



## CITY OF NEW ORLEANS ETHICS REVIEW BOARD

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

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

### BOARD MEETING

Loyola College of Law, 526 Pine St., Room 403, New Orleans, Louisiana  
Monday, August 14, 2023, at 3:30 P.M.

### AGENDA

1. Call to order.
2. Approval of the minutes of June 2023 board meeting.
3. Monthly report of Office of Inspector General (acceptance of written report only; no oral report).
4. Monthly report of Office of the Independent Police Monitor (acceptance of written report only; no oral report).
5. Monthly report of Ethics Trainer (acceptance of written report only; no oral report).
6. Monthly report of General Counsel and Executive Administrator.
7. Report on appointments to ERB and Quality Assurance Review Advisory Committees.
8. Executive session pursuant to Louisiana Revised Statutes section 42:17(A)(1) to discuss the character, professional competence, or physical or mental health of two persons.
9. Call for agenda items for future board meetings.
10. Adjournment.

**Draft Minutes of  
Previous Board  
Meeting**



## **Ethics Review Board for the City of New Orleans**

### **Board Meeting of June 12, 2023, 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 3:30 p.m.
  - 1.2. ERB members present:
    - 1.2.1. Dawn Broussard
    - 1.2.2. Holly Callia, Chair.
    - 1.2.3. Monique G. Doucette
    - 1.2.4. Tyrone G. Jefferson, Jr.
  - 1.3. ERB members absent:
    - 1.3.1. Wanda A. Brooks.
    - 1.3.2. Elizabeth Livingston de Calderon
    - 1.3.3. SUNO appointee (position is vacant).
  - 1.4. Staff members present:
    - 1.4.1. Dane S. Ciolino, Executive Administrator and General Counsel.
    - 1.4.2. Jordy Stiggs, Ethics Trainer
    - 1.4.3. Staff members absent: None.
  - 1.5. The agenda for the meeting is attached.

2. *Approval of Minutes.* Upon a duly made and seconded motion, the ERB unanimously approved the minutes of the regular ERB meeting on May 8, 2023.
3. *Monthly Report of the Office of the Inspector General.*
  - 3.1. Ed Michel appeared on behalf of the Office of the Inspector General. He was accompanied by his general counsel, chief evaluator, chief auditor, and office manager.
  - 3.2. Mr. Michel presented his office's monthly written report (attached). He also reported orally to the ERB and responded to ERB members' questions.
  - 3.3. Discussed community outreach efforts, including speeches to Rotary Club and other community organizations.
  - 3.4. Discussed fraud training that his staff attended, including training by Secret Service.
  - 3.5. Noted that his office is continuing several projects, including into the Sheriff's Office, and into time and attendance issues through ADP, and NOPD recruitment.
  - 3.6. Noted that a S&WB employee was recently indicted in federal court for extorting payments from plumbers. His office participated in this investigation.
  - 3.7. Noted that his office recently released a report about NOPD tire and rims purchases that were "purely cosmetic."
  - 3.8. Discussed the benefits of his office's investigation into homestead exemption abuses regarding exemptions being provided to nonowners. This investigation will save the city millions of dollars.
4. *Monthly Report of the Office of Independent Police Monitor.*
  - 4.1. Stella Cziment appeared on behalf of the Office of the Independent Police Monitor.
  - 4.2. Ms. Cziment discussed the monthly report (attached).
  - 4.3. Reported that Boncyle Sukundbi will leave her office to take the position of IPM in Ft. Worth, Texas. The OIPM will now move forward to hire a replacement. The IPM and board thanked Ms. Sukundbi for her service to the City of New Orleans.
  - 4.4. Noted that her office released its annual report for 2022 last month. She will report about it at a future board meeting. This report is an important analysis of NOPD data and how that data may change going forward. She thanked NOPD for being an active participant in the reporting process.

- 4.5. Noted that she engaged in 4 hours of training at the NOPD police academy regarding her office's roles and functions.
  - 4.6. Noted that her director of mediation provided conflict resolution skills to the public at a recent public meeting.
  - 4.7. Reported that she attended the Knowledge Lab meeting in Denver to learn more about constitutional policing and the use of data in police evaluation.
  - 4.8. Reported that she participated in a First Amendment program regarding the rights of police officers and citizens under the constitution, including issues relating to protests and recording of police officers, and issues related to officers having the right to post on social media and to pray in uniform.
  - 4.9. Noted that her office commented on Louisiana HB 85 relating to a "zone of safety" around officers engaged in their policing duties. Did not take a position on the bill, but will be monitoring the implementation of the new law (if signed by the governor).
    - 4.9.1. Ms. Doucette asked about the issues presented by the bill.
    - 4.9.2. The IPM responded that there are already laws on the books related to interference with police and resisting an officer. Given the existence of the laws, it is unclear whether this new law is necessary. Her office is very supportive of videotaping of police to support good actors and to "catch" bad ones.
    - 4.9.3. Ms. Sukundbi emphasized that video recordings have vindicated many officers from allegations of misconduct. The IPM agreed.
5. *Monthly Report of Ethics Trainer.*
- 5.1. Mr. Jordy Stiggs presented his monthly written report (attached). The board unanimously agreed to take this report out of order in advance of the OIPM reports.
  - 5.2. Noted that he has reconsidered some of the criteria for ethics awards, including the Liaison Awards. He explained the role of liaisons for the benefit of the board. He also noted that he will publicize and encourage nominations for these awards.
  - 5.3. Noted that the Torch Award had no nominees last year. He suspects that the application requires a narrative essay which might deter some nominations. He will propose recipients based on his personal experience with working with various boards and departments.
  - 5.4. Finally, he distributed a "Board Member Handbook" to each board member.

6. *Report of the Executive Administrator and General Counsel.*
  - 6.1. Mr. Ciolino presented his oral report.
  - 6.2. Mr. Ciolino reported that the ERB has received no new complaints.
  - 6.3. Noted that the July board meeting has been cancelled.
7. *Report on Appointments to ERB and Quality Assurance Review Advisory Committees.*
  - 7.1. Mr. Ciolino reported that three ERB positions must be filled ASAP. The mayor's office is working on this.
  - 7.2. Mr. Ciolino reported that 4 Council and Mayorial appointments remain unfilled on QARACs for the IG and the IPM.
8. *Discussion of Performance and Compensation Reviews*
  - 8.1. The OIG and OIPM need periodic reviews on performance and compensation. These reviews will be on the agenda for August.
  - 8.2. Ms. Callia noted that there are not hard and fast requirements for these reviews. She will appoint a "point person" for each position to be reviewed. The point person will report to the board.
9. *Election of Officers for 2023-2024 Term Commencing on July 1, 2023.*
  - 9.1. Mr. Jefferson nominated Ms. Callia to serve as ERB Chair for 2023-2024. Ms. Doucette seconded. After an opportunity for public comment, the board unanimously elected Ms. Callia as Chair after receiving no public comment.
  - 9.2. Mr. Jefferson was nominated and seconded to serve as ERB Vice-Chair. After an opportunity for public comment, the board unanimously elected Mr. Jefferson as Vice-Chair after receiving no public comment.
  - 9.3. Ms. Broussard was nominated and seconded to serve as ERB Secretary. After an opportunity for public comment, the board unanimously elected Ms. Broussard as Secretary after receiving no public comment.
10. *Adjournment.*
  - 10.1. A motion was made to adjourn the ERB meeting.
  - 10.2. The motion was seconded.
  - 10.3. The ERB unanimously voted to adjourn. The meeting was adjourned at 4:30 p.m.

\* END \*

**Monthly Report of  
OIG**

# **MONTHLY REPORT**

**JULY 2023**



# **OIG**

**NEW ORLEANS  
OFFICE OF INSPECTOR GENERAL**

**EDWARD MICHEL, CIG  
INSPECTOR GENERAL**

# ADMINISTRATION DIVISION

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# 1,970

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

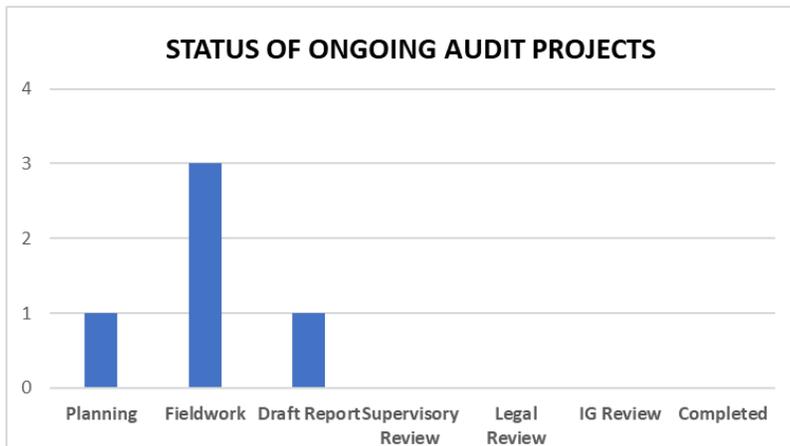
## INFORMATION SECURITY

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:

- Wisner Fund
- Orleans Parish Sheriffs Office
- Short Term Rentals
- Safety and Permits Third Party Contractors
- New Orleans East Hospital Credit Card

## **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 <sup>1</sup>	Anticipated <sup>2</sup> Completion Date
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Wisner Fund	Draft Report	Ongoing
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**Summary of Objectives:** The OIG will be releasing a letter explaining why the 2020 Extension of the Wisner Trust was not proper, violating City Code and prior court rulings concerning the Trust.

Orleans Parish Sheriffs Office	Fieldwork	Ongoing
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**Summary of Objectives:** The purpose of the audit is to evaluate the operating effectiveness of the Orleans Parish Sheriff Office's controls and expenditures related to payroll and paid details.

Short-Term Rentals	Fieldwork	Ongoing
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**Summary of Objectives:** The OIG will be releasing a letter suggesting that the City increase its efforts to levy fines on illegal short-term rentals.

Safety and Permits Third Party Contractors	Planning	Ongoing
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**Summary of Objectives:** The purpose of the audit is determine the adequacy of S&P policies and procedures related to Third Party Inspections and verify that residential inspections performed by Third Party Inspectors were in compliance with those policies and procedures.

**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.

# 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 <sup>1</sup>	Anticipated <sup>2</sup> Completion Date
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New Orleans East Hospital  
Credit Card

Fieldwork

Ongoing

**Summary of Objectives:** The purpose of the audit is to determine whether New Orleans East Hospital credit card purchase were business-related and allowed by law, and that these purchases followed relevant agency policies.

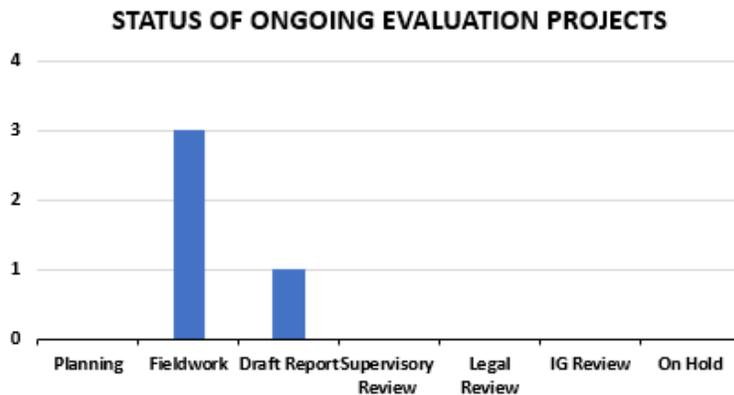
**Footnotes:**

**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
- City of New Orleans Employee Time and Attendance Reporting
- EMD Fuel Dispensing Follow-Up
- Sewerage and Water Board Water Loss Control

## **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.

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**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

## INSPECTIONS AND EVALUATIONS DIVISION

The following information provides a summary of the Inspections and Evaluations Division's project phase and a summary of the each project's objectives.

