



Ethics Review Board for the City of New Orleans

Board Meeting of September 19, 2022, at 3:30 P.M. in New Orleans City Council Chambers

Minutes

1. *Call to Order.*
 - 1.1. The chair called the meeting to order at 3:35 p.m.
 - 1.2. Board members present:
 - 1.2.1. Wanda A. Brooks.
 - 1.2.2. Holly Callia.
 - 1.2.3. Monique G. Doucette
 - 1.2.4. Tyrone G. Jefferson, Jr.
 - 1.2.5. Torin T. Sanders
 - 1.3. Board members absent:
 - 1.3.1. Elizabeth Livingston de Calderon, Chair.
 - 1.3.2. Michael A. Cowan.
 - 1.4. Staff members present:
 - 1.4.1. Dane S. Ciolino, Executive Administrator and General Counsel.
 - 1.4.2. Jordy Stiggs, Ethics Trainer.
 - 1.5. The agenda for the meeting is attached.

2. *Approval of Minutes.* Upon a duly made and seconded motion, the board unanimously approved the minutes of the regular board meeting of June 13, 2022.
3. *Monthly Report of the Office of Independent Police Monitor.*
 - 3.1. The board unanimously voted to take the OIPM out of order.
 - 3.2. Stella Cziment and Boncyle Sukunbi appeared on behalf of the Office of the Independent Police Monitor.
 - 3.3. Ms. Cziment presented her office's annual report (attached).
 - 3.3.1. Mr. Jefferson asked about the frequency with which OIPM makes reports available to the public. Ms. Cziment responded that her office does so once each month.
 - 3.3.2. Mr. Sanders asked about the appellate process relating to complaints against police officers. Ms. Cziment responded that many appeals are won on the basis of procedural defects, such as "timeline violations."
 - 3.4. Ms. Cziment submitted without further discussion her monthly report.
4. *Monthly Report of the Office of the Inspector General.*
 - 4.1. Ed Michel appeared on behalf of the Office of the Inspector General.
 - 4.2. Mr. Michel presented his office's monthly written report (attached). He also reported orally to the board and responded to board members' questions.
 - 4.3. Mr. Michel reported that his office has hired three former federal agents as investigators.
 - 4.4. His website update is underway. Will be completed by December.
 - 4.5. An audit is underway re Safety and Permits.
 - 4.6. A new report is being prepared by the OIG regarding time and attendance reports on city employees.
 - 4.7. The OIG internship program has been a big success. The investigation found many additional homestead exemption fraud cases.
 - 4.8. Other reports or investigations are underway including regarding the Communication District, the NOPD Office of Secondary Employment, the Firefighters' Pension Fund, Wisner Foundation, and credit card expenditures of city employees.
 - 4.9. OIG office productivity is up 400% over last year.

- 4.10. OIG is seeking auditors with CPA/accounting backgrounds. It is very difficult to find qualified applicants.
 - 4.11. Mr. Michel discussed his work plan and risk evaluation (see attached report).
 - 4.12. Mr. Jefferson asked Mr. Michel as to where he has posted the availability of job openings. Mr. Michel responded that the jobs are posted on numerous websites and other locations.
 - 4.13. Mr. Sanders asked about the time and attendance investigation focus. Mr. Michel responded that the investigation is focusing first on employees with no supervisors.
5. *Executive Session.* By a motion which was seconded, the board went into executive session pursuant to Louisiana Revised Statutes sections 42:17 to discuss an investigative proceeding regarding allegations of misconduct related to ERB Complaint No. 2022-02. The board heard from the OIG regarding the matter.
6. *Return to General Session and Vote on Complaint 2022-02.*
- 6.1. By a motion which was seconded, the board went back into public general session.
 - 6.2. By a motion which was seconded, the board voted unanimously to dismiss ERB Complaint No. 2022-02 for lack of sufficient evidence of a violation of the City of New Orleans Ethics Code.
7. *Monthly Report of Ethics Trainer.*
- 7.1. Jordy Stiggs presented his monthly written report (attached).
 - 7.2. Mr. Stiggs presented his monthly written report (attached). He also reported orally to the board and responded to board members' questions.
 - 7.3. Mr. Stiggs reported that he is attempting to recruit additional liaisons.
 - 7.4. Mr. Stiggs reported that he has trained 420 city employees just in 2022. The prior ethics training contractor trained a total of 341 people in three years.
8. *Report of the Executive Administrator and General Counsel.*
- 8.1. Dane S. Ciolino presented his oral report.
 - 8.2. Mr. Ciolino reported that the board has received one new complaint.
 - 8.3. Mr. Ciolino reported that Mr. Stiggs is now a civil service employee and no longer probationary.

- 8.4. Mr. Ciolino reported that the Board still is awaiting QARAC nominations from the City.
9. *Vote to Replace Mr. Sanders as Board Chair.*
 - 9.1. Mr. Sanders reported that he is resigning from the board effective immediately because he has moved out of Orleans Parish.
 - 9.2. The board thanked Mr. Sanders for his service.
 - 9.3. The board voted to defer a vote on his replacement to next meeting.
10. *Call for Agenda Items for Future Board Meetings.* No items identified.
11. *Adjournment.*
 - 11.1. A motion was made to adjourn the board meeting.
 - 11.2. The motion was seconded.
 - 11.3. The board unanimously voted to adjourn. The meeting was adjourned at 5:11 p.m.

* END *

**Agenda for Board
Meeting with
Attachments**



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

New Orleans City Hall, City Council Chambers, 1300 Perdido St, New Orleans, LA 70112

Monday, September 19, 2022

3:30 P.M.

AGENDA

1. Call to order.
2. Approval of the minutes of prior board meeting.
3. Presentation of monthly reports by the Office of Inspector General, Office of Independent Police Monitor, and Ethics Trainer, including questions by board members.
4. Presentation and discussion of OIG Annual Work Plan for 2023:
<https://files.constantcontact.com/1b8199d3201/439ff17b-79e9-4c46-b0d6-78949e93cb55.pdf?rdr=true>
5. Presentation and discussion of OIPM Annual Report: <https://nolaipm.gov/annual-reports/>
6. Report of General Counsel and Executive Administrator.
7. Report on appointments to Quality Assurance Review Advisory Committees.
8. Call for nominations and vote on board appointment to QARAC for the OIG to replace Mr. Waring.
9. Executive session pursuant to Louisiana Revised Statutes sections 42:17 to discuss an investigative proceeding regarding allegations of misconduct related to ERB Complaint No. 2022-02.
10. Vote in regular session regarding disposition of ERB Complaint No. 2022-02.
11. Vote to replace Torin Sanders as ERB Chair due to pending resignation as a result of moving out of Orleans Parish.
12. Call for agenda items for future board meetings.
13. Adjournment.

**Monthly Report of
OIG**

MONTHLY REPORT

AUGUST 2022



OIG

**NEW ORLEANS
OFFICE OF INSPECTOR GENERAL**

**EDWARD MICHEL, CIG
INSPECTOR GENERAL**

ADMINISTRATION DIVISION



1,873

Number of registered Twitter followers

ADMINISTRATION

The Office Manager is responsible for the following ongoing tasks:

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

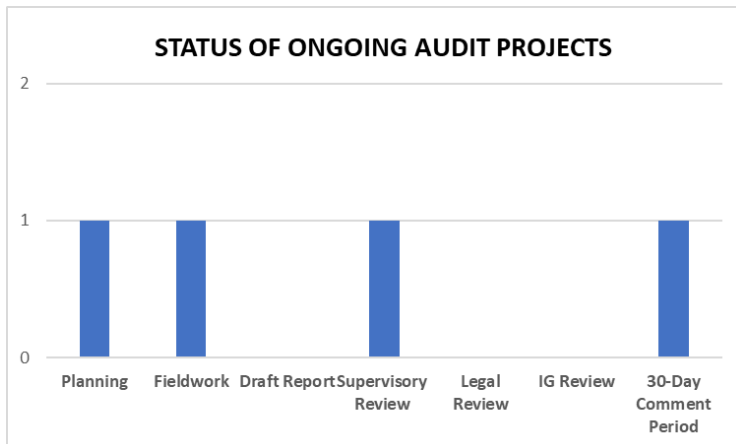
INFORMATION SECURITY

The OIG Information Security Specialist is responsible for the following tasks to maintain the OIG's information technology (IT) integrity

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

AUDIT & REVIEW DIVISION

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



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

- Department of Public Works (DPW)/SW&B Coordination
- Orleans Parish Communications District (OPCD) Expenditures
- Wisner Fund
- Safety and Permits City Employee Inspections

Project Phase Descriptions:

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

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

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

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

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

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

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

MEASURING PROGRESS

AUDIT AND REVIEW DIVISION

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

Project Name	Project Phase ¹	Anticipated ² Completion Date
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DPW/S&WB Coordination	30-Day Comment Period	09/09/2022
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Summary of Objectives: To determine if the City of New Orleans and S&WB have sufficient policies and procedures relevant to coordinating the \$2 billion Capital Improvement Program and that the internal controls are operating effectively.

Orleans Parish Communications District	Fieldwork	Ongoing
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Summary of Objectives: To determine if management's internal controls are designed properly and implemented and operating effectively to ensure expenses and disbursements were business-related and allowed by law.

Wisner Fund	Planning	Ongoing
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Summary of Objectives: To be determined.

Safety & Permits City Employee Inspections	Supervisory Review	09/02/2022
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Summary of Objectives: To determine if City employees performed on-site inspections at various locations.

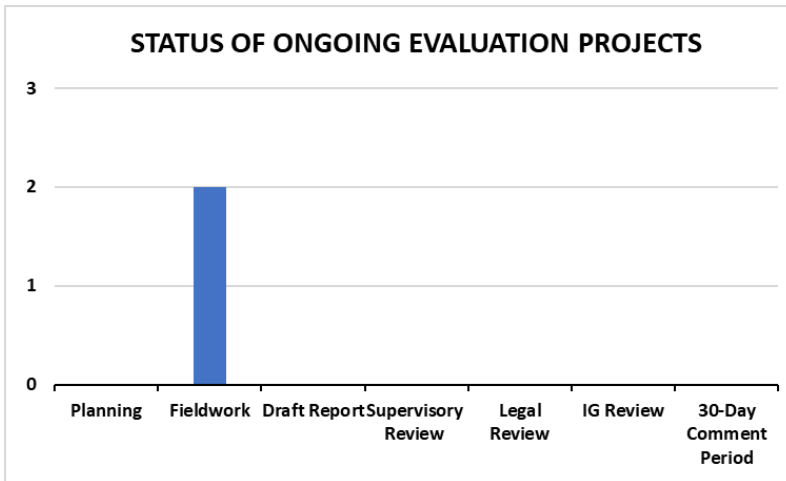
Footnotes:

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

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

INSPECTIONS & EVALUATIONS DIVISION

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



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

- New Orleans Police Department (NOPD) Violent Crime Response Analysis
- CNO Employee Time and Attendance Reporting

Project Phase Descriptions:

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

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

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MEASURING PROGRESS

INSPECTIONS AND EVALUATIONS DIVISION

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Project Name	Project Phase ¹	Anticipated ² Completion Date
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CNO Employee Time and Attendance Reporting

Fieldwork

Ongoing

Summary of Objectives: To determine whether the City has policies, procedure, and controls to ensure that Time and Attendance is reported accurately.

NOPD Violent Crime Response Analysis

Fieldwork

Ongoing

Summary of Objectives: To assess the NOPD's response to violent crimes in the City in relation to best practices and industry standards.

Footnotes:

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INVESTIGATIONS DIVISION

ADMINISTRATIVE INVESTIGATIONS (AUGUST HIGHLIGHTS)

Issued a complaint letter to the Louisiana State Ethics Board, the subject of which must remain confidential pending investigation by the Board.

Issued a letter and related documents to the Assessor's Office concerning eight (8) residential properties which continued to receive a homestead exemption and senior freeze reduction despite the listed homeowner reportedly being deceased.

The total number of residential properties submitted for 2022 is 51. Assessor's Office acknowledged receipt of the letter.

Issued a Request for Documents to the LASPCA.

Issued a Request for Documents to the City of New Orleans Chief Information Officer for email correspondence.

Issued four (4) referral letters to Sewerage & Water Board concerning allegations of employee misconduct.

Issued a Request for Documents to the Bureau of Treasury for City of New Orleans Revised Real Estate Tax Bills for three (3) residential properties that benefited from homestead exemptions and a freeze in their assessed value despite the listed homeowners reportedly being deceased.

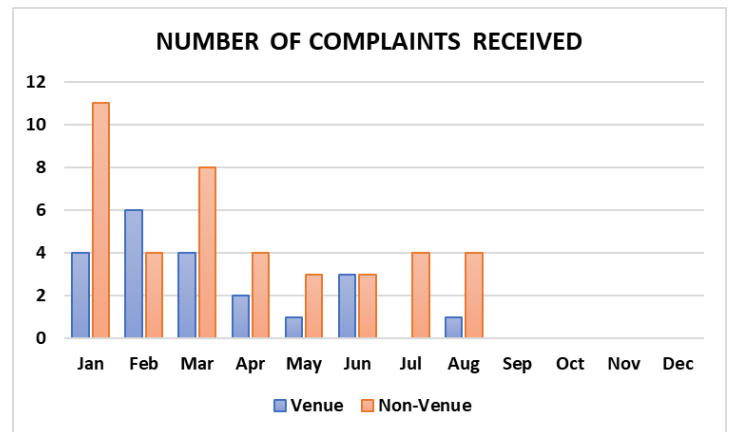
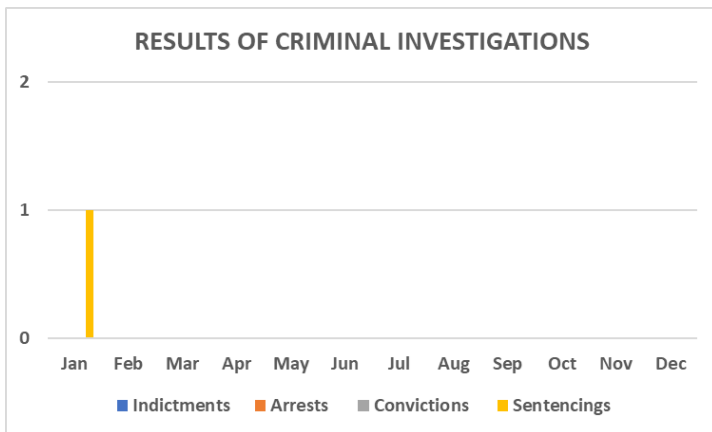
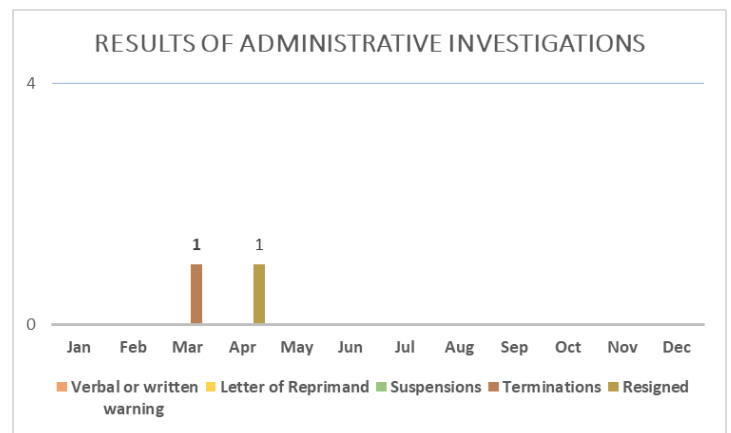
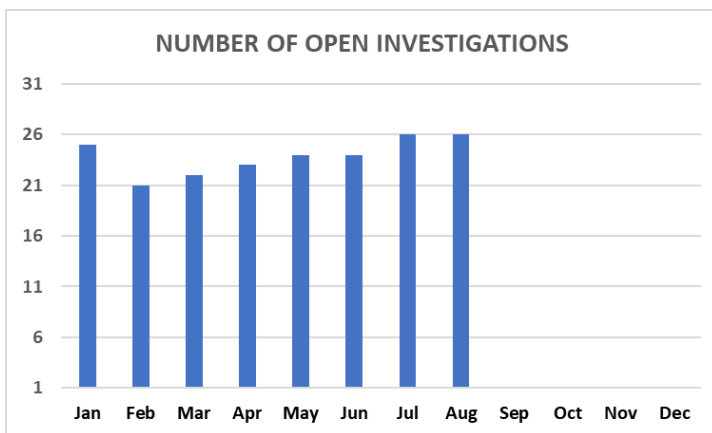
Issued a Request for Documents to the Sewerage and Water Board regarding delinquent water bill accounts.

Issued a letter to the Louisiana Office of Motor Vehicles concerning the Removal of Vehicle Registration Information for surplus City vehicles

MEASURING PROGRESS

INVESTIGATIONS DIVISION

The Investigations Division conducts criminal and administrative investigations involving City of New Orleans employees, contractors, and vendors that receive City funds. Investigators also work with local, state, and federal partners to conduct joint investigations. The Investigations Division is also available to provide fraud awareness training to City employees and to engage in other outreach programs with businesses and citizens.



