



Audit and Review Unit
Professional Standards and Accountability Bureau

Domestic Violence Unit Audit July 2023 Report

Report #: DVU072023

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Submitted by PSAB: Aug 2, 2023

Response from Domestic Violence: Aug 14, 2023

Final Report: Aug 15, 2023

Audit Team

This audit was managed and conducted by the Professional Standards and Accountability Bureau individuals listed below:

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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 2023. DVU checklist audits ensure that the Domestic Violence Unit is operating in compliance with the most updated New Orleans Police Department (NOPD) policies covering Chapters 42.4 and 42.4.1 regarding “Domestic Violence” and “Domestic Disturbance,” respectively. The Consent Decree mandates DVU detectives training in DV-specific matters. As a result, detectives will be able to respond timely to the investigations of Domestic Violence incidents, review all evidence and statements, and conduct effective victim-oriented case follow-ups as needed. The audit also focuses on ensuring that each detective works actively to engage the victims and provide guidance on how to get counseling, assistance, and support from available social services.

The July 2023 audit was completed utilizing the most recent DV Audit Protocol at the time of the audit. This audit consists of thirty-two (**32**) questions and additional follow-up requests, which covered paragraphs 212-222 of the Consent Decree (CD). Based on the combined total of “eight hundred thirty-two” (**832**) checklist items rated from the sample size of twenty-six (**26**) case files audited, the “*overall score*” of this Domestic Violence Unit case file audit conducted by the Audit and Review Unit was **99.8%**.

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

Of the thirty-two (**32**) questions, thirty (**31**) scored compliant.

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

Introduction

The Audit and Review Unit of the Professional Standards and Accountability Bureau audited the Domestic Violence Unit's investigation case files, covering the period of October 2022 to March 2023; The audit occurred from July 10, 2023, through July 11, 2023, and required a double-blinding process.

Purpose

The Domestic Violence Unit case file audit verifies Departmental compliance with the Consent Decree and NOPD Operations Manual's Chapters 42.4 "Domestic Violence" and 42.4.1 "Domestic Disturbance" investigations.

Scope

The 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 assigned to the audit is responsible for verifying that each response is proactive, victim-centered, and professional. Upon completion, the audit manager will submit a report to the appointed authority of the Domestic Violence Unit and the Leadership of the Professional Standards and Accountability Bureau, pointing out any deficiencies or confirming a thorough investigation. Members of the Office of the Consent Decree Monitor will additionally receive the report; The submission of audit reports will assist in maintaining accurate and complete Domestic Violence Unit investigations in the future.

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 review – All documents and investigative material contained within each case file.

Testing Instrument(s) – The instruments used included: The New Orleans Police Department's Operations Manual Chapters 42.4 Domestic Violence (Effective: 1/31/2021), the 42.4.1 Domestic Disturbances (Effective 7/8/2018), and the thirty-two (32) point Domestic Violence Case File Checklist.

In addition, the Consent Decree Paragraphs 212-222 will be verified by reaching out to the individuals with a stake in ensuring compliance with those paragraphs. Each case file will be audited via a "double-blind" 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 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 during the audit range period. The Audit and Review Unit will then use Excel (Rand function) to randomize review cases. Afterward, the Audit and Review Unit will review a population of at least **15%** of those cases within the audit range.

From the current population, **15%**, or Twenty-six (**26**) case files were selected via a randomizer system from 173 files taken in by the Domestic Violence Unit from October 2022 to March 2023.

Initiating and Conducting the Domestic Violence Unit Audit

The Innovation Manager of the Professional Standards and Accountability Bureau (PSAB) initially contacted the Lieutenant, Commander and Sergeant of the Domestic Violence Unit, on June 23, 2023, to request the case file list for the review period involved. On June 27, 2023, the DV Unit received 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 July 10, 2023, and concluding July 11, 2023.

The Lieutenant was provided with this advanced notice to ensure a Domestic Violence Unit supervisor was on standby to provide the requested case files to the Audit and Review Unit upon demand. The Lieutenant received the thirty-two-point checklist in addition to the audit protocol.