Project Name	Project Phase <sup>1</sup>	Anticipated <sup>2</sup> Completion Date
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City of New Orleans Employee Time and Attendance Reporting	Draft Report	Ongoing
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**Summary of Objectives:** To determine whether the City has policies, procedure, and controls to ensure that Time and Attendance is reported accurately.

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NOPD Violent Crime Response Analysis	Fieldwork	Ongoing
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**Summary of Objectives:** To assess the NOPD's response to violent crimes in the City in relation to best practices and industry standards.

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EMD Fuel Dispensing Follow-Up	Fieldwork	Ongoing
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**Summary of Objectives:** This follow-up evaluation seeks to determine if the City implemented the corrective actions to which it agreed in June 2016 in response to the OIG's initial evaluation, and whether the deficiencies identified in the original report still exist.

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Sewerage & Water Board Water Loss Control	Fieldwork	Ongoing
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**Summary of Objectives:** To evaluate S&WB's policies and practices related to water loss control management.

**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.

# INVESTIGATIONS DIVISION

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## ADMINISTRATIVE INVESTIGATIONS (JULY HIGHLIGHTS)

On July 25, 2023, the OIG issued a news release concerning \$187,000 of property tax revenue owed to the City of New Orleans arising from Homestead Exemption and Senior Age Freeze removals.

Issued two Requests for Documents in ongoing investigations.

Issued two OIG Subpoenas for records and documents.

Issued a letter and related documents to the Assessor's Office concerning 25 residential properties that 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 2023 is 100. The Assessor's Office acknowledged receipt of the letter.

An employee assigned to the Department of Safety and Permits was placed on a thirty-day emergency suspension without pay for a potential violation of Employee Policy Memorandum 21-01: Standards of Professional Behavior.

# INVESTIGATIONS DIVISION

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## ADMINISTRATIVE INVESTIGATIONS (JULY HIGHLIGHTS)

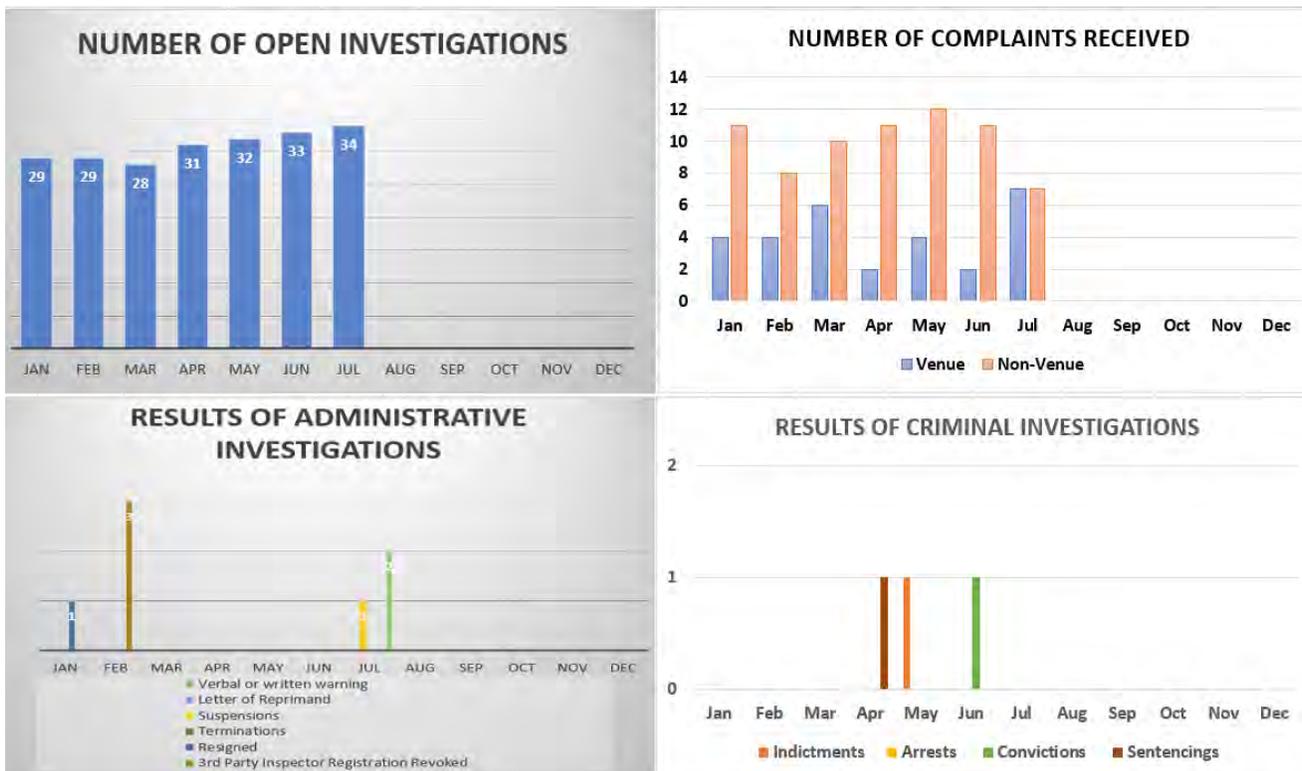
On July 20, 2023, the Louisiana State Licensing Board for Contractors (LSBLC) accepted a plea of No Contest from Juan J. Arriago of Moreno Electric. Arriago also pleaded No Contest on behalf of Moreno Electric. The LSBLC accepted the surrendering of both Moreno's license and the qualifying party status of Arriago for a period of one year. This is a result of information developed during a joint investigation between the OIG and LSBLC. The pleas accepted were based on the violation of LA RS 37:2150-2165, titled Requirements for Issuance of a License.

According to information on the LSBLC website, a "Qualifying Party" means a natural person designated by the contractor to represent the contractor for the purpose of complying with the provisions in the Contractors Licensing Law, Rules and Regulations, including without limitation meeting the requirements for the initial license and/or any continuation thereof. A qualifying party is the person who holds the exam scores, and is not the owner of the license unless he/she is a sole proprietor.

# 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

# 2023 BUDGET

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**Total 2023 Appropriation \$ 4,020,437**

<b>Expenditures</b>	<b>Spent YTD</b>	<b>Projected Expenditures FY 2023</b>
<b>Personnel</b>	<b>\$ 1,466,456</b>	<b>\$ 3,209,430*</b>
<b>Operating</b>	<b>\$ 253,832</b>	<b>\$ 743,368</b>
<b>Total</b>	<b>\$ 1,720,287</b>	<b>\$ 3,952,798</b>
<b>Remaining Balance</b>	<b>\$ 2,300,150</b>	<b>\$ 67,639</b>

As of 8/1/2023

# OIG ON SOCIAL MEDIA



**New Orleans OIG @NOLAOIG · Jul 25** ...

**OIG ALONG WITH THE ASSESSOR'S OFFICE AND THE BUREAU OF TREASURY IDENTIFY \$187,000 IN ADDITIONAL PROPERTY TAX REVENUE OWED TO THE CITY**

[nolaoig.gov/media/press-re...](https://nolaoig.gov/media/press-re...)



**OIG** NEW ORLEANS OFFICE OF INSPECTOR GENERAL

Edward Michel, OIG Inspector General



**IMMEDIATE RELEASE** July 25, 2023  
**MEDIA CONTACT:** Edward Michel Phone Number: 504-681-3200

**OIG ALONG WITH THE ASSESSOR'S OFFICE AND THE BUREAU OF TREASURY IDENTIFY \$187,000 IN ADDITIONAL PROPERTY TAX REVENUE OWED TO THE CITY**

The Office of Inspector General (OIG) provides an independent and objective assessment of government policies, programs, and operations by conducting audits, evaluations, and investigations. Since June 2021, the OIG has issued numerous letters to the Orleans Parish Assessor's Office concerning residential properties which continued to receive a homestead exemption and senior freeze reduction despite the listed homeowner reportedly being deceased. As of July 2023, the total number of residential properties submitted to the Assessor's Office for 2021, 2022 and 2023 is 172.

For the first and second quarters of 2022, the City of New Orleans Bureau of Treasury has issued 26 Revised Real Estate Tax Bills concerning residential properties that the OIG identified as having benefited from homestead exemptions and a senior freeze reduction, despite the listed homeowners reportedly being deceased. The Assessor's Office has also removed the homestead exemptions and senior freeze reductions for these properties. According to the Bureau of Treasury, the City of New Orleans is due more than \$187,000 in additional property tax revenue from these 26 properties.

*In these times of increasing threats and limited resources, it is incumbent upon the Assessor's Office and the Bureau of Treasury to combine their resources to efficiently identify and mitigate the threat of Homestead Exemption fraud.*

Edward Michel, Inspector General

For information on OIG initiatives, including recent reports concerning Homestead Exemption fraud and other work products, please visit the newly re-designed OIG website at [www.nolaoig.gov](https://www.nolaoig.gov).

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# OIG ON SOCIAL MEDIA

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 **New Orleans OIG** @NOLAOIG · Jul 20 ...

The New Orleans OIG issued a letter to the City Council today reiterating the recommendation to relinquish the Upper Pontalba Apartment back into commerce, which would generate an additional \$36,000 in annual income for the City.

[nolaig.gov/media/city-cou...](https://nolaig.gov/media/city-cou...)



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**Monthly Report of  
OIPM**

# OFFICE OF THE INDEPENDENT POLICE MONITOR

## MONTHLY REPORT

July 2023



# LETTER TO THE COMMUNITY

Dear New Orleans Community,

In July, I attended a Police Community Advisory Board and a New Orleans Neighborhood Police Anti-Crime Council (meeting in the 2nd District and I want to take a moment to tell you about what I observed and learned from that evening in our Gert Town, Holly Grove, and uptown / Broadmoor police district.

Many people in our community do not know what these meetings are and I want the public to know about this informative resource that is open to you every month – that is the **New Orleans Neighborhood Police Anti-Crime Council (NONPACC)**. These monthly meetings are a chance for the people of that district to learn about the crime trends that directly impact them and how their police district is addressing those crimes. At the NONPACC meeting in the 2nd District, I learned about how the Captain of the second district was using map overlay technology and analysis to identify crime hotspots. The Captain shared how blighted property, some small businesses, and empty lots were turning into crime centers and how she was stationing police and completing outreach to those businesses or property owners to try to engage them in solutions. The Captain also shared how she created a dedicated email address in the second district for the public to submit to camera footage that was related to crime instead of needing to contact individual detectives or sergeants assigned to the case. Additionally, the Captain showed how many arrests occurred around guns, car thefts, and how many guns were found in cars. The OIPM highly recommends that the public attend these meetings to learn about the policing strategy occurring in their neighborhood and have their voice heard to ensure that the strategies are responsive to the needs of the individuals affected by that crime.

The **Police Community Advisory Boards (PCAB)** are made up of individuals who represent the community and advise the NOPD and can provide formal recommendations to the districts on policy, practice, training, and requests on community engagement. These boards typically meet quarterly. The boards are meant to be a conduit for the community to communicate to the districts and the NOPD; however, these boards can only represent your concerns or accurately capture your experience if you show up, write in, or engage with the board. In the coming months, the OIPM is going to spend more time interacting with these boards and sharing out with the community so they can learn more about this resource and this form of oversight and engagement is given more attention.

