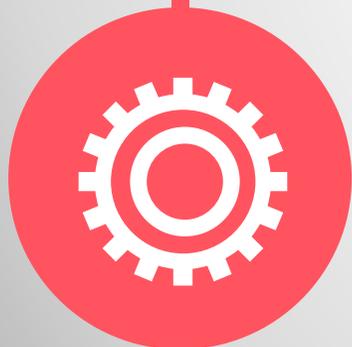
Reliability

Accountability

What's Next

Efficiency

Security



New Computers have been deployed to make OIG staff mobile and accessible.



New more reliable network switches and new next gen. firewalls combine to leverage threat intelligence sources to provide increased security through encrypted traffic inspection, intrusion prevention, application awareness



**Monthly Report of
OIPM**

THE OFFICE OF THE INDEPENDENT POLICE MONITOR



MONTHLY REPORT

JUNE 2021

Community Letter

Dear New Orleans Community,

Now is the time to get engaged with policing issues in New Orleans. As the city reopens from pandemic mandates, there are new opportunities to interact with our police department and to be heard. Come to a townhall, meeting, or activity and share your thoughts, feedback, and questions with the department that is designed to serve you and respond to public safety concerns. Look for our office at these summer events and follow us our new social media account on Instagram: @NOLAIPM to learn more about how to engage with the NOPD and police oversight in New Orleans. This Instagram account is another platform available for the community to engage with our office about their concerns, receive important information about policing and our services, provide feedback and ask questions. Please follow us to learn more and we look forward to engaging with you over social media and hopefully meeting you this summer.

A couple weeks ago, Derek Chauvin was sentenced to twenty-two and half (22 ½) years in prison for the murder of George Floyd – an act he committed while policing in the community, in his uniform, and was responsible for serving the public. There is a difference between justice and accountability and what we as a nation saw was accountability – not justice. Now, the OIPM reflects on this sentencing and the close of this trial since it represents a needed national step towards healing. We recognize that for people to move forward, there must be responsibility for the past. Accountability is vital in building public trust in police officers and in the ability to move forward – together.

Locally, the OIPM weighed in two examples of accountability in New Orleans over the last month. First, at the end of May, the OIPM provided contributed to an article printed by The Lens about the “Brady List” provided to the District Attorney’s Office by the NOPD. This list includes sustained allegations against officers that could influence officer credibility on the stand. In June, the OIPM continued to work with our partner agencies, including the NOPD, on this matter. The goal is to create an effective process that ensures the NOPD is fulfilling its responsibility to provide necessary and legally required information regarding officer credibility affecting criminal proceedings and prosecutions. Second, the OIPM provided public comment in The Advocate on the completion of the NOPD’s investigation of the Eighth (8th) District Task Force officers. In the article, the OIPM committed to conducting a thorough review of the misconduct investigation completed by the NOPD in response to allegations of officers testifying in contradiction with their Body Worn Camera (BWC) footage and allegedly fabricating cause to approach and search individuals. Both, of these instances are examples of how accountability may look in New Orleans and the important role local oversight plays that process.

During the month of June, the leadership team of the OIPM met with two members of our city council to discuss policing in their districts. We had a very productive and positive conversations with Councilmember Glapion and Councilmember Palmer. The OIPM thanks them for their valuable feedback and insight into how the NOPD is doing and what matters to their constituents.

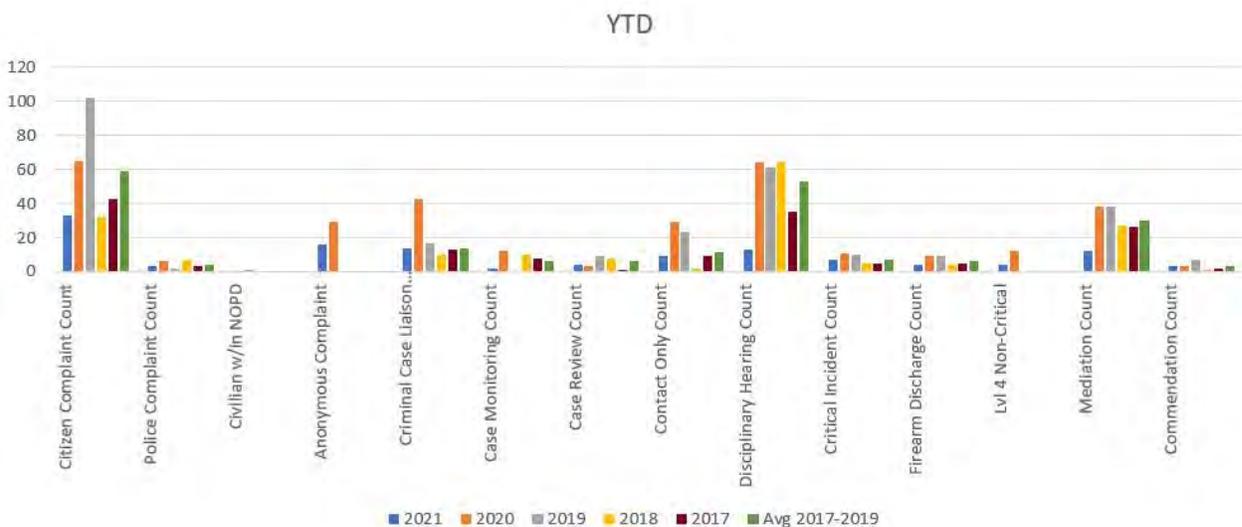
Finally, June is the beginning of hurricane season in New Orleans and the OIPM wants to make sure that all New Orleanians are prepared not only for the potential storms that may occur but for the changes in policing required during hurricanes. This means during evacuation orders, tropical storms, and hurricanes, the NOPD may have to pivot services to respond to the immediate needs that may exist from overpass flooding to working in storm shelters. While the NOPD will always respond to emergencies, other public services may be temporarily paused. Please keep this in mind during this hurricane season and let the OIPM know how the NOPD is doing and serving you.

