2018 Stop and Search Annual Report

> On at least an annual basis, NOPD shall issue a report summarizing the stop and search data collected, the analysis of that data, and the steps taken to correct problems and build on successes. The report shall be made publicly available. [Consent Decree ¶153]

The purpose of this report is to summarize and analyze the stop and search data collected for the past year. The report answers several key questions:

1) How many stops occurred in 2018? And, how have these stops varied by neighborhood, race/ethnicity of the subject, sex of the subject, type of subject (driver, passenger, or pedestrian), age of the subject, time of day, and type of stop?
2) What was the result of the stop (arrest, Law Enforcement Assisted Diversion, citation, summons, warning, or no action), and how did that vary based upon the characteristics of the subject?
3) Did a search occur? What type of search occurred? How did that action vary based upon the characteristics of the subject?
4) Did the search result in the discovery of contraband? How did that action vary based upon the characteristics of the subject?

The data in this report are displayed in graphics throughout the *Findings* section. For comparison, visit https://nola.gov/nopd/nopd-consent-decree/ to view the Stop and Search Annual Report from previous years.

Key Definitions

Age – Age of the subject is based on the subject's date of birth or apparent age, if the subject refuses to provide information or the officer cannot legally demand identification.

Contraband – This includes the following:

a) Drugs – any substance defined, enumerated, or included in federal or state criminal statute or regulations, 21 CFR Chapter 1308.11-15 or La. R.S. 40:964, or any substance which may hereafter be designated as a controlled dangerous substance by amendment or supplementation of such regulations or statute. The term shall not include distilled spirits, wine, malt beverages, or tobacco;
b) Weapons – includes any gas, liquid, or other substance or instrumentality, which, in the manner used, is calculated or likely to produce death or great bodily harm. Usually a firearm or edged weapon for Field Interview Card purposes;
c) Other – any other item that is not a drug or a weapon which is illegally possessed.

Field Interview Card (FIC) – The method NOPD utilizes to document official Stops/Terry Stops of members of the public. To conduct a field interview, an officer must have reasonable suspicion

that the subject has been, is, or is about to be, engaged in the commission of a crime. According to departmental policy, only one FIC entry should be made per incident.

Sex – sex of the subject is entered by the officer and is based on the officer's observation, if not provided to the officer by the subject.

Neighborhood – Neighborhoods are defined using the neighborhood boundaries disseminated by The Data Center (datacenterresearch.org).

Race/ethnicity – Race/ethnicity of the subject is entered by the officer and is based on the officer's observation.

Search – A search is defined as a thorough visual and manual examination of an arrested person and the area immediately around that person for weapons, contraband, or evidence that might be destroyed. A search may be conducted for any of the following reasons:

    a) Consent to search – permission given to a law enforcement officer to search a person, vehicle or structure by one who has the legal right to do so;

    b) Exigent circumstances – compelling urgency or true emergency;

    c) Incident to arrest – a search that takes place immediately after a physical arrest of a person;

    d) Inventory – an administrative search conducted to itemize and identify property for safe-keeping;

    e) Plain view – if an officer sees an item that is immediately recognizable as contraband and they are in a place they have a legal right to be, the item can be seized;

    f) Probable cause – the facts and circumstances known to the officer at the time which would justify a prudent person in believing the subject committed or was committing an offense; and/or

    g) Warrant – a written instrument, signed by a judicial authority ordering the seizure of a person or property.

Stop – An investigatory stop of a person in a public place (pedestrian or occupant of a vehicle) under the rules established for "Terry Stops" or La. C.Cr.P. Art. 215.1 based on reasonable suspicion for the purposes of determining the individual's identity and resolving the officer's suspicions. It can also include a voluntary encounter between an officer and a subject where the subject is relaying information that may be of interest, or relevant to an investigation (includes witnesses and victims). For purposes of this report, it can also include a violation of law.

Stop result – A stop may end in any of the six manners listed below:

    a) No action – the stop ends with no enforcement action taken by the officer;

    b) Warning – the stop ends in only a verbal warning by the officer;

    c) Citation – the stop ends with the subject receiving a traffic citation;

d) Summons – the stop ends with the subject receiving a summons in lieu of a physical arrest;

e) Arrest – the stop ends with the subject in the physical custody of the officer as an arrest awaiting booking; or

f) LEAD – (Law Enforcement Assisted Diversion) the stop ends with the subject, who could have been charged with a misdemeanor, booked into jail or issued a summons, and referred for prosecution, engaged by LEAD program staff (a program coordinator and case management team) working with the City's Health Department and a local service provider.

Stop type – Stops are broken down into the different stop types listed below:

a) Call for service – the officer is dispatched by Communications;

b) Citizen contact – the officer initiates a duty-related conversation with a person;

c) Criminal violation – the officer observes a violation of law other than a traffic violation;

d) Flagged down – a person gains the officer's attention to report a problem or observation;

e) Juvenile violation – the officer observes a juvenile violating the law;

f) Present at crime scene – while on the scene of a crime, the officer initiates a duty-related conversation with a person;

g) Subject person – the officer initiates a duty related conversation with a person who is a subject in a criminal violation;

h) Subject vehicle – the officer initiates a duty related conversation with a person who is in a vehicle that is subject in a criminal violation;

i) Traffic violation – the officer observes a violation of a traffic offense; and

j) Other – any other stop or detention by an officer.

Relevant policies

The following approved policies govern NOPD's actions with respect to stops, searches, and arrests:

- Search and Seizure – Chapter 1.2.4
- Terry Stops and Investigatory Stops – Chapter 1.2.4.1
- Search Warrant Consent Forms and Reviews – Chapter 1.2.4.2
- Arrests and Miranda Rights – Chapter 1.9 and Chapter 1.9.1
- Field Interview Cards – Chapter 41.12

NOPD policies are available at nola.gov/nopd/policies.

Year-to-Year comparisons

As NOPD develops new policies and updates forms, the protocols governing stops, searches, and arrests may change. As a result, the underlying data and what they represent will change as well. This may present difficulty in conducting direct comparisons between 2018 and prior years, or subsequent years. Nevertheless, many comparisons between the 2015 through 2018 data are given below.

District Attorney Acceptance Rates

The district attorney provides refusal reason codes in their database. The refusal codes that indicate an officer made a mistake are:

- Inadmissible Confession by Defendant
- Incomplete Police Investigation
- Law Enforcement Issues
- No Police Report
- No Probable Case for Arrest
- Unlawful Search No Warrant
- Unlawful Search with Warrant

In 2018, 0.09% of charges were refused by the District Attorney for mistakes made by the officer.

Figure 1 - Percent of charges refused by the District Attorney for mistakes made by the officer, 2014-2018
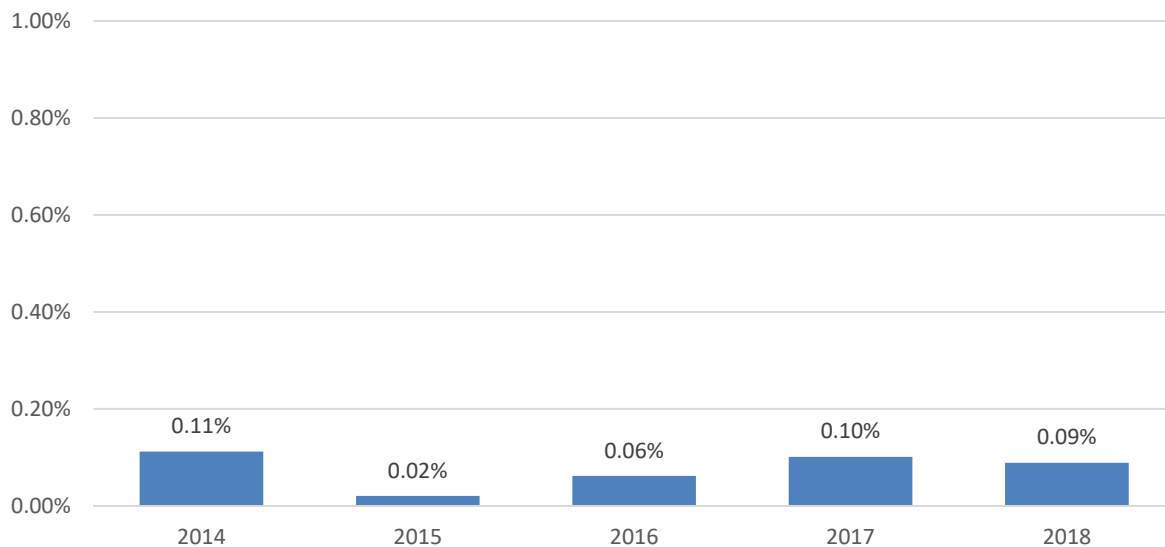
Allegations of Bias

Misconduct complaints involving discrimination are investigated and assessed according to Chapter 41.13 – Bias Free Policing and other related policies such as Chapter 41.13.1 – Interactions with LGBTQ Persons. No allegation of discrimination or bias was sustained between 2015 and 2018.

Table 1: Allegations of Bias by Disposition and Year

Disposition	2015	2016	2017	2018
Sustained	0	0	0	0
Pending (under investigation)	0	0	0	0
Exonerated	5	8	0	1
Not sustained	4	5	2	4
No formal investigation merited	0	0	1	0
Unfounded	23	16	25	21
DI-2 (Counseling)	0	0	1	0
Cancelled	1	0	0	0
Total	**33**	**29**	**29**	**26**

*For definitions of allegation dispositions, see Chapter 26.2: Adjudication of Misconduct, available at nola.gov/nopd/policies.

The number of discrimination and bias-based allegations over the past four years has been relatively consistent. Over the same time period, NOPD has made a concerted effort toward transparency and public awareness of the processes to file complaints of NOPD misconduct, as well as how to submit commendations for outstanding examples of police work. Placards, brochures, and forms detailing the complaint and commendation process have been made available to each District Station, NOPD Headquarters, City Hall, the office of the Independent Police Monitor, and New Orleans' public libraries. This information has been transcribed in English, Spanish, and Vietnamese to provide all New Orleans residents and visitors a way to contact the NOPD regarding positive and/or negative experiences.

It is also worth noting that the majority of allegations of discrimination and bias-based policing receive a final disposition of "Unfounded." According to NOPD policy, the Unfounded disposition is used in cases in which "the investigation determines, by a preponderance of the evidence, that the alleged misconduct did not occur or did not involve the subject employee."

PIB investigates allegations of criminal misconduct against NOPD officers and civilian employees, and PIB shares the investigation of violations of administrative regulations with first-line supervisors. In order to hold first-line supervisors accountable and ensure their involvement in complaints against their subordinates, many administrative complaints are forwarded to division commanders through their bureau chiefs for investigation. These investigations are reviewed through that bureau's chain of command, then ultimately by PIB and the Superintendent of Police. To learn more about NOPD's misconduct complaint process, or the nature of NOPD complaints in previous years, you can find the complaint data and annual reports at nola.gov/nopd/nopd-consent-decree.

Psychological Evaluations of Police Officer Candidates

NOPD has a process for psychologically evaluating all candidates for commissioned positions. The psychological evaluation is one of the final evaluations and is administered to candidates who successfully pass all assessments, the background investigation, and are approved by the Recruitment and Applicant Investigation Administrator. The evaluation is administered by contracted third parties and follows national standards for police officer psychological screening.

The contracted psychologist reviews each applicant's background investigation packet, which includes, but is not limited to, investigation data about the applicant's legal, employment, military, traffic, and geographic history. Also included in the background investigation packet are the results from the computer voice stress analysis (CVSA) testing. The psychologist also reviews any other documents provided by the New Orleans Police Department (e.g., documents from the public integrity bureau), Civil Service (e.g., previous psychological reports) or the background investigation unit. Each applicant is administered computerized psychological testing and then afterward has a face-to-face interview with the psychologist. If needed the psychologist also conducts interviews with background investigators and/or prior NOPD supervisors, if applicable, in order to glean more information about a candidate, or to corroborate candidates' statements. Information is never disclosed to collateral interviewees. The psychologist may also request records from previous mental health professionals, including military mental health records.