I want to highlight these resources since this month there was a lot of debate in July over the ability for the community to be heard - particularly on the topic of the **NOPD chief decision**. This month, the OIPM, along with the public, learned of the six finalists for the NOPD chief position. We also learned of the internal and external stakeholders selected to interview those candidates. The OIPM was very vocal in our disappointment that the external panel excluded many of the community stakeholders that are necessary to build a safer New Orleans and a more just, accountable, and constitutional police department. The OIPM would expect this panel to include individuals or organizations that work with vulnerable populations who may be targeted by law enforcement, advocacy organizations who represent survivors of crime and victim's families, organizations working with children, the District Attorney's Office and the Public Defender's Office, and educational and community-based institutions. The panel could also benefit from the voices of the numerous neighborhood associations and the Community Police Advisory Boards in the different police districts of this city. This list is a missed opportunity and could have better represented and more meaningfully engaged the people of our city in this important leadership selection.

Finally, the **OIPM is currently hiring for three positions:** Deputy Independent Police Monitor, Data Coordinator, and a Misconduct and Force Analyst. All these available positions are available on the OIPM website or can be found at: <http://bit.ly/OIPMJobs>. We at the OIPM hope you will check out these exciting opportunities to impact policing and uphold officer accountability.

Thank you,

*Stella Cziment*

# WHO WE ARE

The OIPM is an independent, civilian police oversight agency created by voters in a 2008 charter referendum. Its mission is to improve police service to the community, community trust in the NOPD, and officer safety and working conditions. Since first opening its doors in August 2009, the Office of the Independent Police Monitor has been responsible for representing the community of New Orleans, providing accountability and oversight to the NOPD, and assisting in the reforms required under the Federal Consent Decree.

The OIPM is protected and required by City Charter and Ordinance. The OIPM operates through a Memorandum of Understanding (MOU) with the City of New Orleans and the New Orleans Police Department and has distinct responsibilities outlined by ordinance. This means this office was created by the people of New Orleans to represent all people interacting with the New Orleans Police Department to improve the way our community is policed.

## Ensuring Compliance and Reform

- The OIPM reviews the NOPD's policies, practices, and investigations to ensure that every action taken is compliant with local, state, and federal law, and Consent Decree reforms.
- The OIPM advises on policy, tactics, training, and supervision to ensure that the NOPD is adopting national best practice and building a nondiscriminatory, safe, effective, and respectful police department that is responsive to the needs of the community and their employees.
- The OIPM does this through monitoring, case reviews, audits, and policy recommendations.

## Amplifying the Needs of the Community

- The OIPM engages with the community to ensure that they both know about our services and understand how the police department works. Through providing information, the OIPM is equipping and empowering the community to navigate police encounters safely and demand what they need.
- Provides Complaint Intake.
- Operates the Community-Police Mediation Program.
- Partners with Families Overcoming Injustice.
- Coordinates public forums and outreach opportunities for the community to provide vital input on the way they are policed.

## Making the NOPD a Safer and Nondiscriminatory Workplace

- The OIPM provides recommendations and assessments to ensure that the NOPD is a safe and nondiscriminatory work place for all employees.
- The OIPM assesses supervision and training to ensure that employees are being equipped and supported.
- The OIPM meets with police associations to hear concerns from their membership.
- The OIPM monitors disciplinary hearings to ensure that discipline is consistent and nonretaliatory.
- The OIPM receives commendations and accounts of positive policing from the community.



# WHAT DO WE DO?

## Mission, Vision, Work

We serve the community, ensure police transparency, compliance, and accountability, and make policing a safer and more rewarding employment experience.

### WHAT WE DO



**Misconduct Complaints**



**Disciplinary Proceedings**



**Data Analysis**



**Community Outreach**



**Use of Force**



**Community-Police Mediation Program**



**Audits and Policy**



**Commendations**

The OIPM is the oversight body for the New Orleans Police Department (NOPD). The OIPM provides oversight through monitoring, reviewing, and auditing police activity and data. The OIPM is responsible for conducting complaint and commendation intake, on-scene monitoring of critical incidents and uses of force, overseeing the community-officer mediation program, reviewing investigations, providing assessments, identifying patterns, and making recommendations for improved practice, policy, resource allocation, and training. There are three components to the OIPM's work and mission:

The OIPM envisions a police force where the community is a valued and respected partner in public safety and law enforcement. This is achieved through:

- Assurance of transparency, accountability, and fairness within the NOPD and in all policing practices
- Community-driven policing policy that reflects the changing and dynamic needs of New Orleanians
- Continued efforts to engage the community and collaborate with community partners
- Recruitment and retention of a police force that is representative of and responsive to the community it serves
- Utilization of de-escalation techniques and methods when responding to calls of service
- Conducting only lawful and necessary arrests free of discriminatory practices
- Thorough and effective investigations resulting in appropriate arrests and prosecutions
- Clear and professional communication with victims and witnesses of crime and all that come into contact with the NOPD
- Responsible utilization of equipment and allocation of resources
- Development of highly trained supervisors and organizational leadership
- Interactions with the public and internally within the police force that are based in mutual trust and respect

**The OIPM seeks to amplify the voice of the community to ensure that all within the city – visitors and residents alike – can access police services equally and have a positive experience with officers.**

# DATA OVERALL: YEAR TO DATE AND MONTH

	2023	2022	2021	2020	2019	2018	2017	Avg 2017-2022
Civilian Complaint Count	69	36	40	45	47	12	20	33.33
Police Complaint Count	0	0	4	0	0	4	2	1.67
Civilian w/in NOPD	0	0	1	0	0	0	0	0.17
Anonymous Complaint	10	21	19	22	0	0	0	10.33
Criminal Case Liaison Count	21	10	18	27	14	2	6	12.83
Case Monitoring Count	3	7	3	8	0	9	6	5.5
Case Review Count	1	4	4	2	4	3	0	2.83
Contact Only Count	28	20	12	26	14	2	4	13
Disciplinary Hearing Count	29	28	18	40	36	52	17	31.83
Critical Incident Count	3	7	7	9	8	4	6	6.83
Firearm Discharge Count	2	5	4	8	7	2	3	4.83
Level 4 Non-Critical*	6	10	4	8	0	0	0	3.67
Force Monitoring*	1	-	-	-	-	-	-	-
Mediation Count	19	13	13	21	25	14	21	17.83
Commendation Count	3	0	3	1	1	0	2	1.4
<b>Grand Total</b>	<b>169</b>	<b>135</b>	<b>124</b>	<b>196</b>	<b>130</b>	<b>92</b>	<b>73</b>	<b>125.2</b>

	Jul-23	Jul-22	Jul-21	Jul-20	Jul-19	Jul-18	Jul-17	Avg 2017-2022
Citizen Complaint Count	9	4	7	4	4	1	2	3.67
Police Complaint Count	0	0	1	0	0	0	0	0.17
Civilian w/in NOPD	0	0	1	0	-	-	-	0.33
Anonymous Complaint	0	7	3	1	-	-	-	3.67
Criminal Case Liaison Count	1	2	4	2	1	1	3	2.17
Case Monitoring Count	0	1	1	0	0	2	1	0.83
Case Review Count	0	0	0	1	0	0	0	0.17
Contact Only Count	5	3	3	3	0	0	0	1.5
Disciplinary Hearing Count	1	4	5	5	16	3	4	6.17
Critical Incident Count	1	1	0	1	1	1	0	0.67
Firearm Discharge Count	1	1	0	1	1	1	0	0.67
Lvl 4 Non-Critical	2	3	0	0	-	-	-	1
Force Monitoring	0	-	-	-	-	-	-	-
Mediation Count	5	0	1	3	3	3	3	2.17
Commendation Count	0	0	0	0	0	0	1	0.17
<b>Grand Total</b>	<b>25</b>	<b>26</b>	<b>26</b>	<b>21</b>	<b>26</b>	<b>12</b>	<b>14</b>	<b>20.83</b>

\*indicates a new category or a category that was not always captured by OIPM

## CURRENT BUDGET

OIPM Budget Description	Amount
Personnel	\$769,582.00
Operating	\$400,000.00
2022 Total OIPM Budget	\$1,169,582.00
<b>2022 Total OIPM Budget</b>	<b>\$1,169,582.00</b>
Amounts Spent to Date:	(\$503,213.00)
Unexpended funds	\$666,369.00

# MISCONDUCT WORK

## Relevant Definitions

### Complaint

A complaint is an allegation of misconduct filed against a NOPD officer(s) by a member of a public or civilian (external) or another officer (internal). A complaint may concern an action or lack of action taken by a NOPD officer(s), an interaction with a NOPD officer, or a witnessed interaction with a NOPD officer.

### Complainant

A complainant is the individual who files a complaint against a NOPD officer(s). A complainant may be generated internally (by another officer or a supervisor) or externally (by a member of a public). The complainant does not need to be personally affected by the incident.

### OIPM Complaint Codes

When the OIPM receives a complaint referral, the OIPM organizes the complaint according to the source of the complaint.

- Civilian based complaints are classified as: CC.
- Complaints from police officers are classified as: PO.
- Complaints from civilians working within the NOPD are classified as: CN.
- Anonymous complaints are classified as: AC.

### Misconduct

Officer action or failure to take action that violates any rule, policy, procedure, order, verbal or written instruction of the NOPD or is a violation of any city ordinance, state or federal criminal law. Misconduct includes, but is not limited to:

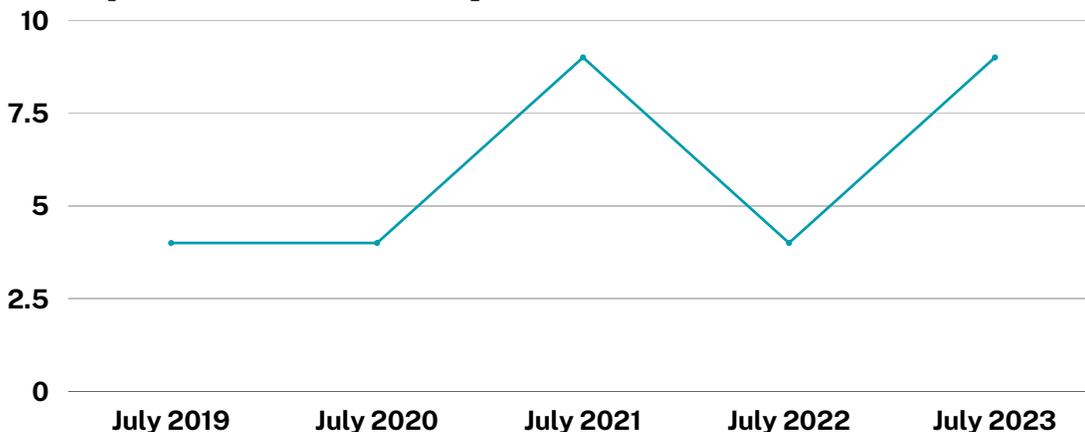
- Use of Force
- Abuse of Authority such as unlawful searches and seizures, premises enter and search, no warrant, threat to notify child services, threats to damage of property, etc., refusal to take complaint, refuse to identify themselves, damages to property seized
- Failure to supervise
- Falsification of records
- Inappropriate language or attitude
- Harassment
- Interference with Constitutional rights
- Neglect of duty
- Discrimination in the provision of police services or other discriminatory conduct on the basis of race, colors, creed, religion, ancestry, national origin, gender, sexual orientation
- Theft
- Retaliation for filing complaint with NOPD or the OIPM

## Complaint Procedures

The OIPM does not verify the statements made during complaint intake or agree with the statements provided by the complainant. 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. OIPM personnel may review information in NOPD systems regarding the interaction complained of, including body worn camera video, in car camera video, electronic police reports and field interview cards. The OIPM may include information obtained from NOPD information systems in the complaint referral.