Thank you,

Stella Cziment

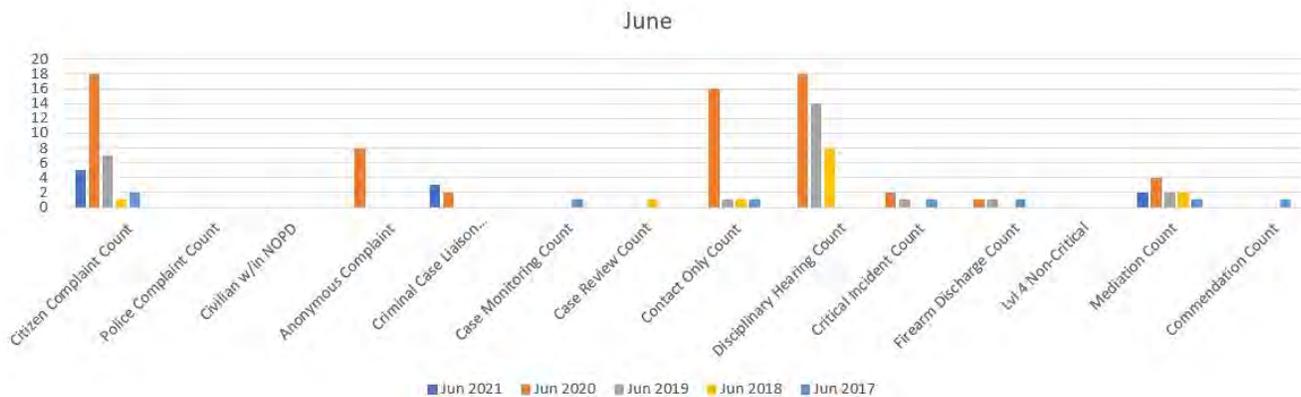
Year to Date Overview

	2021	2020	2019	2018	2017	Avg 2017-2019
Citizen Complaint Count	33	65	102	32	43	59.00
Police Complaint Count	3	6	2	7	3	4.00
Civilian w/in NOPD	0	1	0	0	0	0
Anonymous Complaint	16	29	0	0	0	0
Criminal Case Liaison Count	14	43	17	10	13	13.33
Case Monitoring Count	2	12	0	10	8	6.00
Case Review Count	4	3	9	8	1	6.00
Contact Only Count	9	29	23	2	9	11.33
Disciplinary Hearing Count	13	64	61	64	35	53.33
Critical Incident Count	7	11	10	5	5	6.67
Firearm Discharge Count	4	9	9	4	5	6.00
Lvl 4 Non-Critical	4	12	0			
Mediation Count	12	38	38	27	26	30.33
Commendation Count	3	3	7	1	2	3.33
Grand Total	124	325	278	170	150	199.33



June Overview

	Jun 2021	Jun 2020	Jun 2019	Jun 2018	Jun 2017	Avg 2017-2020
Citizen Complaint Count	5	18	7	1	2	7.00
Police Complaint Count	0	0	0	0	0	0.00
Civilian w/in NOPD	0	0	-	-	-	0.00
Anonymous Complaint	0	8	-	-	-	8.00
Criminal Case Liaison Count	3	2	0	-	-	1.00
Case Monitoring Count	0	0	0	0	1	0.25
Case Review Count	0	0	0	1	0	0.25
Contact Only Count	0	16	1	1	1	4.75
Disciplinary Hearing Count	0	18	14	8	0	10.00
Critical Incident Count	0	2	1	0	1	1.00
Firearm Discharge Count	0	1	1	0	1	0.75
Lvl 4 Non-Critical	0	0				0.00
Mediation Count	2	4	2	2	1	2.25
Commendation Count	0	0	0		1	0.33
Grand Total	10	69	26	13	8	29



June Overview: Complaints

Citizen Complaints	
CC2021-0056	The complainant alleges that an NOPD officer has failed to take necessary and appropriate police action and investigate her claim of theft committed against her.
CC2021-0059	The complainant alleged a NOPD vehicle was illegally parked.
CC2021-0060	The complainant believes that an NOPD officer acted in an inappropriate and harassing manner after assuming she stole something from a store and requesting to check her bag.
CC2021-0061	The complainant alleges that her boyfriend was stopped by NOPD and asked to exit the vehicle without any reasonable suspicion and/or probable cause while on his way home in her car. The complainant also stated that NOPD towed her vehicle and it was damaged because of being towed.
CC2021-0062	The complainant believes that the officer acted unprofessionally when responded to the scene. The complainant indicated he felt ridiculed by the officer that responded and does not believe that the situation was handled in an appropriate manner.
Citizen Complaints Count: 5	



June Overview

Criminal Liaison	
CL2021-0011	OIPM assisted a complainant with getting a new PIB investigator.
CL2021-0012	A citizen contacted the OIPM for assistance contacting the investigatig officer assigned to her case.
CL2021-0013	A complainant contacted OIPM requesting assistance scheduling a meeting with NOPD leadership to have his investigation re-opened.
Criminal Liaison Count: 3	

Mediation
Mediation cases are confidential.
Mediations Held: 2

Complaints

The OIPM serves as an alternative site for civilians and police officers alike to file complaints of misconduct against the NOPD. These complaints and allegations are compiled into referrals by the OIPM and provided to the Public Integrity Bureau (PIB) for them to investigate. The OIPM monitors and reviews the classification and investigation conducted by PIB.

Once the OIPM receives a complaint, the OIPM prepares the complainant's account into a narrative. 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. As part of the letter preparation process, OIPM personnel reviews information in NOPD systems regarding the interaction complained of, including body worn camera video, electronic police reports (EPR) and field interview cards (FIC). The OIPM may include information obtained from NOPD information systems in the complaint referral to PIB to ensure that PIB can fully investigate the complainant's concerns.