The psychologist's screening methods assess the existence of social biases, among many traits that may predict the applicant's ability to perform law enforcement duties in an acceptable manner.

In 2018, 30 applicants failed the psychological evaluation and were therefore not hired.

Relevant Geographic Area

All data presented in this report and used for analysis are confined to Orleans Parish. Figure 1 shows a neighborhood reference map of New Orleans.[1]

Figure 2 - Neighborhoods in New Orleans

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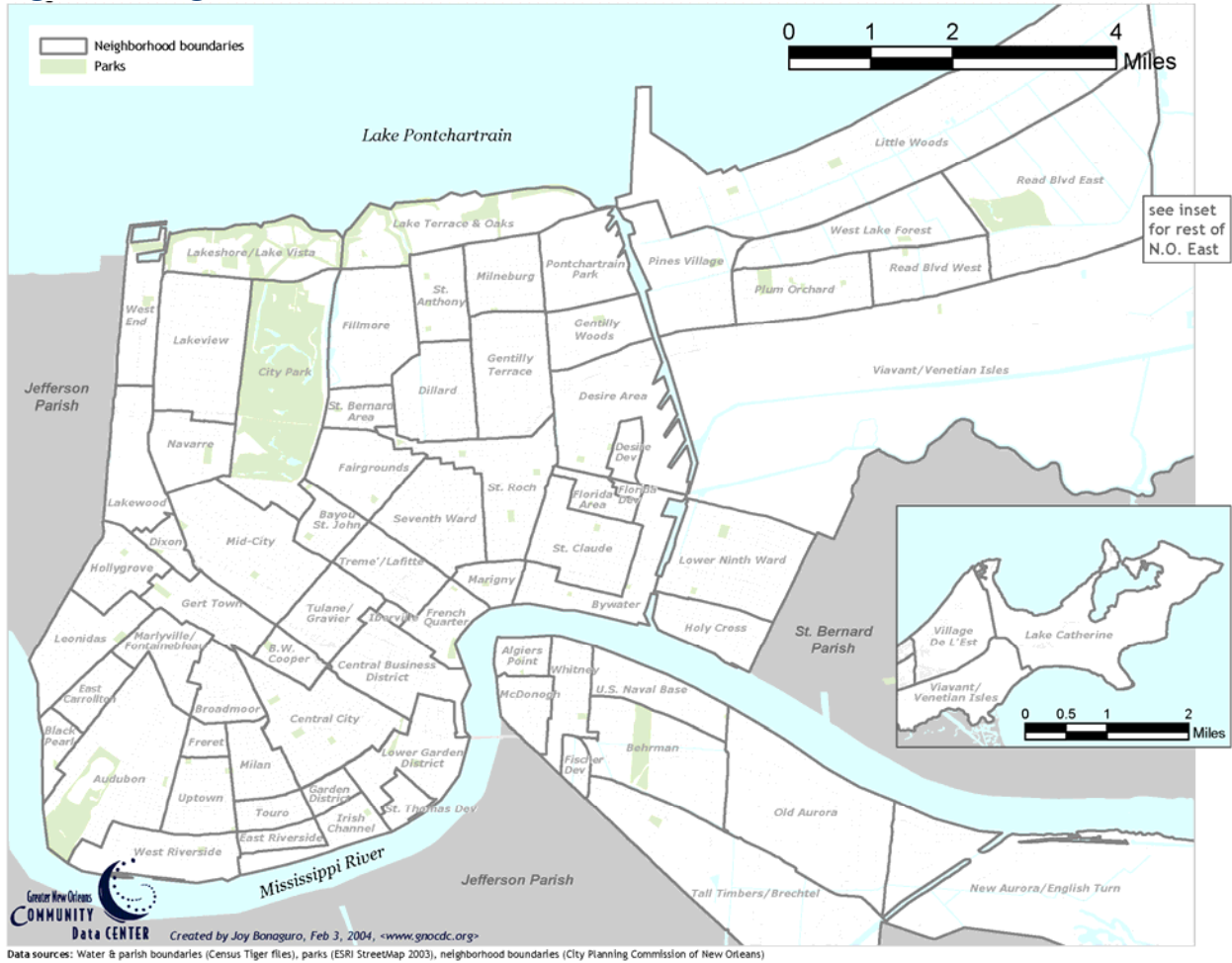
[1] New Orleans and Orleans Parish refer to the same geographic area.

Field Interview Card Analysis

In 2018, the NOPD completed 50,349 Field Interview Cards (FIC) documenting stops, searches, or arrests, a 3% increase from the 48,827 FICs recorded in 2017. The map shown in Figure 2 depicts how these FICs were distributed throughout the city. Central City had the highest number of FICs, with 5,555, which is up from 5,122 the previous year. The Central Business District came in second, with 4,247 FICs, also higher than its 4,128 total in 2017. For the third year in a row, the French Quarter had the third highest number of FICs in the city, with 2,999, down from 3,630 in 2017. It should be noted that both the French Quarter and the Central Business District have a high concentration of non-residents, including tourists and commuters. Figure 2 shows the distribution of FICs completed in 2018 by neighborhood.

Figure 3 – Percentage of All FICs created in each New Orleans neighborhood, 2018
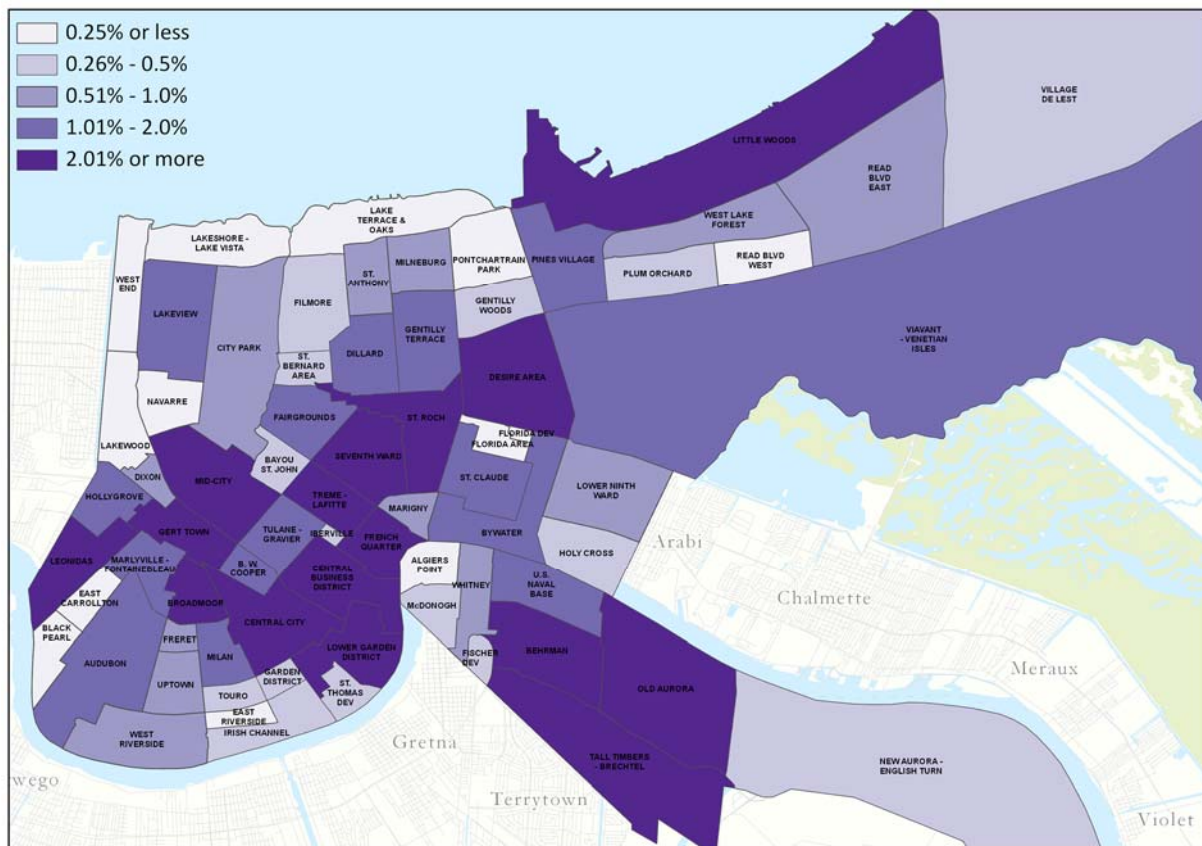
<u>Time of day of FICs</u>

In 2018, the largest portion of FICs were completed in the evening (6-10pm, 24%), with overnight (10pm-2am, 21%) and the afternoon (2-6pm, 20%) close behind. Officers completed the smallest portion of FICs in the morning (6-10am, 10%) and early morning (2-6am, 10%) hours.

Figure 4 - Field interview cards in New Orleans by time of day, 2015-2018
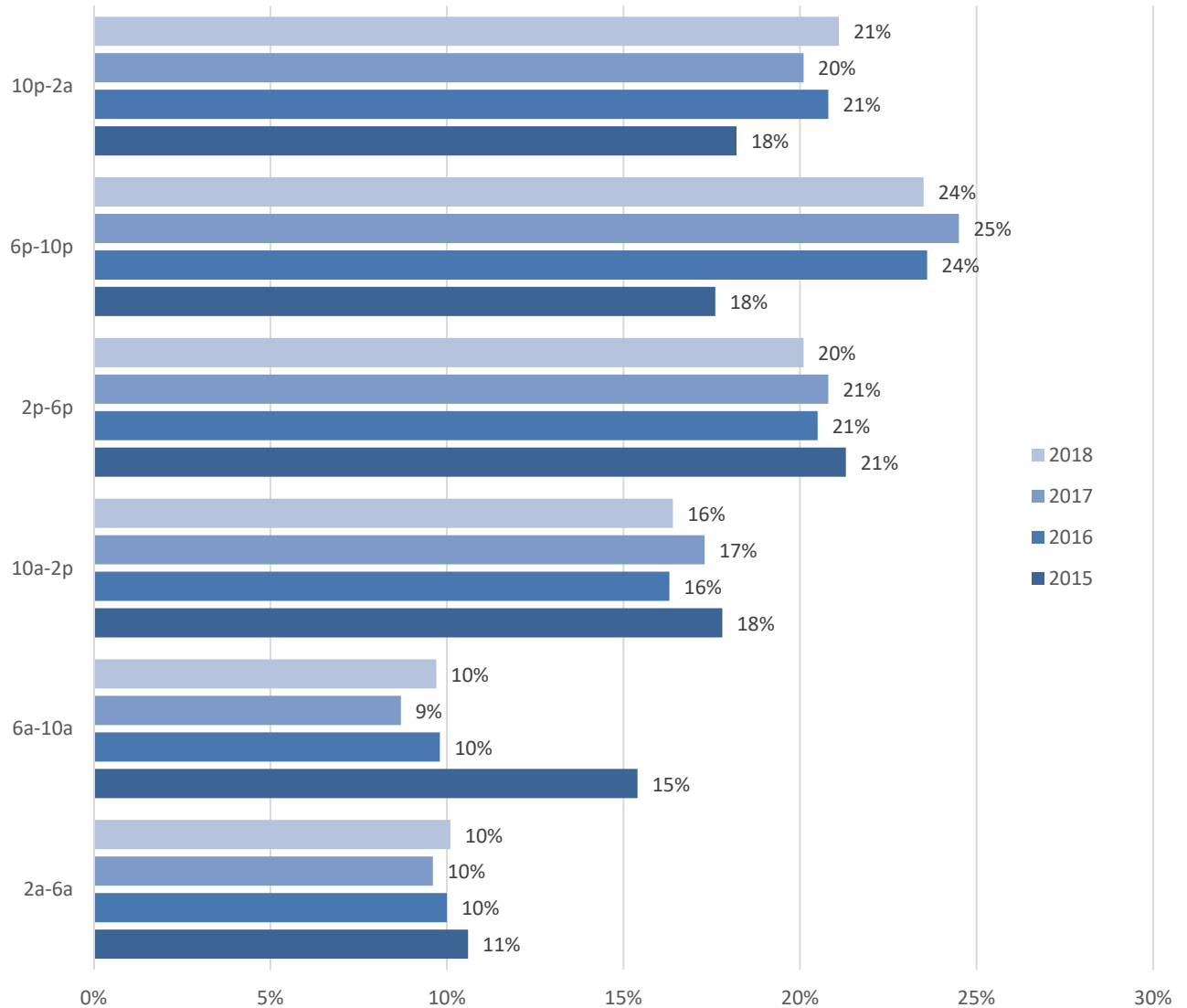
Race/Ethnicity of FIC Subjects

The distribution of stops across races/ethnicities in 2018 resembled the statistics of the previous year. Black or African-American individuals represented 74% of all subjects documented on FICs, a slight increase from 71% in 2017. White individuals represented 22% of all subjects documented on FICs, a slight decrease from 24% in 2017. FICs documenting Hispanic or Latinx, Asian, and American Indian and Alaskan native individuals showed no change, remaining at 3%, 1%, and <1%, respectively in 2015 through 2018.

