



Audit and Review Unit
Professional Standards and Accountability Bureau

Domestic Violence Unit Audit June 2022 Report

(Mar. 2021 - Sep. 2021 Data)

PUBLIC VERSION

Draft Submitted by PSAB: July 15, 2022

Response from Unit: July 15, 2022

Final Report Submitted: July 18, 2022

Audit Team

This audit was managed and conducted by the Professional Standards and Accountability Bureau

Executive Summary

The Audit and Review Unit (ARU) of the Professional Standards and Accountability Bureau conducted a Domestic Violence Unit (DVU) Checklist Audit in July 2022. DVU checklist audits are completed to ensure that the Domestic Violence Unit is operating in compliance with the most updated New Orleans Police Department (NOPD) policies covering Chapter 42.4 and 42.4.1 regarding “Domestic Violence” and “Domestic Disturbances” respectively. The Consent Decree requires that DVU detectives are specially trained in DV specific matters. As a result, detectives will be able to respond timely to the investigations of domestic violence incidents; reviewing all evidence, statements, and conducting effective victim-oriented case follow-up as needed. The audit also focuses on ensuring that each detective is working actively to engage the victims and provide guidance on how to get counseling, assistance, and support from necessary social services.

This July audit was completed utilizing the most recent DV Audit Protocol at the time of audit. This audit consists of **32** questions and additional follow-up requests, which cover paragraphs 212-222 of the Consent Decree (CD). Based on the combined total of “seven hundred thirty-six” (**736**) checklist items rated, from the sample size of twenty-three (**23**) case files audited; the “**overall score**” of this Domestic Violence Unit case file audit conducted by the Audit and Review Unit was **99.6%**.

Supervisors should address any noted deficiencies with specific training through specific In-service Training classes or Daily Training Bulletins (DTBs). This training should be reinforced by close and effective supervision in addition to Supervisor Feedback Logs entries.

All thirty-two (**32**) questions scored compliant.

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

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Introduction

The Audit and Review Unit of the Professional Standards and Accountability Bureau conducted an audit of Domestic Violence Unit investigation case files covering the period of March 2021 to September 2021. The time span to conduct the audit was from June 30th, 2022, thru July 6th, 2022. This audit required a double-blind process.

Purpose

The Domestic Violence Unit case file audit was conducted to verify departmental compliance with the Consent Decree and NOPD Operations Manual, 42.4 “Domestic Violence” and 42.4.1 “Domestic Disturbance” investigations.

Scope

This audit will determine and document whether there was a proper response by investigators and supervisors of the New Orleans Police Department’s Domestic Violence Unit in conducting follow-up investigations. The auditor is responsible for verifying that each overall response was proactive, victim-centered, and professional. Once the review is completed, the audit manager will submit a report to the Leadership in charge of the Domestic Violence Unit, as well as Leadership of the Professional Standards and Accountability Bureau, pointing out any deficiencies or confirming a properly conducted investigation. These audit reports will assist in the maintenance of thorough and complete Domestic Violence Unit investigations in the future. A report will also be sent to the appropriate member of the Office of the Consent Decree Monitor.

Methodology

Population size – the Domestic Violence Unit only.

Sample size –The selected sample size is a randomized selection of 15% of the total case files as mandated by the DVU Case File Audit Protocol. Documentation to be reviewed – All documents and investigative material contained within each individual case file.

Testing Instrument(s) – New Orleans Police Department Operations Manual Chapter 42.4 - “Domestic Violence Investigations” (Effective: 1/31/2021), 42.4.1 - “Domestic Disturbances (Effective 7/8/2018) and a thirty-two (32) point Domestic Violence Case File Audit Checklist.

In addition, the Consent Decree Paragraphs 212-222 will be verified and adhered to. Each individual case file will be audited in its entirety, via “double-blind” auditing process by two (2) members of the Audit and Review Unit (ARU), to give a reliable and thorough review of each case file.