The OIPM assesses whether in the information provided should be provided confidentially or if the OIPM would recommend covert operations conducted by the Special Investigation Squad (SIS). Anything shared in this report is public information.

## Complaint Totals - July



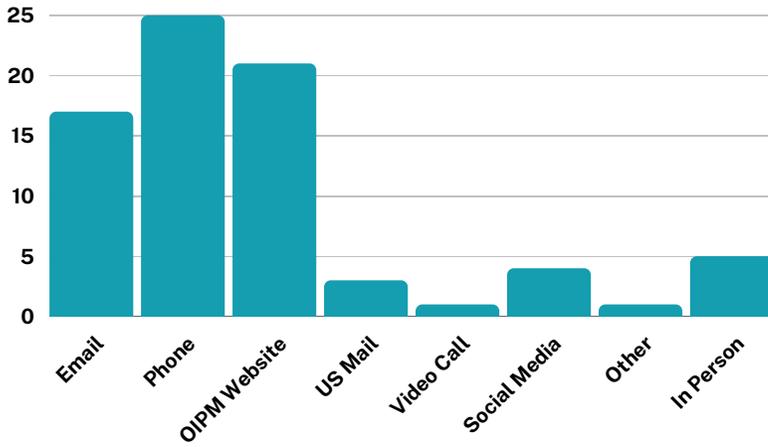
**9**

**Total Complaints  
Received this  
month**

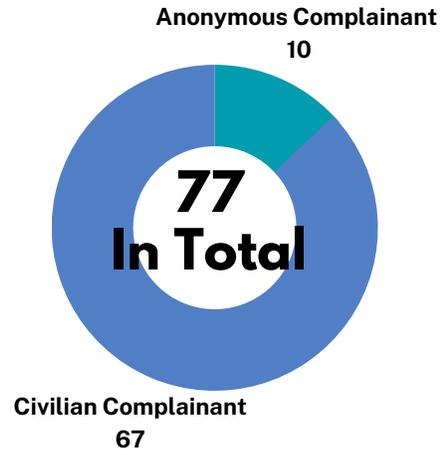
**79**

**Total Complaints  
Received This  
Year**

## Complaint Intake Source - 2023

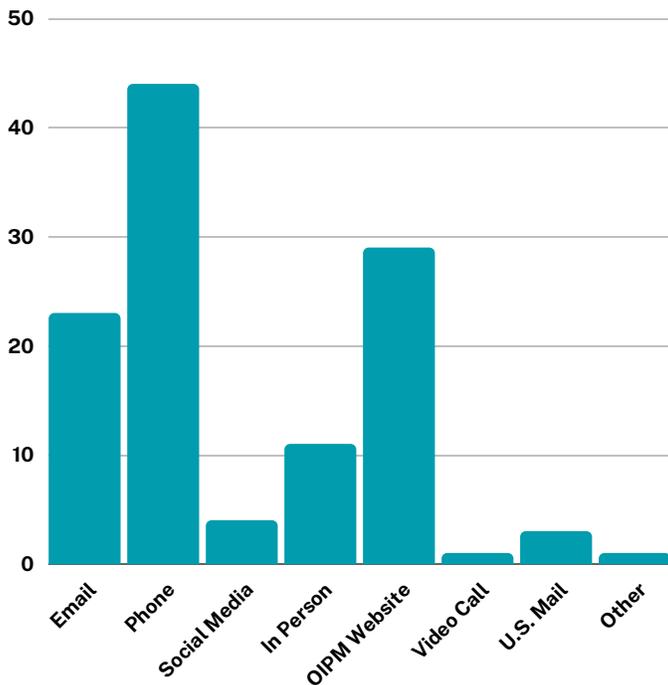


## Complainant Type - 2023

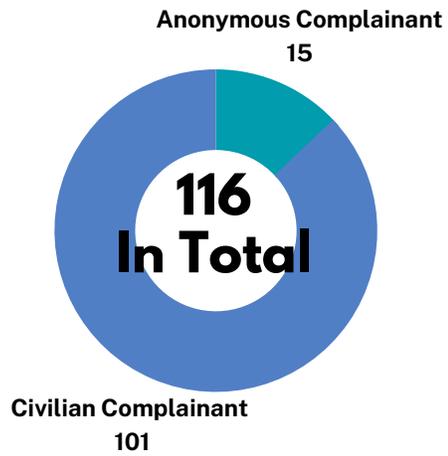


**Anonymous Complainant: 13%**  
**Civilian Complainant: 87%**

## Complaint Intake Source - Past 12 Months



## Complainant Type - Past 12 Months



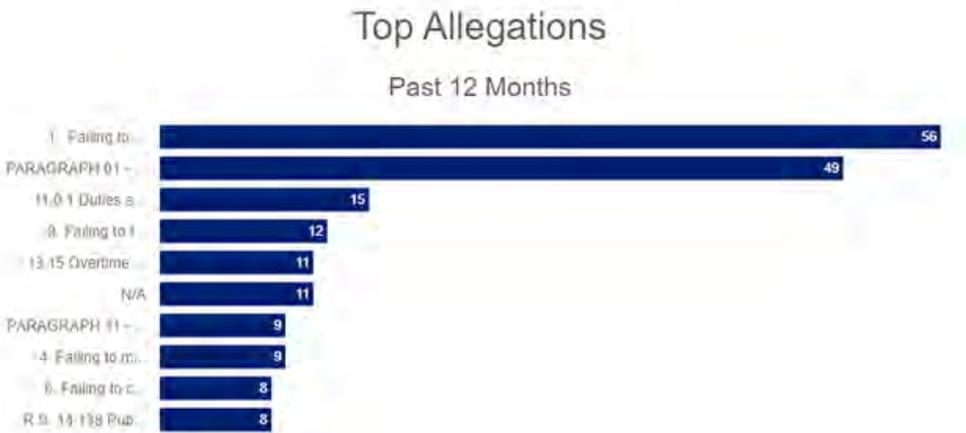
**Anonymous Complainant: 12.9%**  
**Civilian Complainant: 87.1%**

# Complainant Type - Past 12 Months



# Top Allegations - Past 12 Months

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.



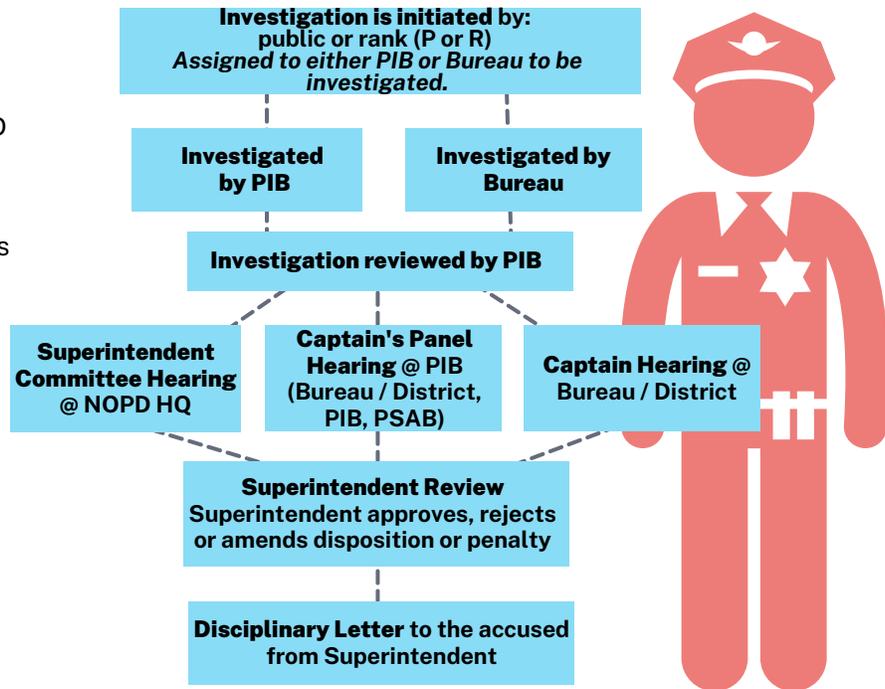
# Districts - Past 12 Months

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.



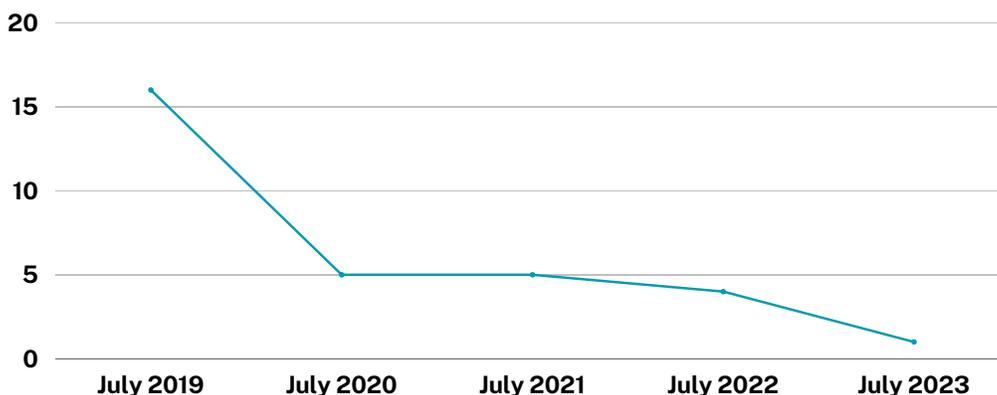
# DISCIPLINARY PROCEEDINGS

After the misconduct investigatory process, if the investigating officer sustained an allegation, then that allegation must be affirmed by NOPD leadership in order for that accused officer to be disciplined. This occurs through the disciplinary proceeding process. The disciplinary proceedings are conducted by the NOPD - either by Captains or Deputy-Chiefs. The OIPM monitors and assesses the efforts of NOPD to ensure all disciplinary investigations and proceedings are conducted in a manner that is non-retaliatory, impartial, fair, consistent, truthful, and timely in accordance with NOPD policies and law. Adjudication of misconduct is handled internally by the PIB or the Bureau of the officer / employee.



The OIPM may monitor the process conducted by the PIB or by the Bureau; however, under the MOU, there are detailed directions regarding how the OIPM is notified of investigations by the PIB and similar protocol does not currently exist for Bureaus. For that reason, the OIPM tends to be more involved with investigations and disciplinary proceedings conducted by the PIB. During every disciplinary proceeding, the OIPM remains in the room for deliberation with the NOPD leadership to give the hearing officers feedback and input. This process is how the OIPM provides our recommendations and feedback regarding the strength of the investigation, liability and risk management concerns, and areas where the policy required clarification or was being applied inconsistently. Though OIPM may provide this feedback in memorandums to the NOPD prior to the hearing or supplementing these hearings, these discussions during the deliberation process enable the NOPD to consider and digest our points before any final decision was made on the matter. These discussions are an opportunity for the OIPM to provide and receive insight into the NOPD investigation and often these comments lead to meaningful discussion with not just the hearing officers, but the assigned investigator on the case, since it was an opportunity for that investigator to explain investigatory decisions and to answer questions.

