

The Ethics Review Board
City of New Orleans

City Council Chambers
City of New Orleans
1300 Perdido Street
New Orleans, Louisiana 70112

Tuesday, February 7, 2012
2:30PM

MINUTES

Present: Rev. Cornelius Tilton, Chair; Rev. Dr. Don Frampton; Dr. Michael Cowan; Dr. Laura Rouzan

Absent: Elizabeth S. Nalty; Okyeame Haley

Staff Present: Felicia Brown, Executive Director
Steven Scheckman, General Counsel
Victoria Smith, Office Assistant, Trainee

Guest(s): Edouard R. Quatrevaux, Inspector General
Susan Hutson, Independent Police Monitor

The chair called the meeting to order at 2:33 p.m. Dr. Cowan moved for approval of the December 13, 2011, minutes; second by Dr. Frampton. The motion passed unanimously.

Rev. Tilton recognized Inspector General Edouard Quatrevaux.

Inspector General Report:

Mr. Quatrevaux reported on the OIG peer review which consisted of 4 members (from across the country) representing the areas in which the IG's work is concentrated. The peer review was conducted during January 10-13, 2012, and proved a valuable exercise. Mr. Quatrevaux indicated that the review resulted in a passing score for the office and that all standards were met by the OIG.

In his op-ed, featured in the Times-Picayune, Mr. Quatrevaux noted the IG's mission: to prevent and deter fraud, waste, corruption and abuse and cited setting public expectations for government officials as an important element of prevention.

He reported that the audit of inmate charges by the Orleans Parish Sheriff Office revealed no irregularities in invoicing and that no findings or recommendations were issued.

Evaluation of Life Insurance and Accidental Death Dismemberment Coverage:

Earlier today, the inspector general released a report of its evaluation of the policies and practices relating to the procurement and management of group life insurance benefits provided to city employees.

The evaluation found that the city spent approximately \$250,000 to provide benefits to ineligible retirees and another \$250,000 to pay commissions to agents, employed by Hartford Life & Accident Insurance Co., who provided no services. The evaluation also found that the city had not provided adequate information about the benefit to the workforce, and that death benefit claims were not filed for six of the twenty-one eligible employees who died in 2009-2010. The report also exposed that city personnel destroyed records of proposals received in response to an RFP in 2010, in violation of the Public Records Act; personnel were appropriately disciplined in this regard.

Mr. Quatrevaux stated the OIG's annual report is being written and will be released on March 31st. Preliminary numbers reflect \$6.2 million in waste, with approximately \$4.8 million recurring annually. He reported the OIG's budget at \$2.7 million with a return on investment of 2.17. Mr. Quatrevaux said the IG's strategic plan for 2013-2016 is due September 1st. The plan will reflect a shift from the previous focus on risk assessment. New foci to include: basis of civilization, including public safety and the courts, Orleans Public School Board (OPSB) and Recovery School District (RSD), specifically to ensure school system is corruption free and that OPSB has the proper financial controls should schools be returned to the district. Within tourism, the OIG will concentrate on the airport, taxicab regulations, and the French Quarter and Convention Center areas. The IG's initial project will be a review of DWI case dispositions.

Mr. Quatrevaux stated that Nadiene Van Dyke has been selected as first assistant inspector general to fill the vacancy resulting from Janet Werkman's retirement.

Dr. Cowan lauded the new strategic direction and the efforts of the OIG. Drs. Frampton and Cowan sought clarity with regard to the report on the city's life insurance program (level of employees' awareness of benefits, nonpayment of benefits, funds recovered by the city, and coverage for ineligible retirees). Mr. Quatrevaux responded stating that better information could be provided by the city with regard to benefits as well as the claims process and that Hartford had refunded \$80,000 to the city. He further explained that 2009-2010 was the timeframe when the benefit claims failed to be filed for the six eligible employees.

Independent Police Monitor Report:

Strategic Planning – the IPM will engage in a strategic planning process during the month of February and have a finished plan by the end of the month. The IPM will prioritize based on its resources and staffing.

Stops and Frisks Report – the IPM will issue its report of stops and frisks at the end of March. The report's release date was pushed back to allow for deeper statistical analysis of data. The IPM will present this report to the ERB in the future.