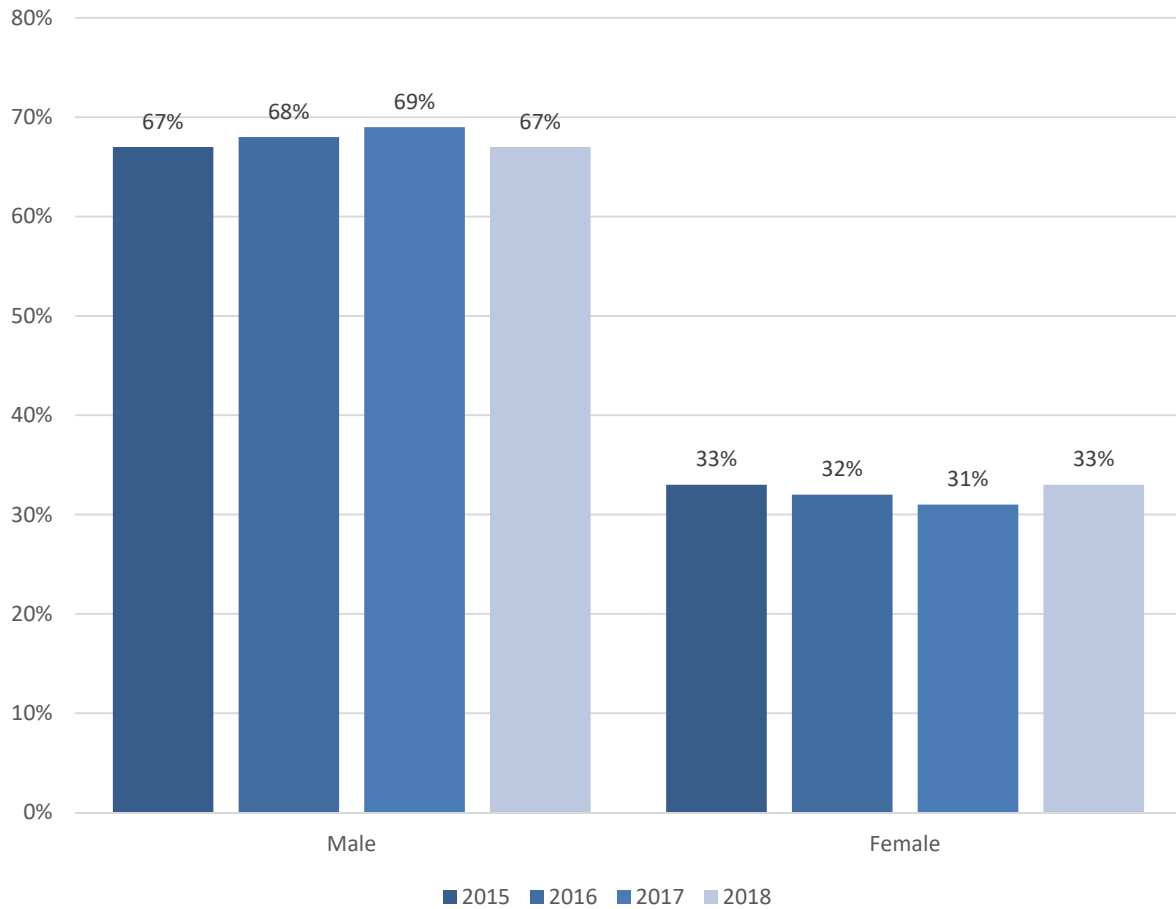**Figure 5 – FIC Subjects in New Orleans by race/ethnicity of the subject, 2015-2018**
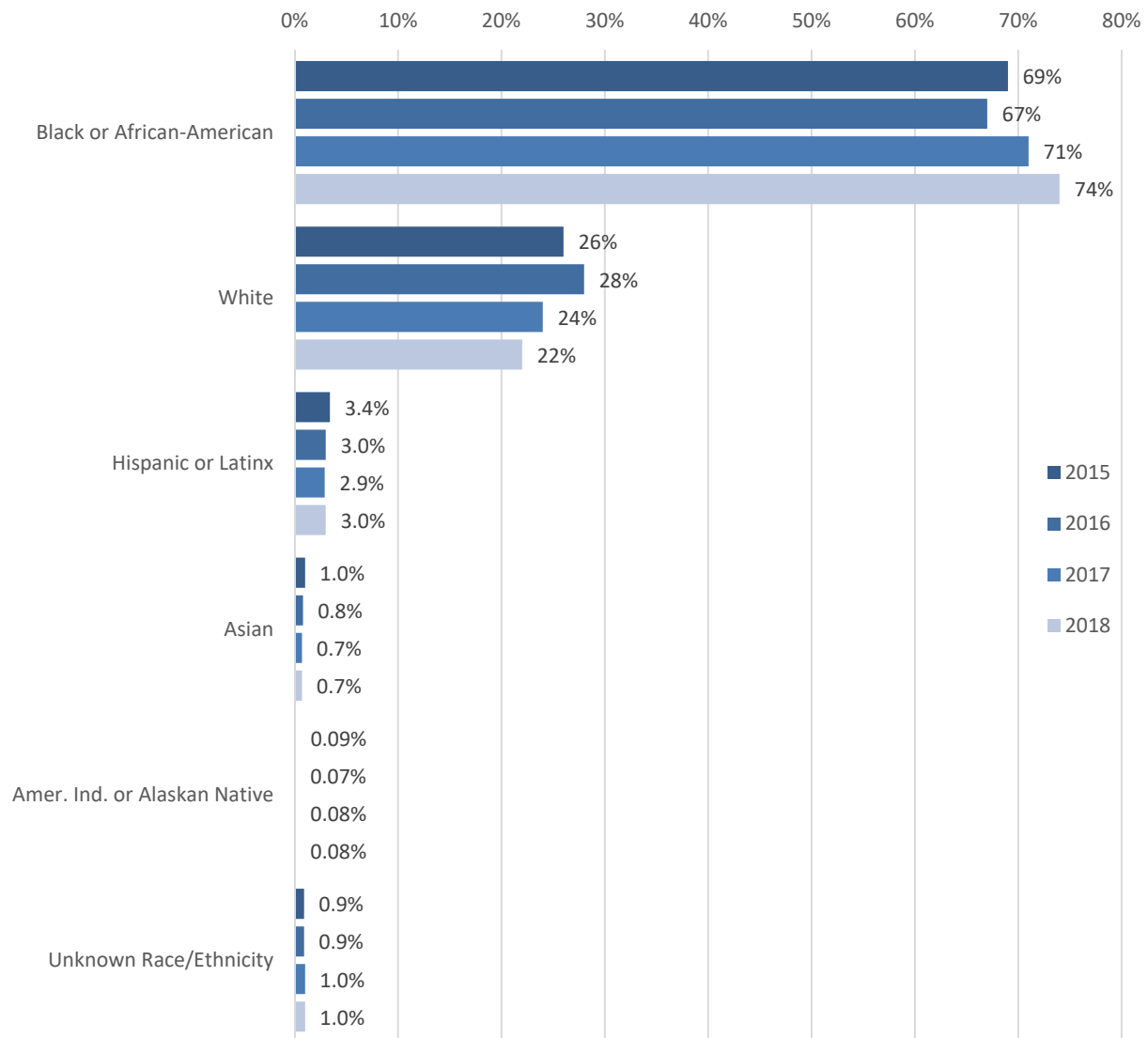
Males represented 67% of all FICs, a slight decrease from 69% in 2017. Females represented 33% of all FICs, a slight increase from 31% in 2017.

Figure 6 - Stops in New Orleans by sex of the subject, 2015-2018

Age of Stop Subjects

The percentage of stops of young adult subjects (ages 18 to 24) remained static from 2017, representing 18% of all subjects documented on FICs. In 2018, the largest portion of stopped subjects, 39%, were between the ages of 35 and 64. Subjects between the ages of 25 and 34 represented 34% of all stops in 2018.

Figure 7 - Stops in New Orleans by age of the subject, 2015-2018
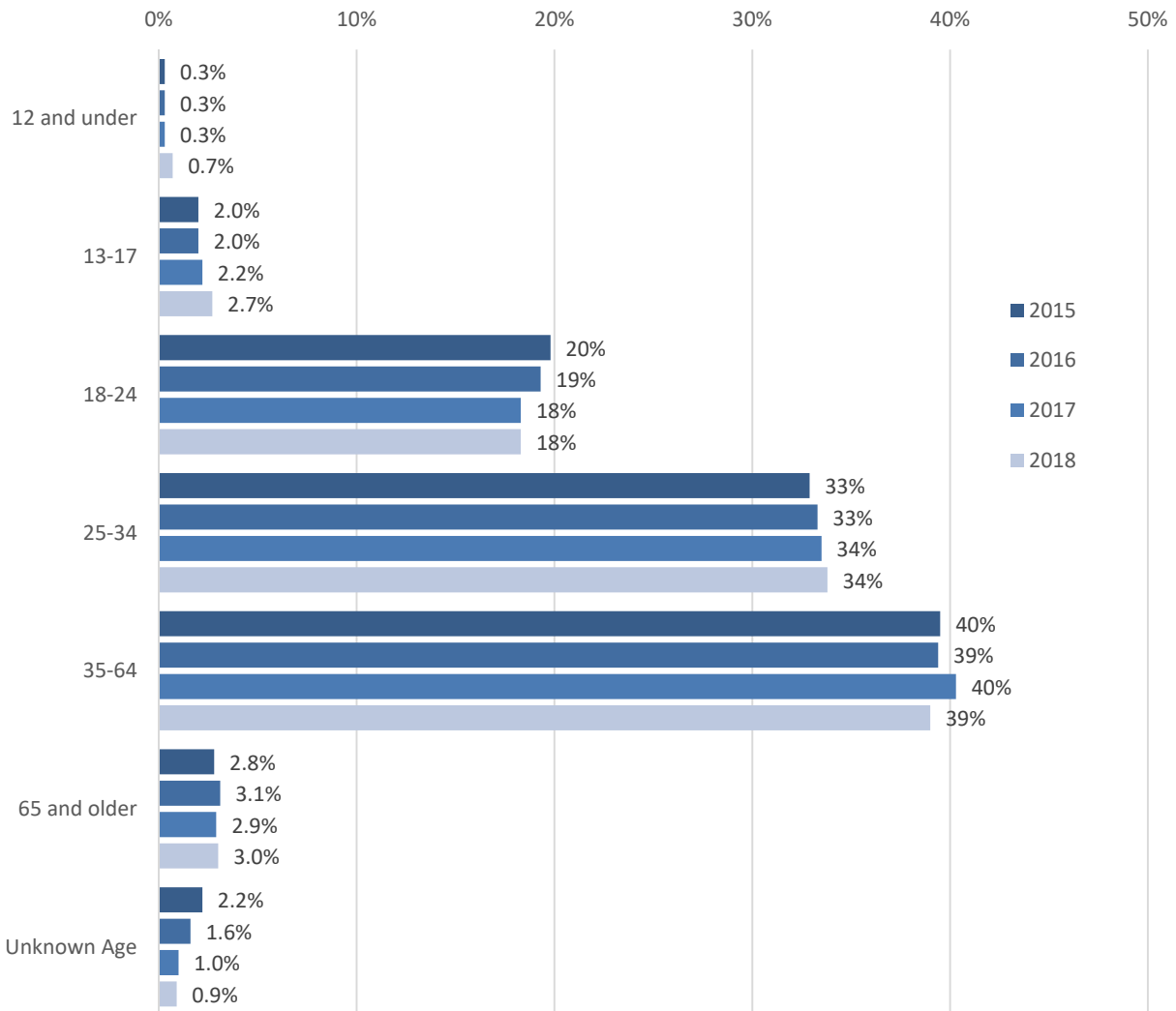
Stops by Subject Type

The majority of all stops (62%) involved drivers (down from 65% in 2015). Pedestrians represented 27% of all FICs (down from 28% in 2015), and passengers represented the remaining 11%. In 2018, NOPD began documenting the demographic information of passengers, as required by the Consent Decree.