## Disciplinary Proceedings - July



**1**  
**Total Disciplinary Proceedings Received this month**

*OIPM tracks Disciplinary Proceedings based on the date notice is received from NOPD and not necessarily on when the disciplinary proceeding occurs. These proceedings are often rescheduled for scheduling conflicts. Tracking by notification date allows for consistent and accurate data collection.*

# USE OF FORCE

## Relevant Definitions

### Critical Incident

Critical incidents are an internal definition that was agreed upon by the OIPM and the NOPD through the November 10, 2010 Memorandum of Understanding. This definition captures that the OIPM should be notified of deaths, certain levels of injuries, and officer involved shootings within an hour so the OIPM has the ability to monitor the on scene investigation by the Force Investigation Team. According to this shared definition, critical incidents are:

- All incidents including the use of deadly force by an NOPD officer including an Officer Involved Shooting (“OIS”);
- All uses of force by an NOPD officer resulting in an injury requiring hospitalization;
- All head and neck strikes with an impact weapon, whether intentional or not;
- All other uses of force by an NOPD officer resulting in death; and
- All deaths while the arrestee or detainee is in the custodial care of the NOPD.

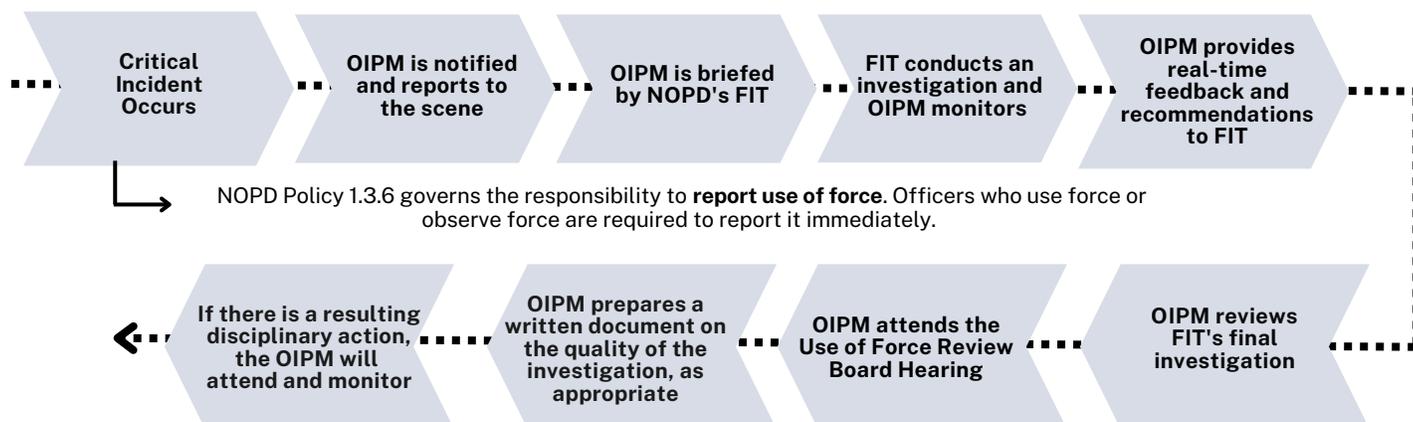
### Use of Force

Use of Force is when an officer uses physical contact on an individual during a civilian-police interaction. The force can be mild to severe based on the levels of force outlined in the NOPD policy. The force may be considered justified by NOPD policy considering the facts and circumstances known to the officer at the time which would justify that appropriate physical contact based on how officers are trained to handle that interaction. Force will be assessed based on the type of contact utilized compared to the resistance encountered, resulting injuries, witness statements, officer statements, and evidence found.

### Levels of Force

- **Level 1:** Includes pointing a firearm at a person and hand control or escort techniques (e.g., elbow grip, wrist grip, or shoulder grip) applied as pressure point compliance techniques that are not reasonably expected to cause injury; takedowns that do not result in actual injury or complaint of injury; and use of an impact weapon for non-striking purposes (e.g., prying limbs, moving or controlling a person) that does not result in actual injury or complaint of injury. It does not include escorting, touching, or handcuffing a person with minimal or no resistance.
- **Level 2:** Includes use of a CEW also known as “tasers” (including where a CEW is fired at a person but misses); and force that causes or could reasonably be expected to cause an injury greater than transitory pain but does not rise to a Level 3 use of force.
- **Level 3:** Includes any strike to the head (except for a strike with an impact weapon); use of impact weapons when contact is made (except to the head), regardless of injury; or the destruction of an animal.
- **Level 4:** Includes all ‘serious uses of force’ as listed below:
  - (a) All uses of lethal force by an NOPD officer;
  - (b) All critical firearm discharges by an NOPD officer;
  - (c) All uses of force by an NOPD officer resulting in serious physical injury or requiring hospitalization;
  - (d) All neck holds;
  - (e) All uses of force by an NOPD officer resulting in a loss of consciousness;
  - (f) All canine bites;
  - (g) More than two applications of a CEW on an individual during a single interaction, regardless of the mode or duration of the application, and whether the applications are by the same or different officers, or CEW application for 15 seconds or longer, whether continuous or consecutive;
  - (h) Any strike, blow, kick, CEW application, or similar use of force against a handcuffed subject; and
  - (i) Any vehicle pursuit resulting in death, serious physical injury or injuries requiring hospitalization.

## Critical Incident / Use of Force Chain of Events

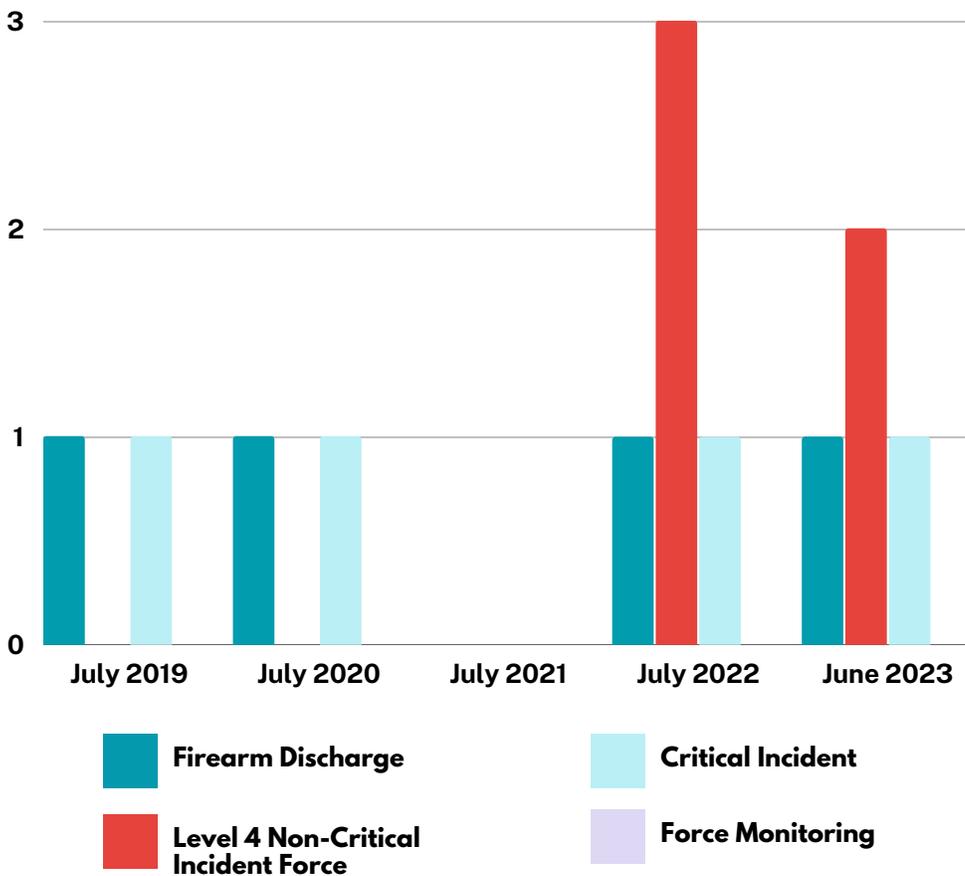


# Use of Force Work

Use of Force monitoring and reviews are an opportunity for the OIPM to conduct a qualitative assessment of an investigation to ensure thoroughness, timeliness, fairness, transparency, accountability, and compliance with law, policy, and the Federal Consent Decree. The OIPM monitors and reviews the use of force, in-custody death, and critical incident investigations conducted by the Force Investigation Team (FIT) within the Public Integrity Bureau (PIB) of the NOPD. The OIPM is required by City Code § 2-1121 and by the MOU to monitor the quality and timeliness of NOPD's investigations into use of force and in-custody deaths. The OIPM will attend the investigation or the relevant activity, and will document the activity taken and not taken by the NOPD. The expectation is that the OIPM representative does not participate in the activity, but instead observes the police actions and takes notes.

While OIPM is notified of each use of force that occurs, OIPM gives the most attention to the most serious uses of force incidents, Critical Incidents. However, OIPM will often review lower-level uses of force incidents to ensure NOPD policy is being upheld.

## Use of Force This Month 2019, 2020, 2021, 2022, 2023



**1**  
**Firearm Discharge this month**

**1**  
**Critical Incidents this month**

**2**  
**Level 4 Non-Critical Use of Force this month**

**0**  
**Force Monitoring this month**

# Use of Force Review Board

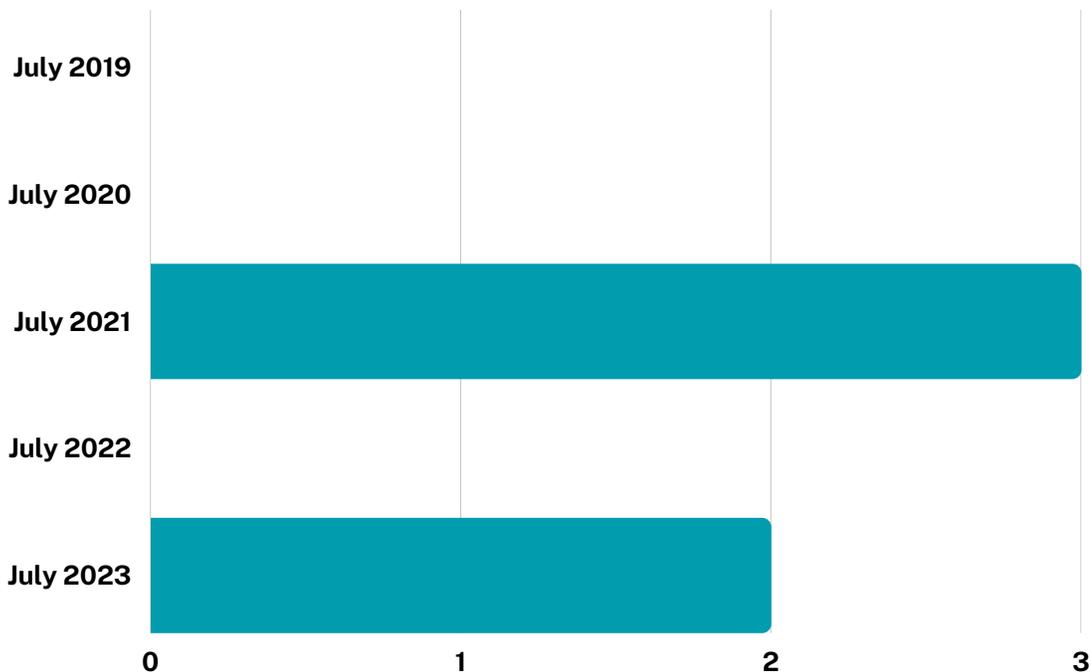
The Use of Force Review Board (UFRB) serves as a quality control mechanism to ensure timely reviews of all serious use of force investigations to determine the appropriateness of the investigative findings, and to quickly appraise use of force incidents from a tactics, training, policy, and agency improvement perspective. UFRB hearings should be held every 30 days.