Venue: Matters that the OIG has the jurisdiction to investigate

Non-Venue: Matters outside of the OIG's jurisdiction

2022 BUDGET

TOTAL APPROPRIATION FOR 2022: \$3,581,754

Expenditures	Spent YTD
Personnel	\$ 1,019,816
Operating	\$ 102,120
Total	\$ 1,121,935
Remaining Balance	\$ 2,459,819

As of 09/01/2022

OIG ON SOCIAL MEDIA



New Orleans OIG @NOLAOIG · Aug 25

Congratulations to Patrice Rose on her appointment as Chief of the Inspections and Evaluations Division, New Orleans Office of Inspector General.




New Orleans OIG @NOLAOIG · Aug 24


Congratulations to Alison Broyles on her appointment as Chief of the Audit & Review Division, New Orleans Office of Inspector General







OIG ON SOCIAL MEDIA

 **New Orleans OIG @NOLAOIG** · Aug 20 ⋮

President Biden signs bill to combat Covid Relief Fraud.



facebook.com
President Biden signs two bills that will hold those ...
32K views, 1.2K likes, 598 loves, 7.6K comments,
479 shares, Facebook Watch Videos from The ...

  2  

 **New Orleans OIG @NOLAOIG** · Aug 10 ⋮

Today I presented the 'Initiatives of the OIG' to the New Orleans Rotary Club. Special thanks to Norman Robinson and Bradley Spadel for their invitation.



   1 

MONTHLY REPORT

JULY 2022



OIG

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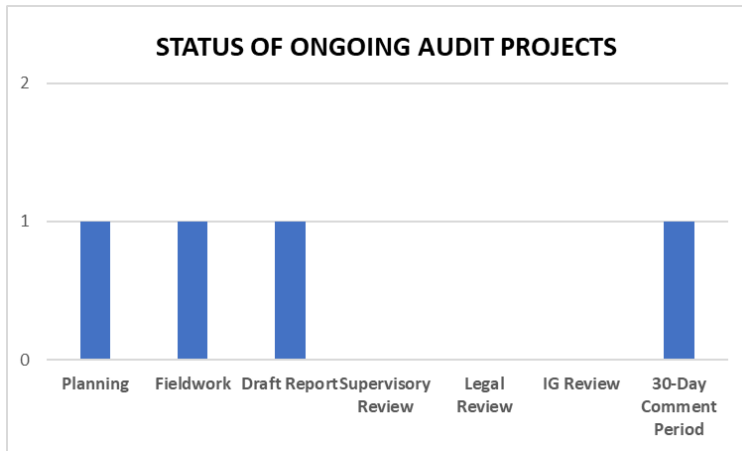
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Summary of Objectives: To be determined.

Safety & Permits City Employee Inspections	Supervisory Review	08/2022
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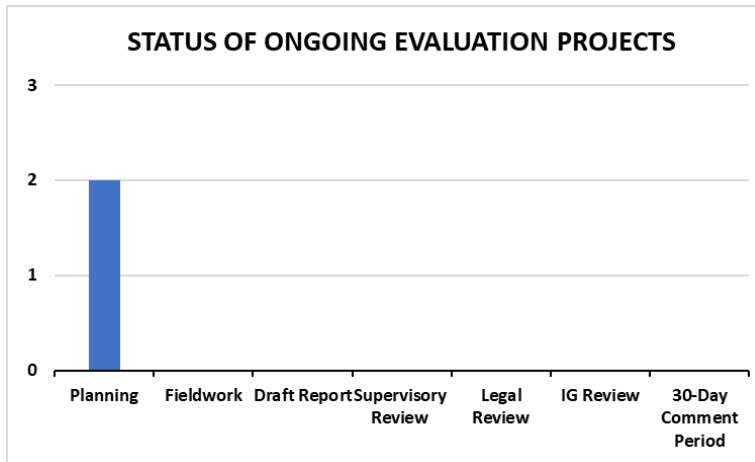
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MEASURING PROGRESS

INSPECTIONS AND EVALUATIONS DIVISION

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CNO Employee Time and Attendance Reporting

Planning

Ongoing

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NOPD Violent Crime Response Analysis

Planning

Ongoing

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INVESTIGATIONS DIVISION

ADMINISTRATIVE INVESTIGATIONS (JULY HIGHLIGHTS)

Issued a Report of Investigation (ROI) to Sewerage & Water Board concerning employee misconduct.

Issued a supplemental ROI to Sewerage & Water Board concerning employee misconduct.

Issued a Request for Documents to Department of Public Works concerning Parking Enforcement Officer assignments.

Issued a Request for Documents to the Equipment Maintenance Division for a list of current City vehicles.

Issued a Request for Documents to the Office of Secondary Employment.

Issued a Request for Documents to Chief Administrative Officer for employee annual and sick leave submissions.

Issued a Request for Documents to New Orleans Police Department for information concerning vehicle equipment.

Issued a Request for Documents to the Chief Information Officer for emails concerning employee annual and sick leave requests.

Issued a Request for Documents to the Orleans Parish Communications District regarding electronic card access system records.

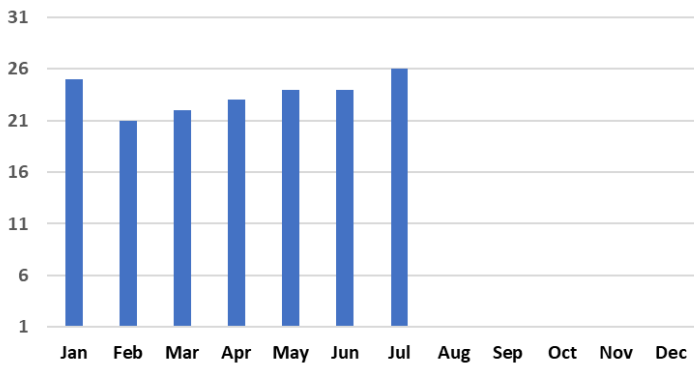
Issued a letter to the Assessor's Office concerning eight (8) residential properties which continued to receive a homestead exemption and senior freeze reduction despite the listed homeowner reportedly being deceased. The total number of residential properties submitted for 2022 is 44. Assessor's Office acknowledged receipt of the letter.

MEASURING PROGRESS

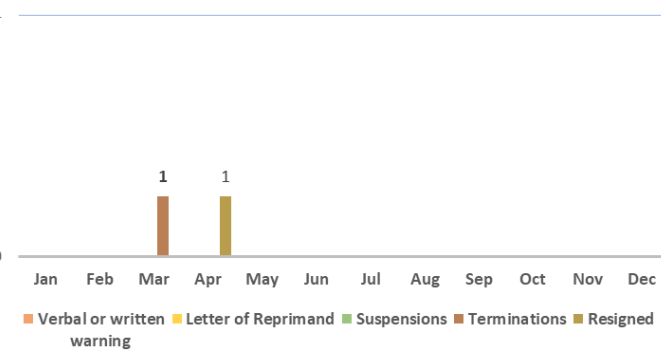
INVESTIGATIONS DIVISION

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NUMBER OF OPEN INVESTIGATIONS



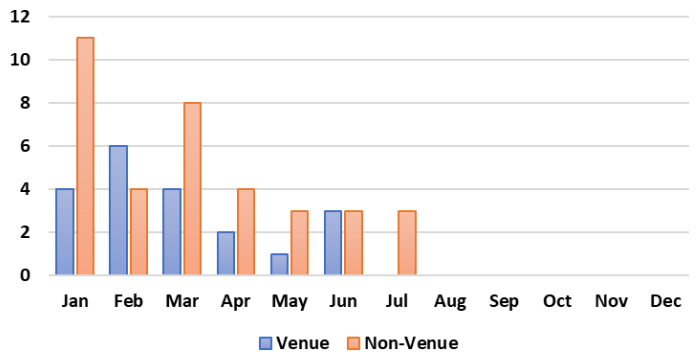
RESULTS OF ADMINISTRATIVE INVESTIGATIONS



RESULTS OF CRIMINAL INVESTIGATIONS



NUMBER OF COMPLAINTS RECEIVED



Venue: Matters that the OIG has the jurisdiction to investigate

Non-Venue: Matters outside of the OIG's jurisdiction

2022 BUDGET

Total Appropriation
\$ 3,581,754

BUDGETED EXPENSES

SPENT YTD

Personnel Expenditures

\$ 2,210,615

\$ 954,710

Operating Expenditures

\$ 276,124

\$ 95,578

Total Expenditures

\$ 2,486,739

\$ 1,050,288

Remaining Fund Balance

\$ 1,095,015

\$ 2,531,466

Remaining at the end of the year if
we spend according to our
budgeted expenditures.

Actually remaining balance as of
8/1/2022

As of 08/01/2022

OIG ON SOCIAL MEDIA

Tweets

Tweets & replies

Media

Likes



New Orleans OIG @NOLAOIG · Jul 20

The New Orleans OIG is hiring a Chief Auditor!
inspectorsgeneral.org/job/city-of-ne...



New Orleans OIG @NOLAOIG · Jul 19

The New Orleans OIG has an opening for a Chief Evaluator!
governmentjobs.com/careers/neworl...



New Orleans OIG @NOLAOIG · Jul 8

New Orleans OIG June, 2022 Monthly Report:

nolaoig.gov/images/reports...



OIG ON SOCIAL MEDIA

New Orleans OIG Retweeted



FBI @FBI · Jul 8

2022 marks the 50th anniversary of female special agents in the #FBI — like @FBIMiamiFL Supervisory Special Agent Maria Llompart. Read her story at go.usa.gov/xSx6X. #WomenWearTheBadge



ALT

18

58

249





NEW ORLEANS OFFICE OF INSPECTOR GENERAL

Recent Reports and Developments | Fall 2022

Inspector General, Edward Michel

MEET THE CHIEFS



Alison Broyles was appointed Chief of Audit and Review.



Patrice Rose was appointed Chief of Inspections and Evaluations.



RECENT REPORTS

- S&WB Employees Threatened a PEO on Social Media
- CNO and S&WB Repair Coordination Audit
- Department of Safety & Permits Inspections Audit
- Dr. Webster Report

S&WB Employee Threatened a PEO on Social Media

9/27/2022



- The investigation into this matter was predicated on information received from Zepporah Edmonds, Parking Administrator, Department of Public Works (DPW), alleging that a S&WB employee verbally threatened a City of New Orleans (City) Parking Enforcement Officer (PEO) via social media posts for issuing a metered parking citation to a vehicle parked in the 600 block of St. Joseph Street.
- On March 23, 2022, David Callahan, Chief Administrative Officer, S&WB, sent an email to the City of New Orleans Office of Inspector General (OIG) containing a letter from Callahan and six photocopies of images he received from DPW. The six images appear to be screenshots of posts to a social media platform. One of the images includes a portion of a metered parking citation issued in the 600 block of St. Joseph Street, all of which he received from DPW.

S&WB Employee Threatened a PEO on Social Media

9/27/2022



This investigation has determined that Mytrelle Carter:

- May have violated the rules of the City's Civil Service Commission, by posting threatening messages on social media.
- May have violated the S&WB Code of Ethics, by posting threatening messages on social media.
- Violated City Code because she refused to cooperate with the OIG.

CNO and S&WB Repair Coordination Audit

9/29/2022



Finding 1: Coordination Policies and Procedures

- OIG auditors noted \$10 million in change orders (plan changes) during construction for the 8 projects tested. Conducting pre-bid inspection walkthroughs would have allowed the City to include additional work in the original competitive bid to ensure the best price, as well as reducing delays during construction.

Finding 2: S&WB Asset Management and Work Order Software

- S&WB's Cass Works software, first implemented in 1991, was so outdated that the software developer, RJN, stopped providing support around 2005. Because of Cass Works' system limitations, it did not consistently provide accurate information. Therefore, information provided to the City from Cass Works for coordinating JIRR Program projects was not credible and the system should have been updated prior to coordinating a \$2 billion program with the City.

AUDIT
&
REVIEW

CNO and S&WB Repair Coordination Audit

9/29/2022



Finding 3: Public Transparency

- The information provided to the public on RoadworkNOLA was limited to the estimated start and end dates for the entire project, which often spanned many miles and various neighborhoods. No information or timelines were provided specific to searched addresses in neighborhoods impacted by stalled construction.

Finding 4: S&WB Reimbursements to the City

- The S&WB did not submit timely reimbursement requests to GOHSEP for all 54 applicable invoices tested, totaling \$4,196,735. The S&WB did not reimburse the City timely for any of the 98 invoices tested, totaling \$8,133,147.

Finding 5: S&WB Repaving Backlog

- The S&WB did not establish a budget or a timeframe for repaving open utility cuts, resulting in a growing backlog of temporarily-filled utility cuts throughout the City.

AUDIT
&
REVIEW

Department of Safety and Permits Inspections Audit

10/20/2022



The audit resulted in the following major findings:

- City inspectors did not perform in-person inspections for 20% of the inspections selected for review.
- City inspectors did not spend adequate time conducting inspections, spending ten minutes or less for 40% of the inspections reviewed.
- City inspectors did not upload required documentation into LAMA in violation of S&P policies and procedures.

Department of Safety and Permits Inspections Audit

10/20/2022



The OIG made the following recommendations to the City:

- S&P management should update and enforce S&P policies and procedures in order to ensure that City inspectors are conducting on-site inspections. S&P should also verify on a quarterly basis that GPS is installed and working for all vehicles driven by City inspectors. (The OIG found that GPS data was not available for all S&P vehicles reviewed.)
- S&P should require that City inspectors complete an inspection checklist that details the required steps necessary for each type of inspection. City inspectors should upload the checklist into LAMA to document that a comprehensive inspection was conducted.
- S&P supervisors should perform regular quality checks to ensure City inspectors upload required documentation into LAMA for all inspections.

10/31/2022



Allegations of Neglect of Duty, Misuse of City Property and Abuse of Office by Kyshun Webster, Executive Director, Juvenile Justice Intervention Center

As detailed in the Report of Investigation released October 7th, 2022, the Office of Inspector General (OIG) determined that former Juvenile Justice Intervention Center (JJIC) Executive Director Kyshun Webster may have violated:

- CAO Policy Memorandum No. 83(R), effective June 17, 2020 – Standards of Behavior for City Employees, Section II, General Standards, Paragraph (f); Neglect of Duty.
- CAO Policy Memorandum No. 83(R), effective June 17, 2020 – Standards of Behavior for City Employees, Section II, General Standards, Paragraph (o); Misuse of City Property.
- Louisiana Code of Governmental Ethics, LA R.S. 42:1116 – Paragraph (A); Abuse of Office.
- In addition, Kyshun Webster failed to adhere to JJIC Security Protocols by avoiding security screening.

10/31/2022



Allegations of Neglect of Duty, Misuse of City Property and Abuse of Office by Kyshun Webster, Executive Director, Juvenile Justice Intervention Center

-
- We were able to determine Dr. Webster reported for duty 13 times in 12 months.
 - Dr. Webster admitted to not complying with security protocols to include utilizing his electronic access card as well as by passing the magnetometer at the jail.
 - Instructed jail personnel to transport his personal dog utilizing JJIC vehicles while on JJIC duty.
 - JJIC is a sub-sector of the CI Sector / Sector designation is critical to our security / incapacity would have a devastating impact.



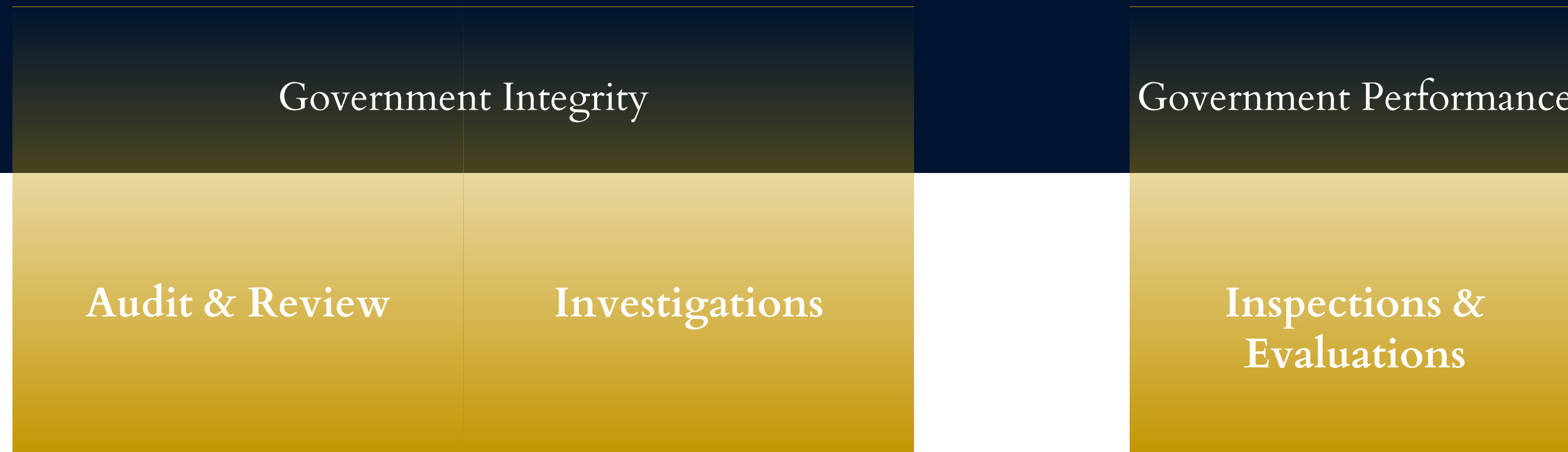
DEPARTMENTAL DEVELOPMENTS

- Audit & Review
- Investigations
- Inspections & Evaluations



Departments

The New Orleans OIG is functionally composed of Legal Affairs and Administration; Government Performance, which includes the Division of Inspection and Evaluation; Government Integrity, which includes the Investigations and Audit Divisions.