The OIPM provides a complaint process that is independent, impartial, transparent, fact-based, timely, and communicates in an understandable manner to all those involved. The OIPM maintains that misconduct investigation must be comprehensive, and the complaint process must be accessible, fair, thorough, and transparent.

5 CIVILIAN COMPLAINTS
0 ANONYMOUS COMPLAINTS
0 POLICE INITIATED COMPLAINTS
0 CIVILIANS WITHIN NOPD INITIATED COMPLAINTS



Community-Police Mediation

Mediation is an alternative to the traditional process of resolving complaints of police officer misconduct. Mediation is a process facilitated by two professionally-trained community mediators to create mutual understanding and allow the civilian and officer to be fully heard and understood in a non-judgmental way.

I liked the chance to talk and that the mediators were good listeners. The process turned out good.” - Officer Participant

2 MEDIATIONS REFERRED

1 MEDIATIONS HELD

0 MEDIATIONS PENDING



“ This was a good opportunity to express my concerns of how things were handled with the officer. I learned not to categorize the entire department because of one officer’s mistake. The officer learned to take time to listen before acting. This program should continue. Please don’t stop!”

-Civilian Participant

Community Outreach

5

COMMUNITY OUTREACH EVENTS

OIPM leads and participates in community outreach to inform the public of our services, to increase public engagement with policing, raise awareness of local or relevant police practice, and monitor how the NOPD interacts with our community.

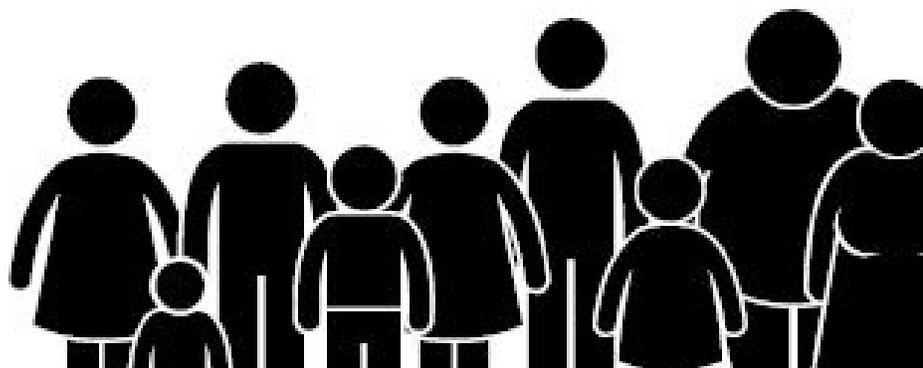
OIPM HOSTED A MEDIATOR IN-SERVICE TRAINING

OIPM HELD A MEDIATOR MEET AND GREET

OIPM ATTENDED "HELP NOT HANDCUFFS" VIRTUAL LISTENING SESSION

OIPM PRESENTED AT A COMMUNITY COALITION MEETING: "A COMMUNITY VOICE"

OIPM ATTENDED "HELP NOT HANDCUFFS" LISTENING SESSION IN DISTRICT E



Budget

OIPM Budget Description	Amount
Personnel	\$688,744.00
Operating	\$324,937.00
2021 Total OIPM Budget	\$1,013,681.00

2021 Total OIPM Budget	\$1,013,681.00
Amounts Spent to Date:	(\$611,047.00)
Projected Amounts to be Spent the Rest of the Year:	(\$849,333.34)
Projected Unexpended Funds	\$164,347.66

Item 1



2021

**INSIDE THE
OIPM
&
OIPM SIX
MONTH
ACTION
PLAN**

2714 Canal Street Suite 201
New Orleans, LA 70119
(504) 309-9799

www.nolaipm.gov
policemonitor@nolaipm.gov

ACTION PLAN

LETTER FROM THE ACTING IPM.....	1
VISION.....	2
MOU REQUIREMENTS.....	3
DIFFERENCE BETWEEN OIPM AND PIB.....	4
DAILY WORK PRODUCT.....	5
ADAPTED ORGANIZATIONAL CHART.....	8
OIPM STAFF WORK STREAMS.....	10
ACCOUNTING OF OPEN PROJECTS.....	14
NEXT SIX MONTH PROJECT GOALS.....	15

OFFICE OF INDEPENDENT POLICE MONITOR
CITY OF NEW ORLEANS



Dear New Orleans Community,

For over ten years, the Office of the Independent Police Monitor has provided oversight services to the New Orleans Police Department (NOPD) and the city of New Orleans. The majority of this time the NOPD was simultaneously under a Federal Consent Decree with Federal Monitors also assessing the department's progress. Now, in 2021, eight years later, the NOPD is nearing compliance in all areas of the Consent Decree and the NOPD, OIPM, and the city are preparing for a transition away from federal oversight to only local oversight. This transition has left stakeholders asking what is going to happen next? Will the NOPD continue to improve or backslide? How is local oversight going to differ from federal oversight? Who is the OIPM and what will be the role of oversight moving forward - beyond the Consent Decree?

First, as the Acting Independent Police Monitor, I want to be clear: getting the NOPD to full compliance with the Federal Consent Decree is my number one priority. That said, I do not believe that needed police reform or progress ends with the Consent Decree. I believe the Consent Decree is the floor, not the ceiling. The NOPD has established themselves as national leaders in policing during the course of the Consent Decree, and it is my intention to build the systems necessary to not just ensure that the NOPD does not backslide once the Consent Decree enters the sustainment period but continues to improve.

My vision for the OIPM is to effectively use our resources and small team to provide oversight to the NOPD through the end of the Federal Consent Decree and federal oversight by incorporating similar tools for review and audits to ensure a smooth transition to local oversight. The OIPM is shadowing and working with the Federal Monitors and NOPD leadership to create an informed and prepared handoff between OICDM and OIPM. I am prioritizing efforts to expand public transparency and community engagement, complete major projects, and contribute to, review, and monitor audits measuring NOPD progress towards full compliance with the Federal Consent Decree.