During this audit, the Audit and Review Unit requested and received the twenty-six **(26)** 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 a “double-blind” audit process by the Audit and Review Unit for compliance with the New Orleans Police Department’s Operations Manual Chapters 42.4 and 42.4.1 relating to “Domestic Violence” investigations. To facilitate this process, the auditors used the thirty-two **(32)** point DVU 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: 26 Case Files (double-blind)

The following checklist was the instrument used by the auditing team to review each case file.

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., 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.	<input type="checkbox"/> NA / <input type="checkbox"/> Y / <input type="checkbox"/> N / <input type="checkbox"/> U

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 Scorecards

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

Period: July 2023

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

Data Range: Oct. 2022 - Mar. 2023

Check-List Questions	Score	CD #	Y	N	NA
1 Is there an incident report in the file?	100%	212	26	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?	95%	213	21	1	4
3 Is there documentation that either patrol or the investigator documented interviews by written or audio recorded statements, or by BWC?	100%	213	26	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	22	0	4
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?	100%	213	24	0	1
6 Is there documentation that the investigator located or attempted to locate the victim through various means (neighbors, employment, Advocate resources)?	100%	213	22	0	4
7 Do the actual charges support the elements of the crime?	100%	213	26	0	0
8 Is there documentation reflective of "continuing engagement" with the victim?	100%	213	20	0	6
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	26	0	0
10 Is there a victim Risk Assessment documented by patrol?	100%	213	23	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	7	0	19
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	15	0	11
13 Does the file include documentation of a predominant aggressor assessment by patrol or the investigator?	100%	214	25	0	1
14 Is photographic evidence indicated in the case file by either patrol officers or the case follow-up investigator?	100%	213	17	0	9
15 If a dual arrest was made, is there documentation of supervisory approval?	-	214	0	0	26
16 If injury is indicated, is there a copy of a medical records release form in the file?	100%	213	6	0	20
17 Are there copies of a Protection Order and/or TRO in the case file?	100%	213	1	0	25
18 Does the case file have documentation of a victim referral to the NOFJC?	100%	216	23	0	3
19 Is there documentation that the victim was provided a Form #45 and Rights of Crime Victims brochures?	100%	216	19	0	5
20 Did the patrol officer or investigator document if the persons ever lived together?	100%	213	24	0	2
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	10	0	16
22 Did the officer or investigator document an attempt to have child witnesses of DV forensically interviewed?	-	213	0	0	26
23 Are there any victim/witness statements documented in the case file?	100%	213	23	0	3
24 Is there documentation of or actual recordings of victim follow-up statements in the file?	100%	213	19	0	7
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	14	0	12
26 Is there documentation that the responding officer(s) collected, preserved and documented evidence?	100%	213	9	0	17
27 Are there recordings and/or printouts of relevant voice mails, e-mails or text messages, etc. in the case file?	100%	213	23	0	3
28 Are warrant applications included in the case file for <u>investigator's</u> cases?	100%	213	19	0	7
29 Generally, does the documentation in the file indicate the initial investigation was an overall pro-active, victim-oriented and professional response?	100%	213	25	0	1
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	25	0	1
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	24	0	2
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.	100%	212	1	0	25
Total	99.8%		565	1	263