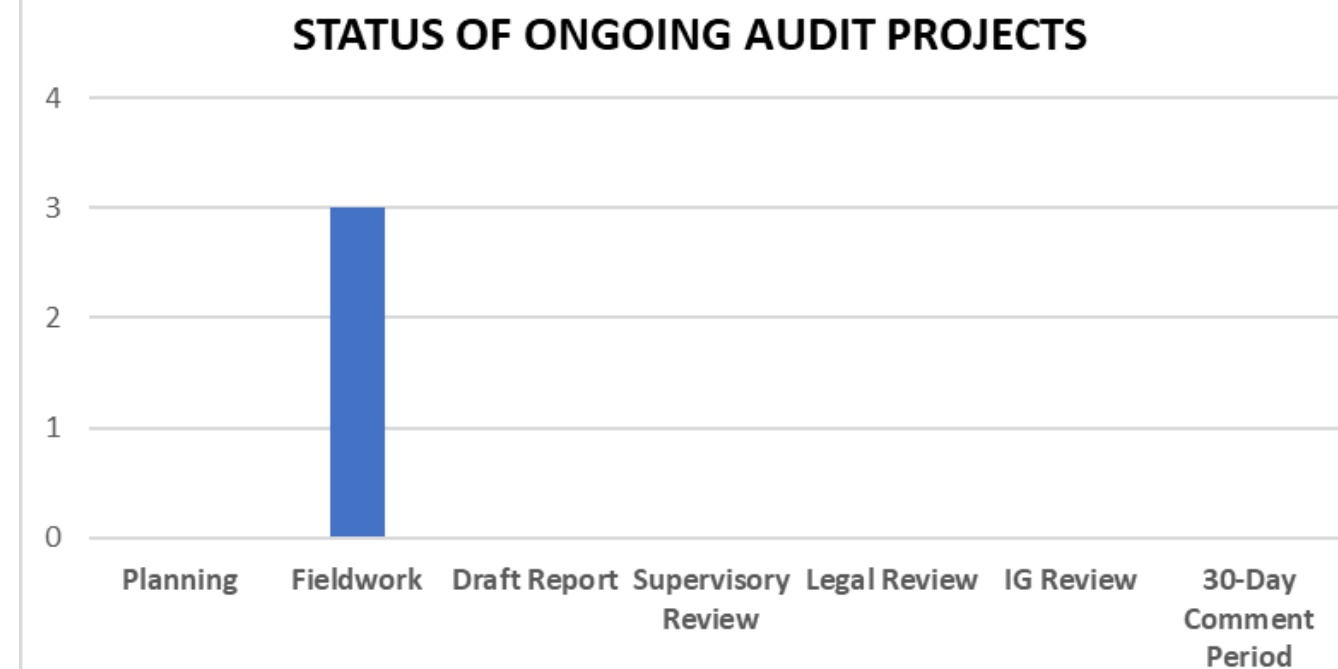
Audit & Review



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

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

- Orleans Parish Communications District (OPCD) Expenditures
- Wisner Fund - Audit to examine effectiveness of continuing the trust in perpetuity.
- Short Term Rentals - We discovered several violations of operation that are in need of corrections / also generate income from the city in terms of fines levied for violations.

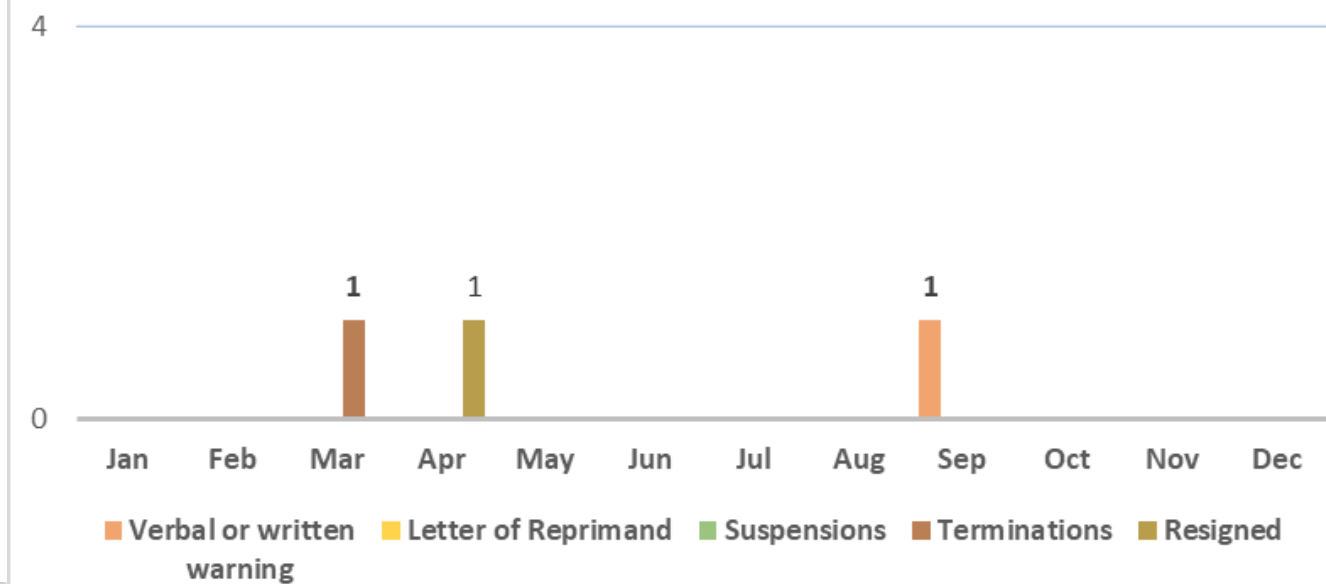


Investigations

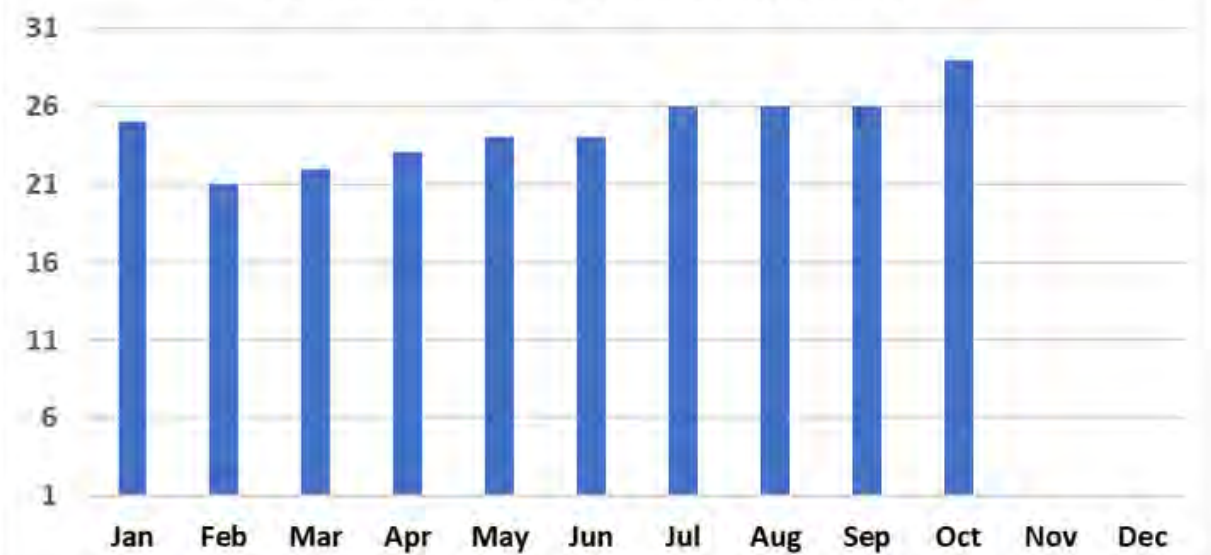


The Investigations Division conducts criminal and administrative investigations involving City of New Orleans employees, contractors, and vendors that receive City funds. Investigators also work with local, state, and federal partners to conduct joint investigations. The Investigations Division is also available to provide fraud awareness training to City employees and to engage in other outreach programs with businesses and citizens.

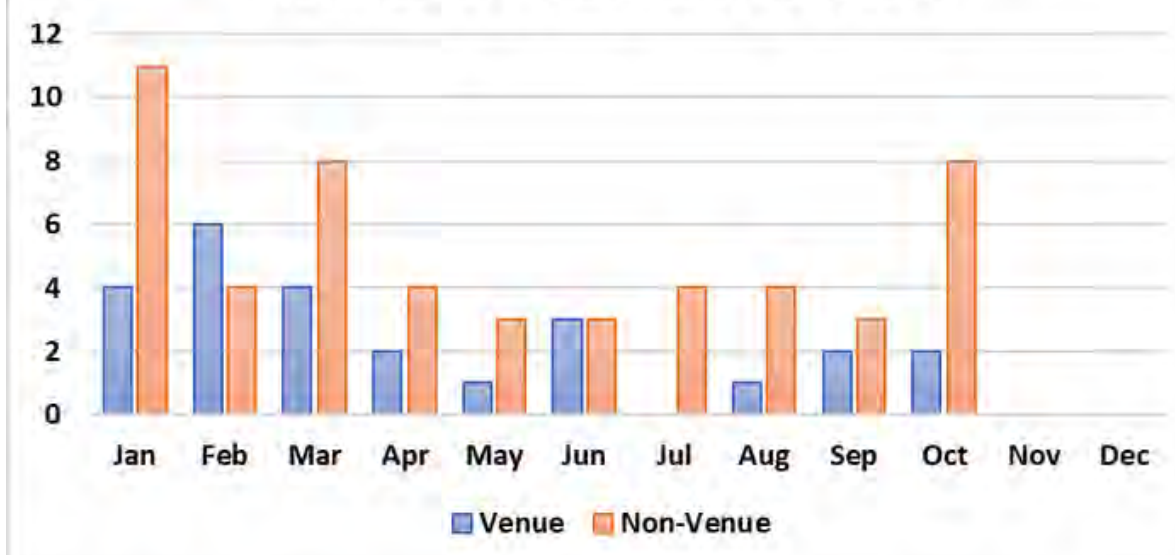
RESULTS OF ADMINISTRATIVE INVESTIGATIONS



NUMBER OF OPEN INVESTIGATIONS



NUMBER OF COMPLAINTS RECEIVED



RESULTS OF CRIMINAL INVESTIGATIONS



Investigations - September Highlights



Published a ROI concerning Sewerage & Water Board Employee threatening a City Parking Enforcement Officer on social media .

Issued a letter and related documents to the Assessor's Office concerning eight (8) residential properties which continued to receive a homestead exemption and senior freeze reduction despite the listed homeowner reportedly being deceased. The total number of residential properties submitted for 2022 is 59. Assessor's Office acknowledged receipt of the letter.

Issued a Request for Documents to the Department of Public Works regarding parking citations.

Issued a Request for Documents to the Information Technology and Innovation Department.

Issued a Request for Documents to the City Attorney regarding Financial Disclosure Statements.

Issued four (4) referral letters to Sewerage & Water Board concerning allegations of employee misconduct concerning take-home vehicles. Reviewed GPS Data / inactivity at one location for prolonged hours ; determined location was the employees residences.

Investigations - October Highlights



Issued two (2) Requests for Documents to the Information Technology and Innovation Department
Issued a Request for Documents to the Chief Administrative Officer.

Issued a Request for Documents to Property Management for outside employer authorization forms on file.

Issued a Request for Documents to Sewerage & Water Board for employee listings.

Issued a letter and related documents to the Assessor's Office concerning ten (10) residential properties which continued to receive a homestead exemption and senior freeze reduction despite the listed homeowner reportedly being deceased. The total number of residential properties submitted for 2022 is 69. Assessor's Office acknowledged receipt of the letter.

Inspections & Evaluations

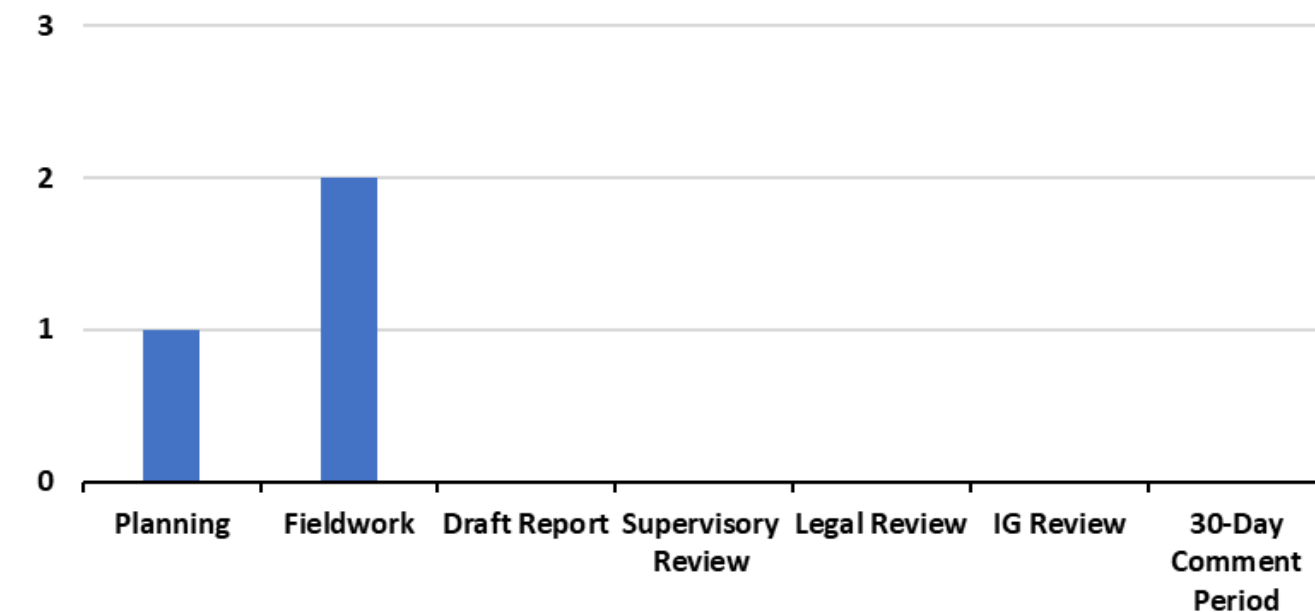


The Inspections and Evaluations Division works to increase the efficiency, effectiveness, transparency, and accountability of City programs, agencies, and operations. Evaluators conduct independent, objective, empirically based and methodically sound inspections, evaluations, and performance reviews.

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

- New Orleans Police Department (NOPD) Violent Crime Response Analysis – To assess NOPDS response to violent crime in relation to best practices and standard industries.
- CNO Employee Time and Attendance Reporting
- EMD Fuel Dispensing Follow-Up

STATUS OF ONGOING EVALUATION PROJECTS



**Monthly Report of
OIPM**



THE OFFICE OF THE INDEPENDENT POLICE MONITOR

MONTHLY REPORT

AUGUST 2022

Community Letter

Dear New Orleans Community,

I want to start this letter with reflecting on where we were last year this time compared to now. Last year, we were responding to Hurricane Ida - the majority of us were without power and were coping with curfews and gas shortages. The OIPM is thankful that this August passed without a hurricane; but does want to remind the community as we enter the most high risk time of hurricane season, to please check out our 2022 Hurricane and Emergency Oversight Plan which is available to the public on our website. This plan explains the role of police oversight during any hurricane or declared emergency.

During the month of August, the OIPM continued to find new ways to engage with the community, talk to different neighborhood leaders, and let the public know what we're up to. From holding office hours on the Westbank for the first time to presenting to the Police-Community Advisory Board meeting in New Orleans East, we are trying to make sure our office is accessible to all the banks and wards of New Orleans.

We thank our partners in the media for their showcase of our office on their radio shows, investigative broadcasts, and articles! During August, we appeared on two different WBOK radio shows, was interviewed by Mike Perlstein for WWL and Char Adams for NBC.

We are trying to get out there so more people learn about our role in monitoring policing and we appreciate the opportunities to reach the community on your platforms!

This month, the OIPM presented to the City Council Criminal Justice Committee and fielded questions about the NOPD's policy development, budgetary concerns, and investigative abilities. It was a candid and robust conversation and we are thankful the community was able to learn more about us by watching it.

Our second Coffee with the IPM was held at the popular PJ's Coffee on Read Blvd. this month. We loved the chance to talk to organizational partners and community members who showed up to ask us questions and talk policing concerns over delicious coffee.

Look forward to our next Coffee with the IPM! And if you have any requests for our next location - please, let us know!