Data

The audit range is set for every six months. The Domestic Violence Unit upon request, will provide to the Innovation Manager of the Audit and Review Unit, or the Captain within PSAB, all item numbers that were assigned during that audit range period. The Audit and Review Unit will then take those item numbers and randomize them using Excel (Rand function) for cases to be selected for review. The Audit and Review Unit will then review at least **15%** of those cases within the audit range. A total of twenty-three (**23**) case files were selected via randomizer system from the **150** cases taken in by the Domestic Violence Unit for the period of Mar-2021 to Sep-2021.

Initiating and Conducting the Domestic Violence Unit Audit

Innovation Manager of the Professional Standards and Accountability Bureau initially contacted the Lieutenant of the Commander of the DVU Unit, and Sergeant of the Domestic Violence Unit, on June 6, 2022, to request the case file list for the review period involved. On June 28th, the DV Unit was sent the sample list of case files PSAB planned to audit and to notify them of a scheduled Domestic Violence Unit case file audit that would be initiated by the Audit and Review Unit, starting June 30th and concluding July 6th, 2022.

The lieutenant was given this advanced notice so that she would have a Domestic Violence Unit supervisor on standby to provide the requested case files to the Audit and Review Unit upon demand. The Lieutenant was also provided with the checklist that would be used, in addition to the audit protocol.

During this audit, the Audit and Review Unit requested and received the twenty-three **(23)** case files from the on-duty Domestic Violence Unit Sergeant for review. The ARU auditors remained at the offices of the Domestic Violence Unit to review the case files while conducting their audit.

Each case file was then systematically reviewed via “double-blind” audit process by the Audit and Review Unit for compliance with the New Orleans Police Department Operations Manual Chapter 42.4 and 42.4.1, as it relates to “Domestic Violence” investigations. To facilitate this process, the auditors used the thirty-two **(32)** point Domestic Violence Unit Case File Checklist (with an available commentary space to document any specific areas) as a gauge to review and analyze the content of every case file.

Total: 23 Case Files (double-blind)

The below listed checklist seen here was the instrument used by the Audit Team’s to audit each case.

DVU CASE FILE CHECKLIST

Item Number: _____
 Auditor: _____
 Date: _____

NA = Not Applicable
Y = Compliant
N = Not compliant/No
U = Unknown

1. Is there an incident report in the file?	<input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
2. Is there documentation that the investigator reviewed body worn camera footage if the incident report indicates a BWC recording would aid in the follow-up investigation?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
3. Is there documentation that either patrol or the investigator documented interviews by written or audio recorded statements, or by BWC?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
4. Does the file indicate that patrol handled the majority of the case and therefore some documentation would be included elsewhere (statements, photographic evidence, evidence receipts)?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
5. Is there documentation that the investigator made contact with the victim within one week of the DV incident, or within a reasonable period based on the circumstances?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U

6. Is there documentation that the investigator located or attempted to locate the victim through various means (neighbors, employment, Advocate resources)?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
7. Do the actual charges support the elements of the crime?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
8. Is there documentation reflective of “continuing engagement” with the victim?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
9. Is there documentation in the file of the offender’s “criminal history” or a “past history” check by either patrol or the investigator?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
10. Is there a victim Risk Assessment documented by patrol?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
11. If a Risk Assessment was not indicated in the patrol officer’s incident report or was insufficient, did the investigator probe for details regarding the Risk Assessment, or conduct a documented Risk Assessment?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
12. If there is documented evidence of potential victim risk, did the officer or investigator initiate follow-up action or document safety and/or protection advice?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
13. Does the file include documentation of a predominant aggressor assessment by patrol or the investigator?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
14. Is photographic evidence indicated in the case file by either patrol officers or the case follow-up investigator?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
15. If a dual arrest was made, is there documentation of supervisory approval?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
16. If injury is indicated, is there a copy of a medical records release form in the file?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
17. Are there copies of a Protection Order and/or TRO in the case file?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
18. Does the case file have documentation of a victim referral to the NOFJC?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
19. Is there documentation that the victim was provided a Form #45 and Rights of Crime Victims brochures?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
20. Did the patrol officer or investigator document if the persons ever lived together?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
21. Did the officer or investigator document if the victim had difficulty breathing or a loss of consciousness to support DV strangulation charges?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
22. Did the officer or investigator document an attempt to have child witnesses of DV forensically interviewed?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
23. Are there any victim/witness statements documented in the case file?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
24. Is there documentation of or actual recordings of victim follow-up statements in the file?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
25. Are there documented observations of an <u>evident</u> crime scene in the file by the initial responding officer or the investigator if patrol did not initiate the investigation?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
26. Is there documentation that the responding officer(s) collected, preserved, and documented evidence?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
27. Are there recordings and/or printouts of relevant voice mails, e-mails, or text messages, etc. in the case file?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
28. Are warrant applications included in the case file for <u>investigator’s</u> cases?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
29. Generally, does the documentation in the file indicate the initial investigation was an overall pro-active, victim-oriented, and professional response?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
30. Generally, does the documentation in the file indicate the follow-up investigation was an overall pro-active, victim-oriented, and professional response?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
31. If the officer determined there was probable cause that a crime was committed, is there documentation in the file that the case was reviewed by a DVU or SVU supervisor?	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U
32. If the case involves a department employee, a sworn law enforcement officer or a public figure, was appropriate action taken (notification of PIB, or if from another jurisdiction contact other jurisdiction (If they requested the information, i.e.,	<input type="checkbox"/> NA/ <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U