Figure 8 - Stops in New Orleans by subject type, 2015-2018

Legend: 2015 2016 2017 2018
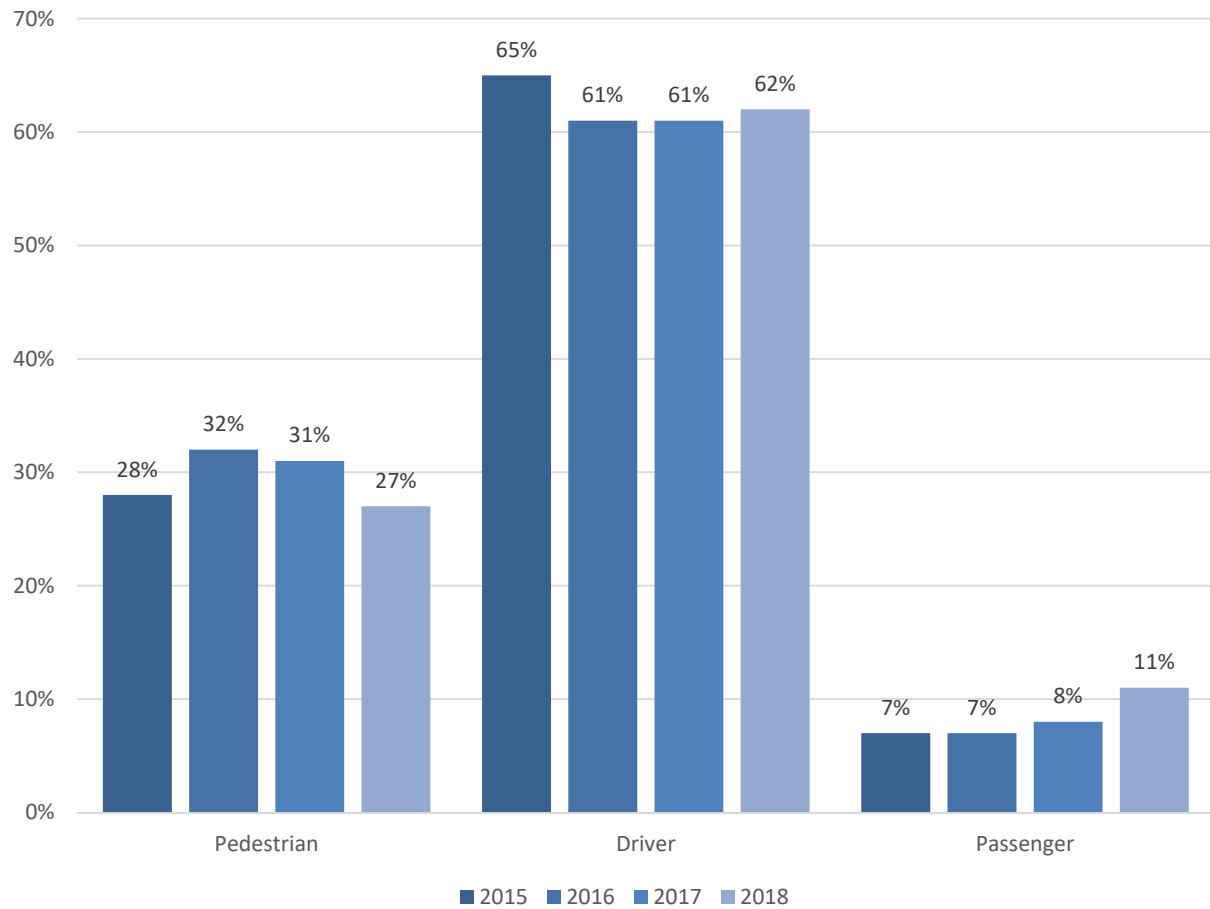
<u>FICs by Race/Ethnicity of the Officer</u>

For the purposes of this analysis, only officers listed as the primary officer on the FIC were considered. The percentage of FICs completed by black or African-American officers was 38% in 2018, down from 50% in 2015. During that same time the percentage of FICs completed by White officers grew from 45% to 52 percent. From 2015 to 2018 the percentage of black or African-American officers at NOPD decreased from 59% to 54%, while the percentage of White officers increased from 38% to 40 percent. The demographic makeup of patrol officers, who produce the vast majority of FICs, can change over time as officers transition into and out of patrol assignments; this may contribute to the changes in the demographic distribution of officers completing FICs. The percentage of FICs completed by Hispanic or Latinx officers quadrupled from 2015 to 2018, increasing from 2% to 9 percent. From 2015 to 2018 the percentage of Hispanic or Latinx officers at NOPD grew from 2% to 3.9 percent.

Figure 9 - Field interview cards in New Orleans by race/ethnicity of the officer, 2015-2018
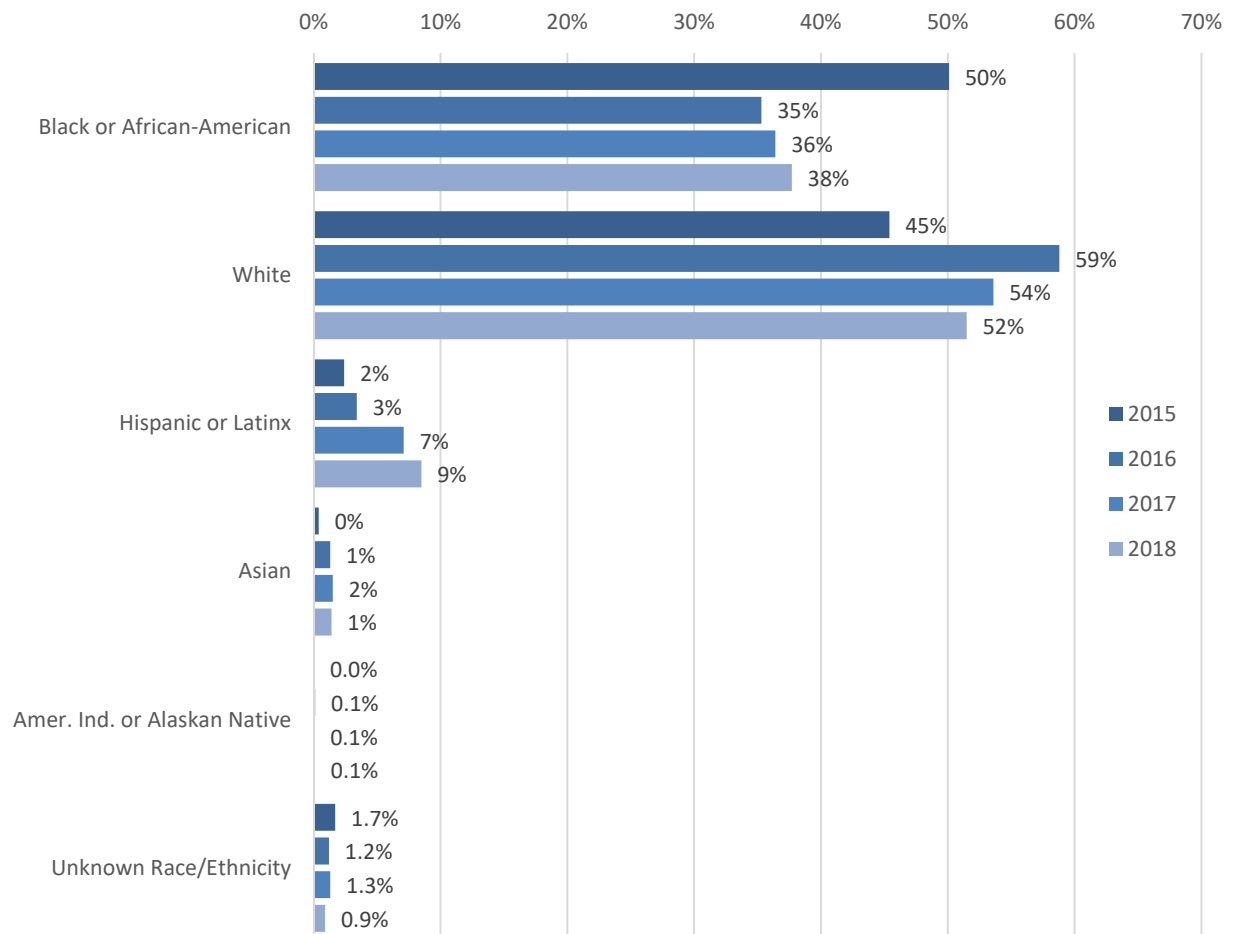
*Data includes officers listed as primary officers on Field Interview Cards. Secondary officers are not included. FICs with data entry errors and those created by officers that have not specified their race/ethnicity are given as Unknown Race/Ethnicity.

Field interview cards by sex of the officer

Male officers accounted for 85% of all FICs in 2018, while female officers accounted for 11 percent. The sex of officers completing FICs saw little change from 2015-2018.

Figure 10 - Field interview cards in New Orleans by sex of the officer, 2015-2018

*Data includes officers listed as primary officers on Field Interview Cards. Secondary officers are not included. FICs with mistyped employee IDs are given as Unknown Sex.

Field interview cards by age of the officer

From 2015-2018, the largest portion of stops were conducted by officers between the ages of 25 and 34. NOPD's focused recruitment efforts have brought many younger officers into the Department and undoubtedly contributed to this increase. While officers between the age of 25 and 34 make up less than 30% of the Department's officers, they are also most likely to be patrol officers, putting them in direct contact with residents and guests of New Orleans and, thus, more likely to complete FICs. While officers in the 35-44 year old range make up a larger percentage of the department than officers in the 25-34 range, they are more likely to have moved to specialized, non-patrol units or into supervisory roles, making it less likely that they would initiate FICs.