The goal of this six-month Action Plan is to outline our immediate priorities and goals for the remainder of 2021, present an adapted organizational chart, provide an accounting of our projects and streams of work, and explain our efforts to fulfil our Memorandum of Understanding with the NOPD.

In the last two years, the OIPM has received over two hundred (200) complaints of officer misconduct, monitored multiple critical incident scenes and investigations, led mediations, and produced a high volume of memorandums to the NOPD with recommendations regarding tactics, policy, supervision, and training. Because of our work, police officers were held accountable for misconduct and unauthorized uses of force, the community had a trusted resource for filing complaints or sharing accounts of positive policing, and new NOPD policies were created, and old policies improved. Our office is small, but our impact is large. Together, with the support of the community, we are building a police force that is representative of who we are and responsive to what we need beyond the Consent Decree. This is work I look forward to continuing with you.

Thank you,
Stella Cziment

The Office of the Independent Police Monitor (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.

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.

MOU REQUIREMENTS

The Memorandum of Understanding (MOU) between the Office of the Independent Police Monitor (OIPM) and the New Orleans Police Department (NOPD) is the legal document that outlines the responsibilities and role of the Independent Police Monitor. The MOU was executed November 10, 2010. The purpose of the MOU is: (1) set expectations for the working relationship between OIPM and NOPD; (2) parameters of the oversight and access to information; and (3) provide transparency so the public understands the monitoring activities, review capabilities, and the limitations that may exist. The MOU addresses the following topics:

- access
- audits
- monitoring activities
- complaint intake, complaint classification, complaint review
- case review
- civil claims and lawsuit review
- commendation
- data analysis and review
- criminal liaison work
- critical incident monitoring
- disciplinary monitoring and review
- early warning system review
- mediation
- outreach
- public reporting
- policy recommendations and review
- remote intake site development
- retaliation concerns
- risk management
- supervision
- training review and recommendations

It has been over ten (10) years since the MOU was written and now, with the creation of new technology, information sharing, and partnership between the NOPD, the OIPM would like to revisit the MOU for necessary updates in the future.

Components of work required by the MOU are also addressed under the Federal Consent Decree which was entered into July 24, 2012 (two years after the creation of the MOU). The OIPM is not bound by the Federal Consent Decree; however, the progress required under the Federal Consent Decree overlap with the goals of the MOU.

THE DIFFERENCE BETWEEN THE OIPM AND THE PIB



Office of the Independent Police Monitor (OIPM)

- Independent branch of city government.
- Responsible for providing community-based oversight to the NOPD, including receiving allegations of misconduct.
- Monitors the investigation conducted by the PIB.
- People employed at OIPM are civilians. None of the employees work for the NOPD or are officers.
- OIPM does not report to the Chief of Police. OIPM reports to the Ethics Review Committee.



Public Integrity Bureau (PIB)

- Branch of the New Orleans Police Department.
- Responsible for receiving and investigating allegations of misconduct.
- Conducts the investigation of misconduct allegations.
- People employed at PIB are employees of the NOPD – most of which are officers.
- Everyone reports to the Chief of Police

DAILY WORK PRODUCT

The OIPM completes the following work product daily. Below is a high-level summary of our regularly generated work product and work activities along with the corresponding MOU paragraph legally requiring the work and how this work corresponds with and assists the NOPD with compliance with the Federal Consent Decree:

Audits

- Assess the quality and timeliness of investigations, conduct pattern analysis, develop an audit plan, review specific issues regarding supervision, training, discipline, and other issues to identify problems and make recommendations for improvement
- MOU: §3, 75, 76, 78, 79

Case Monitoring and Status Updates

- Attend witness interviews, Body Worn Camera (BWC) footage viewings, court proceedings and monitor the police. Provide updates to complainants regarding the status of pending or completed investigations or disciplinary proceedings by pulling information from shared databases or calling the Public Integrity Bureau. Facilitating and attending meetings between NOPD leadership and the public as necessary.
- MOU: §13, 15, 16, 18, 19, 8, 25

Case Reviews

- Reviews completed NOPD investigations utilizing internally generated audit tools on the thoroughness of the investigation, completes memorandum reviewing the investigation conducted.
- MOU: §5, 8, 30, 35, 36

Complaints of Officer Misconduct

- Completes complaint intake, prepares complaint referrals, pulls and analyzes relevant Field Identification Cards, Electronic Police Reports, Body Worn Camera footage, and officer disciplinary history, provides recommendations regarding immediate next steps such as officer reassignment, training, or the possibility of retaliation.
- MOU: §1-4, 6

Community Outreach and Coalition Work

- Develop relationships with community and civil groups that receive civilian and anonymous complaints, Learn Your Rights in the Community (LYRIC), meet with police associations and conduct public outreach meetings
- MOU: §12, 4, 5

Criminal Liaison

- Facilitate communication for complainants and victims of crime with the NOPD officers conducting the relevant investigation, monitor meetings as necessary, provide status updates, facilitate communication with other parish law enforcement and other criminal justice agencies.
- MOU: §8

DAILY WORK PRODUCT

Data Work and Data Sharing

- The OIPM is currently under data sharing agreements with the Orleans Parish Sheriff's Office, Court Watch, and the Vera Institute. These data sharing agreements enable
- MOU: §3, 7, 10, 14, 63 – 66

Discipline

- Review investigations resulting in officer discipline, attend and monitor disciplinary proceedings, provide recommendations regarding disciplinary actions, and consistency of disciplinary standards.
- MOU: §38 - 41

Lawsuits and Claims

- Review lawsuits and claims regarding NOPD equipment, vehicles, and employees. Review Civil Service and Fourth Circuit Court of Appeals litigation regarding NOPD employees and disciplinary actions. Provide recommendations to the NOPD regarding resources, risk, and training.
- MOU: §9, 29