Annual Report – Release date of March 31st. The report will contain more statistics and analysis this year than in previous years. It will include IPM stats as well as PIB stats. A presentation to the ERB is forthcoming.

Consent Decree –Ms. Hutson anticipates the consent decree will be issued next month and believes the IPM may have a more expansive role. However, the details have not been made available to the IPM to date. Regardless of the consent decree, the IPM will continue to perform its responsibilities as outlined in the IPM ordinance, including reviewing how NOPD handles complaints and officer involved shootings.

IPM Presentations – the IPM taught during the NOPD’s Police Performance Enhancement Program (PPEP) and In-Service Training for supervisors. Ms. Hutson expressed her appreciation for IPM’s integration in NOPD’s training and professional development opportunities.

In response to Dr. Cowan’s inquiry about federal monitoring and compliance, Ms. Hutson referenced that the federal monitor reports to the federal judge, and that the monitor has its own responsibilities; however, there could be overlap.

ERB Strategic Planning: Ms. Brown updated the board on plans for the strategic planning process, noting a hotel site in Covington seemed preferable to other locations visited. She discussed the proposals submitted for facilitation by Dr. Sheila Chauvin and Myron Rogers, as well as their backgrounds and professional experience. It was requested that additional consideration be given to another professional who might facilitate the planning process on behalf of the ERB.

Executive Director Report:

Draft FY 2011 Annual Report: A draft copy of the FY 2011 annual report was provided for review by the board; the executive director explained that no particular date has been specified for its release and previous reports have had varying dates, ranging from March, April and June. The chair requested that board members update their bios and that the ERB should release the report at the conclusion of March.

Ethics Awareness & Education

- a. Survey: The board was asked to consider whether surveying public servants should be undertaken and information was presented by the executive director with regard to conversations she’d had with Dr. Edward Chervenak, UNO Survey Research Center, and Dr. Kirby Goidel and Michael Climek, at LSU’s Public Policy Research Lab. She explained the cost proposals prepared by LSU faculty and staff and the comments provided with respect to the draft survey, noting a price discount was offered because the ERB had developed preliminary questions. Ms. Brown was requested to further explore possible survey research entities and to present that information at the April board meeting. Dr. Cowan noted the value of data on citizens’ perceptions of policing that has been collected as a result of the Crime Coalition’s surveying/polling over time.

- b. Meeting update with CAO and senior executive personnel: While executive personnel acknowledged the value of focusing efforts on building an ethical culture throughout city government, they expressed a particular desire to ensure public servants' understanding and compliance with ethics codes.

Outreach & Engagement

- a. ERB-OIG brochure: The board was invited to provide feedback on the updated ERB-OIG brochure. Final edits to the document will be shared with the board once completed by the executive director. In response to Dr. Frampton's question about how the document would be used, the executive director noted they could be used in both outreach to the public and throughout city departments and agencies. Dr. Rouzan commented the brochure would provide valuable information to raise awareness.

Rev. Tilton inquired about the status of outreach to community organizations. The executive director indicated there was some lack of clarity with regard to moving forward in this respect, as well as specific messaging with regard to the role and functions of the ERB and further exploration of community engagement processes. The chair clarified that these efforts were to be listening sessions and opportunities to hear from the community.

Board Protocols, Policies, & Procedures: Threshold spending level requiring full board and/or chair approval: The executive director recommends that the Ethics Review Board establish a policy with regard to spending thresholds. The chair requested that both the executive director and general counsel research such policies established by other boards and commissions.

External Review of the Office of Inspector General-Quality Assurance Review Advisory Committee: The executive director reviewed provisions for nominations to the advisory committee. The chair noted no members of the ERB may serve on the committee.

Rev. Tilton referenced the ordinance that was passed and indicated it was never implemented. The board will meet in a special session on Tuesday, February 28, 2012, to review nominations to the committee.

Dr. Frampton moved to enter executive session, second by Dr. Cowan. All were in favor and the motion passed.

The board resumed open session at 4:10 pm. A motion to adjourn was offered by Dr. Rouzan, with a second by Dr. Frampton. The meeting adjourned at 4:11 p.m.