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 and commanders serve as non-voting members, and outside groups like OIPM and the Office of the Consent Decree Monitor have been invited to observe, listen and participate in discussion. During UFRB, the FIT investigator prepares a written report, presents the cases and provides recommendations to the Use of Force Review Board (Board). The Board makes the final determination of whether or not an NOPD officer's use of force is within policy or not based on the facts and evidence presented in the investigation. If the Board determines the use of force violated NOPD policy, the Board will refer it to PIB for disciplinary action.

The OIPM receives the cases ten (10) days before the hearing and has approximately one week to review the investigation and respond with our questions and feedback prior to the hearing. The OIPM may provide feedback formally or informally prior to the UFRB. OIPM often provides feedback to FIT investigators throughout the entirety of the investigation.



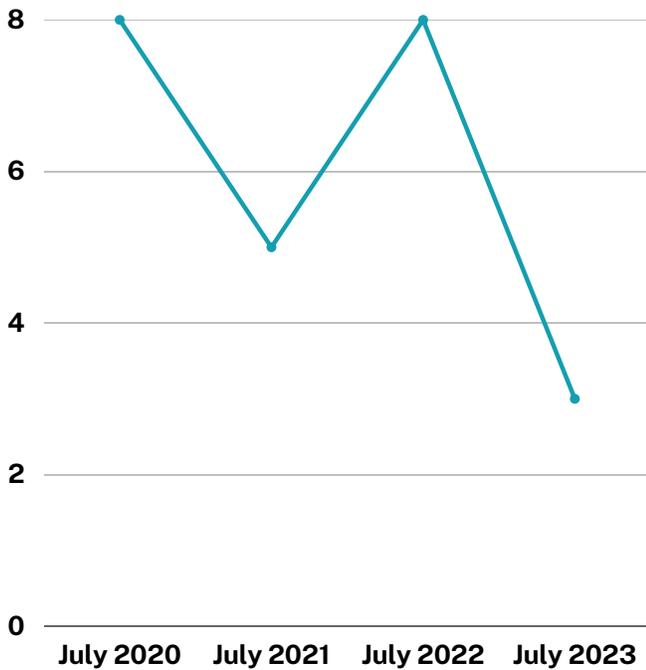
## Use of Force Review Board Cases Heard - July



# COMMUNITY ENGAGEMENT

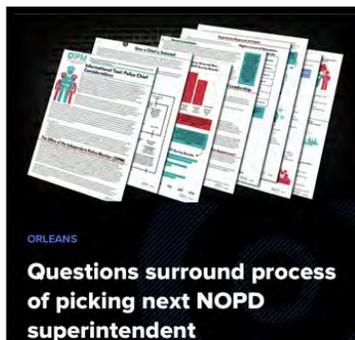
The community is vital to police oversight and the center of the work conducted by the OIPM. In the Memorandum of Understanding, the OIPM committed to developing relationships with community and civil groups to receive civilian and anonymous complaints, meeting with police associations, and conduct public outreach meetings and engagement activities. In this section of the Monthly Report, the OIPM explains the community outreach and public events that the OIPM coordinated or participated in the last month.

## Outreach - July 2020, 2021, 2022, 2023



### Outreach Events

- Professional Development in-service class for mediators
- Justice and Beyond Panel on the NOPD Police Search
- NOPD 2nd District NONPACC



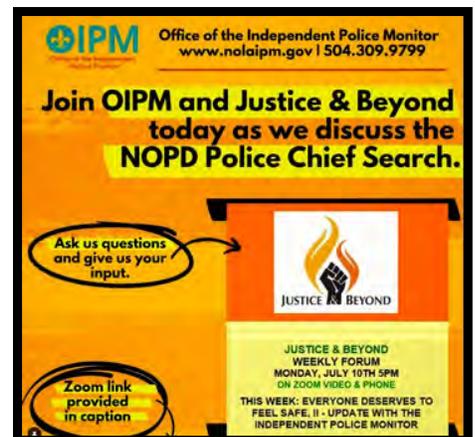
**3**

## Total Outreach Events this Month



In July, the OIPM issued a press release and did media appearances discussing our concerns regarding the community and stakeholders missing from a panel selected to participate selecting the next NOPD police chief.

Below, is the Instagram post from the Justice and Beyond discussion the IPM led for their membership along with screenshots from other media appearances.



# COMMUNITY-POLICE MEDIATION

## Relevant Definitions

### Mediation

A mediation process helps parties develop a mutual understanding of a conflict. Mediation may help the parties identify disputed issues, facilitate communication, provide an opportunity to improve community relationships, and generate options that may help the parties reach a mutually acceptable resolution.

### Consent

All parties must voluntarily agree to participate in mediation and give consent. The consent process involves communication between the participant and the Mediation Director or program staff about the mediation process, what to expect, and clarification of any questions. Consent forms are signed in advance of confirming the mediation session.

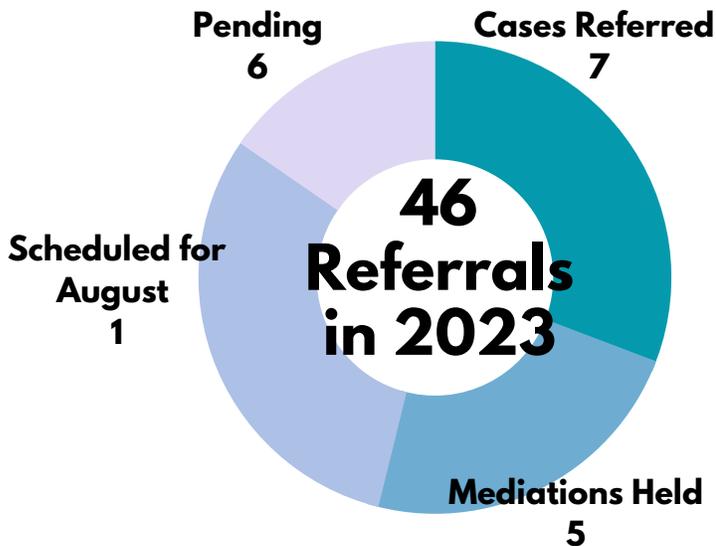
### Mediator

The role of the mediator is to be a neutral and trained third party who listens, clarifies, and facilitates conversation. Mediators are non-judgmental and do not give advice, take sides, or decide who is right or wrong. Mediators do not influence or pressure participants to come to an agreement. Mediators are trained and recruited by the OIPM.

### Voluntary

All participants engage in mediation at their own free will. They can end the process at any time and will not be forced to do anything or say anything they do not want to. No one is forced to agree to anything they do not want to.

## Mediation Numbers for July



## What is Mediation?

Mediation is an alternative to the traditional process of resolving complaints of police officer misconduct. Mediation provides a process facilitated by two professionally-trained community mediators to create mutual understanding and allow the officer and civilian to be fully heard and understood in a non-judgmental way. Mediation creates a safe, neutral space for officers and civilians to speak for themselves, share about their interaction and how it impacted them, explain what is important to them, and come to their own agreements and solutions about moving forward.

The Public Integrity Bureau (PIB) of the NOPD determines which complaints are referred to the Mediation Program. The types of complaints that are most often referred to mediation are those that allege lack of professionalism, neglect of duty, or discourtesy. Complaints such as unauthorized use of force, unlawful search, and criminal allegations are ineligible for mediation and continue through the formal complaint investigation process by the PIB.

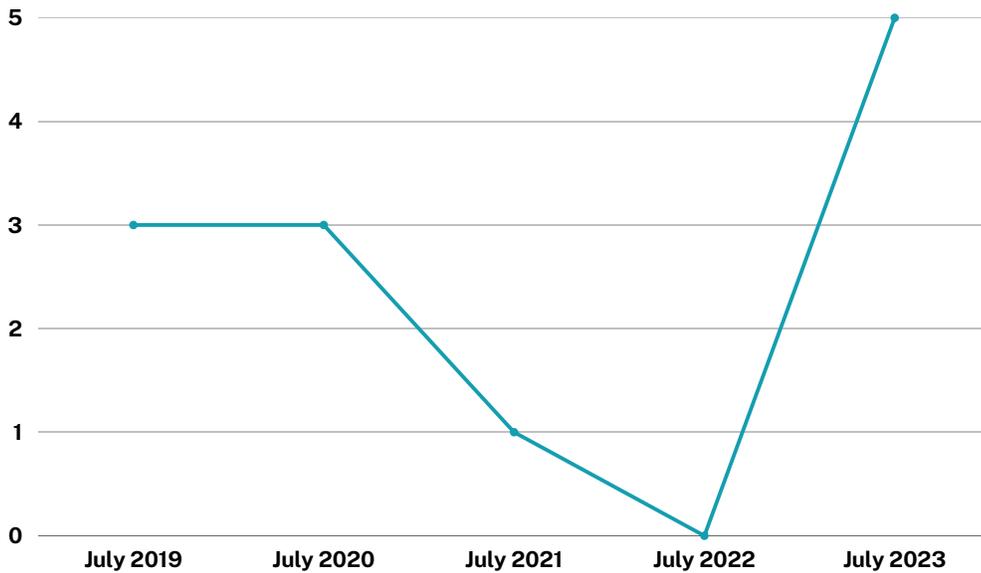
**Non-judgmental**  
**Confidential**  
**Voluntary**



**Mediation is:**

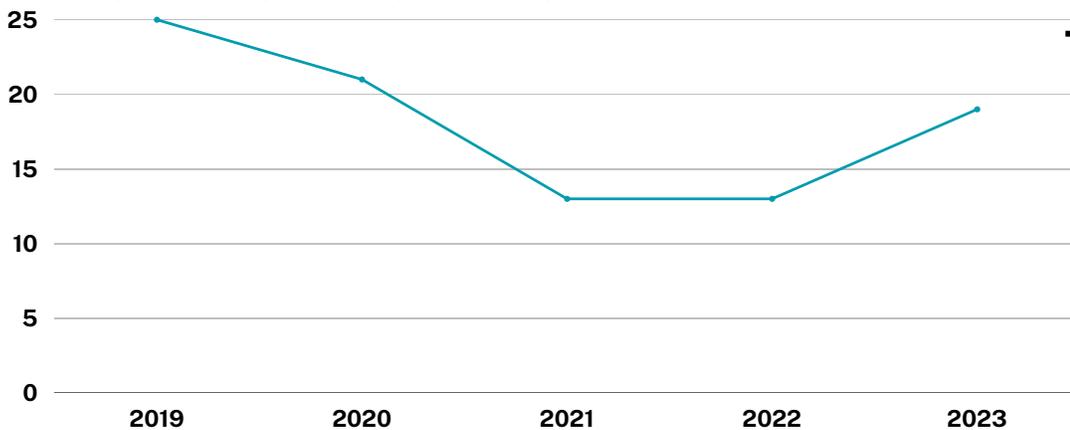
- ➔ A participant-guided process that helps the community member and the officer come to a mutually-agreeable solution. This helps to create mutual understanding and improve relationships.
- ➔ A space of discussion without the need to say who is right or wrong. No evidence is needed. The mediators are not judges. The mediators do not present their thoughts on the issue.
- ➔ It's about dialog, not forced resolutions. People are not forced to shake hands or make-up. The role of the mediators is to be neutral 3rd party facilitators. They will not pressure either participant to come to an agreement.
- ➔ An opportunity for the community member and the officer to be in charge of their own process and outcome. It will not be decided by an outside agency or person. It is outside of any punishment framework or the legal process. There is no appeal because mediation is voluntary.

**Mediations Held This Month  
2019, 2020, 2021, 2022, 2023**



**5**  
**Total Mediations  
Held this month**

**Mediations Held YTD In  
2019, 2020, 2021, 2022, 2023**



**19**  
**Total Mediations  
Held YTD**

# CONSENT DECREE & OVERSIGHT BACKGROUND

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The OIPM is providing the following information in our monthly reports as a way to keep our partners and the public informed of the role of oversight, the policing history that led to the creation of the Consent Decree, and the differences between different types of oversight.