Mediation

- Screens mediation referrals, discusses mediation with the civilian and the officer to confirm participation, coordinates and conducts the mediation, completes satisfaction surveys and seeks feedback post-mediation. Conduct monthly mediator trainings.
- MOU: §15, 52

Officer Commendations

- Receive officer commendation requests and accounts of positive policing from community, prepares referral letter, submits referral to Chief and Deputy Chiefs at the NOPD.
- MOU: §7, 12, 56 – 59, 76

Policy Review and Recommendations

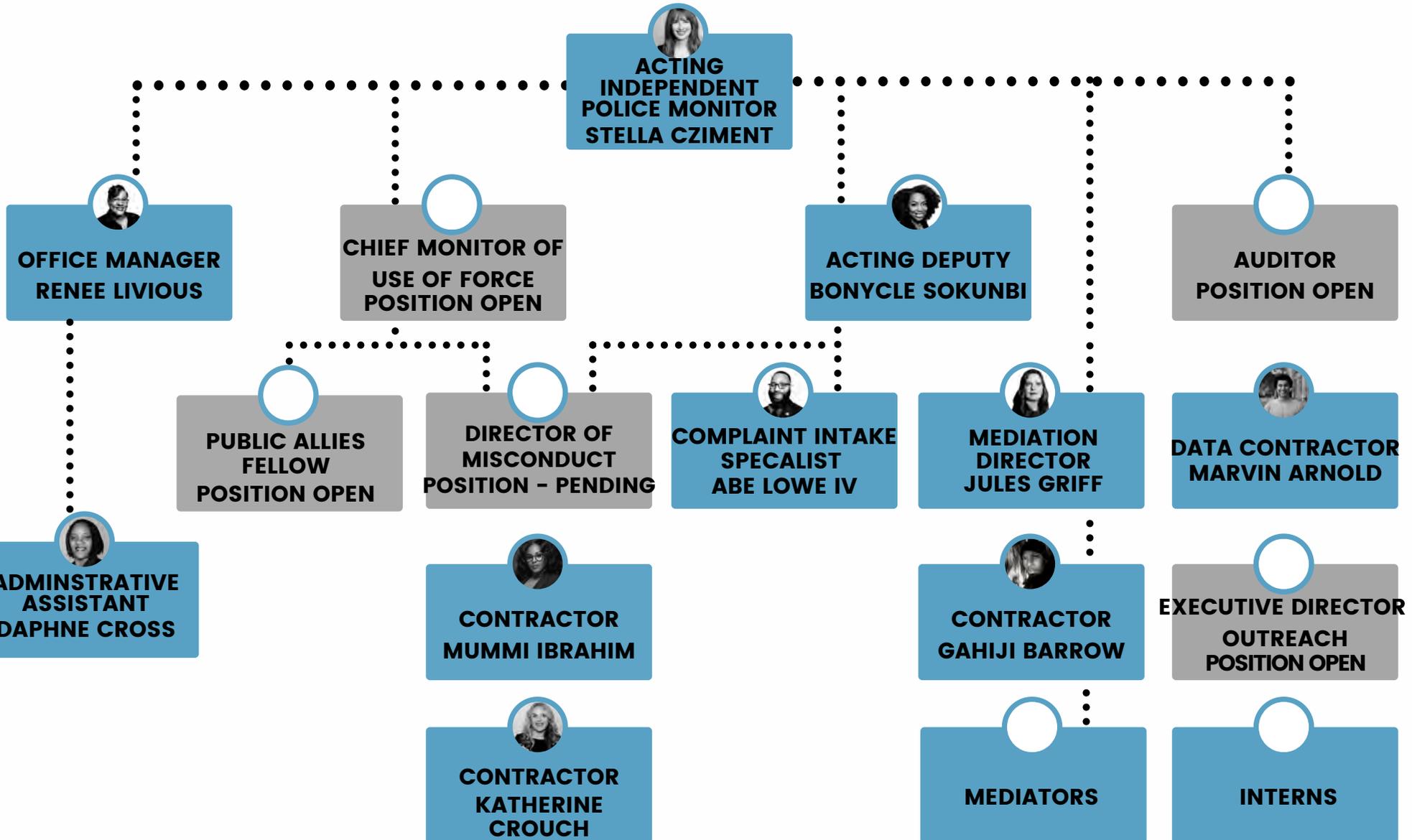
- Review NOPD policy in final and draft form, provide recommendations and collaborate with the Professional Standards and Accountability Bureau (PSAB) and the Public Integrity Bureau (PIB) to provide feedback and draft language.
- MOU: §3, 10, 81

Use of Force

- Critical Incident Response Review Forms, Use of Force Review Board Memorandums and reviews, Level 4 Use of Force Reviews, monitor on going investigations.
- MOU: §42 - 51