military), documentation of the notification. Chapter 42.4. If any employee of a law enforcement is placed out wanted or arrested use these Chapters 1.4, 1.17, 1.18 and 1.22.

Explain in the narrative below whether there were any exceptional strategies used by the initial officer or investigator or any deficiencies noted in the case investigation by auditors.

Domestic Violence Unit Check-List Scorecard - (Double-blind)

Period: Mar 2021 - Sep 2021

ARU percentages for Consent Decree requirements for Domestic Violence Unit Checklist Audit.

Check-List Questions		Score	CD #	Y	N	NA
1	Is there an incident report in the file?	100%	212	23	0	0
2	Is there documentation that the investigator reviewed body worn camera footage if the incident report indicates a BWC recording would aid in the follow-up investigation?	100%	213	23	0	0
3	Is there documentation that either patrol or the investigator documented interviews by written or audio recorded statements, or by BWC?	100%	213	23	0	0
4	Does the file indicate that patrol handled the majority of the case and therefore some documentation would be included elsewhere (statements, photographic evidence, evidence receipts)?	100%	212	23	0	0
5	Is there documentation that the investigator made contact with the victim within one week of the DV incident, or within a reasonable period based on the circumstances?	96%	213	22	1	0
6	Is there documentation that the investigator located or attempted to locate the victim through various means (neighbors, employment, Advocate resources)?	100%	213	23	0	0
7	Do the actual charges support the elements of the crime?	100%	213	23	0	0
8	Is there documentation reflective of "continuing engagement" with the victim?	100%	213	22	0	1
9	Is there documentation in the file of the offender's "criminal history" or a "past history" check by either patrol or the investigator?	100%	213	22	0	1
10	Is there a victim Risk Assessment documented by patrol?	100%	213	20	0	3
11	If a Risk Assessment was not indicated in the patrol officer's incident report or was insufficient, did the investigator probe for details regarding the Risk Assessment, or conduct a documented Risk Assessment?	100%	213	2	0	21
12	If there is documented evidence of potential victim risk, did the officer or investigator initiate follow-up action or document safety and/or protection advice?	100%	213	23	0	0
13	Does the file include documentation of a predominant aggressor assessment by patrol or the investigator?	100%	214	23	0	0
14	Is photographic evidence indicated in the case file by either patrol officers or the case follow-up investigator?	95%	213	18	1	4
15	If a dual arrest was made, is there documentation of supervisory approval?	-	214	0	0	23
16	If injury is indicated, is there a copy of a medical records release form in the file?	100%	213	6	0	17
17	Are there copies of a Protection Order and/or TRO in the case file?	100%	213	2	0	21
18	Does the case file have documentation of a victim referral to the NOFIC?	100%	216	21	0	2
19	Is there documentation that the victim was provided a Form #45 and Rights of Crime Victims brochures?	100%	216	21	0	2
20	Did the patrol officer or investigator document if the persons ever lived together?	100%	213	22	0	1
21	Did the officer or investigator document if the victim had difficulty breathing or a loss of consciousness to support DV strangulation charges?	100%	213	13	0	10
22	Did the officer or investigator document an attempt to have child witnesses of DV forensically interviewed?	100%	213	3	0	20
23	Are there any victim/witness statements documented in the case file?	100%	213	23	0	0
24	Is there documentation of or actual recordings of victim follow-up statements in the file?	100%	213	19	0	4
25	Are there documented observations of an <u>evident</u> crime scene in the file by the initial responding officer or the investigator.	100%	213	5	0	18
26	Is there documentation that the responding officer(s) collected, preserved and documented evidence?	100%	213	8	0	15
27	Are there recordings and/or printouts of relevant voice mails, e-mails or text messages, etc. in the case file?	100%	213	6	0	17
28	Are warrant applications included in the case file for <u>investigator's</u> cases?	100%	213	17	0	6
29	Generally, does the documentation in the file indicate the initial investigation was an overall pro-active, victim-oriented and professional response?	100%	213	23	0	0
30	Generally, does the documentation in the file indicate the follow-up investigation was an overall pro-active, victim-oriented and professional response?	100%	213	23	0	0
31	If the officer determined there was probable cause that a crime was committed, is there documentation in the file that the case was reviewed by a DVU or SVU supervisor?	100%	213	23	0	0
32	If the case involves a department employee, a sworn law enforcement officer or a public figure, was appropriate action taken (notification of PIB, or if from another jurisdiction contact other jurisdiction (if they requested the information, i.e. military), documentation of the notification. Chapter 42.4.	-	212	0	0	23
Total		99.6%		525	2	209