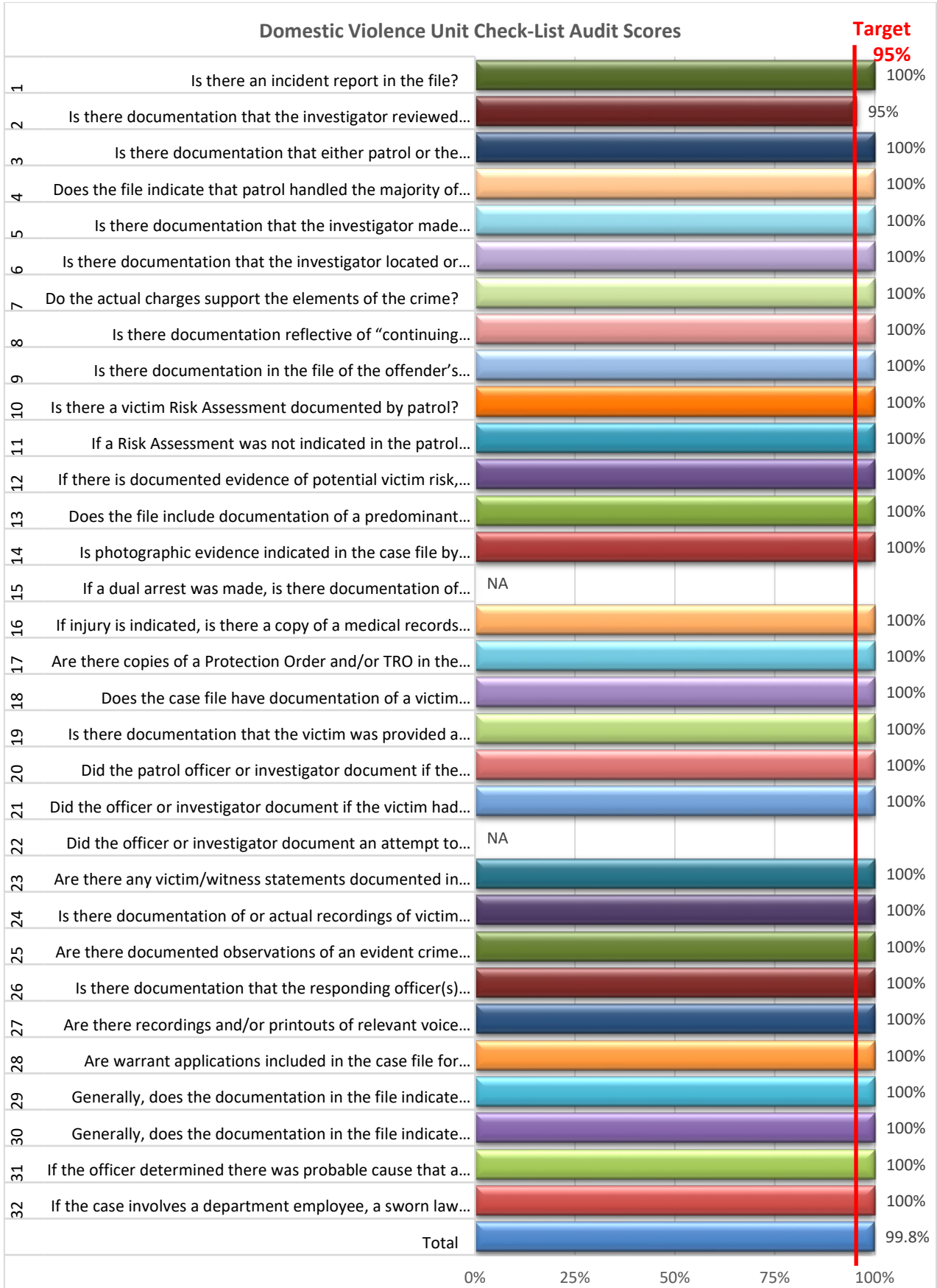
General Comments

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



DVU Case File Audit Results (Final)

The below-listed information reveals the outcome of the Audit Team's 26 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: **173*.15 = 25.9, rounded up to 26**. The source materials for all questions are in the case file documents.

The review of the 15% of the randomly selected case files during the period targeted from the population of 173 ($173 \cdot .15 = 25.9$, rounded up to 26). The source materials for all questions are in the case file documents. The compliance percentage for requirements in the Domestic Violence Unit File Checklist Audit are as follows:

Of the 26 case files reviewed, the following **20** case files each have an overall compliance percentage of **100%** following each files initial document review.

Of the 26 case files reviewed, the following **6** case files each were found to have minor deficiencies following the initial review. The follow-up final review determined that **5 of 6** were found to be compliant.