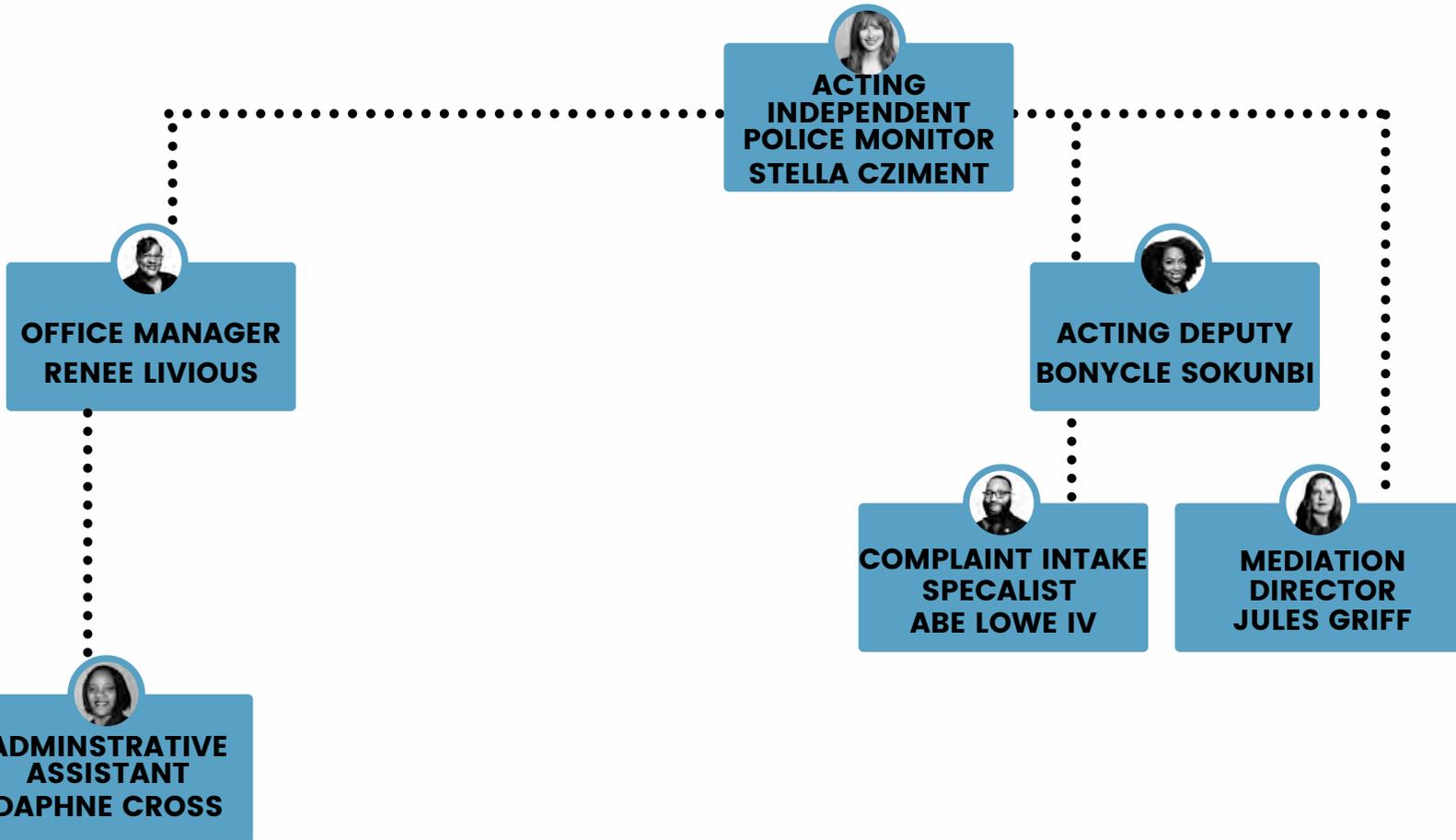
OIPM ORGANIZATIONAL CHART

STAFF AND CONTRACTORS - 2021



OIPM ORGANIZATIONAL CHART

STAFF - 2021



OIPM STAFF WORK STREAMS

MANAGEMENT TEAM



STELLA CZIMENT, ACTING INDEPENDENT POLICE MONITOR

- Responsible for team vision, yearly priorities, audit and review plan, execution of all office goals.
- Responsible for meeting with city and NOPD leadership including monthly meetings with Superintendent of Police and meeting with and presenting to City Council Committees and Members.
- Provides policy, practice, training, supervision, and resource recommendations to NOPD leadership and its academy.
- Responsible for liaising with the Federal Monitors (OCDM) and overseeing Consent Decree related audits of the NOPD; participates in the US Attorney's Consent Decree working group.
- Coalition building and meetings with community leaders; community outreach; producing public facing documents and reports. Responsible for working with local police union leadership; facilitates concerns.
- Oversees all office operations including budget, staffing and supervision; responsible for working with legal counsel for OIPM on legal concerns and issues.
- Attends and monitors disciplinary proceedings conducted by the Public Integrity Bureau (PIB) including the Captain Panel Hearings and the Superintendent Committee Panel Hearings. Remains in room during deliberations and provides assessments and recommendations.
- Responsible for the completion of the Annual Report. Includes: (1) writing the Complaints, Commendations, and Disciplinary Proceeding Annual Report and oversees all relevant data collection, review, and analysis; (2) writing the Year in Review Annual Report; (3) reviewing other department sections; and (4) oversees the Lawsuits and Claims Annual Reports.
- Responsible for special projects including: (1) the Children and Police Project; (2) the Lawsuits and Claims Projects; (3) the Officer Retention Project; and (4) the Public Facing Database under Resolution R20-175.
- Oversees the data coordinator, data contractors and partners, the creation and maintenance of the internal Complaint Manager system and its public facing data dashboard: <https://complaints.nolaipm.gov/data>
- Assists with the Complaints and Commendation work. Handles highly sensitive complaint intake and referral letter preparation; responsible for complaint referral approval. Oversees commendation collection and referrals.
- Oversees Mediation Director and Community-Police Mediation Program.
- On call 24 hours a day all year to respond to scenes of critical incidents and officer involved shootings (OIS) to monitor the Force Investigation Team (FIT) investigation and investigatory actions taken by Crime Lab.
- Oversees case reviews and case monitoring in misconduct investigations and court proceedings.