The OIPM wants to use every opportunity available to share valuable information and historical context to our work so everyone working towards the goal of accountability, transparency, and police oversight can be equipped, informed, and engaged.

Over the year, the OIPM may add to this section additional resources and information that we assess as helpful and empowering.



# LEGAL JURISDICTION; OBLIGATIONS OF THE OIPM OFFICE AND STAFF

The OIPM operates under three core legal documents that guide the scope of local oversight and the jurisdiction of our work. Additionally, below are overviews of other ordinances that affect our work and create new legal obligations on the OIPM.

## **New Orleans Code of Ordinances Stat. § XIV: Office of the Independent Police Monitor**

This statute was created by voter referendum and provides the legal responsibilities, perimeters, and budgetary support of the OIPM. This was put to a public vote in November 2016 and passed. This statute states the responsibilities of the OIPM and requires particular work streams and tasks. The statute also describes the disclosure requirements of the office.

## **Louisiana Revised Stat. § 33:2339: Detail or Secondary Employment; City of New Orleans**

This statute was created in 2013 and gives legal abilities and subpoena power for the OIPM to investigate allegations of misconduct in the secondary employment system operated by the Office of Police Secondary Employment. The statute is silent as to the ability for the OIPM to refer these investigations to the NOPD or the District Attorney's Office for subsequent criminal or administrative accountability based on the OIPM investigation.

## **Memorandum of Understanding between NOPD and OIPM Executed November 10, 2010**

The MOU is a Memorandum of Understanding between the NOPD and OIPM which outlines the responsibilities, expectations, and authority of the OIPM when providing oversight to the NOPD. Through this MOU, there is clarity regarding the work the OIPM will complete and how the OIPM will access NOPD records, data, and reports and monitor NOPD during on scene investigations. The MOU was entered into in November 2010 and in the coming year the OIPM intends to work with NOPD leadership to review this agreement and determine if it should be updated to ensure it is still relevant and considers updates to technology.

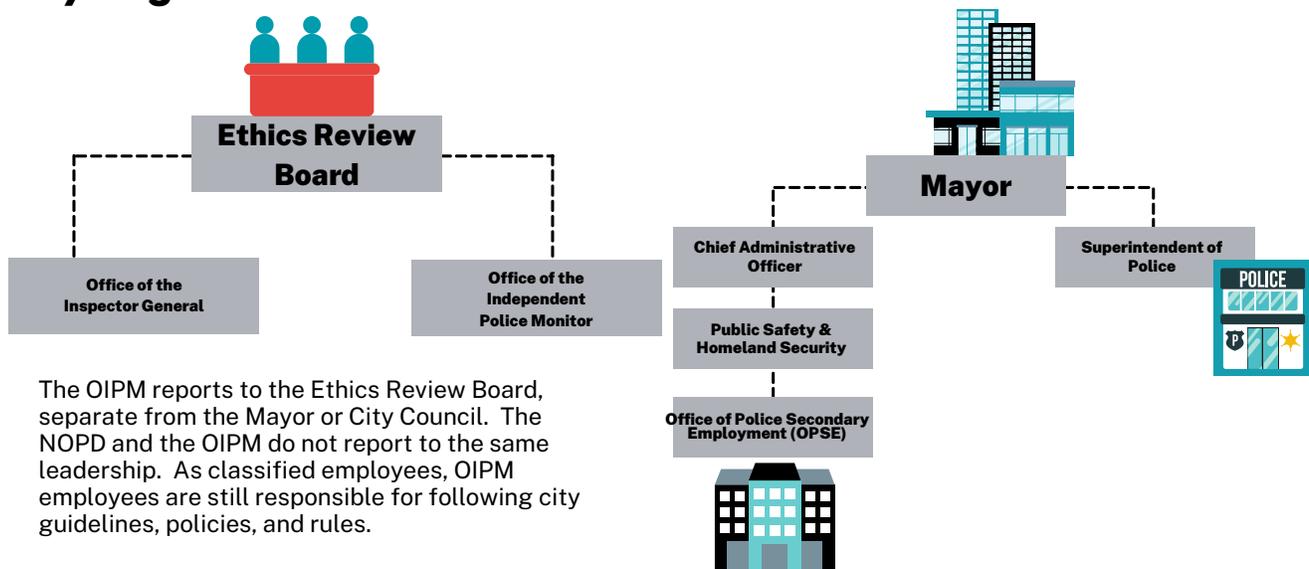
## **Ordinance 29130: Sharing of Data**

Ordinance 29130 requires that our office (along with other public safety agencies) provide data monthly to City Council.

## **Ordinance 29063: Quarterly Presentations to the Criminal Justice Committee**

Ordinance 29063 requires that our office (along with other public safety agencies) present quarterly to the City Council Criminal Justice Committee.

## City Organizational Structure - Truncated



# OVERSIGHT MODELS

## Different Reasons Why There is Oversight / Monitors

### Court Ordered

Court ordered monitors through litigation brought by the US Dept. of Justice to end "patterns and practices" of unconstitutional policing under federal law.

### Consent Decree Monitors

Monitors that are the result of federal Consent Decrees.

### Oversight Agencies

Oversight agency like civilian oversight that is responsible for review, auditing, or investigation.

**New Orleans has both of these types of oversight**

## Models of Civilian Oversight

### Review-Focused Model

*Review-Focused models tend to utilize volunteer boards and commissions.*

- Review-focused models assess the quality of finalized investigations conducted by an internal affairs division or the police department
- Conduct reviews of the agency's policies, procedures and disciplinary proceedings.
- Hold public forums, hear appeals, or make recommendations for investigations regarding allegations of misconduct

OIPM reviews the quality of finalized investigations conducted by the Public Integrity Bureau (which is the internal affairs of the NOPD)

### Investigative-Focused Model

*Investigative-focused models will employ professionally trained staff*

- Investigative-Focused Conduct independent misconduct investigations
- Operate as an intake site for complaints.
- These models may: mediate complaints, analyze policies and practices issue recommendations to the police and public.

OIPM is a complaint intake site and OIPM has investigatory power over the secondary employment office.

### Review-Focused Model

- Auditor / Monitor-Focused Assess systemic reform efforts.
- Review processes, evaluate policies, practices, and training. Based on those assessments, this oversight model will identify patterns and make recommendations Share findings with the public.
- These oversight agencies may participate in investigations.

OIPM assesses systemic efforts and will evaluate and review policies, practices and training then provide recommendations to NOPD.

### Hybrid Civilian Oversight Model

Hybrid Civilian Oversight Hybrid civilian oversight means there is one office serving functions from different models or multiple agencies in one jurisdiction which may be different models (like an advisory civilian board and the investigatory OIG).

OIPM is a hybrid oversight agency because it has elements of all the different types of oversight models. Additionally, New Orleans has hybrid civilian oversight since we have multiple oversight agencies serving different functions.

## 13 Principles of Effective Oversight

The National Association for Civilian Oversight of Law Enforcement (NACOLE) identifies these 13 principles as necessary for effective oversight. The OIPM adopted these principles:

- Independence
- Clearly defined and adequate jurisdiction and authority
- Unfettered access to records and facilities
- Access to law enforcement executives and internal affairs staff
- Full cooperation
- Sustained stakeholder support
- Adequate funding and operational resources
- Public reporting and transparency
- Policy patterns in practice analysis
- Community outreach
- Community involvement
- Confidentiality, anonymity, and protection from retaliation
- Procedural justice and legitimacy



# UNDERSTANDING THE CONSENT DECREE AND HISTORY

New Orleans entered a formal consent decree in January, 2013. This Consent Decree process started in the years prior with the investigation of the patterns and practices of the NOPD by the Department of Justice's Civil Rights Division. In order to understand the necessity of the Consent Decree and the reforms required within it, it's important to understand the historical context of the city and the NOPD's problematic behavior within the community.

The NOPD had a long history of misconduct, violence, discriminatory practices, and corruption stemming back decades. In the 1980s was the beginning of a community effort to organize civilian based oversight of the NOPD. This effort resulted in multiple initiatives from the Office of Municipal Investigations to the Police Civilian Review Task Force to eventually the creation of the Office of the Inspector General to the Office of the Independent Police Monitor.

While these local efforts were evolving, simultaneously, the federal government was conducting ongoing investigations of the NOPD, the most recent ending in March 2011. Ultimately, the Department of Justice found that the patterns and practices of the NOPD violated the Constitution and federal law. The report identified systemic deficiencies in multiple operational and substantive areas including policy, supervision, training, discipline, accountability - all of which "led to unconstitutional discrimination, uses of force, stops, searches, and arrests." The findings of the Department of Justice may have surprised the country, but the community of New Orleans was already well aware of the violent and unchecked behavior of the NOPD and the culture of obstructionism and discrimination that existed within the department.

This shared history of policing is briefly overviewed on the next page and the OIPM included examples of the dynamics of the NOPD and the crimes committed that directly impacted the safety of the community and public trust in the police department.

The OIPM strives to acknowledge and remember those in the community who both fought for oversight and were impacted by the pain caused by the NOPD. This is why a tenant of the work completed by civilian oversight is to amplify the voice of the community. It is in that memory that the OIPM works and stays vigilant monitoring the policing occurring today because a possible backslide from compliance, depending on the severity, could result in a return to a pattern and practices of policing that was corrupt, violent, and unconstitutional.

The goal of the Consent Decree is for the reforms to be so deeply enmeshed into the operations, policies, systems, and culture of the police department that to dismantle those reforms would be easily catchable and not only cause alarm in the community but also be virtually impossible because of the changed culture and expectations within supervision and the police department.

The position of the OIPM is that New Orleans must own our history with the police. Our history informs our fears. This is why there is a fear of history repeating itself. In New Orleans there is a real concern of "backsliding" and a return of the "old NOPD." Our neighbors, friends, coworkers, and loved ones may have experienced injustices at the hands of the NOPD. In our recent history as a city, filing a misconduct complaint about the police could have ended with retaliation or violence, walking in an unfamiliar neighborhood may have resulted in intrusive and illegal searches, arrests were conducted with force, officers could be bought, and supervisors turned a blind eye to a culture of corruption, discrimination, and violence.