General Comments

ARU audited sampled Domestic Violence Unit case file items for a defined period, for completeness and accuracy as required by the Consent Decree.

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.

Domestic Violence Unit Check-List Audit Scores

Target 95%



DVU Case File Audit Results

The below listed information reveals the outcome of the Audit Team's 23 case file reviews.

The compliance percentage for requirements in the Domestic Violence Unit Case File Checklist Audit are as follows for the reviews of **15%** of the available case files during the period targeted for audit: **150*.15 = 22.5, rounded up to 23**. The source materials for all questions are in the case file documents.

The following **19** case files each have an overall compliance percentage of **100%** following each file document review. No deficiencies are noted for any of these case files:

100% compliant

Gist: Victim allegedly punched by subject (on and off-boyfriend) in her residence after gaining entrance using a key.

Deficiencies: None

100% compliant

Gist: Victim allegedly choked and by subject (boyfriend) inside hotel and then assaulting the hotel security person who responded to loud noise complaint.

Deficiencies: None

100% compliant

Gist: Victim allegedly beaten by subject (boyfriend) in their hotel room.

Deficiencies: None

100% compliant

Gist: Victim (wife) allegedly choked and chased by subject (estranged husband) outside their apartment. Incident was reported more than a week later.

Deficiencies: None

100% compliant

Gist: Victim allegedly attacked, pushed to the ground, and choked by subject (boyfriend) on Canal Street outside their hotel.

Deficiencies: None

100% compliant

Gist: Victim allegedly pushed, punched, and choked by subject (live-in boyfriend) in their apartment.

Deficiencies: None

100% compliant

Gist: Victim allegedly chased and choked by subject (boyfriend) outside location at Marais and Conti.

Deficiencies: None

100% compliant

Gist: Victim allegedly threatened with gun outside her apartment and her apartment burglarized by subject (ex-boyfriend).

Deficiencies: None

100% compliant

Gist: Victim allegedly run over by subject (girlfriend) in subject's vehicle.

Deficiencies: None

100% compliant

Gist: Victim allegedly punched and strangled by subject (boyfriend) in her apartment.

Deficiencies: None

100% compliant

Gist: Victim allegedly shot multiple times by subject (boyfriend) inside her apartment

Deficiencies: None

100% compliant

Gist: Victim allegedly had hair pulled and choked by subject (boyfriend) in their motel room and then assaulted her again at a gas station. Victim's phone damaged by subject.