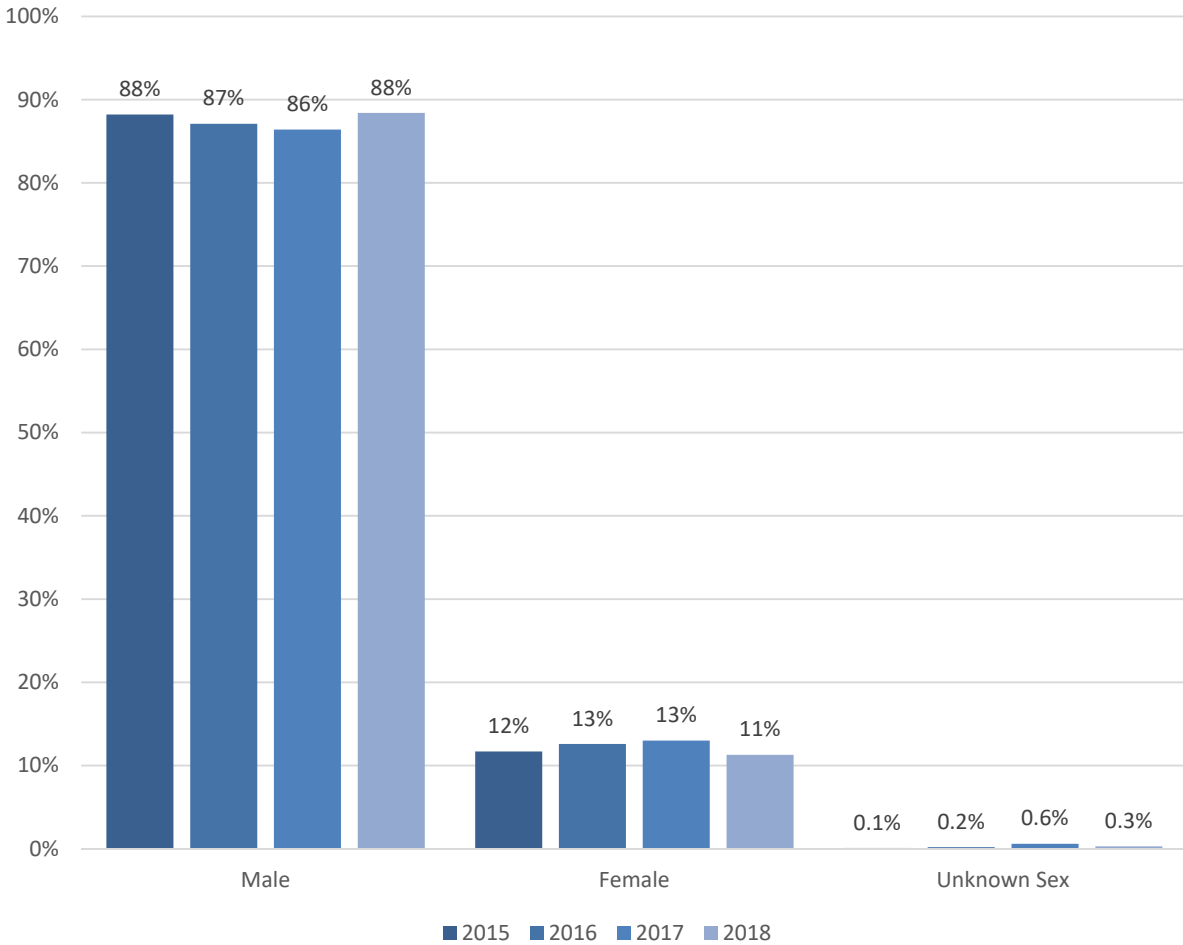**Figure 11 - Field interview cards in New Orleans by age of the officer, 2015-2018**
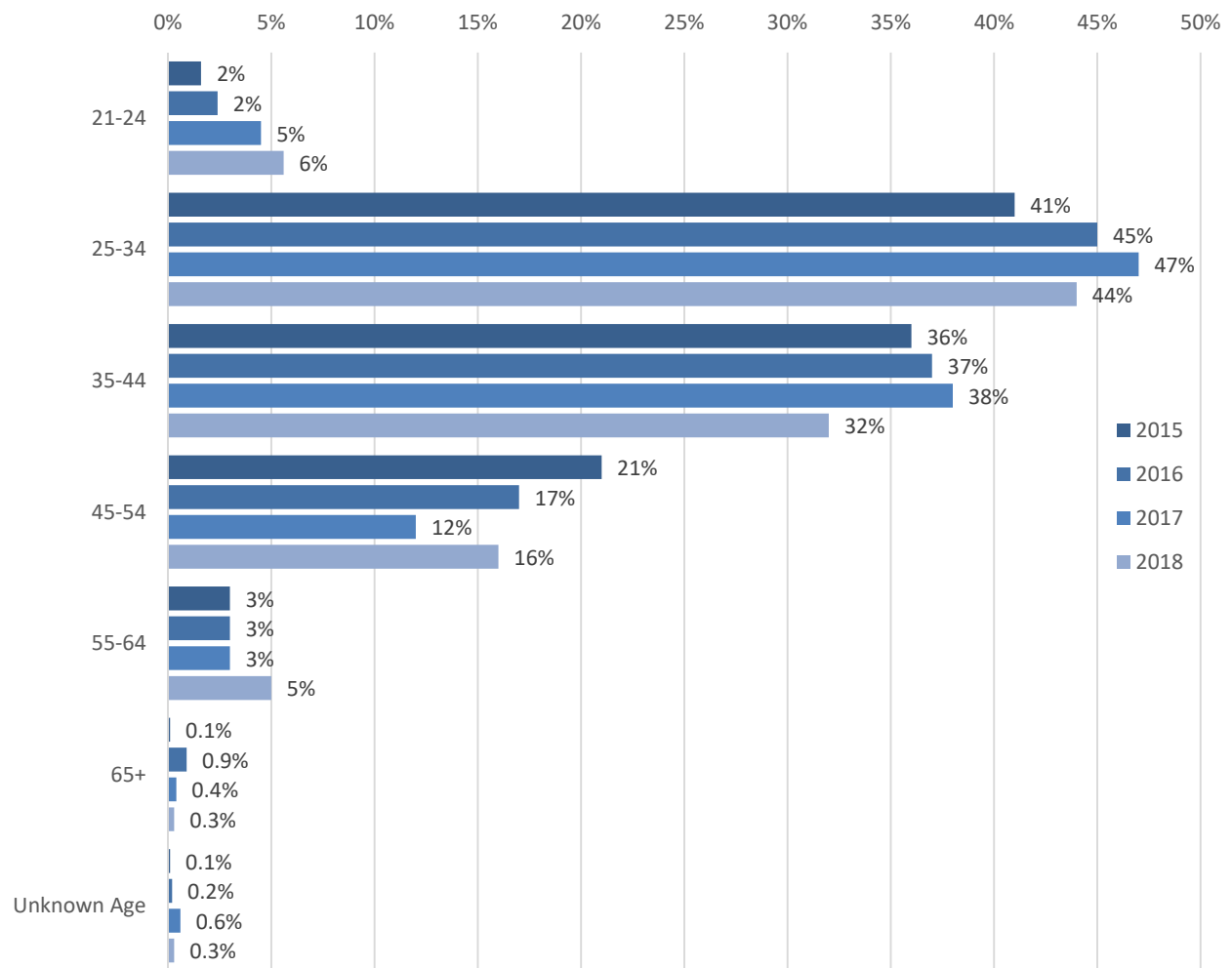

*Data includes officers listed as primary officers on Field Interview Cards. Secondary officers are not included. FICs with mistyped employee IDs are given as Unknown Age.

<u>Field interview cards by stop type</u>

FICs were most often completed during traffic violations, which accounted for 71% of all FICs in 2018. At a distant second, the next most frequent stop type was "call for service," at 11%, followed by suspicious person at 6% in 2018.

Figure 12 - Field interview cards in New Orleans by stop type, 2015-2018
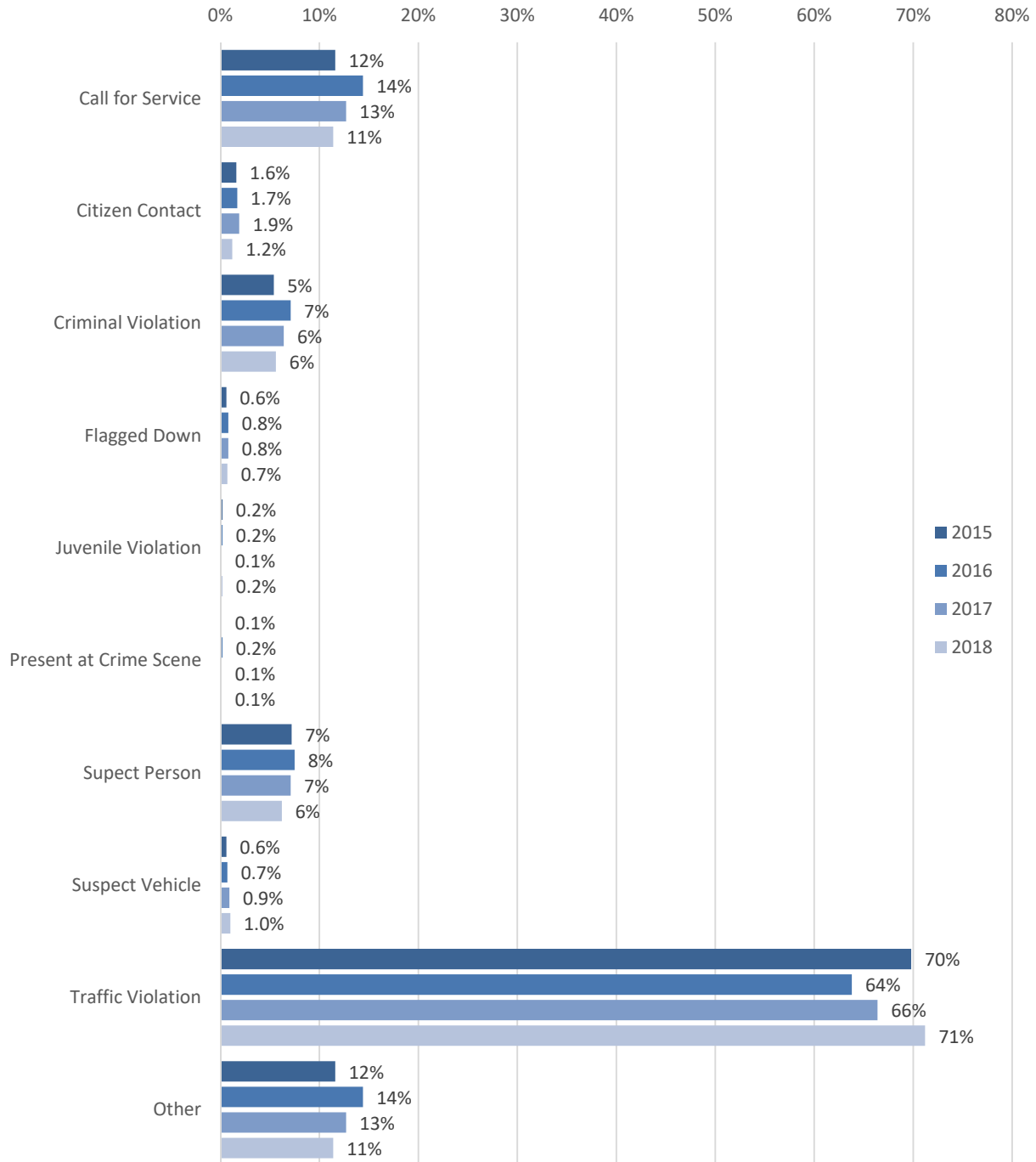
<u>Stops by stop result</u>

The two most common stop results in 2018 were verbal warnings and citations, representing 34% and 28% respectively. The percentage of FICs documenting physical arrests dropped from 25% in 2017 to 15% in 2018. In January 2018, "Summons Issued" became a stop result option on the FIC. A summons is a citation in lieu of an arrest. Prior to "Summons Issued" being an option on the FIC, officers documented summonses as physical arrests on FICs.