A big topic this month was the Consent Decree. We heard the Mayor's call for the end of the Consent Decree, but we remind the community that the end of the Consent Decree does not mean the end of police reforms. The Consent Decree is just the beginning of the progress we expect from the NOPD. Whether the Consent Decree ends or continues -- our work will remain and we will continue to demand accountability, fairness, and transparency for all.

Thank you,



Above are some pictures from social media posts the OIPM produced regarding the the different community events the OIPM organized or participated in during the month of August.

Year to Date Overview



Office of the Independent Police Monitor Monthly Report

	2022	2021	2020	2019	2018	2017	Avg 2017-2021
Civilian Complaint Count	40	47	48	55	17	27	38.80
Police Complaint Count	1	4	2	1	4	2	2.60
Civilian w/in NOPD	0	1	0	0	0	0	0.20
Anonymous Complaint	23	19	23	0	0	0	8.40
Criminal Case Liaison Count	11	19	29	15	3	6	14.40
Case Monitoring Count	7	4	9	0	9	8	6.00
Case Review Count	4	4	2	4	8	0	3.60
Contact Only Count	25	14	27	14	2	4	12.20
Disciplinary Hearing Count	42	20	42	38	53	21	34.80
Critical Incident Count	7	7	9	8	5	6	7.00
Firearm Discharge Count	5	6	8	7	3	3	5.40
Lvl 4 Non-Critical	16	6	8	0	0	0	2.80
Mediation Count	14	13	25	25	16	21	20.00
Commendation Count	0	6	1	4	0	2	2.60
Grand Total	195	170	233	171	120	100	158.8

August Overview

Civilian Complaints Received in August

CC2022-0069	According to the complainant, an unknown officer arrived on scene after a dispute between the complainant and her neighbor where the neighbor allegedly beat the complainant and tried to run over the complainant and her children. The complainant stated that she was arrested by the unknown officer instead of the neighbor because the unknown officer knew the neighbor personally. The complainant also stated that an NOPD sergeant performed an investigation on this matter but did not review street cameras that would have recorded the incident and would have proved her innocence.
CC2022-0071	According the complainant, one Detective did not follow up on leads that the complainant provided him with and did not investigate her case in approximately 2015, 2016, or 2017. The complainant, in 2022, tried reaching out to the white collar crimes division about reopening her investigation but was told it would not be possible and supervisors within the division are not responding to her calls.
CC2022-0074	The complainant stated that he was the victim of a crime several months ago, and the perpetrator was his brother, a former NOPD officer. The complainant stated that NOPD officers arrived and began searching for him and not his brother who committed the crime, protecting his brother. The complainant already filed a complaint with PIB where no investigation was performed, as responding officers could not be identified.
CC2022-0075	According to the complainant, he was pulled over for spinning his tires when an officer suspected him of DWI. While talking to the officer, the officer performed a search of the complainant and pulled a bullet out of his pocket and searched the complainant's car without permission, finding a handgun. The officer also drove the complainant's car to another location and left it there without the complainant's permission. While at the hospital, the complainant stated that a different NOPD officer grabbed him by the shoulders and slammed him into a bench.

Police Officer Complaints Received in August

PO2022-0073	The Police Officer was reassigned following notice of a departmental inquiry into potential policy violations. The Police Officer believes this reassignment was done alarmingly fast compared to other reassignments. The Police Officer believes he is being targeted and receiving unfair treatment by a PIB commander because of his previous misconduct violations.
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August Overview

Anonymous Complaints Received in August

AC2022-0070	According to the anonymous complainant, an SPO from the 8th district struck them with an unknown object multiple times in the leg for laying on the SPO's vehicle while the complainant was recovering from an asthma attack, causing bleeding and swelling. The anonymous complainant stated that they went to the 8th district to file a complaint whereupon 8th district officers laughed at them and did not take their complaint seriously.
AC2022-0072	According to the anonymous complainant, three NOPD officers injured them when the officers carried them out of a St. Louis Cathedral and dropped them on the floor, allegedly fracturing their elbow. The anonymous complainant stated that the NOPD officers did not respond to their requests for help with their elbow. The NOPD officers then transported the complainant to University Medical Center and then placed the complainant on a 72 hour mental health hold, which the anonymous complainant feels was unjustified.

Criminal Liaison Received in August

CL2022-0011	An officer requested updates regarding two complaints he had filed with PIB. OIPM contacted PIB and then updated the officer with the current status of his complaints.
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Contact Only Received in August

CO2022-0019	A member of the public's concerns with an ongoing investigation were forwarded to OIPM by the mayor's office. After reaching out to PIB the OIPM determined that the individual had already filed a complaint with PIB.
CO2022-0020	An officer requested updates regarding two complaints he had filed with PIB. OIPM contacted PIB and then updated the officer with the current status of his complaints.
CO2022-0021	A member of the public contacted the OIPM seeking assistance with an ongoing investigation. After speaking with the OIPM the individual decided she would continue contacting NOPD before deciding if she wanted to file a complaint with OIPM.
CO2022-0022	A member of the public provided information possibly identifying a person suspected of committing shootings. OIPM provided this information to the proper authorities.
CO2022-0023	A member of the public contacted OIPM concerned for her safety. OIPM put the individual in contact with the 3rd District.
CO2022-0024	A member of the public reached out to OIPM to report their stolen vehicle. OIPM provided them with the information to report the crime to NOPD.

August Overview

Disciplinary Proceedings Received in August

<p>DH2022-0029 CTN 2021-0451-R</p>	<p>Two officers are accused of professionalism violations for advising a complainant that her call for service was of low priority and are also accused of neglect of duty violations for failing to run a license plate number and complete a report regarding supplemental information provided by the complainant.</p>
<p>DH2022-0030 CTN 2021-0396-R</p>	<p>One officer is accused of neglect of duty for failing to comply with NOPD vehicle pursuit policy by not activating his BWC upon being involved in a pursuit, failing to notify communication services of his entry into the pursuit, and not receiving supervisory approval to pursue. Another officer is accused of neglect of duty for failing to comply with NOPD authorized firearms policy by attaching an unapproved light to his weapon.</p>
<p>DH2022-0031 CTN 2021-0328-R</p>	<p>An officer is accused of neglect of duty for using his phone while handling a call for service, as well as for removing his BWC while handling a call for service.</p>
<p>DH2022-0032 CTN 2022-0168-P</p>	<p>Two officers are accused of neglect of duty for failing to ensure the health and welfare of an individual in custody when the individual was not properly handcuffed and escaped, ultimately injuring himself. One officer is additionally accused of unauthorized force for discharging his CEW on the individual who was compliant with directions and not resisting.</p>
<p>DH2022-0033 2021-0166-R</p>	<p>An officer is accused of splitting his regular duty assignments with paid details, using annual leave in the middle of duty assignments to accommodate working a detail.</p>
<p>DH2022-0034 CTN 2021-0492-P</p>	<p>A police technical specialist is accused of neglect of duty for failing to properly submit all the evidence she collected from a crime scene in a timely basis.</p>
<p>DH2022-0035 CTN 2021-0195-P</p>	<p>Two officers are accused of neglect of duty by failing to report their use of force from when one officer pushed an individual's face after the individual had grabbed onto his partner's horse's reins, causing the horse to react.</p>
<p>DH2022-0036 CTN 2021-0449-P</p>	<p>Two sergeants are accused of violating their supervisory duties by failing to immediately notify PIB when they became aware of an officer involved in possible criminal activity.</p>
<p>DH2022-0037 CTN 2021-0390-R</p>	<p>An officer is accused of violating NOPD policy regarding strip searches when he adjusted an individual's undergarments to procure narcotics during a search.</p>
<p>DH2022-0038 CTN 2021-0380-R</p>	<p>A police technical specialist is accused of taking sick leave and not providing proper documentation that she ever initially tested positive for COVID-19 upon her return.</p>

August Overview

Disciplinary Proceedings Received in August

DH2022-0039 CTN 2021-0110-R	A sergeant is accused of violating his supervisory duties by following through with the arrest of an individual whose car and backpack were searched without a search warrant by the sergeant's subordinate.
DH2022-0040 CTN 2020-0433-R	An officer is accused of professionalism, performance of duty, and moral conduct violations for adhering to the law regarding lewd conduct when she admitted in an interview to masturbating while at work, masturbating in her patrol vehicle while conducting surveillance, and leaving shifts early to go home and have sexual intercourse or masturbate.
DH2022-0041 CTN 2020-0433-R	An officer is accused of neglect of duty for operating his motor vehicle for two years with a suspended driver's license.
DH2022-0042 CTN 2021-0697-R	A former PIB Captain is accused of violating NOPD policy by working overlapping shifts with secondary employment details, leaving secondary employment details early, and violating the NOPD time cap.

August Overview

Level 4 Noncritical Incidents in August

UF2022-0010	Officers were dispatched to a scene in response to an individual pulling on car door handles and may have mental health concerns. The individual kicked an officer multiple times. An officer struck the handcuffed individual.
UF2022-0012	The Officer brought the individual to the hospital for a psychiatric evaluation. The officer instructed the subject to have a seat along the wall. The subject refused. The officer had to perform a take down of the subject while in handcuffs. First taking him into the wall and then down to the floor.
UF2022-0013	The officer transported a disturbed person to UMC. The subject becomes combative. Hospital police advised NOPD officer to take the subject down. The officers complied. While down the subject resisted and tried to bit officers. The officer then held the subject down by the neck. The subject remained at hospital without further incident.
UF2022-0014	The Officer brought the individual to the hospital for a psychiatric evaluation. The officer instructed the subject to have a seat along the wall. The subject refused. The officer had to perform a take down of the subject while in handcuffs. First taking him into the wall and then down to the floor.
UF2022-0015	When clearing a call, a bystander started using vulgar language and threatening the officer. The officer initiated an arrest with force. Investigators discovered a possible neck hold on the body worn camera footage.
UF2022-0016	Officers responded to assist in removing a trespasser from the property located at 700 Chartres Street. The individual did not comply with officers' verbal commands and was handcuffed. The individual complained on scene that her arm was broken. EMS reported to the scene to transport the individual to UMC for a mental health evaluation. It was later discovered the individual did fracture her elbow.

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.

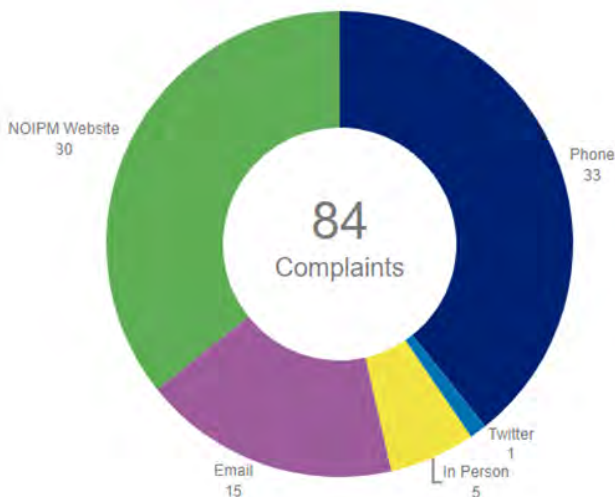
- 4 CIVILIAN COMPLAINTS**
- 2 ANONYMOUS COMPLAINTS**
- 1 POLICE OFFICER COMPLAINTS**



Christian Jamal
Misconduct and Force Analyst

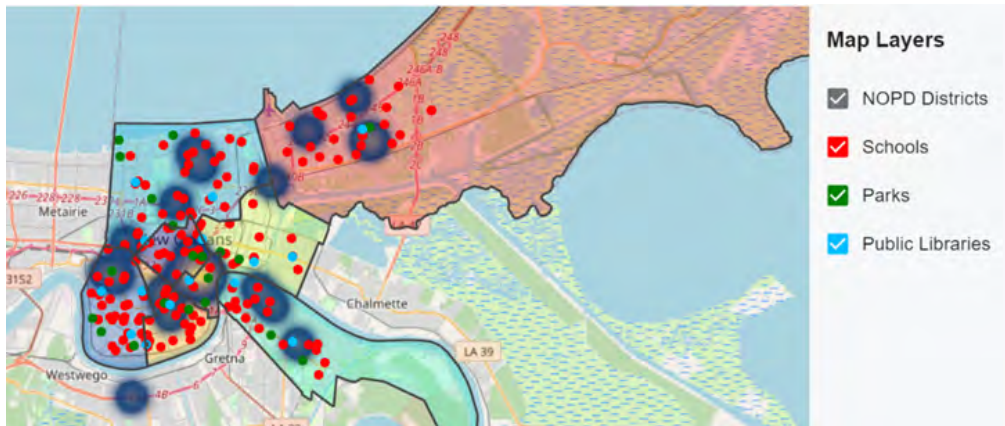
Christian Jamal joined the Office of the Independent Police Monitor as the Misconduct and Force Specialist in July 2022. Christian obtained his Bachelor's Degree from Tulane University, double majoring in Communication and Political Science. Christian attended Tulane University Law School where he obtained his Juris Doctor degree. While at Tulane Law School, Christian performed pro-bono work for the New Orleans Entertainment Law Legal Assistance Project and also participated in current City Councilmember Lesli Harris's Trademark Lab, providing assistance to local businesses and artists in their applications for Trademarks. During his 3L year, Christian began work with the Office of the Independent Police Monitor as a student extern. Christian has been an advocate for criminal justice reform and has worked at various criminal justice focused organizations since he arrived in New Orleans in 2015.

Intake Source
Past 12 Months



Complaint Data

Last month, the OIPM started to release additional tables to the public on our external facing database found at: complaints.nolaipm.gov/data. Below are some of the additional data visualizations based on complaints received by OIPM.

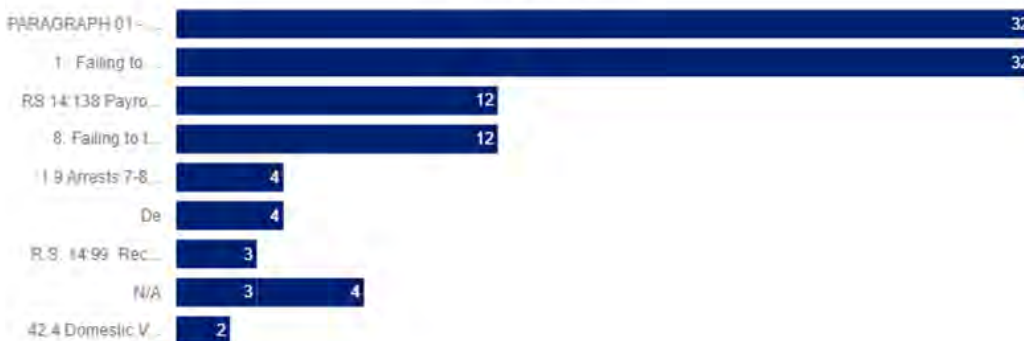


"Heat Mapping" Misconduct Complaints

This chart gives an overview of where there may be concentrations of allegations of misconduct occurring in the city. The map layer option enables the viewer to see the allegations of misconduct in context of police districts and where parks, schools, libraries are located.

Misconduct Complaints by District

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



Top Allegations Proposed by OIPM

This chart captures the top allegations are proposed by the OIPM in the referral letters submitted to the Public Integrity Bureau. This chart is limited since it will only include the allegations that the OIPM entered into our database and has not yet been updated. The OIPM hopes to work on this issue with the NOPD in order to ensure accuracy in the proposed allegations.

Discipline

The OIPM is responsible for monitoring whether NOPD action taken during disciplinary proceedings are compliant with state and federal law, NOPD policy, the Consent Decree, and the Memorandum of Understanding between the NOPD and the OIPM executed on November 10, 2010. The OIPM will review such proceedings to ensure the NOPD is compliant with Federal Consent Decree Section XVII: Misconduct Complaint Intake, Investigation, and Adjudication.

The OIPM reviews the disciplinary investigation and attends the subsequent disciplinary hearings where the OIPM will provide systemic and individualized findings and recommendations based on NOPD's investigation. The OIPM conducts a thorough review of the proceedings, findings, and recommendations that is available for review by both the NOPD and the New Orleans community.

14

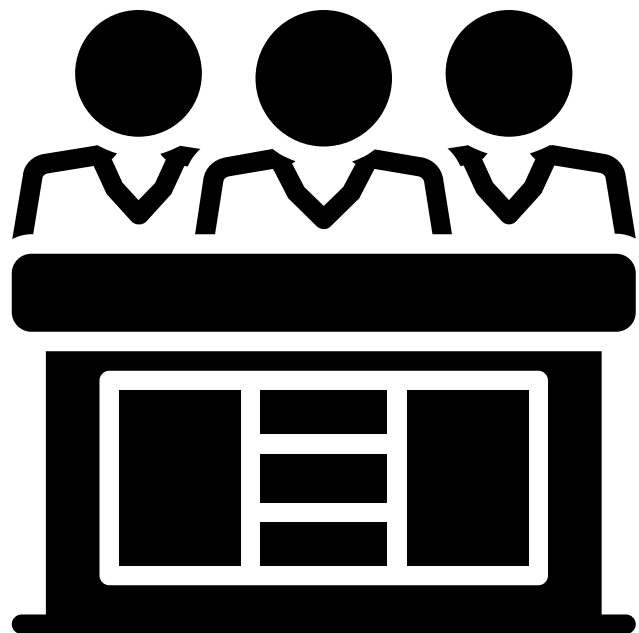
**DISCIPLINARY
PROCEEDINGS**

1

**SUPERINTENDENT
COMMITTEE
HEARINGS**

13

**CAPTAIN PANEL
PREDISPOSITION
AND PENALTY
HEARINGS**



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.

