

AUTHORITY -

Pursuant to Chapter 1.1 – Law Enforcement Authority. Paragraph #21:

“Nothing in this Chapter prohibits the Superintendent of Police from exercising his/her authority to deputize persons not members of the NOPD as “special officers” under the provisions of Home Rule Charter – City of New Orleans Article IV. Chapter 5, Section 4 – 502.2. The Superintendent shall prescribe the rules and regulations governing the exercise of police power by persons so deputized and may suspend or cancel the deputization in the Superintendent’s discretion (Home Rule Charter – City of New Orleans Article IV. Chapter 5, Section 4 – 502.2).”

PURPOSE -

The City’s deputization policy would allow non-NOPD officers to enforce public health and quality-of-life related ordinances, including those related to illegal dumping; obstructing or discharging hazardous liquids into catch basins and drainage systems; rat harborage; unlicensed tour guides and for-hire vehicles; and other quality of life issues.

Currently, only NOPD officers can enforce these important public health and quality-of-life violations. Once the ordinance is passed, NOPD (Superintendent) would deputize only certain employees in the Office of Sanitation, Department of Public Works, Homeland Security, and the New Orleans Mosquito, Termite and Rodent Control Board to issue citations for violations of limited public health and quality-of-life Ordinances.

The deputization policy would allow enforcement of these important public health and quality-of-life ordinances without creating additional manpower burdens on the NOPD.

The limited deputization of non-commissioned City Employees does not allow custodial arrest, the use of force or firearms.

PROCESS -

Process for deputization by the Superintendent of Police:

1. The Department heads of the Office of Sanitation, Department of Public Works, Homeland Security, and the New Orleans Mosquito, Termite and Rodent Control Board shall make a written request for deputization of an employee whose job duties require them to issue citations for enforcement. The request shall cite the full name, race, sex, date of birth, social security number and civil service job title for each employee for which deputization is requested.
2. Once the request has been received by the Superintendent and approved for processing, it shall be forwarded to the Deputy Chief of the Management Services Bureau for processing to include:
 - a. Background screening to include checks in all law enforcement accessible databases to confirm suitability for the individual to be deputized. ANY indications of unsuitability shall be specifically noted in a written communication to the Superintendent by the Deputy Chief of MSB with a recommendation. No outstanding warrants and a Recommendation letter from the Department/Agency head (hiring authority) stating that the person is in good standing (no outstanding complaints pending, no history of complaints involving vulgar, threatening words or conduct, no issues of inappropriate behavior in the workplace, etc.) The final decision remains with the Superintendent.
 - b. The Education & Training Division (E&TD) shall prepare a lesson plan specifically covering the limitations of the deputization authority, prohibitions on use of force, prohibition on carrying of weapons (firearms) during the course of their official duties,

penalties for exceeding authority and the process to be used to “cite” an infraction and perfect the citation. This course may be taught by a member of MSB or an instructor outside the E&TD once approved by the Captain of the E&TD.

3. Once approved and trained, the Deputy Chief of MSB shall be responsible for administering the Oath (signed copy on file) and issuing an identification, which remains the property of the NOPD, which has a photograph, full name, and Department of the City the individual works for and clearly states the deputization authority is limited to citations only and the person has no arrest, weapons carrying or summons authority. **All citations shall be issued in-person to the violator. No badge of any kind shall be issued by NOPD.**
4. The Deputy Chief of MSB shall maintain a list of all persons to which deputization identifications and authority have been issued. The list shall indicate the person’s full name, contact information, City department, date issued and if applicable, date authority and ID revoked.
5. The Deputy Chief of MSB shall ensure that the list of persons with deputization authority is reviewed and confirmed with the City Department head annually in writing. This can be by email. This list shall be maintained on the NOPD web applications page under the “Resources” folder for officers’ review if called to the scene.
6. All complaints involving persons deputized shall be investigated by their Department however all complaints relating to the abuse of authority by deputized persons shall be communicated to and investigated by the Deputy Chief of MSB. Upon the conclusion of the investigation, the Deputy Chief of MSB shall make a report of findings and recommendation to the Superintendent.