



NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

CHAPTER: 12.1

TITLE: DEPARTMENT OPERATIONS MANUAL

EFFECTIVE: 01/14/2018

REVISED: Replaces Policy 106

PURPOSE

The Operations Manual of the New Orleans Police Department is hereby established and shall be referred to as the "**New Orleans Police Department Operations Manual**." The Operations Manual is a statement of the current regulations, Chapters, policies, procedures, rules and guidelines of this department.

POLICY STATEMENT

1. All members are to conform to the provisions of this manual.
2. All prior and existing manuals, orders, and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders, and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.
3. Members of the Department who observe or become aware of a violation of the department regulations by a member shall report the violation to a supervisor or directly to the Public Integrity Bureau (PIB).
4. Supervisors shall be held accountable for identifying and responding to violations by member under their command. Members of the Department shall be held accountable for regulation violations.
5. Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines.
6. It is the intent of this manual for its guidelines to be viewed from a reasonable, objective standard, taking into consideration the exercise of sound discretion entrusted to members of this Department under the circumstances reasonably known or available at the time of any incident.

DEFINITIONS

Definitions, abbreviations and word conventions relevant to this Chapter include:

Adult—Majority is attained upon reaching the age of 18 years (CC 29).

CC—Louisiana Civil Code

CCP—Louisiana Code of Civil Procedure

C.Cr.P. —Louisiana Code of Criminal Procedure

CE—Louisiana Code of Evidence

Ch. C.—Louisiana Children's Code

Child/juvenile—A person who has not attained the age of 18 years (CH. C. 116).

New Orleans—The City of New Orleans

CFR—Code of Federal Regulations

Civilian Employee—Any non-sworn member employed by NOPD, on either a temporary or permanent basis, in either a paid or unpaid capacity.

NOPD/Department—The New Orleans Police Department and its agents, officers, supervisors and members (both sworn and non-sworn).

DCFS—Department of Children and Family Services

DPSC—Louisiana Department of Public Safety and Corrections

Personnel/Employee— New Orleans Police Department officers and employees

LAC - Louisiana Administrative Code

LACCH—Louisiana Computerized Criminal History system

LSP—Louisiana State Police

Manual—The New Orleans Police Department Operations Manual

May—Indicates a permissive, discretionary or conditional action.

Member—An individual who is employed, either full-time, part-time, under contract or who volunteers for the NOPD. This includes civilian volunteers and Reserve Officers while “on-duty” and performing functions under the auspices of the NOPD.

OMV—Louisiana Office of Motor Vehicles

Off-Duty—When a member of the New Orleans Police Department is not working a Departmental assigned shift, approved overtime or approved police secondary employment.

On-duty—When a member of the New Orleans Police Department is working a Departmental assigned shift, approved overtime or approved police secondary employment.

Order—A written or verbal instruction issued by a supervisor who is in the member's chain of command or who is exercising general supervisory authority on a scene or incident.

Police Officer / Officer—A Commissioned Law Enforcement or Peace Officer with the power to effect arrests. This includes Reserve Officers. This term is gender neutral.

POST—Louisiana Peace Officer Standards and Training Council

Rank—The title of the civil service classification held by an officer.

R.S. —Louisiana Revised Statutes

Shall (or will) —Indicates a mandatory action.

Should—Indicates a generally required or expected action, absent a rational basis for failing to conform.

Superintendent—The Superintendent of the New Orleans Police Department

Supervisor—A sworn NOPD member at the rank of sergeant or above (or anyone acting in those capacities) and a non-sworn NOPD member with oversight responsibility for other members.

USC—United States Code

RESPONSIBILITIES

7. The ultimate responsibility for the content of this manual rests with the Superintendent of Police. Since it is not practicable for the Superintendent of Police to prepare and maintain the manual, delegations have been made as indicated in this Chapter.

SUPERINTENDENT OF POLICE

8. The Superintendent of Police, as the appointing authority for the New Orleans Police Department, shall be considered the ultimate authority for the provisions of this manual and shall ensure compliance with all applicable federal, state, and local laws.
9. The Superintendent of Police is responsible for issuing Departmental Orders in the form of General Orders, which may modify or clarify those provisions of the manual to which they pertain.
10. General Orders shall remain in effect until such time as they are permanently incorporated into the manual.