7

**MEDIATIONS
REFERRED**

1

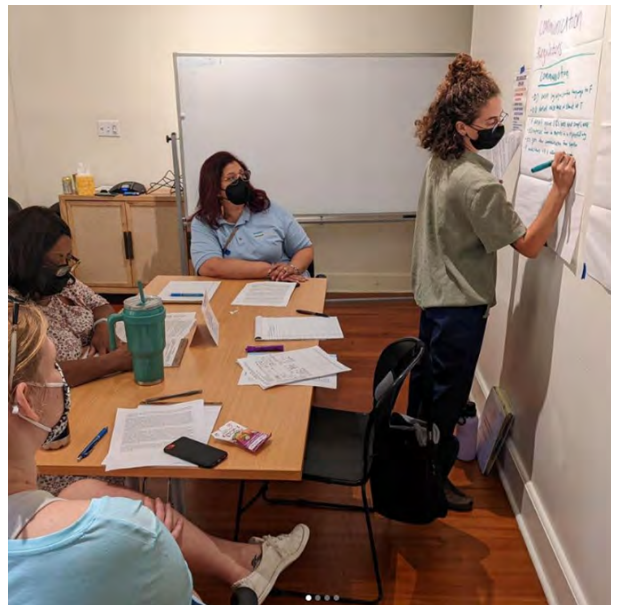
**MEDIATIONS
HELD**

1

**MEDIATIONS
PENDING**

3

**MEDIATIONS
SCHEDULED FOR
SEPTEMBER**



This is a photo from a recent in-service held by the OIPM as a way for mediators to continue to hone their skills.

Use of Force

The OIPM is required by City Code 2-1121 to monitor the quality and timeliness of NOPD's investigations into use of force and in-custody deaths. If a critical incident occurs, the OIPM is notified and a member of the incident and will report immediately to the scene. The OIPM will stay engaged from the occurrence of the incident, through investigation, and Use of Force Review Board (UFRB) hearings.

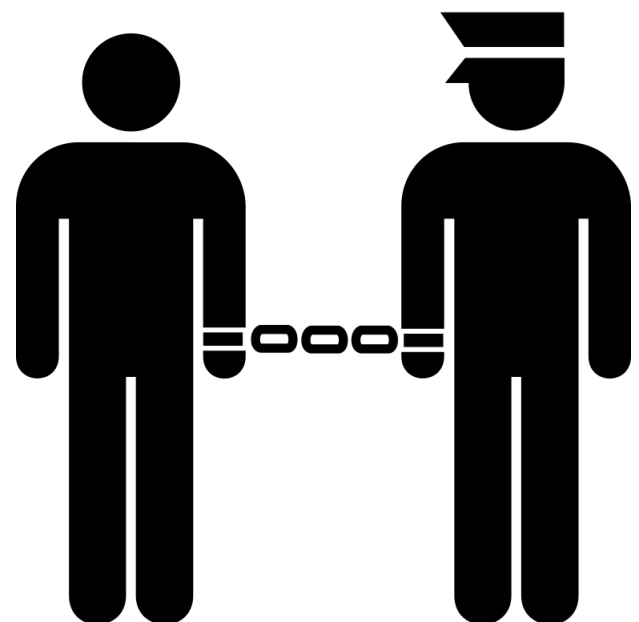
The UFRB serves as a quality control mechanism to ensure timely reviews of all serious use of force investigations to determine the appropriateness of the investigative findings, and to quickly appraise use of force incidents from a tactics, training, policy, and agency improvement perspective. The voting members of the UFRB are the Deputy Superintendents of Field Operations Bureau, Public Integrity Bureau, and Investigations and Support Bureau. Other NOPD deputy chiefs serve as non-voting members, and outside groups like OIPM and the Office of the Consent Decree Monitor are present to observe, listen, and participate in discussion.

0 CRITICAL INCIDENTS

0 FIREARM DISCHARGE

6 LEVEL 4 NON-CRITICAL INCIDENT

0 CASES HEARD AT USE OF FORCE REVIEW BOARD



Community Outreach

16

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.



SUPPLEMENTAL TRAINING FOR NEW MEDIATORS WHO WERE TRAINED PREVIOUSLY IN THE SAME MODEL OF MEDIATION THROUGH REMILA AND WANT TO BE ELIGIBLE FOR IPM POLICE COMPLAINT MEDIATION

COFFEE WITH THE IPM EVENT AT THE PJ'S COFFEE ON READ BLVD.

**APPEARED ON WBOK RADIO SHOW: WOMEN IN POLITICS SHOW
INTERVIEWED BY NBC FOR A NATIONAL ARTICLE: "IN ST. LOUIS, A BATTLE IS BREWING OVER POLICE ACCOUNTABILITY."**

PROFESSIONAL DEVELOPMENT ROLE PLAY TRAINING FOR MEDIATORS

ATTENDED THE GOVERNMENTAL AFFAIRS COMMITTEE MEETING AT CITY COUNCIL REGARDING NOPD RESPONSES TO SEX OFFENSES, MET WITH COUNCILMEMBER MORRELL'S TEAM AND STAR REPRESENTATIVE

APPEARED ON WBOK RADIO SHOW: REALITY CHECK WITH GEROD STEVENS



In August, the OIPM appeared on two different WBOK radio shows and one news broadcast.



Community Outreach

PRESENTED AT THE 7TH DISTRICT PCAB MEETING TO NEIGHBORHOOD ASSOCIATION LEADERS

PRESENTED TO THE CITY COUNCIL CRIMINAL JUSTICE COMMITTEE ABOUT OIPM AND POLICE OVERSIGHT

ATTENDED PUBLIC HEARINGS IN FEDERAL COURT REGARDING CONSENT DECREE STATUS

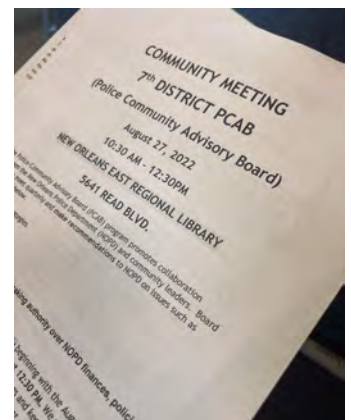
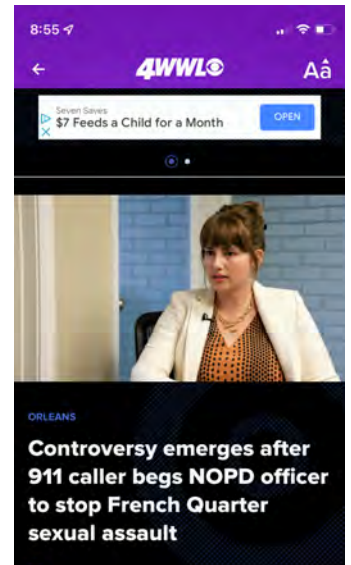
APPEARED ON WWL WITH MIKE PERLSTEIN IN AN INTERVIEW ABOUT NOPD RESPONSE TO THE ALLEGED RAPE IN THE FRENCH QUARTER

MET WITH THE OFFICE OF CRIMINAL JUSTICE COORDINATION

MET WITH COUNCILMEMBER JP MORRELL

INTERVIEWED FOR ARTICLE: "CITY DROPS DISCIPLINE OF FORMER FRENCH QUARTER POLICE COMMANDER OVER SEX WITH SUBORDINATE."

HELD OFFICE HOURS ON THE WESTBANK AT THE ALIGIERS LIBRARY



These are photos from different outreach events and interviews the OIPM participated in this month.



Budget

OIPM Budget Description	Amount
Personnel	\$732,488
Operating	\$308,926
2022 Total OIPM Budget	\$1,041,414
2022 Total OIPM Budget	\$1,041,414
Amounts Spent to Date:	\$546,471
Unexpended funds	\$494,943

Budget Goals

In the final quarter, the OIPM is intending to:

- Send two employees to the Los Angeles Police Department "Audit School" training at the LAPD Academy in Los Angeles, CA
- Hire an employee to conduct audit and data work
- Enter into a contract with a community outreach and engagement consultant
- Enter into a contract with a data contractor
- Select a vendor for the RFP to design and operate a 24 hour hotline and call center for police complaints in English, Spanish, and Vietnamese.

2022 Goal Progress

To ensure accountability and transparency with the ERB and the community, the OIPM is reporting out progress on the 2022 OIPM Work Plan. These benchmarks and goals were achieved in July 2022.

Presented to the Criminal Justice City Council Committee regarding the work being conducted by the OIPM and future priorities. Will continue to present quarterly in accordance with **Ordinance 29063**.

- Met with Councilmember Morrell and his Chief of Staff to discuss OIPM projects and progress.

Released the **RFP for the 24 Hour Hotline and conducted a question answer session for prospective vendors** through the City's Budget Department.

Submitted a **case reviews from CTN 2020-0637-P; CTN 2019-0259-P; CTN 2019-0708-P; and CTN 2021-0092-P** to the Public Integrity Bureau for review and comment before its release to the public.

- The OIPM also included multiple policy and practice recommendations in these case reviews, including the recommendation that the OIPM is notified of any police response between a civilian and an elected official or judge to ensure the appropriate police response free from any intimidation.

Submitted a **formal letter to the Deputy Chiefs regarding Use of Force Review Board recommending the adoption of consistent outcomes for votes**.

Staffing at OIPM

- Met with two different data companies to explore the possibility of a data contract
- Met with a possible community outreach and engagement consultant

Consent Decree Compliance

- **Continued writing the OIPM Sustainment Strategy** and continued working with the federal monitors, NOPD, and the city on the proposed sustainment plan.
- Attended the meeting with Judge Morgan, the NOPD, the City, and the Federal Monitors along with the public court hearing on the status of the Consent Decree.

Conducted community outreach, engagement, and monitoring to receive public input on the operations and impact of the OIPM:

- **Engaged with the community and media.**
 - Interviewed by Mike Perlstein of WWL regarding the allegation of police misconduct in a response to an alleged rape in the French Quarter
 - Appeared on the Women in Politics radio show on WBOK
 - Appeared on the Reality Check with Gerod Stevens on WBOK to discuss Consent Decree compliance, biased free policing, and policing priorities.
- **Held the second coffee with the IPM event at the PJ's Coffee on Read Blvd.**
- **Presented at the Citizen's Academy and the 7th District Police-Community Advisory Board meeting for neighborhood association leaders in New Orleans East.**

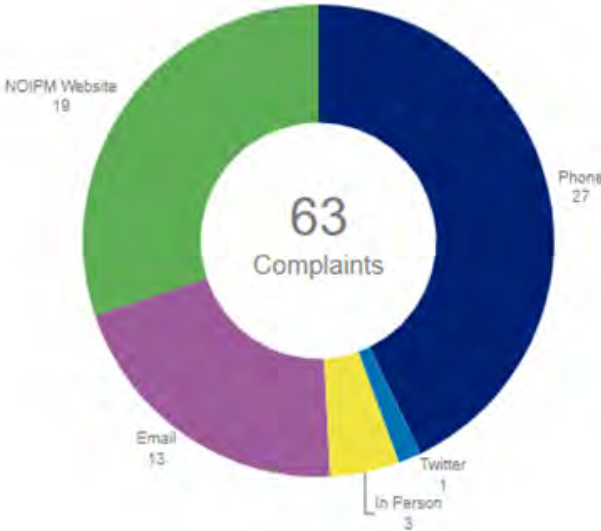
In-depth Monitoring and Review of the Audits, Investigations, and Policy regarding Police Secondary Employment

- Continued to attend disciplinary hearings for the administrative investigations on the secondary employment system.

Additional Internally Generated Data for City Council - August 2022

Intake Source

Year-to-Date



Intake Source

Past 12 Months



Complainant Type

Year-to-Date



Complainant Type

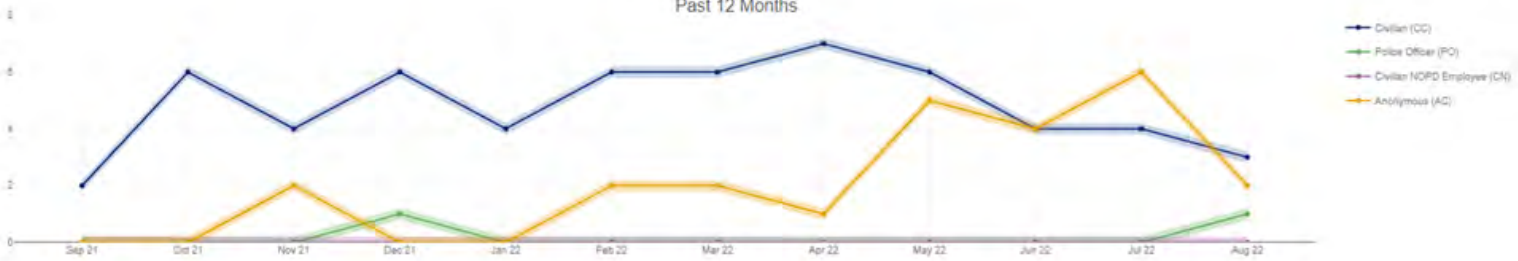
Past 12 Months



Additional Internally Generated Data for City Council - August 2022

Complainant Type

Past 12 Months



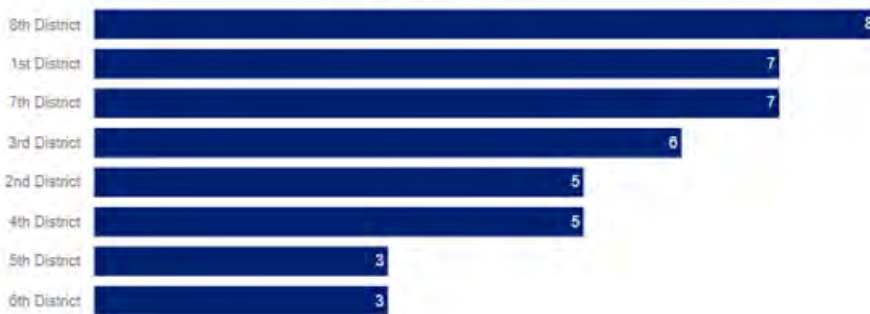
Top Tags

Past 12 Months



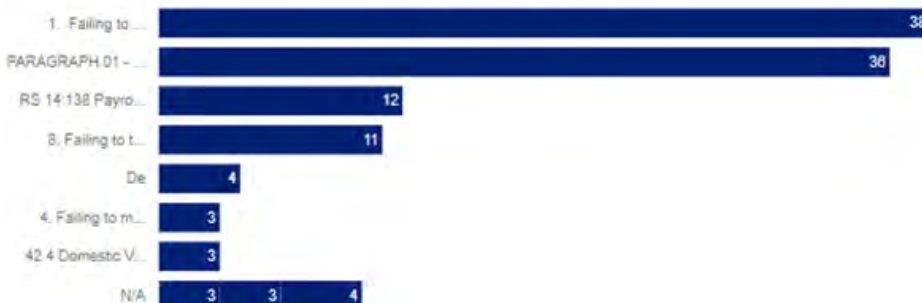
District

Past 12 Months



Top Allegations

Past 12 Months





THE OFFICE OF THE INDEPENDENT POLICE MONITOR

MONTHLY REPORT

JULY 2022

Community Letter

Dear New Orleans Community,

Coffee, conversation, and community! During the month of July, the OIPM hosted our first coffee with the IPM event at Old Road Coffee. The Deputy and the Independent Police Monitor and the Director of our Mediation Program gathered in the 7th Ward to talk with community members and organizational partners, like the Metropolitan Crime Commission and the Crime Survivors NOLA. Over cups of coffee, we talked candidly about our work, our goals, the state of the NOPD, and challenges facing policing in New Orleans. We received insightful questions and had a robust discussion - everyone chiming in about experiences with the police and hopes for the post-Consent Decree NOPD. We're already in the process of planning our second coffee with the IPM for New Orleans East at the PJs on Read Blvd. We hope to see you there!

This month, the OIPM participated in two parent resource fairs in the community. One in the Treme and one in New Orleans East. At both events the OIPM tabled and engaged with councilmembers, families, and partner organizations. These were great chances to engage with families before the start of the new school year about any policing concerns or questions. We want to extend a huge thank you to the two organizers of these events -- the Ubuntu Village and the Old and Nu Style Fellas -- for inviting us!

The OIPM monitored three NOPD responses on scene this month. One was a non-critical Level 4 use of force involving a possible head strike of an individual in handcuffs. The second stemmed from social media confusion regarding an officer involved shooting in the 6th District. The OIPM went out to ensure that no officer fired their weapon and was able to confirm this at the station. The third was an officer involved shooting of a dog who killed a toddler and attacked the SPCA employee in Gentilly.