Deficiencies: Q2, *Is there documentation that the investigator reviewed BWC if the incident report indicates a BWC recording would aid in the follow-up investigation?* There is no documentation of a detective, nor any supervisor reviewing BWC footage.

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:

The Commander reviewed the Mandated Consent Decree paragraph responses that covered (CD 212-222).

The New Orleans Police Department's Domestic Violence Unit and Municipal Training Academy remains in compliance with CD Paragraphs, 212, 213, 214, 215, 216, 217, 218, 220, 221, and 222.

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.

Chapters 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 few 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.

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 Chapter 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 Chapter 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.

CD 215

NOPD agrees to continue to participate in the operation, development, and sustainability of the New Orleans Family Justice Center (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 continues 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 or detectives, and the decision to re-examine and re-open investigations, if warranted.

A member of the Sexual Assault Response Team (SART) and NOFJC advised that the NOPD is actively participating with the established committees such as SART. They advised that the organizations and the NOPD discuss unfounded dispositions on a frequent basis. An Assistant District Attorney from the Orleans Parish District Attorney’s Office (OPDA) DVU section, advised that the relationship with the NOPD DVU Section is “great”. A 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 Sgt., every domestic violence victim is provided a resource sheet containing all NOFJC contact information by platoon officers. In Every case handled by the Domestic Violence Unit the victim is provided with a direct contact number 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 attends 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 DV Sgt. 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. The DV Sgt. 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 the Policy Innovation Manager (IM), The Domestic Violence Unit's Standard Operating Guidelines when first drafted (December 2014) incorporated the following strictures as a method for ensuring that the NOPD's policies would always strive to maximize the safety of the victims of domestic violence. These are the entities that should be contacted by the DV supervisors for input on changes or revisions to the NOPD Chapter 42.4 - Domestic Violence.

A. FOUNDATIONAL PRINCIPLES

The collaboration of criminal justice agencies within New Orleans to develop a coordinated criminal justice response to Domestic Violence is the City's Blueprint for Safety. The New Orleans Police Department, along with the City's other Blueprint for Safety agencies, is committed to a set of shared foundational principles that maximize safety for victims of Domestic Violence and holds offenders accountable while offering them opportunities to change.

NOPD shall ensure supervisors participate in ongoing interagency Blueprint monitoring, evaluation, and maintenance. (The DV Unit supervisors.)

Community stakeholder – Entities in the community that have joined together to foster effective intervention in and prevention of domestic violence. Community stakeholders can include but are not limited to, Blueprint for Safety partners, the Domestic Violence Advisory Committee (DVAC), the New Orleans Family Justice Center, law enforcement agencies, prosecutors, parole and probation officers, advocacy organizations, social service agencies, adult and child protective services, clergy, educators, government agencies, animal welfare organizations, businesses, and employers.

CD 220

Ensure that NOPD provides 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 the CD 220 specified items listed above.

The 2023 Annual Master Training Plan for Officer and Supervisor In-Service training included a dedicated course featuring a Problem Based Learning activity in “Domestic Violence” as a component of the 40-hour classroom curriculum. Due to staffing challenges, the Department received approval to modify the 5-day sessions to 3 days, with this course and several others reverting to newly designed self-paced computer-based training (CBT) modules.

Starting on 9/1/23 all members will be required to complete the NOPD CBT titled “The Crime of Domestic Violence” prior to the end of November.

Per Louisiana POST training requirements, personnel were (are) also required to complete the following: CBT “Investigating Domestic Violence: Strangulation – 2023.”

CD 221

Ensure that DV Detectives have no fewer than 32 hours of initial training 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 the Federal Monitors 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 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 Innovation Manager PSAB, this information is usually gathered for the DV annual reports. The 2022 DV Annual Report is the most recent available and has the following:

Arrests (1,894)

D.A. Refused Cases (1,860). None were refused due to NOPD actions.

Defendants plead to DV charges (152)

Tried (2) – (1) not guilty by judge. (1) was found guilty of a lesser offense by a judge.

