



Conducted & Taser Energy Weapon (CEW-TEW) Audit Report – (Final) October 2024

Report # CEW102024
(Data Sample – Apr 2024-Sep 2024)

Submitted by PSAB: November 1, 2024
Response from FOB: November 11, 2024
Final Report: December 3, 2024

Audit Team

This audit was managed and conducted by the Auditing and Review Unit

Executive Summary

The Audit and Review Unit (ARU) of the Professional Standards and Accountability Bureau (PSAB) initiated a Conducted and Taser “Energy Weapon” (CEW/TEW) Audit in October 2024. The audit covered the period from April 2024 to September 2024. This audit is conducted to ensure that New Orleans Police Department (NOPD) officers’ deployment of CEW’s and TEW’s and follow-up investigations are conducted in accordance with the rights secured or protected by the Constitution and laws of the United States. NOPD agrees to ensure that audits are conducted professionally and effectively, to elicit accurate and reliable information.

This process is regulated by Consent Decree (CD) paragraphs include 54, 56, 57, 67, 78, 79, 81, 86. Also, Chapter 1.3.6 Reporting Use of Force, Chapter 1.7.1 Conducted Energy Weapon (CEW), Chapter 1.7 Taser Energy Weapon (TEW) and Chapter 41.3.10 BWC.

This audit was conducted on the following levels of force using the Use of Force Protocol:

- CEW Use of Force. This audit addresses nine (10) checklist questions.

Number of Non-Compliant Checklist Questions (none):

Number of Completed Entries Used to Create the Sample (21)

L1-L4 Sample Target to Audit (21):

The sample target represented **100%** of available CEW and TEW entries less the entries that were part of previous Use of Force audit.

The overall score of the Audit is as follows: Overall – **99.5%**

More detailed results are embedded in the Scorecards and Conclusion sections.

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Introduction

The Auditing and Review Unit (ARU) of the Professional Standards and Accountability Bureau conducted an audit of CEW incidents. The time span to conduct this audit was from October 18th, 2024, to November 4th, 2024.

Purpose

The audit is conducted to verify Departmental compliance with the Consent Decree and NOPD Operations Manual as it pertains to the use of (CEW/TEW) s and the subsequent investigations. Consent Decree (CD) paragraphs include 54, 58, 67, 78, 79, 81, and 87. The following are the NOPD Policy Chapters involved:

Chapter 1.3.6 Reporting Use of Force

Chapter 1.7 Taser Energy Weapon (TEW)

Chapter 1.7.1 Conducted Energy Weapon (CEW)

Chapter 41.3.10 BWC

Scope

This audit assesses and documents whether the force employed by New Orleans Police Department (NOPD) officers is documented and recorded properly, and whether supervisors conducted thorough follow-up investigations related to use of CEWs and TEWs. Once the review is completed, the audit manager will submit a report to the Deputy Chief of Field Operations Bureau (FOB), and the Captain of the Professional Standards and Accountability Bureau (PSAB) pointing out any deficiencies or confirming a thorough investigation. These audit reports will assist in ensuring officers and supervisors are informed of opportunities for improvement as it relates to the proper reporting and documentation of CEW and TEW use in the future. A “final report” will also be sent to the appropriate monitor from the OCDM. The audit assesses the following aspects of officer and supervisor responsibilities:

- Whether involved officers appropriately complied with pre-CEW/TEW requirements (e.g., de-escalation, warnings)
- Whether audited CEW/TEW use is consistent with policy and law
- Whether involved officers appropriately complied with post-CEW/TEW requirements (e.g., immediate notifications, provision of medical aid)
- Whether the involved officers and witness officers completed required reports
- Whether supervisors appropriately investigated, including reviews of available recordings
- Whether supervisors appropriately reviewed reports

Methodology

Population source – IAPro Force Investigation Team (FIT) Incident List (NOPD source file)

Sample size – 100% of CEW and TEW incidents.

Documentation to be reviewed – All documents and investigative material contained within each individual Force Investigation Team (FIT) file, as well as associated police reports.

BWC/Video/Audio to be reviewed – All associated video footage for involved and/or witness officers, as well as Use of Force investigative rank or supervisor, as needed to corroborate the written reports and statements.

Testing Instrument(s) – New Orleans Police Department’s Operations Manual Chapters and ten (10) Checklist questions.

Each individual incident file will be audited in its entirety via “double-blind” auditing process by two (2) members of the Auditing and Review Unit (ARU), to give a reliable and thorough review of each use of force incident.

Data

While the audit range is usually set for every three months (Quarterly), this review encompassed a period of six (6) months. The FIT IAPro system file dump provides the ARU team all item numbers that were investigated during that audit period. ARU then takes those item numbers and removes items previously audited. ARU then reviews 100% of the items within the audit range.