OIPM STAFF WORK STREAMS

MANAGEMENT TEAM



BONYCLE SOKUNBI, ACTING DEPUTY INDEPENDENT POLICE MONITOR

- Along with the Acting IPM, responsible for policy, tactic, and training recommendations to the NOPD.
- Management team tasks including contributing to budgetary decisions, navigating legal situations, and the creation of internal policy. Along with the Acting IPM responsible for complaint referral approval. Conducts outreach and media / publicity work
- Works with the Federal Monitors (OCDM) on use of force and critical incident compliance and audits; participates in the US Attorney's Consent Decree working group.
- Responsible for all Use of Force Annual Reports and oversees all relevant data collection, review, and analysis.
- Supervision and staffing including onboarding and offboarding.
- Responsible for special projects including Mental Health and Policing and the Health Not Handcuffs coalition work.
- On call 24 hours a day all year to respond to scenes of critical incidents and officer involved shootings (OIS) to monitor the Force Investigation Team (FIT) investigation and investigatory actions taken by Crime Lab.
- Attends and monitors autopsies, scene walk-throughs, all officer interviews conducted in the criminal and administrative investigation, and the including the pre-release of Body Worn Camera (BWC) footage
- Provides real time recommendations to the Force Investigation Team (FIT) during their investigation and comments on drafts
- Works with families and individuals affected by Officer Involved Shootings and Use of Force including coordinating shared activities with the organization Families Overcoming Injustice and working with the NOPD to create the Family Bill of Rights.
- Attends and monitors monthly Use of Force Review Board hearings and completes reviews and memorandums reviewing force cases.
- Coordinate contractors conducting Use of Force first reviews and work.
- Designed and teaches Learn Your Rights in the Community (LYRIC) training
- Conducts criminal liaison work and facilitates communication between the public and NOPD rank and acts as the liaison to the District Attorney's Office for complainants and officer misconduct work.
- Along with the Acting IPM is responsible for newsletter, social media, Ethic Review Board Reports, Community Facing Two Pagers and other public facing work product.

OIPM STAFF WORK STREAMS

FULL TIME STAFF



COMPLAINT INTAKE SPECIALIST ABE LOWE IV

- Complaint intake
- Complaint referral letters
- Assists with Use of Force and Disciplinary Proceeding Reviews in absence of Department Chairs
- Case reviews
- Communicates with complainants
- Reviews Body Worn Camera footage
- Subject matter memorandum as necessary
- Teaches Learn Your Rights in the Community (LYRIC) trainings



DIRECTOR OF MEDIATION JULES GRIFF

- Responsible for the operation of the Community-Police Mediation Program
- Evaluates / screens cases for mediation eligibility
- Speaks to officers and complainants regarding mediation
- Recruits mediators
- Oversees the coordination of mediations and mediators
- Coordinates mediator training and conducts monthly in services
- Policy recommendations
- Surveys participants
- Writes mediation annual report
- Conducts outreach regarding mediation
- Roll call trainings for NOPD officers

OIPM STAFF WORK STREAMS

FULL TIME STAFF



ADMINISTRATIVE ASSISTANT DAPHNE CROSS

- Answering Phones
- Receptionist Activities
- Tracking of NOPD Lawsuits
- Tracking of NOPD Claims
- Tracking Appeals of NOPD Disciplinary Proceedings
- Case Monitoring in Municipal Court
- Outreach as Necessary
- Data input
- Prepares the Claims Annual Report



OFFICE MANAGER RENEE' LIVIOUS

- Budget
- Requisitions, preparation of public bids
- Facilitates communication with Civil Service regarding employment concerns and hiring
- Contractor payment and invoice review
- Equipment coordination
- Human Resources tasks
- Building liaison for maintenance requests and space procurement
- Travel coordination
- Onboarding
- Training coordination
- Vehicle maintenance
- Public Record coordination
- Oversees operation of internal IAPro system and data input

2021 PROJECTS

In 2021, the OIPM turned in a work plan with a list of audits, reviews, and projects the office intends to complete during the calendar year. This work plan included the following projects:

- OIPM Charter / Ordinance-Mandated Audits / Reviews
- Risk-Based Audits / Reviews
- NOPD's Requested Consent Decree-Based Audits / Reviews

While the OIPM is still committed to the execution of these goals, the OIPM created a more expanded set of priorities and projects beyond what is listed that takes into account the current limitations on staffing and resources.

Reference Audit/ Review No.	OIPM CHARTER/ORDINANCE -MANDATED AUDITS/REVIEWS ²	Last Date Completed and Auditing Entity	Starting Date ³	Ending Date ⁴
1	OIPM's Annual Report	May 2020, OIPM	January 2021	May 2021
2	2019 Claims for Damages Report	NEW, OIPM	April 2020	January 2021
3	2019 Lawsuits Report	NEW, OIPM	April 2020	January 2021
4	OIPM's Review of INSIGHT	NEW, OIPM	January 2021	September 2021
5	OIPM's Review of NOPD Disciplinary Appeals	NEW, OIPM	January 2021	September 2021
Reference Audit/ Review No.	RISK-BASED AUDITS/REVIEWS-TIER 1 ⁵	Last Date Completed and Auditing Entity	Starting Date	Ending Date
6	NOPD's Policing of Community Members Living with Mentally Illness	NEW, OIPM	December 2020	December 2021
7	NOPD's Policing of Children and Youth	NEW, OIPM	July 2020	July 2021
8	OIPM's Facial Recognition Technologies Audit	NEW, OIPM	April 2021	October 2021
Reference Audit/ Review No.	NOPD's REQUESTED CONSENT DECREE-BASED AUDITS/REVIEWS ⁶	Last Date Completed and Auditing Entity	Starting Date	Ending Date
9	2019 Bias-Free Policing Annual Report – Meta Audit	2018, PSAB	TBD ⁷	TBD
10	2019 Use of Force/Constitutional Policing Audit – Meta Audit	2018, PSAB	TBD	TBD
11	2020 Annual Report – Meta Audit	NEW, PSAB	TBD	TBD
12	2020 Stops and Search Annual Report (Includes Procedural Justice) – Meta Audit	2019, PSAB	TBD	TBD
13	2020 Supervision Initiative Working Group Recommendations - Review	NEW, PSAB	TBD	TBD

NEXT SIX (6) MONTH PROJECT PLAN

1. Provide Oversight to NOPD Audits and conduct meta-audits regarding: (1) Stop, search, arrest; (2) Use of Force; (3) Bias policing including LGBTQ populations; (4) Domestic Violence and Sexual Assault Investigations.