Deficiencies: None

100% compliant

Gist: Victim allegedly dragged by hair and then fell out of moving vehicle to avoid being hit by subject while in vehicle. Victim then allegedly punched by subject (live-in boyfriend) in their apartment.

Deficiencies: None

100% compliant

Gist: Victim allegedly strangled by subject (ex-boyfriend) in her residence.

Deficiencies: None

100% compliant

Gist: Victim(female) allegedly punched, kicked, and pistol whipped by subject (boyfriend).

Deficiencies: None

100% compliant

Gist: Victim allegedly struck in back of head, had braid pulled out of hair, and choked by subject (boyfriend) outside of her apartment in his vehicle.

Deficiencies: None

100% compliant

Gist: Victim (female) allegedly hit multiple times in face with objects and choked by subject (ex-boyfriend) while inside his residence.

Deficiencies: None

100% compliant

Gist: Victim (female) was allegedly choked by subject (boyfriend) and no other information given. Victim then refused to talk further regarding the incident.

Deficiencies: None

100% compliant

Gist: Victim (female) was allegedly punched in face by subject (ex-boyfriend) after arriving uninvited and forcing his way into her residence.

Deficiencies: None

The following **4** case files each were found to have minor deficiencies as noted below:

96% compliant (Initial)

100% compliant (Final)

Gist: Victim allegedly punched by subject (ex-boyfriend) in their apartment, after entering her apartment by force. Victim then chased outside and dragged back apartment and beaten and kicked. Victim transported to hospital.

Deficiencies: Q16, If injury is indicated, is there a medical records release? No medical records release in case file.

DVU Response: Detective never made contact with this victim in order to obtain a medical release. During his investigation it was learned she was released from the hospital. No contact was made at her residence and no phone contact could be made as her phone was stolen in the incident. He sent her an introduction letter indicating that he would be the case investigator going forward. She failed to contact him to arrange a follow up interview and to obtain any medical release paperwork that would be necessary to go forward.

PSAB Response: Q16 updated to NA as no contact after repeated attempts made to get medical release.

96% compliant (Initial) 96% compliant (Final)

Gist: Victim was allegedly pistol whipped by subject (ex-boyfriend) while inside JC Food Mart buying items.

Deficiencies: Q5, Is there documentation that the investigator made contact? The follow-up interview didn't occur until 7/8/21 and incident was 6/2/2021.

DVU Response: This case was reassigned due to the fact that the initial detective was experiencing personal issues after it was assigned. She completed the case timely once reassigned to her.

PSAB Response: No change as initial investigator was late in following up. PSAB made note of re-assignment as a result.

90% compliant (Initial) 100% compliant (Final)

Gist: Victim was allegedly choked by subject (ex-boyfriend) in her apartment. Subject then took a phone from the residence, which he returned when victim gave him the children.

Deficiencies: Q18, Does the file document of a victim referral to NOFJC? None indicated in report. **Q19,** Is there a document that victim was provided a Form #45. Also not indicated in report.

DVU Response: The Detective made contact with the victim who stated that she would call the detective back numerous occasions, each time indicating she couldn't talk. As a result, the Detective could not assist her in providing services.

PSAB Response: PSAB updated Q18 and Q19 to NA as victim refused to engage.

95% compliant (Initial) 95% compliant (Final)

Gist: Victim(female) allegedly hit by subject (boyfriend) inside her apartment, destroyed phone and stole car keys, then fled.

Deficiencies: Q14, Is photographic evidence indicated in the case file? None noted in case file.

DVU Response: The initial responding officer was unable to upload photographs documented in the initial report.

PSAB Response: No change. Photographs are an integral component of the investigation.

Mandated Consent Decree paragraph responses (CD 212-222)

During the audit, the Audit and Review Unit corroborated to ascertain and verify the below listed information to address Consent Decree paragraphs 212 thru 222 pertaining to the Domestic Violence Unit:

CD 212

NOPD agrees to delineate the respective duties of communications staff, patrol officers/first responders, District-level detectives, domestic violence detectives, and supervisors in its domestic violence policies and procedures, and agrees to provide clear and detailed guidelines for steps at each stage of NOPD's response to a report of domestic violence, including dispatch response; initial officer response, including entry procedures; and **on-scene and follow-up investigation**.