This audit’s universe consisted of 21 selected case files. The raw data used was for the period of April of 2024 to September 2024.

Initiating and conducting the CEW/TEW Audit

The initial raw data was downloaded from the IAPro system on October 9th, 2024, to prep the sample distribution file that would be utilized by ARU, for the current audit.

During this audit prep, the sample was then parsed and distributed to the assigned auditors for initial review of allocation count in preparation for the audit.

Each item case file was then systematically reviewed via “double-blind” audit process by the Auditing and Review Unit, based on each case file’s compliance with the New Orleans Police Department’s Operations Manual Chapters, as it relates to “CEW and TEW” investigations. To facilitate this process, the team used the ten (10) point CEW/TEW audit checklist, as the tool to review and analyze the content of every case file.

Count of Case Files Reviewed by Auditor

The following is the count of the case files for which auditors conducted each review:

Double-Blind Review of CEW

Total: 21 CEW Case Files double-blind (42)

Scorecards

The following scorecards below were used by the auditing team to review each case file.

CEW (Conducted Energy Weapon) Summary Audit

ARU percentages for Consent Decree requirements for CEW Audit

Report Period: October 2024

Sample Period (Apr 2024 - Sep 2024)

Audit Questions			Score	Y	N	U	NA	NA Explanations	CD ¶ /Chapter	NOPD Policy Chapters
1	BWC was activated as required by officer who made scene		95%	18	1	0	2	Lt. not assigned BWC (1); DIU not wearing BWC on duty.	Ch 41.3.10	Ch 41.3.10 p11
2	Did Supervisor review the BWC if stated in report		100%	19	0	0	2	Lt. not assigned BWC (1); DIU not wearing BWC on duty.	86(d)	Ch 1.3.6 p33, Ch. 41.3.10 p35
3	Force Statement Found for all CEW officers		100%	21	0	0	0		78, 81	Ch 1.3.6 p16, p18
4	Force Details Documented in statement to describe force used		100%	21	0	0	0		78	Ch 1.3.6 p16, Ch. 1.7.1, p36
5	CEW activated (deployed) according to policy		100%	21	0	0	0		54	Ch 1.3.6 p28, p33
6	CEW video reviewed by Supervisor as required if video exists separately from BWC		n/a	0	0	0	21	No incidents recorded via separate CEW video	67	Ch 1.3.6 p33, Ch. 1.7.1 p 91, p104, p106, p113
7	Each Cycle Justified		100%	21	0	0	0		57	Ch 1.3.6 p16, Ch. 1.7.1, p36
8	CEW force statements consistent w/ video		100%	18	0	0	3	Lt. not assigned BWC (1); DIU not wearing BWC on duty. One officer activated late.	78, 81	Ch 1.3.6 p33, Ch. 1.7.1 p 91, p104, p106, p113
9	# CEW cycles explained in force statement / Total # CEW cycles		100%	41	0				58	Ch 1.3.6 p31, Ch. 1.7.1, p.53, p57
10	Supervisor UoF GISTS submitted before ETOD		100%	21	0	0	0		87	Ch 1.3.6 p28, Ch. 1.3 p21(e), Ch. 1.7.1 p45
	Total		99.5%	201	1	0	28			

General Comments

ARU audited the CEW(Conducted Energy Weapon) case files for the defined period, for completeness and accuracy as required by the Consent Decree. CEW's reviewed as part of the Use of Force audit were excluded from this review.

For an explanation of the procedures and scoring system for this review, see the associated "Protocol " document.

For a list of relevant policies, contact ARU as needed.

For the audit results for each case file, see the accompanying RawData spreadsheets.

Scores below 95% are highlighted in red.

CEW (Conducted Energy Weapon) District Audit

ARU percentages for Consent Decree requirements for CEW Audit

Report Period: October 2024

Sample Period (Apr 2024 - Sep 2024)

Audit Questions

		1	2	3	4	5	6	7	8	SOD	Overall Score
1	BWC was activated as required by officer who made scene	-	100%	100%	-	100%	100%	100%	88%	100%	95%
2	Did Supervisor review the BWC if stated in report	-	100%	100%	-	100%	100%	100%	100%	100%	100%
3	Force Statement Found for all CEW officers	-	100%	100%	-	100%	100%	100%	100%	100%	100%
4	Force Details Documented in statement to describe force used	-	100%	100%	-	100%	100%	100%	100%	100%	100%
5	CEW activated (deployed) according to policy	-	100%	100%	-	100%	100%	100%	100%	100%	100%
6	CEW Reviewed by Supervisor as required if video exists separately from BWC	-	-	-	-	-	-	-	-	-	-
7	Each Cycle Justified	-	100%	100%	-	100%	100%	100%	100%	100%	100%
8	CEW force statements consistent w/ video	-	100%	100%	-	100%	100%	100%	100%	100%	100%
9	# CEW cycles explained in force statement / Total # CEW cycles	-	100%	100%	-	100%	100%	100%	100%	100%	100%
10	Supervisor GISTS submitted before ETOD	-	100%	100%	-	100%	100%	100%	100%	100%	100%
	Total	-	100%	100%	-	100%	100%	100%	99%	100%	99.5%

General Comments

ARU audited the CEW(Conducted Energy Weapon) case files for the defined period, for completeness and accuracy as required by the Consent Decree.