- a. Work with the Office of the Consent Decree Monitors (OCDM) and the Professional Standards and Accountability Bureau (PSAB) to incorporate OCDM's audit tools and audit plan into OIPM's operations
- b. Conduct meta-audits, shadowing, and provide comment
- c. Release results to NOPD and public

2. In collaboration with the NOPD, identify and open remote intake sites focusing on community-based organizations working with: (1) Spanish and Vietnamese speaking populations in New Orleans; and (2) transgender individuals / advocacy.

- a. Creating remote intake site materials and training
- b. Creating remote intake site Memorandums of Understanding
- c. Identifying potential sites and recruitment
- d. Training sites in collaboration of the Public Integrity Bureau

3. Create OIPM 2021 Hurricane Plan

- a. Create the NOPD Hurricane Plan Audit Card
- b. Review performance for each hurricane and post results on website

4. Complete the 2020 Quality Assurance Review and Peer Review

5. Complete the Employee Handbook and OIPM Policies

- a. Create new policies such as Political Activities Policy, Inter-Agency and Out of Jurisdiction Law Enforcement Policy, Coalition, Legislation and Governmental Affairs Policy

6. Create more social media presence, information, and outreach

7. Complete or make significant progress on open reports:

- a. Children and Police Project
- b. Police and Mental Health Project
- c. Lawsuits and Claims: (1) Report; (2) Community Facing One Pagers

8. Design new OIPM Website that is easier for the public to navigate.

- a. Release bid, retain contractor, start building new website content, and branding
- b. Continue to develop and build out the public complaint data dashboard:
<https://complaints.nolaipm.gov/data>

NEXT SIX (6) MONTH PROJECT PLAN

9. Complete the 2020 Annual Report

- a. Supplement with data

10. Conduct relevant and high-profile case reviews

- a. Conduct a review of the 8th District Task Force Officer Investigation
- b. Conduct review of allegation of Lt. failing to be truthful in use of force investigation – review requested by PANO

11. Staffing

- a. Adjustments to positions and streams of work
- b. Train contractors on Use of Force review
- c. Complete necessary hiring including:
 - i. Community Police Specialist (attorney)
 - ii. Public Allies Fellow
- d. Develop onboarding materials

12. Create a 2022 Budget Proposal and official request to NOPD for supplemental funding for: (1) audit support; (2) policing consultant; (3) the Community-Policing Mediation Program; and (4) data support.

13. Community-Police Mediation Program

- a. Build more public facing work product and data regarding mediation focusing on mediation program, acceptance rates for mediation, and survey results.

14. Retention Examination Project

- a. Examine reasons behind employee exit
- b. Look at national trends regarding retention and determine national best practice regarding retention
- c. Consider factors such as: training, pay, upward mobility, discipline, and crime rates

15. Build out the Ethics Review Board (ERB) report and make it more user friendly for the public and incorporation into 2021 Annual Report.

16. Work with Councilmember Moreno's Office to complete the Public Facing Database RFP and Proposal under R-20-175.

- a. Complete proposal and mock up
- b. Present proposal to City Council

17. Work with NOPD to reexamine the OIPM's MOU to determine priorities in a post-Consent Decree New Orleans.

Item 2

Dear City of New Orleans Ethics Review Board:

The Greater New Orleans Interfaith Climate Coalition stands with the poor and the afflicted in pursuing climate justice. Perhaps nowhere is climate justice more important than in how utilities are managed. It is the poor in fence line communities that suffer disproportionately from the pollution of fossil fuel electrical production, and it is the poor that pay a disproportionately large part of their income to keep cool in the summer and warm in the winter. Further, the poor have been disproportionately impacted by COVID-19 which especially victimizes those whose lungs have been weakened by pollution from fossil fuel power plants. (Source: Harvard study linking particulate matter and COVID-19 deaths). However, the current Ethics Code does not prohibit campaign contributions and other financial benefits from rich and powerful utilities to City Councilmembers who regulate them. Therefore, it is essential that the City Council is not subject to this influence that is to the detriment of the poor and all our citizens. As the Psalmist of the Judeo-Christian tradition says, "For the oppression of the poor, for the sighing of the needy, now I will arise, saith the Lord".

For these reasons, we recommend that the Ethics Review Board recommend to the City Council the following language as an amendment to the Ethics Code of the City of New Orleans:

- I. No City Councilmember or candidate seeking the office of City Councilmember shall accept or otherwise receive a campaign contribution or any other financial benefit of any value from:
 - a. Entergy, Cox Communications or other entity that provides a utility, cable, telecommunications or technology service regulated by the City Council;
 - b. Any political action committee, director or executive staff person of a corporation or entity regulated by the City Council;
 - c. Any person employed in the executive management of the New Orleans Sewerage and Water Board;
 - d. Any person, firm or entity with a professional services contract awarded by or pertaining to the City Council; or
 - e. Any person, firm or entity with a professional service contract awarded by or pertaining to the New Orleans Sewerage and Water Board.
- II. No later than 30 days from the deadline of qualifying as a candidate for the office of City Councilmember, the candidate shall submit an affidavit to the New Orleans Ethics Review Board and the City Law Department that affirms or denies the following:
 - a. Acceptance of compensation or financial benefit of any value from an entity regulated by the City Council or contracted to provide a service to the City Council in the last five years; and/or
 - b. Any time served on the board of a corporation or entity that is either regulated by the City Council or contracted to provide a service to the City Council.

We further request that the Ethics Review Board consider our recommended amendment to the Ethics Code during the next meeting that is scheduled on July 12, 2021. We would appreciate the opportunity to make a presentation at this meeting.

Thank you for your consideration.

Pastor Gregory Manning, Chair and Founder

Greater New Orleans Interfaith Climate Coalition

cc. City Council

cc. GNOICC Steering Committee