The OIPM is excited to introduce our newest member of the team - Christian Jamal. Christian was a law intern for our office while finishing his final year at Tulane Law School. Upon graduation, we hired Christian to join our office as our Force and Misconduct Specialist. Christian will be taking public complaints, attending disciplinary hearings, serving on the on call calendar and monitoring use of force investigations, and conducting misconduct case reviews. We are very happy he is a part of the team and look forward to the ERB and the community getting to know Christian in this new role.

Looking ahead, the OIPM invites the ERB and the community to tune into the City Council's Criminal Justice Committee meeting on Monday, August 15th at 9:30am to see the OIPM present on our work and data. Pursuant to Ordinance No. 33,724 passed by City Council in June 2022, the OIPM along with other criminal justice system stakeholders will present to City Council as an effort to increase awareness and accountability to reduce crime. This will be the first convening that will occur on a quarterly basis moving forward.

Thank you,



**MONTHLY REPORT
JULY 2022**



Above are some pictures from social media posts the OIPM produced regarding the the different community events the OIPM organized or participated in during the month of July.

Year to Date Overview



Office of the Independent Police Monitor Monthly Report

	2022	2021	2020	2019	2018	2017	Avg 2017-2021
Civilian Complaint Count	40	50	34	38	14	26.2	32.44
Police Complaint Count	1	3	0	0	4	2.2	1.84
Civilian w/in NOPD	1	0	0	0	0	0.5	0.10
Anonymous Complaint	13	25	13	0	0	6	8.80
Criminal Case Liaison Count	13	15	24	14	4	6.86667	12.77
Case Monitoring Count	7	2	8	2	9	5	5.20
Case Review Count	4	5	1	5	2	0.4	2.68
Contact Only Count	19	28	8	14	2	8	12.00
Disciplinary Hearing Count	28	36	47	17	45	27.6	34.52
Critical Incident Count	3	10	8	7	4	6.4	7.08
Firearm Discharge Count	4	6	8	6	2	3.2	5.04
Lvl 4 Non-Critical	5	4	8	0	0	0	2.40
Mediation Count	18	17	19	25	13	21.8	19.16
Commendation Count	0	3	1	1	2	0.45	1.49
Grand Total	156	204	179	129	101	114.61667	145.5233333

	Jun-22	Jun-21	Jun-20	Jun-19	Jun-18	Jun-17	Avg 2017-2021
Citizen Complaint Count	4	7	4	4	1	2	6.60
Police Complaint Count	0	1	0	0	0	0	0.00
Civilian w/in NOPD*	0	1	0				0.00
Anonymous Complaint*	7	3	1				4.00
Criminal Case Liaison Count	2	4	2	1	1	3	1.67
Case Monitoring Count	1	1	0	0	2	1	0.20
Case Review Count	0	0	1	0	0	0	0.20
Contact Only Count	3	3	3	0	0	0	3.80
Disciplinary Hearing Count	5	5	5	16	3	4	8.00
Critical Incident Count	1	0	1	1	1	0	0.80
Firearm Discharge Count	1	0	1	1	1	0	0.60
Lvl 4 Non-Critical*	3	0	0				0.00
Mediation Count	0	1	3	3	3	3	2.20
Commendation Count	0	0	0	0	0	1	0.25
Grand Total	18	10	69	26	13	8	25.2

July Overview

Civilian Complaints Received in June

CC2022-0058	According to the complainant, NOPD failed to: 1) properly investigate a Domestic Violence case, 2) take her complaint, and 3) properly investigate a crime before incorrectly arresting her minor child.
CC2022-0059	According to the complainant, a police aide failed to document any information regarding a traffic accident in a police report for two months, and showed up to the complainant's doorstep two months after the incident to explain that he had not submitted a police report or collected any of the complainant's information after their initial meeting.
CC2022-0060	According to the complainant, he was approached by an unknown NOPD officer while at Juvenile Court and the officer became aggressive and confronted the complainant about the complainant having his phone out and filming in the courthouse. The complainant alleges that the NOPD officer then physically removed the complainant from the courthouse in a manner the complainant believed was unprofessional and violated his rights.
CC2022-0067	According to the complainant, while attending a hearing at City Hall, an SPO working in City Hall told the complainant to sit down in a threatening manner. The complainant feels that the comments made to him by the SPO were made as retaliation for comments the complainant made during the City Council hearing earlier that day, and are representative of a larger pattern of retaliation taking place since the complainant previously complained about the NOPD's handling of an incident.

Contact Only Received in July

CO2022-0015	An anonymous complainant reached out regarding a complaint they wanted to submit against a retired officer who they believe is committing payroll fraud by not showing up to assigned details. The anonymous complainant has indicated that they do not wish the captain of PIB to be informed of their complaint and that no PIB officer is to be informed of the complaint.
CO2022-0017	A member of the public contacted the OIPM seeking assistance with a vandalism concern. The OIPM directed that individual to the correct police district to assist.
CO2022-0018	A member of the public reached out to OIPM for assistance regarding a noise complaint. The OIPM directed the individual to the police district to assist with the noise concern.

July Overview

Anonymous Complaints Received in July

<p>AC2022-0057</p>	<p>According to an anonymous complainant, an unknown officer was acting extremely hostile while in a bank, displaying aggressive behavior and language.</p>
<p>AC2022-0061</p>	<p>According to an anonymous complainant, an SPO in the Field Operations Bureau is exceeding time caps, working overlapping shifts with secondary employment, exceeded the twenty-four hour weekly detail limit, worked details while taking sick leave, had little to no transit time between working duty and detail, and worked what this anonymous complainant believed to be an unrealistic work schedule.</p>
<p>AC2022-0062</p>	<p>According to an anonymous complainant, an SPO in the Field Operations Bureau is exceeding time caps, working overlapping shifts with secondary employment, exceeded the twenty-four hour weekly detail limit, had little to no transit time between working duty and detail, and worked what this anonymous complainant believed to be an unrealistic and impossible work schedule.</p>
<p>AC2022-0063</p>	<p>According to the anonymous complainant, a Sgt. in PIB is exceeding time caps, working overlapping shifts, had little to no transit time between working duty and detail, and worked what this anonymous complainant believed to be an unrealistic and impossible work schedule.</p>
<p>AC2022-0064</p>	<p>According to an anonymous complainant, an SPO in the Field Operations Bureau is exceeding time caps, working multiple details at the same time, exceeded the twenty-four hour weekly detail limit, had little to no transit time between working duty and detail, and worked what this anonymous complainant believed to be an unrealistic and impossible work schedule.</p>
<p>AC2022-0065</p>	<p>According to the anonymous complainant, a Lt. with the Field Operations Bureau committed payroll fraud by exceeding time caps, working overlapping shifts with secondary employment, exceeding the twenty-four hour weekly detail limit, working weeks or months without a single day off, working a known "sleep" detail, working details while a captain, having little to no transit time between working duty and detail, exceeding the weekly detail limit for several months, and worked what this anonymous complainant believed to be an unrealistic and impossible work schedule.</p>
<p>AC2022-0068</p>	<p>According to the anonymous complainant, two NOPD officers allegedly witnessed a rape in progress yet continued driving by. The anonymous complainant then stated that they called 911 and flagged down a third officer who was parked one block away from the rape in progress, but the third officer did not respond to the anonymous complainant and maintained his place on the corner. According to the anonymous complainant, they then began performing CPR on the pulseless rape victim, and after the alleged victim regained a pulse two responding NOPD officers refused to administer Narcan to the alleged victim. The anonymous complainant further alleges that the two responding officers failed to file a police report about the alleged victim or consider multiple available witnesses standing nearby. The anonymous complainant then stated that they met with a news reporter who informed them that NOPD did not consider the act to be rape because the alleged victim was familiar with the alleged rapist.</p>

July Overview

Criminal Liaison Received in July

CL2022-0009	A another member of the public reached out regarding no knock warrants being executed by the US Marshal's Office and the addresses of where the warrants are being executed are incorrect / out of date. The OIPM discussed the matter with NOPD leadership over the Violent Offender Warrants Task Force regarding providing information to the public about these encounters and provided the individual with information from PIB.
CL2022-0010	A complainant filed a complaint with the OIPM and sought assistance with immediate concerns regarding the arrest of her children. OIPM spoke to the Captain of the district regarding those concerns and the complainant received a phone call to resolve her immediate needs.

Case Monitoring Received in July

CM2022-0007	The OIPM sent a formal letter regarding the investigation being conducted into CTN2022-0259-R and started monitoring the investigation being conducted by the Investigative Services Bureau.
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Disciplinary Proceedings Received in July

DH2022-0025 / PIB2020-0509-P	A civilian investigator in the Public Integrity Bureau is accused of being rude, accusatory, and biased during her interactions with an individual trying to report misconduct in New Orleans East.
DH2022-0024 / PIB2021-0669-R	An officer is accused of violating the NOPD time cap under policy and his supervisor is accused of failing to properly document when the officer was out on furlough, causing an overlap of a NOPD shift with a secondary employment detail a to erroneously occur.
DH2022-0023 / PIB2021-0673-R	An officer is accused of working NOPD details at the same time as billing for secondary employment details and violating the NOPD time cap under policy.
DH2022-0026 / PIB2022-0100-R	A PIB sergeagent failed to correct the paperwork required of her and turn it into her supervising lieutenant in the timeframe provided.
DH2022-0027 / PIB2021-0413-R	A PIB sergeant failed to contact another law enforcement agency to get the information needed in an investigation after being ordered to do so by her supervisor.

July Overview

Critical Incidents in July

CI2022-0007	NOPD was on the scene with SPCA and Child Abuse Detectives serving a search warrant at the residence. The SPCA officer went into the rear yard to confiscate the dog when he attacked her. After hearing her screams and observing the dog refusing to release his bite, an officer went to assist and fired 4 shots striking the dog. The dog perished on the scene. The SPCA officer was taken to a local hospital for treatment.
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Firearm Discharges in July

FD2022-0005	Same as CI2022-0007.
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Level 4 Noncritical Incidents in July

UF2022-0007	Officers stopped a vehicle that was stolen from a neighboring state. The driver of the vehicle fled and officers believed he was possibly armed. NOPD officers elected to set a perimeter and use canine dogs to locate the driver of the stolen vehicle. Once located, he failed to comply to the officer's command at which time the canine unit dog Robbie made contact with the subject while under the house biting him once to the torso. Once the individual came from under the house, he attempted to run again and Robbie was deployed again and made contact a second time biting the subject to the hand. The subject was then apprehended without further incident and was transported by EMS to a local hospital for treatment.
UF2022-0008	A canine apprehension unit was called out to the location to assist with apprehending an armed robbery suspect. The canine unit was deployed, the suspect was bitten by the canine dog, and the suspect was then apprehended.
UF2022-0009	The officer responded to an aggravated assault domestic call for service at the location. During handcuffing, the officer was bitten on the right forearm by the individual. The officer then struck the individual in the head with a closed fist. The individual was transported to the hospital by the officer to be treated.

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.

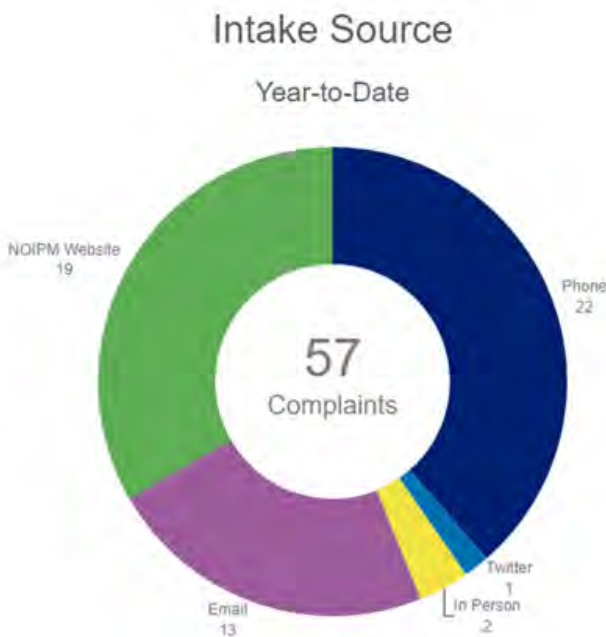
4 CIVILIAN COMPLAINTS

7 ANONYMOUS COMPLAINTS



Christian Jamal
Misconduct and Force Analyst

Christian Jamal joined the Office of the Independent Police Monitor as the Misconduct and Force Specialist in July 2022. Christian obtained his Bachelor's Degree from Tulane University, double majoring in Communication and Political Science. Christian attended Tulane University Law School where he obtained his Juris Doctor degree. While at Tulane Law School, Christian performed pro-bono work for the New Orleans Entertainment Law Legal Assistance Project and also participated in current City Councilmember Lesli Harris's Trademark Lab, providing assistance to local businesses and artists in their applications for Trademarks. During his 3L year, Christian began work with the Office of the Independent Police Monitor as a student extern. Christian has been an advocate for criminal justice reform and has worked at various criminal justice focused organizations since he arrived in New Orleans in 2015.



Complaint Data

This month, the OIPM started to release additional tables to the public on our external facing database found at: complaints.nolaipm.gov. Below are some of the additional data visualizations based on complaints received by OIPM.

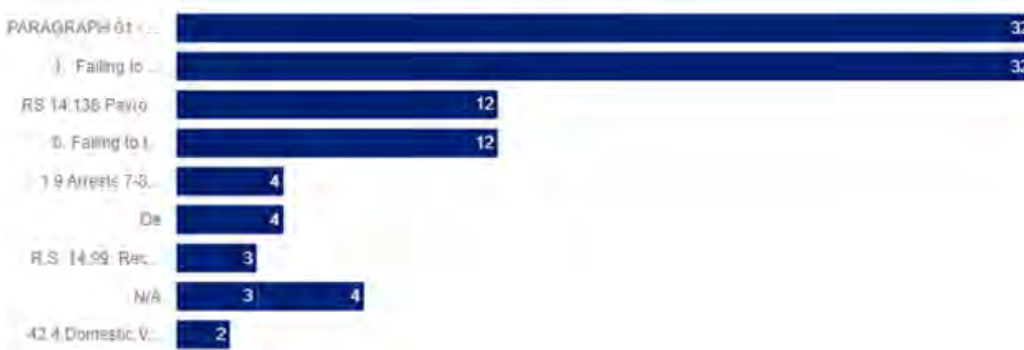
"Heat Mapping" Misconduct Complaints



This chart gives an overview of where there may be concentrations of allegations of misconduct occurring in the city. The map layer option enables the viewer to see the allegations of misconduct in context of police districts and where parks, schools, libraries are located.

Misconduct Complaints by District

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



Top Allegations Proposed by OIPM

This chart captures the top allegations are proposed by the OIPM in the referral letters submitted to the Public Integrity Bureau. This chart is limited since it will only include the allegations that the OIPM entered into our database and has not yet been updated. The OIPM hopes to work on this issue with the NOPD in order to ensure accuracy in the proposed allegations.

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.

5 MEDIATIONS REFERRED

0 MEDIATIONS HELD

2 MEDIATIONS PENDING

1 MEDIATIONS SCHEDULED FOR August

In the spring, the OIPM started the "Mediator Monday" social media series. Each Monday, the OIPM introduces the community to one of our trained mediators. The goal is to increase community understanding of the program and the mediators so more of the community will agree to mediation. Here are the mediator posts from July.

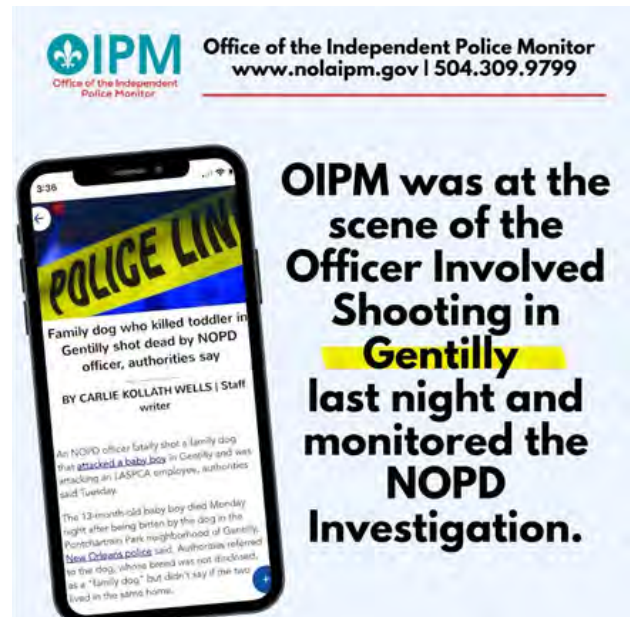


Use of Force

The OIPM is required by City Code 2-1121 to monitor the quality and timeliness of NOPD's investigations into use of force and in-custody deaths. If a critical incident occurs, the OIPM is notified and a member of the incident and will report immediately to the scene. The OIPM will stay engaged from the occurrence of the incident, through investigation, and Use of Force Review Board (UFRB) hearings.