Figure 13 - Stops in New Orleans by stop result, 2015-2018
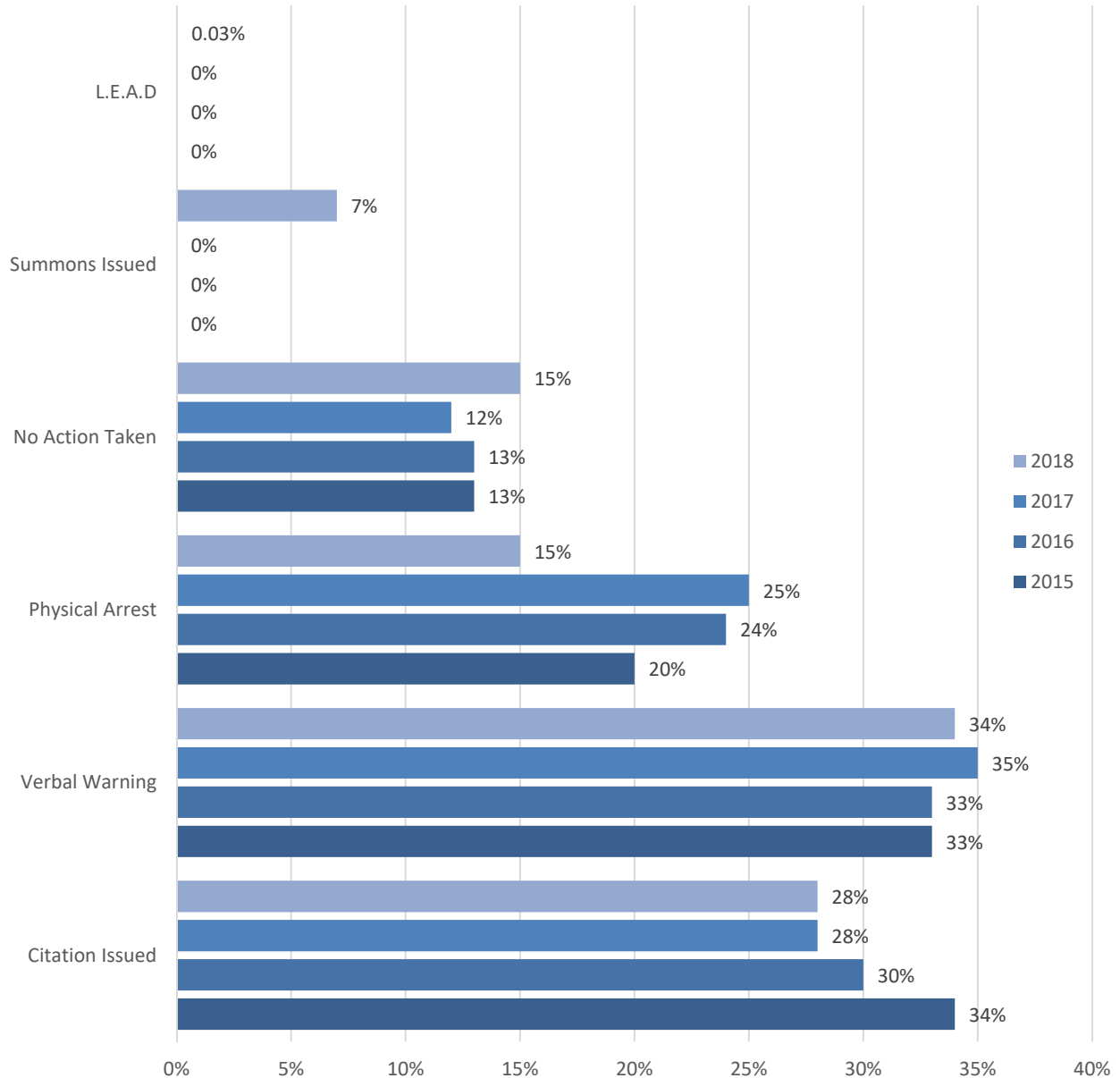
*Law Enforcement Assisted Diversion (LEAD) and Summons Issued became options in the Stop Result section of the FIC in January 2018.

<u>Stops by stop results and neighborhood</u>

The three neighborhoods with the highest number of stops mirrored 2017 and were Central City (7,080), followed by the Central Business District (4,900), and the French Quarter (3,605). The two neighborhoods that accounted for the fourth and fifth highest numbers of stops in 2018 were the Desire (2,627) and Mid-City (2,510) neighborhoods. In 2017, Mid-City was fourth and Desire was fifth.

Stop results varied considerably across neighborhoods. Below, the top three neighborhoods are ranked for each of the six stop result categories by (a) the total number of stops in each category, and (b) the percentage of total stops within each neighborhood in each category.

Stops Ending with No Action

With respect to the total number of stops that ended in no action, the following neighborhoods ranked in the top three: Central City (1,221), followed by the Central Business District (570) and the French Quarter (550); the top neighborhood remained the same from the previous year, with the French Quarter moving from second in 2017 to third and the Seventh Ward no longer in the top three.

With respect to the percentage of total stops within each neighborhood that ended in no action, the following neighborhoods ranked in the top three: Lake Catherine (60% of 20 stops), Iberville (28% of 300 stops), and the Florida Area (27% of 92 stops).

Stops Ending with a Verbal Warning

With respect to the total number of stops that ended in a verbal warning, the following neighborhoods ranked in the top three: Central City (2,985), Gert Town (1,102), and Mid-City (1,099). The top neighborhood remained the same from the previous year, Mid-City moved from second in 2017 to third, and the Central Business District was no longer in the top three.

With respect to the percentage of total stops within each neighborhood that ended in a verbal warning, the top three were: East Riverside (53% of 94 stops), Whitney (52% of 385 stops), and tied for third, the Garden District (49% of 174 stops) and Hollygrove (49% of 1330 stops).

Stops Ending with a Citation

With respect to the total number of stops that ended in a citation, the following neighborhoods ranked in the top three: Central Business District (2,012), Central City (1,586), and the Desire Area (1,466). The top neighborhood remained the same, Desire moved from second in 2017 to third, and Central City moved from third in 2017 to second.

With respect to the percentage of total stops within each neighborhood that ended in a citation, the top three neighborhoods were as follows: Lakeshore/Lake Vista (58% of 126 stops), followed by the Desire Area (56% of 2,627 stops), and St. Roch (54% of 1,370 stops).

Stops Ending with a Summons

With respect to the total number of stops that ended in a summons, the following neighborhoods ranked in the top three: the French Quarter (879), the Central Business District (556), and Central City (397). Summonses became an option in the Stop Result section of the FIC in January 2018.

With respect to the percentage of total stops within each neighborhood that ended in a summons, the top three neighborhoods are as follows: City Park (30% of 357), the French Quarter (24% of 3,605), and Lake Terrace & Oaks (13% of 99).

Stops Ending with a Law Enforcement Assisted Diversion (LEAD)

With respect to the total number of stops that ended in a LEAD, the following neighborhoods ranked in the top three: Mid-City (9), Tulane-Gravier (2), and the French Quarter, Lakewood, Gentilly Terrace, Treme - Lafitte, Uptown, and Tall Timbers - Brechtel (1).

With respect to the percentage of total stops within each neighborhood that ended in a LEAD, the top three neighborhoods are as follows: Lakewood (1.43% of 70 stops), Mid-City (0.36% of 2,510 stops), and Uptown (0.27% of 373 stops).

Stops Ending with an Arrest

With respect to the total number of stops that ended in an arrest, the following neighborhoods ranked in the top three: the French Quarter (1,037), Central City (891), and the Central Business District (809).

With respect to the percentage of total stops within each neighborhood that ended in an arrest, the rankings for the top three neighborhoods were as follows: the U.S. Naval Base (41% of 623 stops), Algiers Point (32% of 92 stops), and tied for third, Plum Orchard (29% of 266 stops) and the French Quarter (29% of 3,605 stops). The Florida Development neighborhood was not counted in this analysis because it had one stop in 2018.

Stops by stop results and race/ethnicity of the subject

The distribution of stop results within races/ethnicities varied in 2018. 16% of stops of black or African-American individuals ended in arrest in 2018, while 14% of stops of white individuals ended in arrest. 34% of stops of both black or African-American and white individuals ended in a verbal warning in 2018.

Table 2: Stops in New Orleans by stop result and race/ethnicity of the subject, 2018

	#	Citation Issued	Verbal Warning	Physical Arrest	No Action Taken	Summons Issued	L.E.A.D
Black or African-American	46,035	26%	34%	16%	16%	7%	0.03%
White	13,161	32%	34%	14%	12%	8%	0.04%
Hispanic or Latinx	1,842	35%	32%	13%	16%	5%	0.00%
Asian	408	36%	39%	9%	10%	6%	0.00%
Amer. Ind. or Alaskan Native	45	44%	49%	2%	2%	2%	0.00%
Unknown Race/Ethnicity	607	50%	36%	3%	8%	2%	0.00%

Stops by stop result and sex of the subject

The distributions of stop results within sexes were quite similar in 2018. The biggest difference was 17% of stops of male subjects resulted in arrest compared to 12% of stops of female subjects.

Table 3: Stops in New Orleans by stop result and sex of the subject, 2018

	#	Citation Issued	Verbal Warning	Physical Arrest	No Action Taken	Summons Issued	L.E.A.D
Female	20,514	30%	36%	12%	16%	6%	0.02%
Male	41,584	27%	34%	17%	14%	8%	0.03%

Stops by stop result and age of the subject

The distribution of stop results within age groups varied in 2018. Five percent of stops of subjects aged 13-17 ended in citations, compared to 34% of stops of subjects aged 65 and older. About 15% of stops of subjects aged 18-24, 25-34, and 35-64 resulted in arrest in 2018.

Table 4: Stop results in New Orleans by age of the subject, 2018

	#	Citation Issued	Verbal Warning	Physical Arrest	No Action Taken	Summons Issued	L.E.A.D
≤12 Yrs	426	3%	17%	12%	67%	1%	0.00%
13-17	1,599	5%	24%	37%	33%	1%	0.00%
18-24	11,344	25%	31%	15%	19%	10%	0.01%
25-34	21,233	30%	34%	16%	13%	7%	0.04%
35-64	25,679	29%	36%	14%	13%	7%	0.03%
65+	1,811	34%	46%	6%	11%	3%	0.00%
Unknown Age	6	17%	17%	0%	67%	0%	0.00%

Field interview cards by whether a search occurred

In 2018, a person or vehicle search occurred during 25% (12,365 of 50,352 FICs) of instances in which an FIC was reported. This is about the same as the percentages in 2016 and 2017, and slightly higher than the percentage in 2015

Figure 14 - Percent of field interview cards that indicate a search occurred, 2015-2018
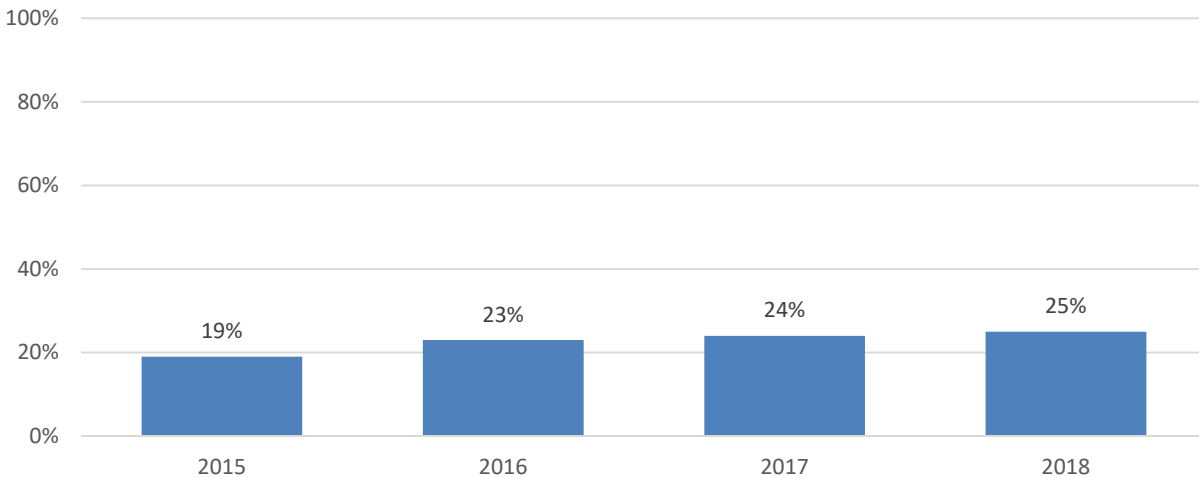
*Person and vehicle searches included.