For this reason, the OIPM is sensitive of allegations or noncompliance in areas that touch on these historical problems and shared fears that may exist in our community. The OIPM will not sweep these fears under a rug, but instead ensure that these allegations are immediately prioritized and addressed:

## **Criminal activity or associations**

### **Corruption**

### **Violence**

### **Use of Force**

### **Receiving payouts**

### **Field strip searches**

### **Targeting of young African American boys**

### **Supervisors failing to take misconduct allegations**

### **Unauthorized pursuits**

### **Cover-up of wrong doing and manipulation of misconduct investigations**

### **Discriminatory practices**

# LOCAL & FEDERAL OVERSIGHT IN NEW ORLEANS

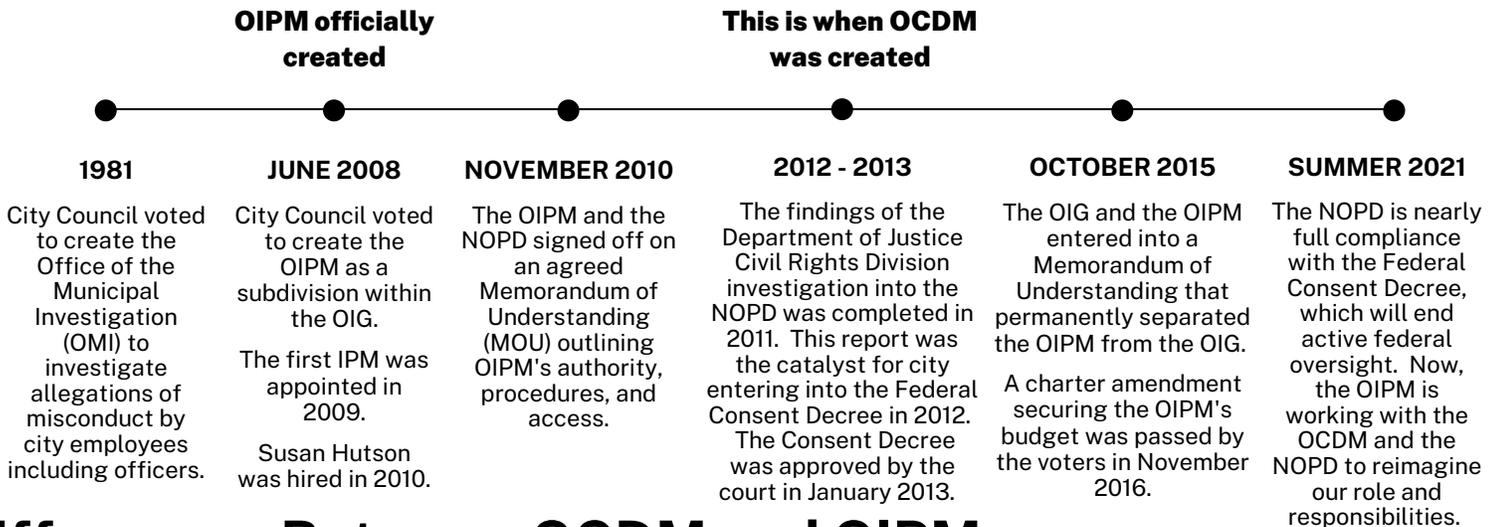
There are two types of monitors in New Orleans. There are three reasons why a city may have oversight or monitoring:

- Court ordered monitors through litigation brought by the US Dept. of Justice to end "patterns and practices" of unconstitutional policing under federal law.
- Monitors that are the result of federal Consent Decrees.
- Oversight agency like civilian oversight that is responsible for review, auditing, or investigation.

New Orleans has monitors for two of these reasons. There are monitors that a result of a federal consent decree and civilian oversight that is responsible for auditing, review, and / or investigation. The two offices have different responsibilities, were created through different mechanisms, and have different jurisdiction - all of which is described below.

## Timeline of Oversight

Below is the timeline of oversight in New Orleans. While the Office of the Independent Police Monitor is rather new, the concept of oversight and accountability for officers and public employees has existed in New Orleans since 1981. The OIPM was created in 2008 and became independent in 2015, two years after the Consent Decree was entered into by the City of New Orleans.



## Differences Between OCDM and OIPM

### Office of the Independent Police Monitor (OIPM)

- Created by City Council and receives jurisdiction and responsibilities from Ordinance.
- Everyone in the office is a city employee.
- On the ground and community based work - complaint intake site, runs the Community-Police Mediation Program,
- On scene monitoring including Use of Force and disciplinary proceedings.
- Provides recommendations and assessments based on reviews of finalized NOPD investigations and policies.
- Monitors investigations in real time and provides real time recommendations that become exhibits in NOPD investigations.
- Analyzes data and builds tools that will benefit the community and increase transparency.
- Funded through .16% of the general fund

### Office of the Consent Decree Monitor (OCDM)

- Appointed created by the Consent Decree and receives jurisdiction and responsibilities from the Consent Decree.
- Law firm bid on the city contract to monitor the compliance with the Consent Decree. Predominantly monitors from out of state. No one is employed by the city.
- NOPD needs present all policy rewrites and practice changes to OCDM for approval.
- OCDM worked with the Dept. of Justice to finalize all recommendations then presents to Judge Morgan for final sign off.
- OCDM conducted audits to determine NOPD compliance with the changes.
- Only focuses on matters identified in the Consent Decree.
- Monitors are paid through a contract that was entered into with the city as a necessity of the Consent Decree (Section O: Selection and Compensation of the Monitor)

The overlap between OIPM and OCDM is in policy recommendations, monitoring audits, and creating public reports or holding public forums.

**Monthly Report of  
Ethics Trainer**



**ERB**  
ETHICS REVIEW BOARD



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**JULY 2023**

**MONTHLY REPORT**

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TRAINING DIVISION  
NEW ORLEANS ETHICS REVIEW BOARD

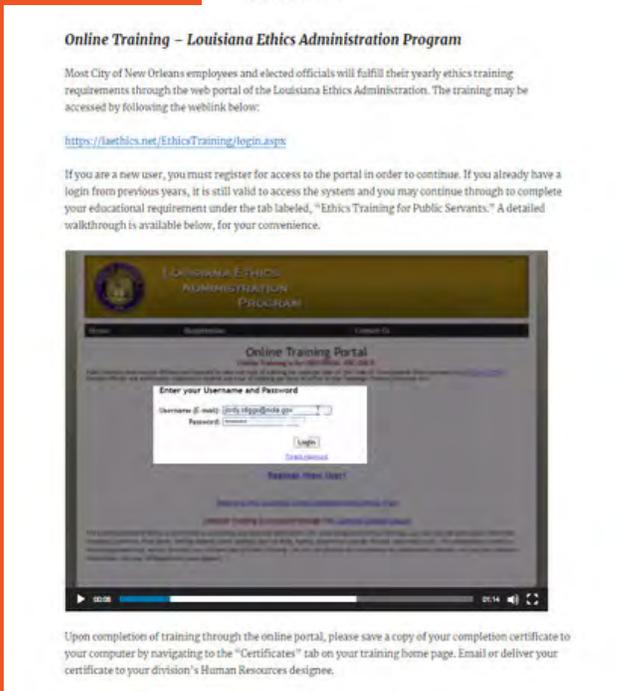
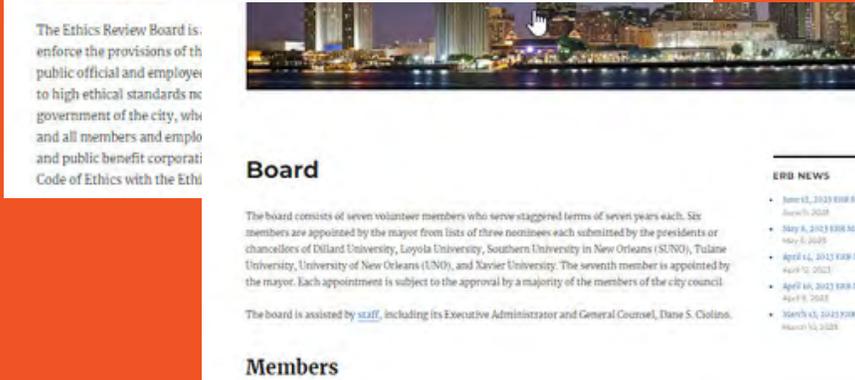


# ETHICS REVIEW BOARD WEBSITE - REDESIGN



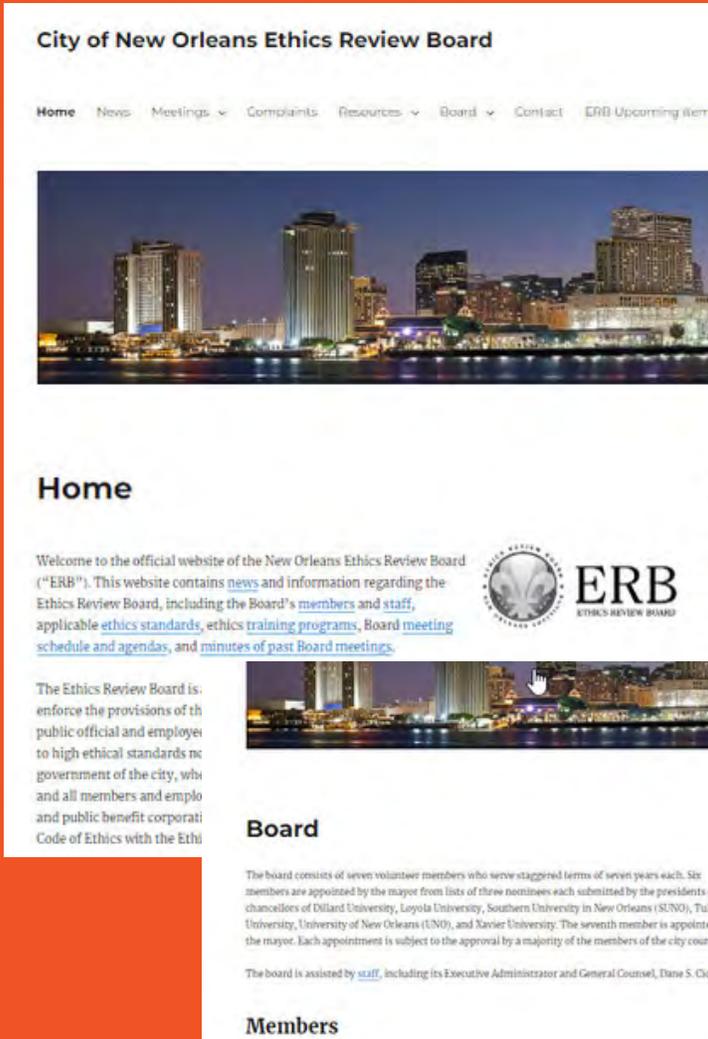
The training division is currently consulting with local web developer, Amaze Media, to overhaul the current ERB website. The goal of providing a resource-filled space and an improved end-user experience will be supported by the additions of:

- An organized ethics resource "library" including -
  - Ethics case studies
  - Selected ethics decisions
- Interactive learning aides
  - Short video presentations regarding ethics concepts and practical applications.

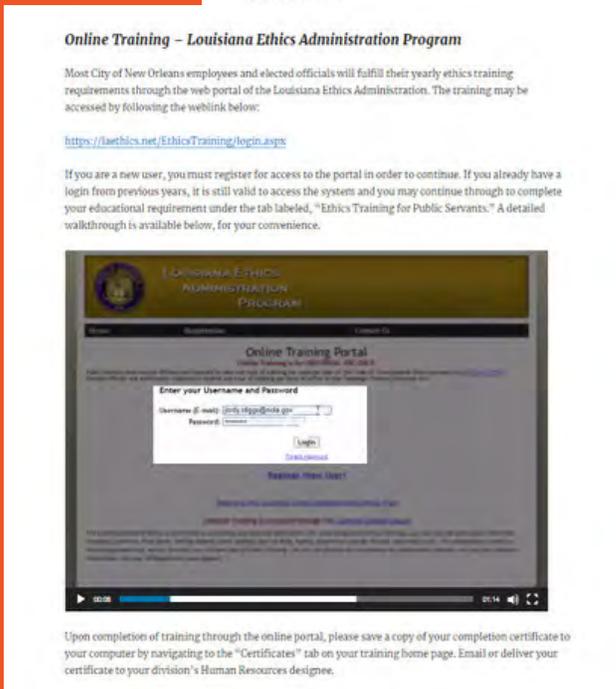




# ETHICS REVIEW BOARD WEBSITE - REDESIGN



- Downloadable resources
  - Preventing Fraud, Waste, and Abuse documentation.
  - Abridged 'Louisiana Code of Governmental Ethics' presentation for informal use/in-service training.
  - Visual learning aides and handouts for informal training use.



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Upon completion of consultation process, provided cost estimate will be presented to the Board for approval decision at next available meeting.