The UFRB serves as a quality control mechanism to ensure timely reviews of all serious use of force investigations to determine the appropriateness of the investigative findings, and to quickly appraise use of force incidents from a tactics, training, policy, and agency improvement perspective. The voting members of the UFRB are the Deputy Superintendents of Field Operations Bureau, Public Integrity Bureau, and Investigations and Support Bureau. Other NOPD deputy chiefs serve as non-voting members, and outside groups like OIPM and the Office of the Consent Decree Monitor are present to observe, listen, and participate in discussion.

- 0 CRITICAL INCIDENTS
- 1 FIREARM DISCHARGE
- 3 LEVEL 4 NON-CRITICAL INCIDENT
- 0 CASES HEARD AT USE OF FORCE REVIEW BOARD



Community Outreach

8

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.



LED PROFESSIONAL DEVELOPMENT VIRTUAL TRAINING FOR MEDIATORS

LED PROFESSIONAL DEVELOPMENT IN-PERSON ROLE PLAY TRAINING FOR MEDIATORS

PARTICIPATED IN UNDOING RACISM TRAINING BY THE PEOPLE'S INSTITUTE FOR SURVIVAL AND BEYOND

HELD 'COFFEE WITH THE IPM'

TABLED AT UBUNTU VILLAGE PARENT RESOURCE FAIR

TABLED AT BACKPACK GIVEAWAY HOSTED BY OLD AND NU STYLE FELLAS

ATTENDED THE UBUNTU PARENTS WORKSHOP AND MEETING

INTERVIEW WITH NEWS 21



In July, OIPM participated in a backpack drive with Ubuntu Village which allowed OIPM to hear feedback from the community.



Budget

OIPM Budget Description	Amount
Personnel	\$732,488.00
Operating	\$308,926.00
2022 Total OIPM Budget	\$1,041,414.00
2022 Total OIPM Budget	\$1,041,414.00
Amounts Spent to Date:	(\$468,788.00)
Unexpended funds	\$572,626.00

2022 Goal Progress

To ensure accountability and transparency with the ERB and the community, the OIPM is reporting out progress on the 2022 OIPM Work Plan. These benchmarks and goals were achieved in July 2022:

Submitted a **case review from CTN --** to the Public Integrity Bureau for review and comment before its release to the public. The OIPM hopes to also conduct a post-investigation mediation regarding this incident.

Submitted a **formal letter to the Deputy Chief of PIB regarding CTN --** and started monitoring the investigation being conducted by the Investigative Services Bureau.

Staffing at OIPM

- **Hired a Misconduct and Force Specialist to join the team.** Christian Jamal was hired for the position after interning for the OIPM in the spring semester during his final year at Tulane Law School.

Consent Decree Compliance

- **Continued writing the OIPM Sustainment Strategy** and continued working with the federal monitors, NOPD, and the city on the proposed sustainment plan.
- Attended the meeting and pre-presentation with the federal monitors, NOPD leadership, and Judge Morgan regarding **Stop, Search, and Arrests**.

Conducted community outreach, engagement, and monitoring to receive public input on the operations and impact of the OIPM:

- **Engaged with the community and media.**
 - Interviewed by News 21 about police reform in New Orleans
 - Participated in two parent resource and backpack giveaway fairs in the community.
- **Held the first coffee with the IPM event at Old Road Coffee**
 - Engaged with community and organizational partners including Metropolitan Crime Commission and the Crime Survivors NOLA.

In-depth Monitoring and Review of the Audits, Investigations, and Policy regarding Police Secondary Employment

- Started to attend disciplinary hearings for the administrative investigations on the secondary employment system.
- Met with a community member, PSAB, and the federal monitors to discuss how to identify secondary employment overlaps and time cap violations from public data requests and timesheets.

Additional Benchmarks:

- **Submitted the RFP to the city for the 24 hour hotline**
- **Met with the Chief of Staff of Councilmember Helena Moreno to discuss the database project** and other pending work.

NEW ORLEANS  CITY COUNCIL



**Presentation for the
Ethics Review
Board**



**Office of the Independent
Police Monitor**

**Ordinance &
Budget**

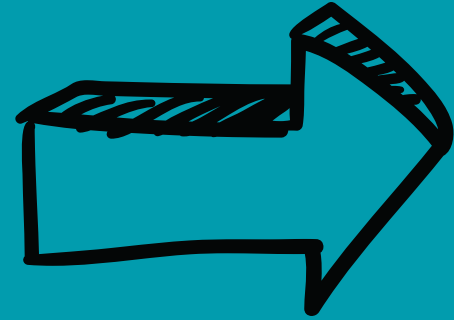
Cal. No. 33,950

Presentation Goals

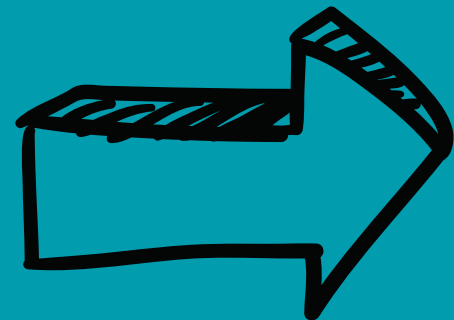
OIPM Sustainment Plan: Role of Local Oversight After Active Monitoring Ends

2022

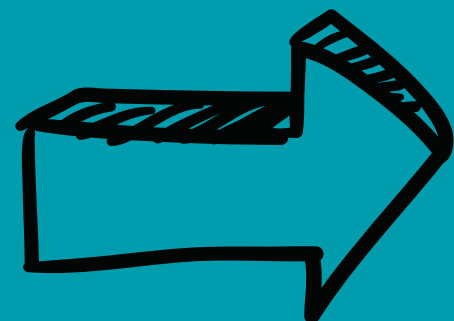
2023



**Overview of
Ordinance**



**Budgetary Requests to
City Council to Build
Investigatory Capacity**



Questions

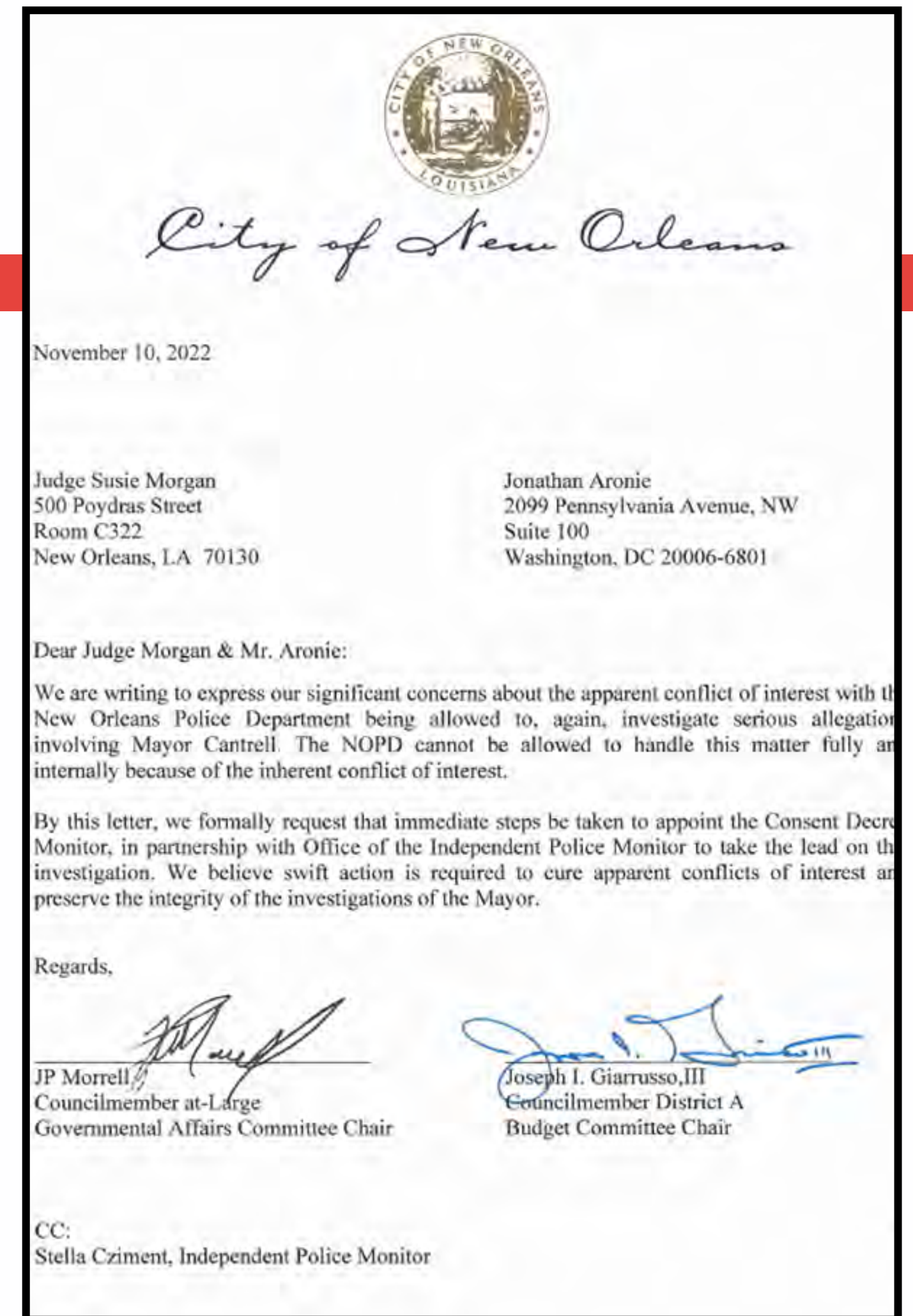
Background of the Ordinance

Since receiving autonomy from the OIG, the OIPM has sought investigatory and subpoena power in order to hold the NOPD accountable without depending on the NOPD for information.

The OIPM currently has investigatory and subpoena power pursuant to Revised Statute 33:2339; however, it is limited to criminal and administrative violations related to the secondary employment system. Unfortunately, we learned in this year, that this was not an actionable power since we did not have the funding or the infrastructure (MOU and referral abilities) in order to build an investigatory team to complete the investigations and have the investigations result in disciplinary action. This year, the OIPM was asked to conduct multiple investigations by NOPD leadership, police associations, community members, and City Council but had to decline these requests.

Simultaneously, it became apparent that in order for the NOPD to reach compliance with the Consent Decree, there needed to be a sustainable and independent mechanism to handle investigations of rank and PIB conflicts. The OIPM was identified by the Federal Monitors as the appropriate agency since the OIPM is responsible for the oversight of the NOPD.

The OIPM included the goal of building our investigatory capacity in the **OIPM 2022 Work Plan that was provided to the ERB, NOPD, the Mayor and City Council.**



Background of the Ordinance

Additionally, at the end of 2021, the OIPM started receiving legal challenges to our ability to receive and protect confidential information. The OIPM received subpoenas and public requests for the names and identities of anonymous complainants.

The OIPM has refused to provide this information, but after conferring with counsel, we have identified the need to have clear legal protection to our confidential information to ensure the safety of those who report officer misconduct.

The OIPM included these goals in the **OIPM 2022 Work Plan:**

- (1) collaborating with the New Orleans City Council to determine the legal protections necessary for the OIPM to continue to receive complaints of officer misconduct, and
- (2) write an ordinance granting necessary legal protection.

O 88B (Rev. 12/13) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT
for the
Eastern District of Louisiana

Rayne Upton)
Plaintiff)
v.) Civil Action No. 21-cv-00407
Rodney Vicknair, et al.)
Defendant)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: New Orleans Office of the Independent Police Monitor
(Name of person to whom this subpoena is directed)

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material. See attached Exhibit A.

Place: Via email to williammost@gmail.com, Date and Time: December 1, 2021, 5:00pm.

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place: Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c)(1), Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e), relating to the consequences of not responding to this subpoena and the potential consequences of not doing so.

Date: 10/27/2021

CLERK OF COURT OR
Signature of Clerk or Deputy Clerk

The name, address, e-mail address, and telephone number of the attorney representing the party who issued this subpoena is: William Most, 201 St. Charles Ave., Ste. 114, # 101, New Orleans, LA 70170.

Notice to the person who issues or requests the subpoena: A copy of this subpoena must be served on each party in this case to which the subpoena is directed. Fed. R. Civ. P. 45(a)(4).

Eric J. Hessler
Attorney at Law
320 N. Carrollton Avenue Suite 202
New Orleans, Louisiana 70119
Ph: 504-301-9913
Fax: 504-942-2450
Email: Hessler.law@gmail.com

July 12, 2022

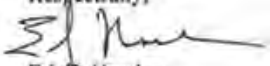
Ms. Stella Cziment
IPM
Email: scziment@nolaipm.gov

Re: Public Records Request

Dear Ms. Cziment:

This is a Public Records Request for the following information.

All "anonymous" and "known anonymous" complaints received by or initiated by the OIPM against any NOPD employees. By "anonymous" it is meant that OIPM does not know the identity of the complainant. By "known anonymous" it is meant that OIPM knows the identity of the complainant but has not revealed such identity of the complainant. The documents requested include the OIPM documents concerning the intake of the complaint as well as the documents and referral memorandums sent to NOPD PIB. The dates of such documents are from January 2018 to the present date.

Respectfully,

Eric J. Hessler

Proposed Ordinance

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: October 20, 2022

CALENDAR NO. 33,950

NO. _____ MAYOR COUNCIL SERIES

BY: COUNCILMEMBER MORRELL

AN ORDINANCE to ordain section 2-1122 of the Code of the City of New Orleans to provide for subpoena and investigatory responsibilities of the Orleans Independent Police Monitor; and otherwise to provide with respect thereto.

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That the Code of the City of New Orleans, Louisiana is hereby amended by adding a section to be numbered as section 2-1122, which said section shall read as follows:

“ARTICLE XIV. - OFFICE OF THE INDEPENDENT POLICE MONITOR

Section 2-1122. - Office of the Independent Police Monitor Subpoena and Investigatory Responsibilities; Confidentiality

(1) *Purpose.*

(a) The purpose of this section is to establish that the independent police monitor may conduct oversight over the police department through criminal and administrative investigations, inspections and evaluations, audits, and monitoring. This includes joint investigations and projects with other oversight or law enforcement agencies, including but not limited, to the Office of the Orleans Parish District Attorney, the Office of the Inspector General, and the Office of Police Secondary Employment.

(2) *Subpoena and Investigatory Responsibilities*

(a) For purposes of collecting data or performance of its oversight and investigatory duties, the independent police monitor may administer oaths and affirmations, subpoena witnesses, take evidence, and require the production of any records which the independent police monitor deems relevant or material to police

The proposed ordinance has **three parts**:

Investigatory Power

Same investigatory power as the state statute, RS 33:2339, but instead of being limited to just secondary employment, it would be expanded to all alleged criminal and administrative misconduct within the NOPD. Currently discussing:

- Leadership and conflicts
- OIPM right of first refusal
- Duplicative investigations
- Need to amend OIPM creating statute

Would require a MOU between NOPD and OIPM for operational elements and the ability to refer investigations to the District Attorney's Office. *Does not grant disciplinary power.*

Subpoena Power

Similar to RS 33:2339 but without the secondary employment limitation. Only to be used when there is a refusal to provide information or employee statements as required. Still requires judicial approval.

Legal protection to receive and maintain confidential information where complainant safety or retaliation is a concern.

What Does This Mean for OIPM

1. Continue meeting with OCDM, Federal Judge, and City Council to ensure Consent Decree Compliance.
2. Creating investigatory model / plan
 - a. Put into place internal firewalls
 - b. Create legally compliant templates
 - c. Meet with Civil Service regarding timeline obligations under Officer Bill of Rights
3. Enter into a MOU with NOPD
 - a. Possibly MOU with DA
 - b. Create referral and assignment mechanisms with PIB
4. Determine appropriate transparency and public reporting process.
5. Team Building and Preparation
 - a. Hire investigatory and review staff
 - b. Train staff on how to conduct relevant and timely investigations and case review reports
 - c. Buy all necessary equipment to conduct investigations



2714 Canal Street Suite 201 New Orleans LA 70119

www.nolaipm.gov

(504) 309-9799

OFFICE OF THE INDEPENDENT POLICE MONITOR
CASE REVIEW: 2021-0092-P

The Office of the Independent Police Monitor (OIPM) is an independent branch of city government responsible for providing oversight to the New Orleans Police Department (NOPD). The OIPM provides transparent assessments of the NOPD's work, progress, and obstacles. Based on those assessments, the OIPM provides the NOPD with detailed recommendations on policy, practice, and how to become or remain compliant with the Federal Consent Decree. Most importantly, at the center of the OIPM's work is the community. The OIPM is responsible for issuing public reports to the people of New Orleans and the NOPD regarding the state of policing in New Orleans. This case review is one such example and is created in conformity with the Memorandum of Understanding between the NOPD and the OIPM executed on November 10, 2010; as well as being consistent with La. R.S. § 40:2531 Chapter 25 and Municipal Code of Ordinances, Part II, Chapter 2, Article XII Section 2-1121.

POLITICS



NOPD mishandles Jay Banks, Noonie Man dispute

—
“Here's a councilman coming to my house and trying to bully me,” Batiste said.