Discretionary Search rates of subjects

Searches conducted incident to arrest or as the result of a warrant are considered "non-discretionary," meaning the NOPD policy dictates officers must perform searches. Similarly, searches documented as plain view also indicate the subject is most likely under arrest because the officer found contraband in plain view. Searches under exigent circumstances, by consent, and pat downs are considered "discretionary," meaning they are initiated by an officer who may have reasonable suspicion to believe the subject being searched could be in possession of illegal and/or dangerous contraband. FICs indicate that 12% of stopped subjects were searched with a discretionary search in 2018, down from 22% in 2017. Vehicle searches were not included in this analysis.

Table 5: Discretionary Search Rates, 2015-2018

	No Discretionary Search	Discretionary Search
2015*	20,934 (83%)	4,303 (17%)
2016	35,546 (80%)	8,945 (20%)
2017	42,941 (78%)	12,423 (22%)
2018	52,570 (88%)	6,944 (12%)

*NOPD implemented a supervisor approval process for FICs in May 2015. Supervisors review FICs for accuracy and completeness. This report shows data from FICs that have been approved by a supervisor.

FICs indicate officers conducted discretionary searches on 13% of the black or African-American subjects they stopped, and 8% of the white subjects they stopped in 2018.

Table 6: Discretionary Search Rates by Race of Subject 2018

	No Discretionary Search	Discretionary Search
Black or African-American	38,164 (87%)	5,711 (13%)
White	11,786 (92%)	1,033 (8%)
Hispanic or Latinx	1,625 (91%)	151 (9%)
Asian	382 (96%)	16 (4%)
Amer. Ind. or Alaskan Native	43 (96%)	2 (4%)
Unknown Race/Ethnicity	564 (95%)	31 (5%)

FICs indicate that officers conducted discretionary searches on 15% of the male subjects they stopped, and 5% of the female subjects they stopped in 2018.

Table 7: Discretionary Search Rates by Sex of Subject, 2018

	No Discretionary Search	Discretionary Search
Male	33,721 (85%)	6,010 (15%)
Female	18,843 (95%)	934 (5%)

FICs indicate that officers conducted discretionary searches on 14% of the subjects they stopped between the ages of 18 and 24, and 11% of the subjects they stopped between the ages of 25 and 34 in 2018.

Table 8: Discretionary Search Rates by Age of Subject, 2018

	No Discretionary Search	Discretionary Search
<=12 Yrs	390 (92%)	34 (8%)
13-17	1,102 (69%)	487 (31%)
18-24	9,311 (86%)	1,569 (14%)
25-34	17,835 (89%)	2,287 (11%)
35-64	22,210 (90%)	2,488 (10%)
65+	1,710 (96%)	79 (4%)
Unknown Age	6 (100%)	0 (0%)

Evidence seized rates for Discretionary Searches

The FIC has a section for officers to indicate whether they seized evidence from individuals. It is important to note the FIC does not allow an officer to link evidence he/she seizes to an individual search. For the purposes of this analysis an FIC that indicates a discretionary search occurred and evidence was seized was considered to be a "hit" when it is possible the evidence was seized from a different non-discretionary search. FICs indicate evidence was seized from 20% of the subjects that received discretionary searches in 2018. The evidence seized rate has been relatively consistent since 2015.

Table 9: Discretionary Searches and Evidence Seized by Subject, 2015-2018

	Discretionary Search and No Evidence Seized	Discretionary Search and Evidence Seized
2015*	3,665 (85%)	638 (15%)
2016	7,458 (83%)	1,487 (17%)
2017	9,798 (79%)	2,625 (21%)
2018	5,541 (80%)	1,403 (20%)

*NOPD implemented a supervisor approval process for FICs in May 2015. Supervisors review FICs for accuracy and completeness. This report shows data from FICs that have been approved by a supervisor.

FICs indicate that officers seized contraband from 21% of the black or African-American subjects they searched with discretionary searches and from 17% of the white subjects they searched with discretionary searches in 2018.

Table 10: Discretionary Searches and Evidence Seized by Race of Subject, 2018

	Discretionary Search and No Evidence Seized	Discretionary Search and Evidence Seized
Black or African-American	4,511 (79%)	1,200 (21%)
White	860 (83%)	173 (17%)
Hispanic or Latinx	133 (88%)	18 (12%)
Asian	10 (63%)	6 (38%)
Amer. Ind. or Alaskan Native	1 (50%)	1 (50%)
Unknown Race/Ethnicity	26 (84%)	5 (16%)

FICs indicate that officers found contraband on 20% of the male subjects they searched with discretionary searches and 19% of the female subjects they searched with discretionary searches in 2018.

Table 11: Discretionary Searches and Evidence Seized by Sex of Subject, 2018

	Discretionary Search and No Evidence Seized	Discretionary Search and Evidence Seized
Male	4,783 (80%)	1,227 (20%)
Female	758 (81%)	176 (19%)

FICs indicate that officers seized evidence from 30% of the subjects they searched with discretionary searches who were between the ages of 18 and 24 and from 19% of the subjects they searched with discretionary searches who were between the ages of 25 and 34 in 2018.

Table 12: Discretionary Searches and Evidence Seized by Age of Subject, 2018

	Discretionary Search and No Evidence Seized	Discretionary Search and Evidence Seized
<=12 Yrs	31 (91%)	3 (9%)
13-17	398 (82%)	89 (18%)
18-24	1,103 (70%)	466 (30%)
25-34	1,851 (81%)	436 (19%)
35-64	2,090 (84%)	398 (16%)
65+	68 (86%)	11 (14%)
Unknown Age	0	0

Pat Down Search and Evidence Seized Rates by Race/Ethnicity

When officers have a legal reason to stop someone and they suspect the person is armed and dangerous, officers may conduct a pat down of the subject. When an officer conducts a pat down he/she/they search a person's outer garments with his/her/their open hands. A pat down is one type of discretionary search. In 2018, officers conducted a pat down on 13% of the black or African-American subjects they stopped and on 8% of the white subjects.

Table 13: Pat Down Rates by Race/Ethnicity of Subject, 2018

	No Pat Down	Pat Down
Black or African-American	38,305 (87%)	5,570 (13%)
White	11,819 (92%)	1,001 (8%)
Hispanic or Latinx	1,629 (92%)	147 (8%)
Asian	382 (96%)	16 (4%)
Amer. Ind. or Alaskan Native	43 (96%)	2 (4%)
Unknown Race/Ethnicity	565 (95%)	30 (5%)

During the course of a pat down, an officer may seize objects that appear to be a weapon or that he/she/they immediately recognize to be contraband. It is important to note the FIC does not allow an officer to link evidence he/she seizes to an individual search. For the purposes of this analysis an FIC that indicates a pat down occurred and evidence was seized was considered to be a "hit" when it is possible the evidence was seized from a different search. In 2018, officers seized evidence from 21% of the black of African-American subjects they patted down and from 16% of the white subjects they patted down.

Table 14: Pat Down Evidence Seized Rates by Race/Ethnicity of Subject, 2018

	Pat Down and No Evidence Seized	Pat Down and Evidence Seized
Black or African-American	4,413 (79%)	1,157 (21%)
White	838 (84%)	163 (16%)
Hispanic or Latinx	130 (88%)	17 (12%)
Asian	10 (63%)	6 (38%)
Amer. Ind. or Alaskan Native	1 (50%)	1 (50%)
Unknown Race/Ethnicity	25 (83%)	5 (17%)

Because officers pat down people they suspect of being armed and dangerous, it seems logical to compare the race/ethnicity distribution of people NOPD has patted down to that of people NOPD has arrested for violent crimes. This analysis includes all arrested individuals documented in NOPD police reports that are classified as documenting violent crimes according to the FBI Universal Crime Reporting (UCR) standards. In 2018, 89.6% of the people NOPD arrested for violent crimes were black of African-American and 6.4% were white, while 82.3% of the people NOPD patted down were black or African-American and 14.8% were white.

Table 15: Race/Ethnicity Distributions of Arrests for Violent Crimes and Pat Downs, 2018

	UCR Violent Arrests	Pat Downs
Black or African-American	1,674 (89.6%)	5,570 (82.3%)
White	120 (6.4%)	1,001 (14.8%)
Hispanic or Latinx	40 (2.1%)	147 (2.2%)
Asian	6 (0.3%)	16 (0.2%)
Unknown Race/Ethnicity	29 (1.6%)	2 (0.03%)

*This data reflects arrested subjects documented in NOPD police reports that are classified as documenting violent crimes according to the FBI's Universal Crime Reporting (UCR) standards. In the FBI's UCR Program, violent crime is composed of four offenses: murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault. Violent crimes are defined in the UCR Program as those offenses which involve force or threat of force.

Similarly, it is logical to compare the race/ethnicity distribution of people NOPD has arrested and charged with weapons offenses to the distribution of people NOPD has patted down. In 2018, black or African-American people made-up 94.7% of those NOPD arrested and charged with a charge description that included the words "weapon" or "firearm," and white people made-up 4.2%, while 82.3% of the people NOPD patted down were black or African American and 14.8% were white.

Table 16: Race/Ethnicity Distributions of Arrests with "Weapon" or "Firearm" in the Charge Description and Pat Downs, 2018

	Arrest with "Weapon" or "Firearm" in Charge Description	Pat Downs
Black or African-American	1,647 (94.7%)	5,570 (82.3%)
White	73 (4.2%)	1,001 (14.8%)
Hispanic or Latinx	5 (0.3%)	147 (2.2%)
Asian	9 (0.5%)	16 (0.2%)
Unknown Race/Ethnicity	6 (0.3%)	2 (0.03%)

Searches by type of search

The most common searches documented on FICs in 2018 were searches incident to arrest (50%) and pat downs (36%). Searches conducted incident to arrest or as the result of a warrant are considered "non-discretionary," meaning the NOPD policy dictates officers must perform searches. Similarly, searches documented as plain view also indicate the subject is most likely under arrest because the officer found contraband in plain view. Searches under exigent circumstances, by consent, and pat downs are considered "discretionary," meaning they are initiated by an officer who may have reasonable suspicion to believe the subject being searched could be in possession of illegal and/or dangerous contraband. FICs indicate approximately 62% of all searches in 2018 were non-discretionary.[2] In 2018, NOPD began addressing the practice of officers calling searches pat downs when they use an outer-garment search technique. A large portion of such searches are conducted after the subject is under arrest and are technically searches incident to arrest. This helps explain why pat downs decreased from 47% in 2017 to 36% in 2018, and searches incident to arrest increased from 33% in 2017 to 50% in 2018.

