

Ethics Review Board

City of New Orleans

December 16, 2015

4:30 P.M. – 6:30 P.M.

City Council Chambers | 1330 Perdido Street | New Orleans, Louisiana 70112

Minutes

Present: Dr. Michael Cowan, Chair; Mr. James Brown; Mr. Howard Rodgers; Dr. Joe Ricks

Staff: Dane Ciolino, General Counsel

Guest: John Washington, The Hackett Group, ethics education trainers

At 4:38 p.m., a quorum being present, the Chair called the meeting to order. On a motion by Dr. Cowan seconded by Mr. Rodgers, the board unanimously approved the minutes of November 10, 2015.

Inspector General's Report

The Inspector General referenced the following public letters issued by the Office of Inspector General (OIG) since the ERB's November meeting: Letter to Sewerage & Water Board re: Expense Reimbursements and Advances and Letter to Civil Service re: Sewerage & Water Board Incentive Pay.

The IG told the board that the OIG will release a follow-up report on the Delinquent Property Tax Collection program. In 2013, the OIG made five recommendations and the City accepted two of the five. The City rejected the recommendation to adjudicate and sell eligible properties. Adjudicating the eligible properties would have saved the City \$2 million. The auctions resulted in more than \$12 million in sales and the City collected an additional \$1.2 million from delinquent accounts.

The IG told the board that a report on S & W Board Fee Collections will be available for comment in one week and a report on Law Department Funding will be available for comment in two weeks.

Independent Police Monitor's Report

The Independent Police Monitor Susan Hutson (IPM) reported the Office of the Independent Police Monitor's (OIPM) year to date activities: 72 complaints have been received, 23 contacts only, 5 commendations, 18 criminal liaisons between a crime victim and their investigator, 21 case monitoring's, 14 critical incidents, 26 disciplinary hearings, 20 mediations in 2015 and 24 total mediations since the mediation program started.

The IPM told the board that the OIPM will physically move on December 28, 2015, to the Liberty Bank Building at 2714 Canal Street, Suite 201.

The IPM told the board that the OIPM will start hiring at the beginning of the year.

In response to Dr. Ricks, the IPM told the board that the 23 contacts only are in addition to the 72 complaints.

In response to Dr. Cowan, the IPM told the board that the Civil Service will assist with the recruitment of a Data Analyst and the OIG and Chief Administrative Office (CAO) are assisting with the recruitment of an auditor.

Ethics Education

John Washington told the board that the Hackett Group has completed all training and has submitted the paperwork to become Certified Ethics Trainers to the state.

Mr. Washington also told the board that 17 topics are covered during the ethics education training.

He told the board that the trainers decided to use actual cases that the State ruled upon for the 1st ethics education training with 22 inspectors in the Safety & Permits Department. He also told the board that the ethics education training was 100 minutes and that participant engagement was high.

In response to Dr. Ricks, Mr. Washington told the board that the ethics education trainings will include concepts and scenarios tailored to specific issues that employees face internally in each department, in addition to the information that is covered in the 1 hour State Ethics Training.

In response to Mr. Brown, Mr. Washington told the board that the Hackett Group encourages employees to continue to take the required 1 hour State Ethics Training.

Mr. Brown told the board that the Hackett Group has received positive feedback from the employees who attended the ethics education training.

In response to Dr. Cowan, Mr. Washington told the board that only the inspectors for the Safety & Permits Department participated in the ethics education training; the training did not include the department heads.

Dr. Cowan congratulated the Hackett Group on their first ethics education training.

Mr. Washington told the board that the Hackett Group will work to have stronger ethics education training specific to “whistle blowers”.

Mr. Dane Ciolino recommended that the ERB recommend to the City Council that it adopt an ordinance incorporating by reference and adopting the substantive provisions of the state ethics code.

Mr. Ciolino recommended the City Council to amend “Subdivision III. City Code of Ethics” to include a section with the following language:

Section 2-7XX. The City Code of Ethics adopts and incorporates by reference the following parts of the Louisiana Code of Governmental Ethics, Louisiana Revised Statutes Title 42, Chapter 15: Part I (General Provisions); Part II (Ethical Standards for Public Servants; and, Part IIa (Unethical Election Practices).

Mr. Brown told the board that he is concerned with not duplicating the work of the State.

Dr. Ricks agrees with Mr. Brown and told the board that he is concerned that such replication would take resources away from ethics training.

In response to Dr. Cowan, Mr. Ciolino told the board that the revised City Code of Ethics is dated 1995.

On a motion by Dr. Cowan seconded by Mr. Brown, the board unanimously approved for the ERB General Counsel to inform the City Council of their obligations per the terms of the City Code of Ethics.

On a motion by Dr. Cowan and a second by Dr. Ricks, the board adjourned into executive session pursuant to La. Rev. Stat. sec. 42:17(A)(4) to discuss an investigative proceeding regarding allegations of misconduct, at 5:31 p.m.

Dr. Cowan moved and a second was offered by Mr. Brown to re-open the public meeting. All members voted in the affirmative.

On a motion by Dr. Cowan and a second by Mr. Rodgers, the board unanimously approved to defer the actions of the investigative proceedings regarding allegations of misconduct.

At 5:46 p.m., Dr. Cowan moved that the meeting adjourn, a second was offered by Mr. Rodgers. The motion carried unanimously and the meeting adjourned.