Overall Compliance Score (Initial)

Based on the combined total of the eight hundred thirty-two (**832**) checklist items rated from the sample size of twenty-six (**26**) case files audited, the “**overall score**” of the July 2023 audit conducted by the Auditing Review Unit was **99%**.

Conclusion (Final)

Results

The overall results of the July 2023 Domestic Violence Unit case file audit, of Oct 22-Mar 23 data, revealed a compliance threshold of **99.8%**. The following checklist items revealed threshold scores **below 95%**:

2. Is there documentation that the investigator reviewed BWC footage if the incident report indicates a BWC recording would aid in the follow-up investigation?

Recommendations

1. The ARU recommends that the detectives, or the immediate supervisor of those detectives, review relevant documentation – Specifically **Body Worn Camera** footage.
2. The ARU recommends that investigators or patrol officers ensure to document observations of an evident crime scene.

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.

Unit Response to Recommendations

Domestic Violence Unit Responses to PSAB Notes:

Deficiencies: Q25, Are there documented observations of an evident crime scene in the file by the initial responding officer or the investigator?

DVU Response: Per the detective's supplemental report it was noted that the initial responding officer documented the necessary information.

PSAB Note: Score Changed to 100%: ARU determined that the evidence of a crime was documented in the EPR by the officer on scene.

Deficiencies: Q25, Are there documented observations of an evident crime scene in the file by the initial responding officer or the investigator?

DVU Response: The results of the case file audit listed deficiencies per Question 25 regarding any documented evidence of an evident crime scene in the file by the initial responding officer or investigator. Per the detective's supplemental report, it was noted that the initial responding officer documented the required information. The initial responding officer also captured the scene and victim on body worn camera at the time of this incident.

PSAB Note: Score Changed to 100%: ARU determined that the evidence of a crime was documented in the EPR by the officer on scene.

Deficiencies: Q25, Are there documented observations of an evident crime scene in the file by the initial responding officer or the investigator?

DVU Response: The reporting officer arrived on scene, investigated which consisted of the statements from both parties and the victim's injuries which resulted in an arrest. The officer only documented the victim's injuries. The detective assigned to the case, however, did not conduct a follow up interview with the victim until 2-3-23 therefore, a scene would not have been present.

PSAB Note: Score Changed to 100%: ARU determined that the evidence of a crime was documented in the EPR by the officer on scene.

Deficiencies: Q2, Is there documentation that the investigator reviewed BWC if the incident report indicates a BWC recording would aid in the follow-up investigation?

DVU Response: The detective documented in the 2nd paragraph of their supplemental report that they reviewed the approved incident report and body worn camera video of Senior Police Officer Sasha Tousant.

PSAB Note: Score Unchanged. No Audit updates required as a result of this review. ARU reviewed the Evidence.com audit trail for the item below and there was no BWC review by the Det. Without the BWC being reviewed in the

system, there is no way to confirm the detective did review said video.

Deficiencies: Q2, *Is there documentation that the investigator reviewed BWC if the incident report indicates a BWC recording would aid in the follow-up investigation?*

DVU Response: Detective did not review BWC as Detective interviewed the victim about the entire incident, all over again at the scene.

PSAB Note: Score Changed to 100%: Since Detective got the initial interview with victim, there was no need to review BWC.

Deficiencies: Q2, *Is there documentation that the investigator reviewed BWC if the incident report indicates a BWC recording would aid in the follow-up investigation?*

DVU Response: The victim contacted the DVU office to obtain information regarding a temporary restraining order. The detective provided the information; therefore, it was not necessary to review officer BWC.

PSAB Note: Score Changed to 100%: ARU determined it was not necessary to review BWC regarding a TRO.

ARU Attachments: Excel Raw Data Spreadsheets for July 2023.

**Innovation Manager, Auditing
Professional Standards and Accountability Bureau**

Appendix C -Report Distribution

Deputy Supt. PSAB Bureau

Captain PSAB Bureau

Deputy Supt. ISB Bureau

Captain ISB Bureau (CID)

Lieutenant SVS Unit

ARU Unit