SUPERINTENDENT'S STAFF

11. The Superintendent's staff shall review all recommendations regarding proposed changes to the Operations Manual as applicable to their areas of responsibility or as directed by the Superintendent.

DEPARTMENT MEMBERS

12. Department members suggesting revision of the contents of the Operations Manual shall forward their written suggestions to their Division Commander, who will review the

recommendation and forward it, via the chain of command, to the Superintendent of Police for consideration. A copy shall be forwarded to the Compliance Bureau - Policy Standards Section.

CHAPTER FORMATTING CONVENTIONS

13. All written regulations will have a header at the top of the page with the subject of the regulation and the Chapter number. Each Chapter will begin with a purpose statement, a policy statement (when appropriate), and will conclude with the directive information on that subject. The published and revision dates of the Chapter will be printed in the header section of each policy.

DISTRIBUTION

14. An electronic version of the Operations Manual is available to all members on the department's internal web site (<http://cno-eprweb01.cityofno.com> under **NOPD.org**, then **Rules & Regulations**). The electronic version will be limited to the viewing and printing of specific sections.
15. No changes shall be made to the electronic version without authorization of the Commander of the Policy Standards Section.

MANUAL ACCEPTANCE / ACKNOWLEDGEMENT

16. All members are required to read and obtain necessary clarification of this Department's regulations as they are issued.
17. All members shall give affirmation on the department's designated web application to reflect their receipt, review and knowledge of each new or revised Chapter or Rule.

REVISIONS TO CHAPTERS

18. All members are responsible for keeping abreast of all Operations Manual revisions. All changes to the Operations Manual will be posted on **NOPD.org**.
19. The Policy Standards Section will forward notice of all revisions to the Operations Manual as directed by General Order to all members via electronic mail.
20. Each supervisor (civilian and commissioned) will ensure that members under his/her command are aware of all Operations Manual revisions as they become effective.

PERIODIC REVIEW

21. The Policy Standards Section shall review each Chapter annually after it is implemented to ensure that the Chapter provides effective direction to NOPD members, remains consistent with best practices and changes in laws.
22. The Policy Standards Section shall review and revise Chapters as necessary or upon notice of a significant Chapter deficiency during an audit or review.

SUPERVISORY MEMBERS

23. Supervisory member shall have the authority to formulate and issue written guidelines as it pertains to the unique operation of their particular assignment. However, no guideline shall be issued which is in conflict with any directive issued by the

Superintendent of Police or a higher ranking supervisor in the member's chain of command.

POLICY STANDARDS SECTION

24. The Policy Standards Section shall coordinate and serve as a central clearing unit for the creation, preparation, evaluation, review, revision, indexing, and distribution of the Department's Rules and Chapters. New Chapters and Rules shall be distributed by the Policy Standards Section through the Department's web site (<http://cno-epweb01.cityofno.com> under **NOPD.org**, then **Rules & Regulations**).
25. The Policy Standards Section shall be responsible for the storage (both electronic and in written form) of all Operations Manuals.
26. Members of the New Orleans Police Department may contact the Policy Standards Section to obtain copies of Chapters already placed in effect that may not be available via **NOPD.org**.
27. Requests for copies of a voluminous nature may necessitate the requesting individual to supply both materials and labor for completion of the task.

RECOMMENDATIONS FOR NEW POLICIES

28. Upon receipt of a recommendation, the Policy Standards Section shall:
 - (a) Research and evaluate the recommendation; and
 - (b) Prepare a written recommendation for the approval or disapproval of the recommendation(s) to the Deputy Chiefs of the Compliance Bureau and Public Integrity Bureau.
29. Upon approval by the Deputy Chief of the Compliance Bureau, all new Chapters shall be forwarded to the Superintendent of Police for final approval.
30. The Policy Standards Section shall notify the requesting member, in writing, of the Deputy Chief of the Compliance Bureau or Superintendent's decision within thirty (30) working days regarding their recommendation.