

The Ethics Review Board
City of New Orleans
Tuesday, January 8, 2013
2:30 pm
Rosa F. Keller Library & Community Center
4300 South Broad Street
New Orleans, Louisiana 70125

Minutes

Present: Dr. Michael Cowan, Chair; Elizabeth Nalty, Vice Chair; Dr. Laura Rouzan, Secretary; Rev. Don Frampton
Absent: Okyeame Haley
Staff: Steven Scheckman, General Counsel
Felicia R. Brown, Executive Director
Guest(s): Edouard R. Quatrevaux, Inspector General
Susan Hutson, Independent Police Monitor

A quorum being present the meeting was called to order by the chair at 2:33pm. Ms. Nalty moved for approval of the December 11, 2012, minutes; second by Rev. Frampton. The motion passed unanimously.

The chair recognized Ed Quatrevaux; the inspector general discussed the budget implications of the Entergy Franchise Fee to the general fund and the additional increase to the ERB-OIG appropriation; he stated that \$60,000 was returned to the city for 2012. He referenced findings from the recent OIG report on the city's worker's compensation plan. He indicated the office had provided comments to the Civil Service Commission with regard to its consideration of changes to the commission's overtime policies. He further noted, in response to Rev. Frampton's inquiry, that the commission had not provided a response to the OIG's compensatory leave policy. Mr. Quatrevaux referenced the working relationship with the FBI director and the collegial rapport that has been established between the offices. The OIG is working with the OIPM to enhance the latter's reporting of quantitative data and information to the public. The OIG will also review the city's regulation of utilities in the coming weeks.

Dr. Cowan recognized Independent Police Monitor Susan Hutson. Ms. Hutson noted the limits of reporting by her office given the monitoring conducted and expressed her appreciation for the OIG's assistance with regard to reporting. She reported these preliminary figures in terms of the office's work during 2012: OIPM received 160 complaints, participated in 12 disciplinary hearings, responded to 24 officer involved shootings (noting an increase in this area) and/or critical incidents, which involved in-custody deaths. Forthcoming reports include: Stop and Frisk (recently NOPD provided additional information), annual report and review of NOPD warrants by the end of 2013. In response to Ms. Nalty's question, Ms. Hutson explained that typically officer involved shootings are handled through an administrative process rather than through the judicial system, noting an indictment in the Allen case from last fall. Hutson also indicated her willingness to respond to the ERB in any manner determined by the board in reply to Dr. Rouzan's question about the effect of her absence on the office when participating in ERB meetings. An exchange ensued about OIPM's relationship with PIB and the consent decree, with Ms. Hutson noting the office has a good relationship with PIB and that the MOU between OIPM and NOPD has been incorporated by reference in the consent decree.

A discussion ensued about the reappointment process for the inspector general, including review of applicable ordinance provisions, ERB rules, and the Louisiana open meeting law by the general counsel as well as format and process for the public meeting and sources of materials and information for review.

By consensus, the board agreed to the following: issuance of a press release (Wednesday, March 27 proposed by Mr. Scheckman) announcing the public comment period from April 1-April 30; June evening meeting beginning at 6pm (held either in the city council chamber or other location); and the receipt of comments from the public as part of the board's deliberations during the public meeting. The chair directed the general counsel and executive director to confirm the appropriate process for the board's deliberations.

On a motion by Rev. Frampton and a second by Ms. Nalty, the board unanimously approved the following annual tasks: February 1: issuance of the 2012 Annual Report, July 1: completion of staff evaluations and salary recommendations as well as approval of the ERB budget, October 1: appointment of the ERB's designee to the OIG Quality Assurance Review Advisory Committee, and December 1: completion of the board's evaluation process.

On a motion by Ms. Nalty with a second by Rev. Frampton, the board unanimously approved the ERB's 2012 Annual Report.

Rev. Frampton inquired about the status of board membership. Dr. Cowan stated he was in contact with the administration and Dr. Francis with regard to appointments.

On a motion by Dr. Rouzan and a second by Rev. Frampton, the board unanimously approved staff salary increases of 5% and 3% for the general counsel and executive director, respectively.

The meeting adjourned at 4:13pm on motion from Dr. Rouzan with a second from Ms. Nalty.