- **On scene and follow up investigations (NOPD Chapter 42.4 Domestic Violence, Chapter 42.4.1 Domestic Disturbance and Chapter 41.4.1 Response to Calls, Domestic Violence Standard Operating Procedures).**
- **CD 212 was covered with Question 1 and Question 2 of the DVU audit checklist.**

CD 213

Ensure that NOPD prioritized victim safety and protection at each stage of its response to a report of domestic violence. Ensure that Protocols and guidelines are up to date on best practices for on scene and follow up investigations including:

- Identifying, locating, and interviewing suspects and witnesses
- Assessment of the crime scene
- Evidence collection, including documentation of victim injuries and seizure of weapons.

Chapter 42.4 and 42.4.1 are both policies pertaining to Domestic Violence and Domestic Disturbances. These policies were developed based on the best practices of the Blueprint for Safety model developed by Praxis International. NOPD was a pilot city for this model starting in 2013 and continues to operate in full compliance with this model. All DV investigations must be comprehensive and must be documented thoroughly to include all statements, evidence collection etc. NOPD must also document risk of the victim by asking 5 developed risk questions pertaining to any incident classified as DV. These risk assessment answers are then used to assist in predominant aggressor assessments to identify who is most at risk when determining who is the offender. They are also used in bond setting by Magistrates to hold offenders accountable for their actions. NOPD is one of the only agencies that prioritizes victim safety and DV by documenting these cases this way. In all cases of intimate partner and DV summonses are prohibited. All stakeholders, including advocacy agencies had input in development of the DV policy.

- **These protocols and guidelines were reviewed, revised, approved, and remain current.**
- **CD 213 was covered with Q2-3, Q5-12, Q14, Q16-17, and Q20-31 of the DVU audit checklist.**
- **Q16 scored below compliant target with an aggregate score of 86%.**

CD 214

Ensure that NOPD discouraged dual arrests of offenders and victims by providing training on primary aggressor and require supervisory approval to effectuate a dual arrest.

NOPD does discourage dual arrest practice. This is clearly defined in 42.4 and must be approved by a supervisor. All officers were trained in this practice in beginning in 2013. MTA will have all training records pertaining to DV 42.4 in service. Chapter 42.4 “Domestic Violence” was also covered via DTB in December 2020.

- CD 214 was covered with Q13 and Q15 of the DVU audit checklist.
- No question **scored below compliant** target. **Q15 was scored NA.**

CD 215

NOPD agrees to continue to participate in the operation, development, and sustainability of the NOFJC; work in co-location with other civil and criminal agencies and community-based organizations; and support a centralized, multi-agency Family Justice Center model in the handling of domestic violence and sexual assault cases in New Orleans.

Ensure that NOPD continued to participate in the

- Operation, development, and sustainability of the NOFJC
- Work in a co-location with other civil, criminal agencies and community-based organizations,
- Support a centralized, multi-agency Family Justice Center model in handling domestic violence and sexual assault cases.

The Department developed a committee of representatives from the community, including rape crisis advocates, service providers, and/or legal providers to review, on a semi-annual basis (1) domestic violence investigation disposed of as unfounded. (2) a random sample of open domestic violence investigations with the approval of the DA. The Department has agreed to ensure that feedback and recommendations from the committee are incorporated into policies, general training, remedial training for specific officers are detectives, and the decision to re-examine and re-open investigations, if warranted.

A member of SART and NOFJC advised that the relationship with the NOPD is good overall and that they are working cooperatively. She advised that the NOPD is actively participating with the established committees such as SART. She advised that the organizations and the NOPD discuss unfounded dispositions on a frequent basis. The Assistant District Attorney from the Orleans Parish District Attorney’s Office SVU section advised that the relationship with the NOPD DVU Section is “great”. The supervisor with the OPDA’s Office DVU Section advised that the NOPD DVU is a great business partner and stated that the Lieutenant and the Detectives go above and beyond with their assigned cases.

CD 216

Ensure that NOPD has collaborated with and referred victims to NOFJC.