Figure 15 - Searches in New Orleans by reason for search, 2015-2018
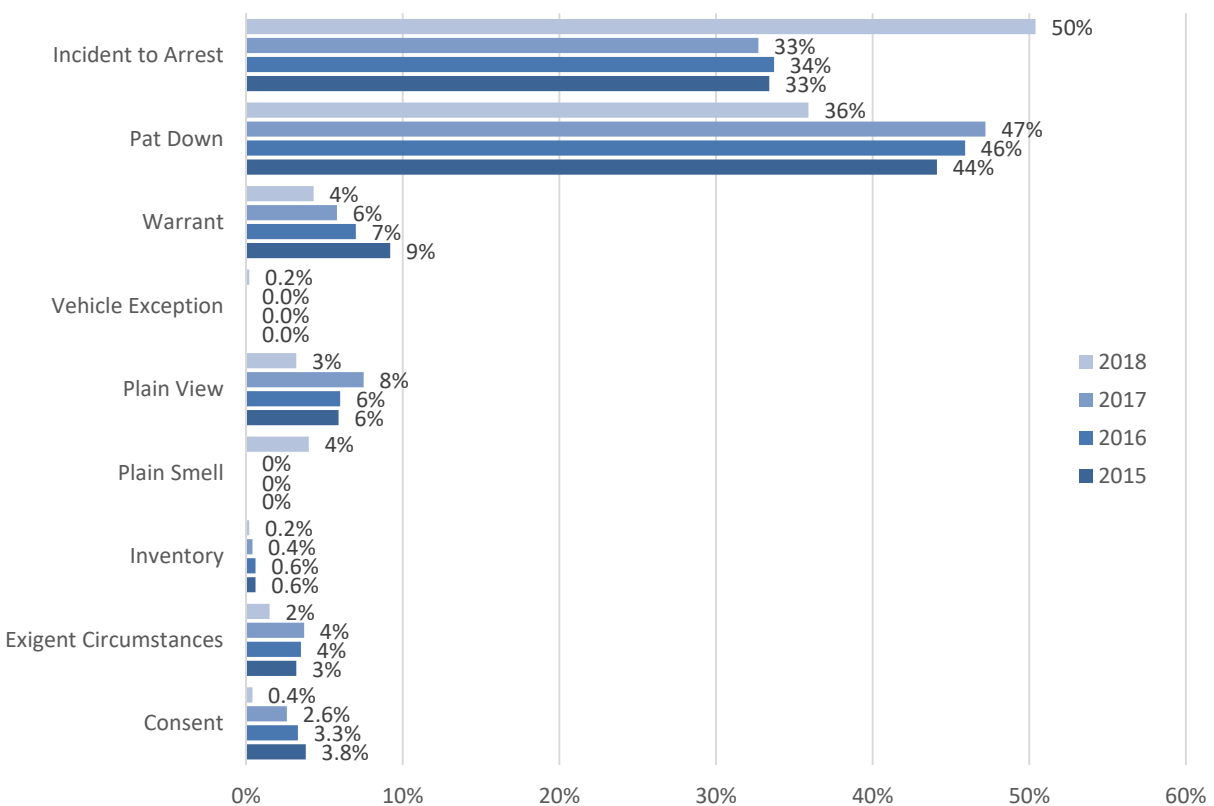
*Vehicle Exception and Plain Smell became options on the FIC in January 2018.

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[2] For the purposes of this analysis, search types Incident to Arrest, Inventory, Plain View, Warrant, and Plain Smell were considered non-discretionary; and search types Consent, Exigent Circumstances, Vehicle Exception, and Pat Down were considered discretionary.

<u>Searches by search type and neighborhood</u>

The three neighborhoods with the most searches in 2018 were the French Quarter (2,114 searches), followed by Central City (1,779 searches), and the Central Business District (1,408 searches).

Search results varied considerably across neighborhoods. Below, the top five neighborhoods are ranked for three search categories by (a) the total number of searches in each category, and (b) the percentage of total searches within each neighborhood in each category.[3]

To simplify the analysis, search types Consent, Inventory, Vehicle Exception, Exigent Circumstances, Plain Smell, Plain View, and Warrant were categorized as Other Searches.

Incident to Arrest Searches

With respect to the total number of incident to arrest searches, the following neighborhoods were the top three: the French Quarter (1,295), Central City (910), and the Central Business District (867).

With respect to the percentage of total searches within each neighborhood categorized as incident to arrest, the following neighborhoods were the top three: Garden District (64% of 50 searches), Central Business District (62% of 1,408 searches), and the French Quarter (61% of 2,114 searches).

Pat Down Searches

With respect to the total number of pat down searches, the following neighborhoods were the top three: Central City (695), the French Quarter (622), and the Central Business District (403).

With respect to the percentage of total searches within each neighborhood that were categorized as pat downs, the top three neighborhoods were: Lakewood (68% of 19 searches), Lakeshore - Lake Vista (67% of 12 searches), and East Riverside (60% of 30 searches).

Other Searches

With respect to the total number of other searches (searches categorized as Consent, Inventory, Vehicle Exception, Exigent Circumstances, Plain Smell, Plain View, and Warrant), the following neighborhoods ranked in the top three: the French Quarter (197), Central City (174), and Central Business District (138).

With respect to the percentage of total searches within each neighborhood that were categorized as other searches (searches categorized as Consent, Inventory, Vehicle Exception, Exigent Circumstances, Plain Smell, Plain View, and Warrant), the top three neighborhoods were: Algiers Point (25% of 63 searches), New Aurora – English Turn (25% of 147 searches), and Gert Town (25% of 507 searches).

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[3] For purposes of this analysis, the Florida neighborhood was not counted because it had one search in 2018.

Searches by search type and race/ethnicity of the subject

In 2018, FICs indicate that incident to arrest searches accounted for 49% of searches of black or African-American individuals and 57% of searches white individuals. 37% of searches of black or African-American individuals were pat-down searches, and 32% for white individuals. The distribution of search types for Hispanic or Latinx individuals was similar in 2018. Comparisons with subjects with race/ethnicity American Indian or Alaskan Native, Asian, and individuals of unknown race/ethnicity are unreliable as they received less than 1% of all searches in 2018.

Table 17: Searches by search type and race/ethnicity of subject, 2018

	Total Searches	Incident to Arrest	Pat Down	Other
Black or African-American	15,137	49%	37%	14%
White	3,154	57%	32%	11%
Hispanic or Latinx	404	53%	36%	11%
Asian	62	56%	26%	18%
Amer. Ind. or Alaskan Native	5	20%	40%	40%
Unknown Race/Ethnicity	63	33%	48%	19%

*Other includes search types: Consent, Vehicle Exception, Exigent Circumstances, Inventory, Plain Smell, Plain View, and Warrant.

Searches by search type and sex of the subject

In 2018, FICs indicate the percentage of searches of female subjects that were incident to arrest was 58%, and 49% for male subjects. 28% of searches of female subjects were pat downs, while 38% of searches of male subjects were pat downs in 2018.

Table 18: Searches by search type and sex of subject, 2018

	Total Searches	Incident to Arrest	Pat Down	Other
Female	3,279	58%	28%	14%
Male	15,546	49%	38%	14%

*Other includes search types: Consent, Vehicle Exception, Exigent Circumstances, Inventory, Plain Smell, Plain View, and Warrant.

Searches by search type and age of the subject

In 2018, FICs indicate that when officers stopped subjects between the ages of 18 and 24, 46% of stops included a search incident to arrest; and for subjects between the ages of 25 and 34, 51% of stops included a search incident to arrest.. Subjects between the ages of 18 and 24 received pat-down searches in 38% of stops, and subjects between the ages of 25 and 34 received pat-down searches in 35% of stops.

Table 19: Searches in New Orleans by search type and age of subject, 2018

	Total	Incident to Arrest	Pat Down	Other
≤12 Yrs	73	48%	47%	6%
13-17	1,047	47%	46%	7%
18-24	4,112	46%	38%	17%
25-34	6,419	51%	35%	14%
35-64	6,980	53%	35%	13%
65+	194	51%	39%	10%

*Other includes search types: Consent, Vehicle Exception, Exigent Circumstances, Inventory, Plain Smell, Plain View, and Warrant.

Evidence seized by type

In 2018, FICs indicate that drugs were the most common (68%) type of evidence seized. The rise in the number of instances in which drugs were seized may be attributed to the 2016 City ordinance (Sec. 54-505) making simple possession of marijuana a ticket-able offense, rather than being subject to custodial arrest. Individuals may now be less likely to conceal marijuana and associated paraphernalia. Although the percentage of weapons seized decreased from 21% in 2017 to 16% in 2018, the decrease in the number of weapons seized, from 781 in 2017 to 734 in 2018, was less significant.

Figure 16 - Contraband found in New Orleans by type of contraband, 2015-2018
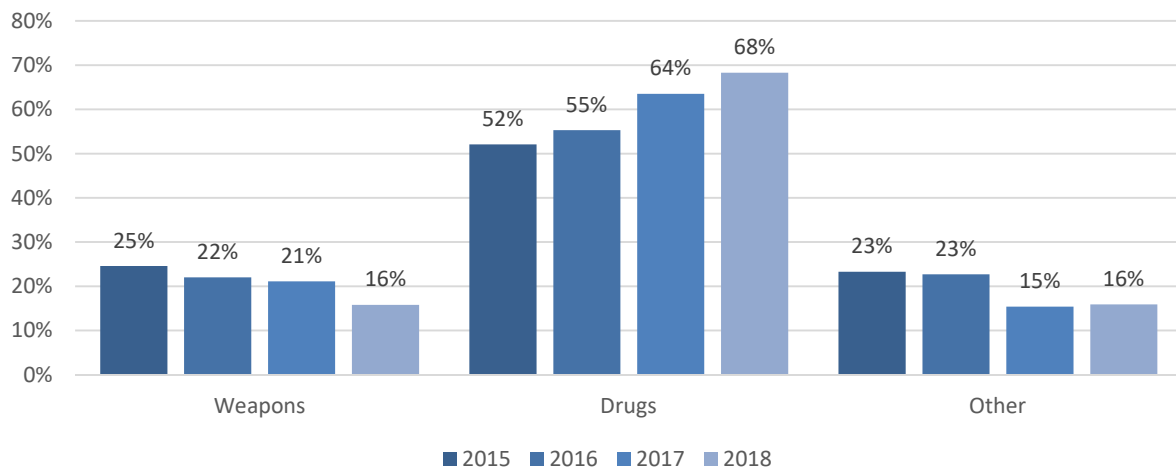
Evidence seized by type and neighborhood

The French Quarter had the highest rate of evidence seized during stops (690), followed by Central City (465), and the Central Business District (352). These neighborhoods represent approximately 33% of all stops resulting in evidence seized throughout the City in 2018 (1,507 of 4,568).

Of the previously mentioned areas, the French Quarter had the highest percentage of searches wherein officers seized weapons (18%), and the French Quarter and Central City tied for the highest percentage of searches wherein officers seized drugs (70%).

Evidence seized by type and race /ethnicity of the subject

In 2018, 69% of evidence seized from black or African-American and white individuals was drugs. The percentage of evidence seized that was weapons was 17% from black or African-American individuals and 9% from white individuals. Comparisons to Hispanic, Asian, and American Indian individuals and those of unknown race/ethnicity are not reliable as they amount to less than 2% of all evidence seized in 2018.

Table 20: Evidence discovered by type and race/ethnicity of subject, 2018

	Total	Weapons	Drugs	Other
Black or African-American	3,907	17%	69%	15%
White	660	9%	69%	23%
Hispanic or Latinx	63	13%	57%	30%
Asian	14	14%	64%	21%
Amer. Ind. or Alaskan Native	1	0%	100%	0%
Unknown Race/Ethnicity	11	36%	55%	9%

Evidence seized by type and sex of the subject

In 2018, FICs indicate that 68% of evidence seized from males was drugs, and 72% of evidence seized from females was drugs. The percentage of evidence seized that was weapons was 17% from males and 10% from females.

Table 21: Evidence found in New Orleans by type of evidence and sex of subject, 2018

	Total	Weapons	Drugs	Other
Female	854	10%	72%	19%
Male	3,802	17%	68%	15%

<u>Evidence seized by type and age of the subject</u>

In 2018, FICs indicate that 73% of evidence seized from subjects between the ages of 18 and 24 was drugs, and 71% of the evidence seized from subjects between the ages of 25 and 34 was drugs. The percentage of evidence seized that was weapons was 19% from subjects between the ages of 18 and 24 and 15% from subjects between the ages of 25 and 34. Although evidence seized from subjects between the ages of 13 and 17 amounted to 4% of all evidence seized, 31% of evidence seized from such subjects was weapons.

Table 22: Evidence seized by type and age of subject, 2018

	Total	Weapons	Drugs	Other
≤12 Yrs	16	31%	25%	44%
13-17	185	31%	30%	39%
18-24	1,476	19%	73%	8%
25-34	1,561	15%	71%	14%
35-64	1,389	11%	67%	23%
65+	29	14%	55%	31%