Author: Mike Perlstein / Eyewitness Investigator

Published: 5:39 PM CDT October 7, 2022



How the OIPM is Preparing

In preparation for this possibility of investigatory power, the OIPM:

- Met with the Federal Monitors and started determining how to construct this ability to be compliant with the Consent Decree and continue to meet regularly to discuss investigatory structure.
- Met with the CAO to discuss our budgetary needs to build our audit, data, and investigatory teams.
- Met with NOPD leadership regarding investigatory structure and continue to meet with leadership weekly to discuss as this process progresses.
- Met with City Council members and OIPM counsel to discuss the ordinance and provide language.
- Prepared a budget that requests additional money to build the necessary teams.
- Presented the budgetary ask to City Council on November 2, 2022. This budget will be voted on December 1, 2022.
- Starting researching national best practice regarding oversight agencies with investigatory power and their disciplinary referral process to inform our MOU.



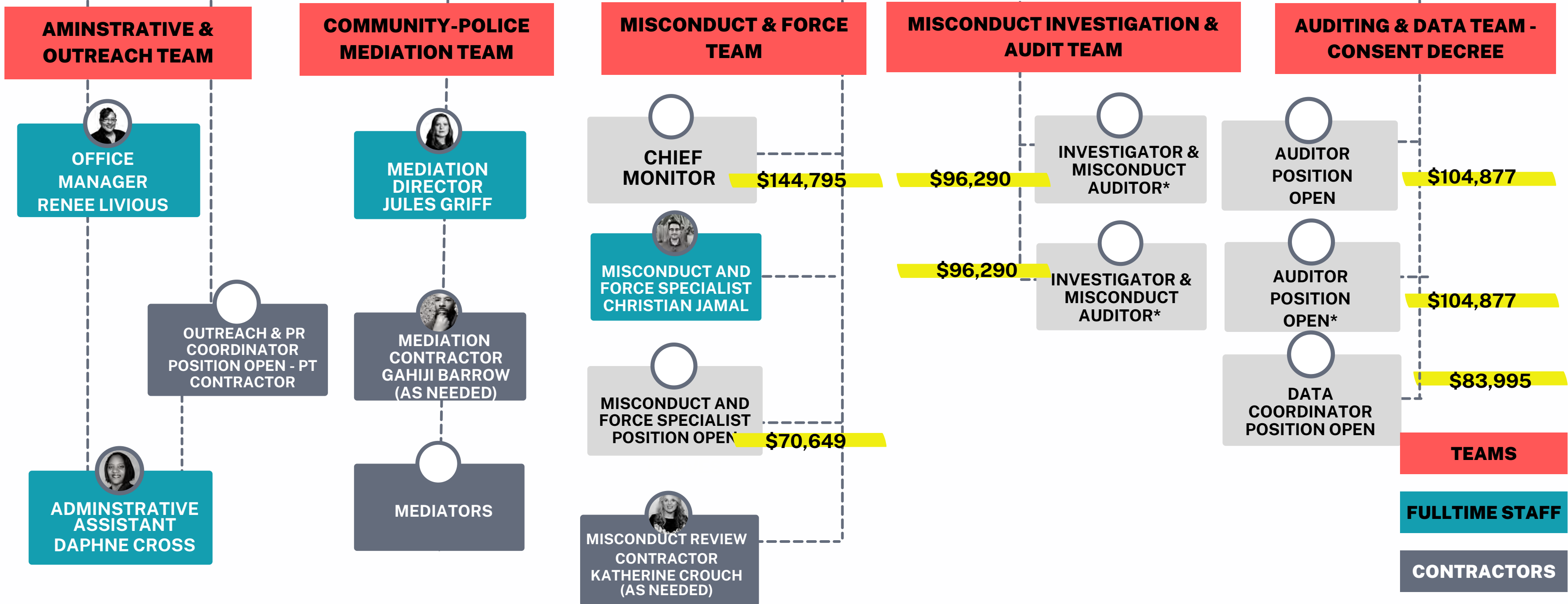
**INDEPENDENT
POLICE MONITOR
STELLA CZIMENT**

**LEGAL COUNSEL
CONTRACTOR
SHARONDA WILLIAMS**

**DEPUTY
BONYCLE SOKUNBI**

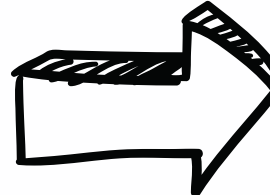
**Total Personnel Budget with ALL
Positions: \$1,318,734**

**Total Personnel Budget with
allocated positions: \$1,021,325**



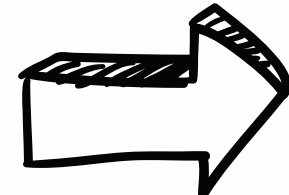
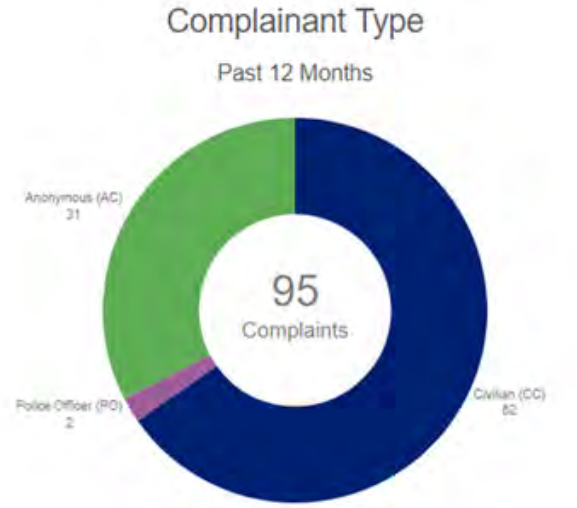
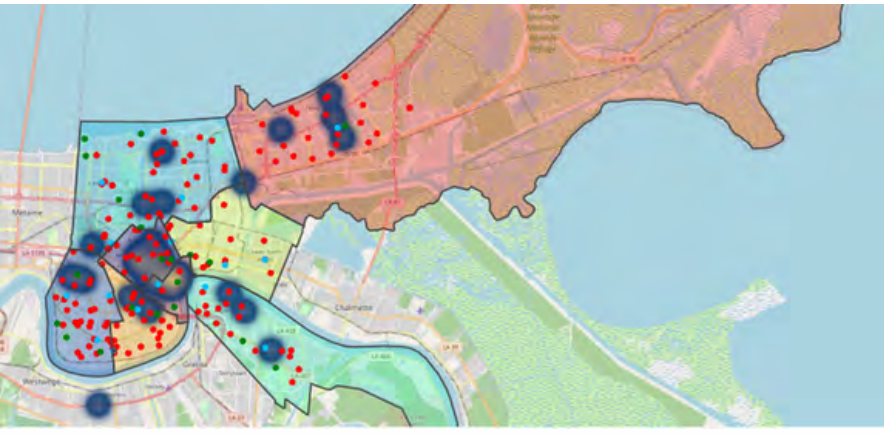
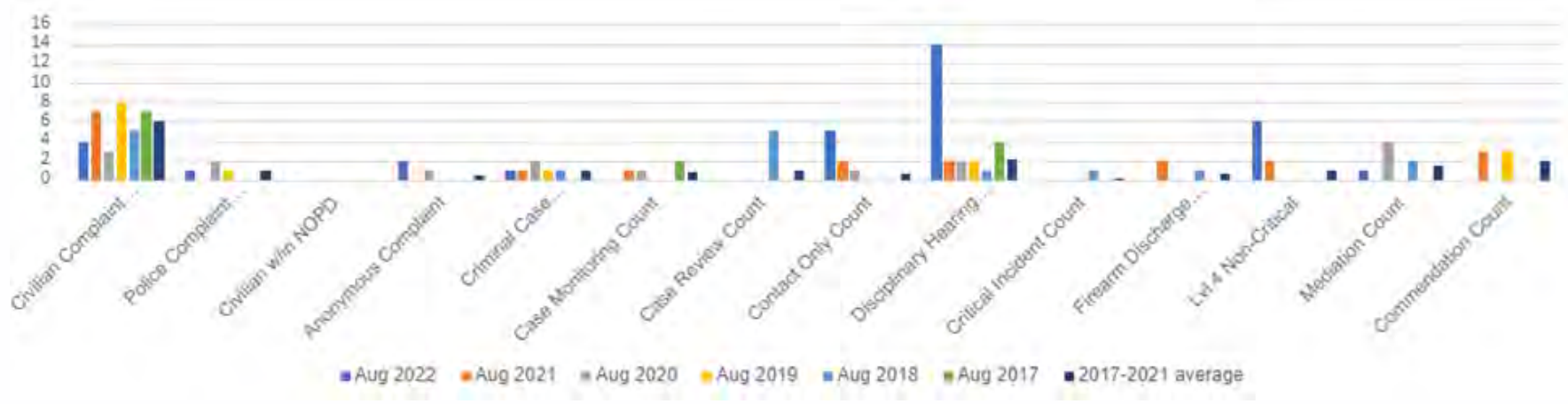
**POSITIONS THAT HAVE NOT YET BEEN ALLOCATED TO OIPM, BUT ARE NECESSARY IN THE FUTURE*

Prioritize Investigation, Audit, Review, Data Capacity in 2023 Budget



Data, Auditing, and Technology Implementation

The OIPM reviews and aggregates data from complaints, investigations, and disciplinary proceedings and then provides feedback to the NOPD and information to the public through recommendations for NOPD training, practice and policy. The systems in place are deeply flawed and problematic. Historically, OIPM has not had the technology in place to fulfill its role and responsibilities surrounding data. Based on our research, the OIPM anticipates the RFP will be approximately **\$250,000** for 2023. The data coordinator will **cost \$83,995** (including benefits).



Investigation and Accountability

Increase our role in the investigation and accountability of the Office of Police Secondary Employment (OPSE) as legally required under La. R.S. 33:2339. Under possible city council ordinances, the OIPM may take on more investigatory responsibilities regarding the NOPD as well. The OIPM would need to hire investigators and train those individuals on how to conduct criminal and administrative investigations.

OIPM Budget Recap

Pursuant to the OIPM ordinance, OIPM receives .16% of the general fund. Due to the pressing need to expand, the OIPM requested the additional allocation of money to build our team and meet the needs of NOPD and the community.

2022 Approved Budget		
Personnel Services	Other Operating	Total
\$732,488	\$308,926	1,041,414

2023 Budget Request		
Personnel Services	Other Operating	Total
\$1,318,734	\$441,323	\$1,761,057



Deputy police monitor Bonycle Sokunbi and monitor Stella Cziment, of the Office of Independent Police Monitor, listen to people in the public voice their concerns during the public hearing at the Ashe Power House Theater in New Orleans, Tuesday, Sept. 27, 2022. (Photo by Sophia Germer, NOLA.com, The Times-Picayune | The New Orleans Advocate)

Sophia Germer

Thank you.

The OIPM welcomes questions and comments.



**Monthly Report of
Ethics Trainer**



AUGUST 2022

MONTHLY REPORT

TRAINING DIVISION
NEW ORLEANS ETHICS REVIEW BOARD



TRAINING ACTIVITIES

Heading into fall 2022, the Training division has continued its work to further the reach of ethics education throughout the city of New Orleans. Momentum continues to grow in scheduling, due in part to word being spread that the Ethics Review Board is now available to conduct in-person learning sessions to give individuals an opportunity to learn and interact in a group setting, while fulfilling their annual training requirement for ethics education. Several agencies have requested recurring monthly visits from the Ethics Review Board trainer through the end of 2022. In order to assist in meeting their agency's compliance goals, some upcoming training sessions have been scheduled on Saturdays, by a special request, to accommodate individuals within certain organizations who are otherwise unable to attend sessions that take place during the week.

EVERY LIAISON, EVERY DEPARTMENT

Supporting the existing ethics liaisons who are positioned throughout departments within the City of New Orleans continues to be a priority for the training division. In order to more effectively provide employees with ethics-related education and assistance with completing mandated training exercises, one of our current missions is to ensure that each department within the city structure be equipped with an ethics liaison.



38

City Departments

21

**Departments with active
Liaisons**



The City of New Orleans currently has 38 departments staffed by public employees who are mandated to complete ethics education each year. Currently, there are a total of 21 liaisons in service. It is the mission of the training division to have the remaining 17 vacancies filled by year's end.



TRAINING ACTIVITIES

HACKETT GROUP NUMBERS

II. Methodology

Overview

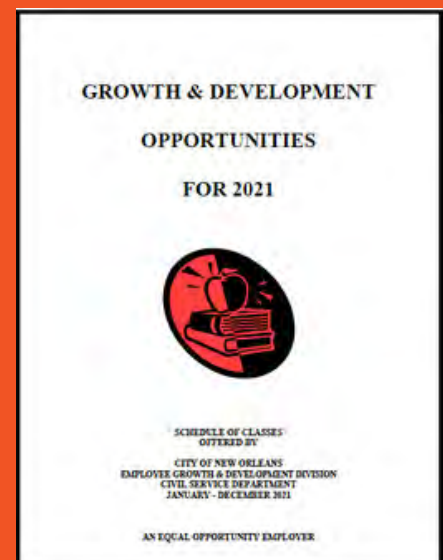
In order to better understand the ethics training-related needs of government, board, and community officials in New Orleans, a series of focus groups with Liaisons from thirteen departments/agencies were conducted (for a complete listing of the participating departments and agencies, please see the appendix entitled, "List of Departments that Participated in Liaisons Focus Groups"). In addition to the review of evaluation survey forms from the **more than 341 participants that have been trained by the Hackett Group over a three-year period were conducted.** These forms identified additional areas for improvement.

During the June 2022 ERB Board Meeting, the Chair requested information surrounding the total number of individuals given ethics training by the Hackett Group during their time as consultants for the Ethics Review Board.

According to provided documentation, **341** individuals were trained across a three-year time period by the Hackett Group. Based on current numbers, from January 2022 - August 2022, the ERB training division has educated **423** individuals.

CITY OF NEW ORLEANS CIVIL SERVICE - NEW EMPLOYEE'S ORIENTATION

As of June 2022, the ERB Trainer has been granted a 15-minute time slot on the itinerary of information that is to be presented during New Employee Orientation sessions for city employees. These classes are provided by New Orleans Civil Service and will be occurring monthly through the remainder of 2022 and resuming a quarterly schedule in 2023.



ETHICS AWARDS

The ethics awards program was established to recognize the outstanding efforts of individuals and their commitment to furthering the mission of creating a culture of ethics within the city of New Orleans. Individuals who are honored have demonstrated excellence in educating their agencies and going above and beyond in ensuring that ethical behavior standards have improved within their agency as a result of their efforts. Two awards are presented -

- **Ethics Liaison Award:** All liaisons representing city departments, boards, agencies and commissions are eligible for nomination.
- **Torch Award for Excellence in Ethics:** All city departments, boards and commissions are eligible to submit a self-nomination for the Torch Award. This recognition is presented to the agency as a whole, rather than an individual.

All award nomination information was distributed with a deadline of **July 8th** for all submissions.

A Liaison Award nomination was received for Ms. Kisha Gaudin, Vehicle Coordinator and ethics liaison for the City of New Orleans Department of Public Works - Traffic Division.

Ms. Gaudin has been a certified ethics trainer since 2013 and was designated as the ethics liaison for her agency in 2018.

Her nomination and required information/supporting documentation will be forwarded to the Ethics Review Board for review and consideration.

Crown Awards has been selected as a potential vendor for the main award trophy, with certificates of appreciation also being considered to recognize the efforts of the remaining liaisons for activities during 2021.



*Award ex.
Est. cost - \$39.99*



JULY 2022

MONTHLY REPORT

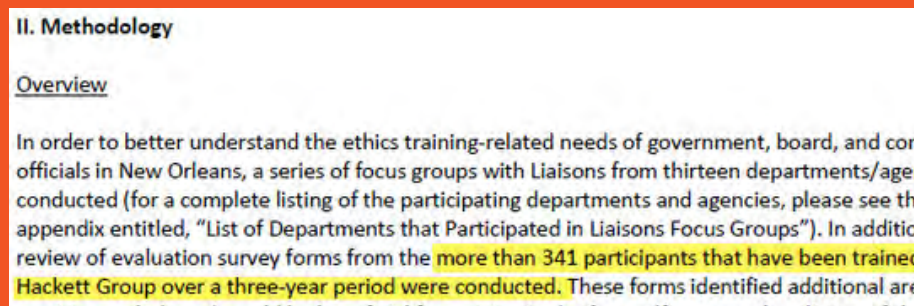
TRAINING DIVISION
NEW ORLEANS ETHICS REVIEW BOARD



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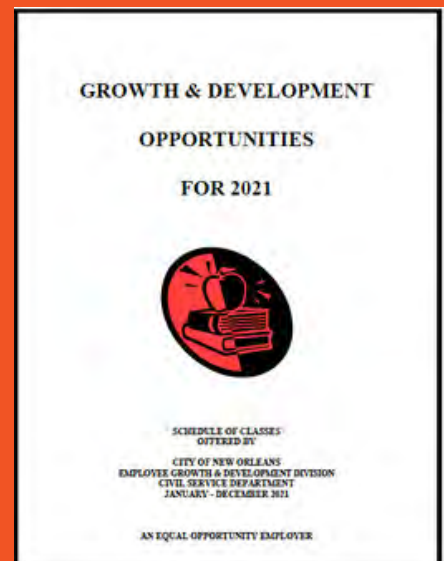


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