Per Domestic Violence Unit Sergeant, every domestic violence victim is provided a resource sheet

containing all NOFJC contact information by platoon officers. Every case handled by the Domestic Violence Unit are provided direct contact to the advocates at the NOFJC. All of this is documented within initial and supplemental reports pertaining to victim engagement and referrals to advocates.

CD 217

Ensure that the Superintendent or a designee at a Commander Level meet with the Executive Committee of the NOFJC on a quarterly basis. A sergeant or above attended the quarterly meetings for the purpose of reviewing and coordinating NOPD's policies on Domestic Violence.

(The designated sergeant or above shall review NOPD's policies for internal consistency and consistency with the Integrated Protocol developed by the NOFJC, the Blueprint for Safety, and to review and update policies at least annually or as necessary. The designated sergeant or above shall also be responsible for identifying training needs with respect to implementing NOPD domestic violence policies, the Integrated Protocol and/or the Blueprint for safety.)

The Sergeant attends the NOFJC Quarterly Meeting pertaining update and policy revisions with the Blueprint Interagency Coordinator and the NOFJC.

CD 218, 219, 220, 221, Training Related

CD 218

Ensure that the adequate amount of manpower is assigned to the DVU at the NOFJC (sufficient detectives based on the number of calls for service).

- To ensure that detectives are able to review, on a weekly basis, District-level reports on incidents of domestic violence for the purpose of identifying training needs and tracking Districts' response to DV.
- Have sufficient staff to conduct an appropriate follow up investigation on felony offenses (weapon involved or serious bodily injury) including coordination with the District Attorney's Domestic Violence Prosecution Unit.

Since 2011 DV manpower has remained as 1 supervisor and 4 detectives. The Domestic Violence Unit is able to operate with the allocated manpower. Sergeant Pari personally reviews every DV case from the previous 24 hours based on information supplied by the Repo within NOPD Applications. Each case is triaged and assigned accordingly to a DV investigator to conduct additional follow up to obtain necessary information so it can be successfully screened by the DV Screener. This is all about continued victim engagement.

In any typical year the DV Unit will be assigned approximately 400 follow up/initial cases to be completed. This number will increase if STOP Grant funds are not allocated to provide overtime for additional cases to be worked by the unit.

CD 219

Ensure that NOPD offered training in best practices including IACP recommendations and annual updates to reflect changes in policy, law and developments in research and best practice. This can be verified through the yearly policy update review conducted by the Policy Innovation Manager.

Per Innovation Manager, the review has not been initiated. As part of the Annual Review process, he will be reaching out to the DV Unit and the Blue- Print for Safety group who assisted in developing the policy. According to the Innovation Manager, the Department is ahead of the curve nationally, but he consistently monitors for “trends” and Best Practices.

CD 220

Ensure that NOPD provided at least 4 hours of initial and training on DV for all officers, and ongoing annual In-service training by checking training records.

Ensure that NOPD has incorporated fact-based scenarios involving DV into recruit and in-service training.

Topics:

- General investigation
- Crime scene preservation
- Report writing
- Policies and procedures (including the Integral Protocol and/or Blueprint for Safety)
- Dynamics of domestic violence
- Identifying the primary aggressor
- Responding to and investigating strangulation in the context of domestic violence
- Interviewing victims, witnesses, and suspects
- Report writing
- Discovery

Per the Academy Curriculum Director, recruits receive a week (32 hours) of Domestic Violence training which includes all of the CD 220 specified items listed below.

The In-Service curriculum for both Supervisors and Officers in years prior to 2020 has annually included a dedicated course to Domestic Violence. For the year 2020, the 40-hour in-Service curriculum was designed in Problem Based Learning activities rather than the traditional lecture format. Elements of the CD required topical areas were involved in multiple PBL courses as approved by OCDM. A specific PBL activity was created to satisfy the annual in-service requirements for Domestic Violence.

The 2020 and 2021 Annual Master Training Plans were amended to include a combination of POST and NOPD designed E-Learning modules. The plan was approved by OCDM to satisfy the annual training requirements. Listed below are the specific courses which satisfied the DV obligation.