CEW's reviewed as part of the Use of Force audit were excluded from this review.

For an explanation of the procedures and scoring system for this review, see the associated "Protocol " document.

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For the audit results for each case file, see the accompanying RawData spreadsheets.

Scores below **95%** are highlighted in **red**.

Case File Reviews

The below listed information reveals the outcome of the Audit Team's checklist reviews.

1. **Was BWC activated as required by officer who made scene?** The overall score for this category was **95%**. Of the 21 cases reviewed, 18 were audited as positive, 1 was audited as negative, and 2 were N/A (not applicable as officer was not assigned a BWC during assignment; DIU not wearing BWC during operation).
2. **Did supervisor review the BWC if stated in report?** The overall score for this category was **100%**. Of the 21 cases reviewed, 19 were audited as positive, and 2 were N/A (not applicable as officer stated not assigned a BWC during assignment; DIU not wearing BWC during operation).
3. **Were force statements found for all CEW/TEW officers?** The overall score for this category was **100%**. Of the 21 cases reviewed, all 21 were audited as positive.
4. **Were force details documented in statement to describe the force used?** The overall score for this category was **100%**. Of the 21 cases reviewed, all 21 were audited as positive.
5. **Was CEW/TEW activated (deployed) according to policy?** The overall score for this category was **100%**. Of the 21 cases reviewed, 21 were audited as positive.
6. **Was CEW/TEW reviewed by supervisor as required if video exists separately from BWC?** The overall score for this category was **N/A**. Of the 21 cases reviewed, all were N/A (not applicable).
7. **Was each CEW/TEW cycle justified?** The overall score for this category was **100%**. Of the 21 cases reviewed, 21 were audited as positive, and none were N/A.
8. **Were CEW/TEW force statements consistent w/ video?** The overall score for this category was **100%**. Of the 21 cases reviewed, 18 were audited as positive, and 3 were N/A (not applicable as officer stated not assigned a BWC during assignment and LSP not wearing BWC; DIU not wearing BWC during operation; one officer activated bwc late).
9. **# CEW/TEW cycles explained in force statement / Total # CEW/TEW cycles:** The overall score for this category was **100%**. Of the 41 CEW cycles used, all 41 were audited as positive.
10. **Supervisor GISTs submitted before ETOD?** The overall score for this category was **100%**. Of the 21 cases reviewed, all 21 were audited as positive.

Compliance Score

CEW/TEW Checklist- Based on the combined total of two hundred and ten (**210**) checklist items rated, from the sample size of eleven (**21**) case files audited; the “**overall score**” of this CEW/TEW case file checklist audit conducted by the Auditing and Review Unit was **100%**.

Results (Draft)

- The overall results of the October 2024 CEW audit have revealed that none of the **10** checklist questions had compliance threshold scores ***below*** 95%.

Conclusions (Final)

The following findings are as follows for those areas where compliance was **below** 95%:

1. **None**

Recommendations

Following the CEW/TEW audit which covered April 2024, - September 2024, no “opportunities for improvement” are documented by the PSAB Audit and Review Unit (ARU).

As previously identified by the Public Integrity Bureau’s (PIB’s) Force Investigation Team (FIT) for the Department to maintain or achieve 95% or better compliance rate, the following areas for improvement were communicated to the various Districts and Bureaus and are as follows:

1. Must ensure that BWCs are reviewed in a timely and effective manner by the supervisor.
2. While the Consent Decree requires all taser deployments to be recorded, NOPD is transitioning from CEWs (which have cameras) to TEWs (Taser Energy Weapons, which do not have cameras). As a result, auditing revisions are being made to address this issue.

Continuing to take actions to ensure timely and effective reviews by supervisors, and taking actions to review policy for enhancements which provide clarity of scope, will ensure that all Use of Force case files are complete.

CEW Responses & PSAB Notes:

No District Re-evaluation Requests made

Attachments:

Excel Raw Data Spreadsheets April 2024– September 2024.

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Professional Standards and Accountability Bureau**

Appendix C – Report Distribution

Superintendent - NOPD

Deputy Supt. PSAB Bureau

Captain PSAB Bureau

Deputy Sup. FOB Bureau

Deputy Supt. PIB Bureau