2020: POST E-module - “Responding to Calls of Domestic Violence”

2021: POST E-modules – “Louisiana Protective Order Registry” and “Louisiana Victim Information and Notification”

NOPD E-Learning module – “Domestic Violence Intervention” (4 total modules)

CD 221

Ensure that DV Detectives have no fewer than 32 hours and ongoing annual In-service training. This can be verified through the Education and Training Division (SABA)

Training shall include advanced:

- Skills based instruction in evidence collection

- Victim assistance
- Interviewing, including taped mock victim interviews
- Other topics

All members of the DVU have obtained at least 32 hours in specialized training in interview and interrogation and very specific training pertaining to DV. These classes were not offered by NOPD, but all investigators possess certificates that were validated by CDM Mary Ann Viverette during initial DOJ audits. They do not receive annual additional 32 hours of DV Training. This was modified for all investigative units after obtaining the initial portion of the courses in order to be assigned to an investigative unit. All other ongoing classes offered by NOPD are tracked within the old Power-DMS system and new SABA system, to include annual Detective In-service.

CD 222

Ensure that NOPD tracked dispositions of DV investigations including:

- Arrests: acceptance and refusal rates
- Dismissed cases
- Plea agreement (s)
- Tried
- Final Verdict, including taped mock victim interviews
- Other topics

Pertaining to tracking of all dispositions and DA's Office information, this is tracked by PSAB. According to the Innovation Manager PSAB, this information is usually gathered for the 2021 DV annual report.

Arrests (2,325)

D.A. Refused Cases (1,732). None were law enforcement based.

Plea Agreements (37)

Tried (4) – (1) not guilty by judge. (1) guilty as charged by judge. 1 was found guilty as charged by jury. 1 was found guilty of a lesser offense by a judge.

Conclusion (Final)

Results

The overall results of the June 2022 Domestic Violence Unit case file audit, of Mar 21-Sep 21 data, revealed no specific patterns of deficiency.

Recommendations

1. It is recommended by the Audit and Review Unit that the immediate supervisors of the Domestic Violence Unit continue to conduct regular reviews of detectives' case files for the presence of all mandatory documentation.
2. Specifically, investigator contact or attempt to have contact with victim(s) should be documented in the reports, and if there is a lag in getting the assigned case, it should be noted in the report.
3. Medical records should be obtained as needed and placed with the case files. However, when victim refused to cooperate, this becomes problematic for investigators.
4. Photographic evidence needs to be followed up on, to ensure a complete case file is built. Not having the photo evidence in the case file is problematic to the overall investigation. Investigators need to follow up and ensure the photos are secured.

Taking these actions would hopefully address any one-off deficiencies and continue to ensure that all Domestic Violence Unit case files are complete and accurate.

Domestic Violence Unit Responses to PSAB Notes:

DVU Response

Detective never made contact with this victim in order to obtain a medical release. During his investigation it was learned she was released from the hospital. No contact was made at her residence and no phone contact could be made as her phone was stolen in the incident. He sent her an introduction letter indicating that he would be the case investigator going forward. She failed to contact him to arrange a follow up interview and to obtain any medical release paperwork that would be necessary to go forward.

PSAB Question: Does an investigator need approval from victim to get medical release?

DVU Answer: It has to be consensual as the sole purpose of them is to avoid HIPA issues when the DA's Office tries to prove their case in court and sealed medical records. If they tell us I don't want to do that (which they do on occasion) we indicate in a supplemental that they refused to sign a medical release.

PSAB Note: Audit updated to NA to reflect no medical release as a result of victim not responding to attempts to contact.

DVU Response

This case was reassigned due to the fact that the initial detective was experiencing personal issues after it was assigned. She completed the case timely once reassigned to her.

PSAB Note: Audit unchanged due to initial investigator failing to follow up timely.

DVU Response

Detective contacted the victim who stated that she would call the detective back numerous occasions, each time indicating she couldn't talk. As a result, Detective could not assist her in providing services.

PSAB Note: Audit updated to NA for Q18 & Q19.

DVU Response

The initial responding officer was unable to upload photographs documented in the initial report.

PSAB Note: Audit unchanged due to importance of having photos included.

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Professional Standards and Accountability Bureau

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