

Ethics Review Board

City of New Orleans

February 14, 2017

4:00 P.M. – 6:00 P.M.

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

Minutes

Present: Mr. Allen Miller, Chair; Mr. James Brown, Vice Chair Dr. Michael Cowan; Dr. Joe Ricks; Rev. Boutin; Mr. Howard Rodgers

Staff: Dane Ciolino, General Counsel

Guest: Toni Hackett Antrum, the Hackett Group, Ethics Education Trainers

At 4:04 p.m., a quorum being present, the Chair called the meeting to order. On a motion by Dr. Cowan seconded by Dr. Ricks, the board unanimously approved the minutes of the January 30, 20, 2017 meeting.

Inspector General's Report

The Inspector General (IG), Ed Quatrevaux, told the board that the Office of Inspector General (OIG) has not issued any reports since the ERB's last meeting.

The IG told the board that the OIG plans to issue a report on the Sewerage & Water Board's (S&WB) Water Quality Testing in March or April 2017.

Independent Police Monitor's Report

The Independent Police Monitor (IPM), Susan Hutson reported the Office of the Independent Police Monitor's (OIPM) year-to-date activities for 2017: 6 complaints, 9 disciplinary hearings, 1 case monitoring, 1 mediation, 3 uses of force, 3 criminal liaisons, 1 contact only, and 2 firearm discharges.

The IPM told the board that the OIPM continues to work with NOPD to have direct and in-office access for 2017 to: NOPD's Body-Worn Camera System, NOPD's Electronic Reporting System, NOPD's Intranet—that stores the most up-to-date policies & procedures and NOPD's New Early Intervention System.

In response to Mr. Brown, the IPM told the board that the OIPM's Annual Report will be completed by March 31, 2017.

In response to Dr. Ricks, the IPM told the board that OIPM is working with the Public Integrity Bureau (PIB) and that mediation referral is very low.

The IPM told the board that the draft ordinance lacks other important needs of the OIPM and the IPM would like the ERB and its General Counsel to provide assistance in this matter.

Mr. Miller told the board that he and the IPM have discussed the ordinance and potential issues that the OIPM may have—particularly, not having access to the data needed. He also told the board that he has encouraged the IPM to advise if she has any problems accessing the data that the OIPM statute mandates.

Mr. Dane Ciolino, the ERB's General Counsel, told the board that Councilmember-at-Large Jason Williams' Chief of Staff Liana Elliott ensured that the OIPM Ordinance would be presented and adopted before the New Orleans City Council at its February 23, 2017 meeting.

General Counsel's Report

Mr. Ciolino told the board that the ordinance for the OIG, transitioning into performing the adjudicative and prosecutorial functions, is likely to be set for the first read before the City Council at its February 23, 2017 meeting. He also told the board that there were concerns that the ordinance would need to be presented at the City of New Orleans Governmental Affairs meeting but this has not been resolved.

Mr. Ciolino told the board that on January 31, 2017, he received a public records request from a member of the press requesting all ERB documents relating to the finances and budget of the OIG from June 1, 2016 to January 31, 2017. He also told the board that Jessica Lang searched emails and physical records of the ERB to fulfill the public records request. Mr. Ciolino responded timely with the completed public records request on February 3, 2017.

Mr. Ciolino advised the board that there is one item to discuss for Executive Session.

Mr. Miller moved acceptance to approve the date changes of the ERB's March 2017, April 2017 and June 2017 meetings with the location to be determined with Mr. Brown seconding. The motion passed.

The board agreed to the following updated meeting dates and times:

- Tuesday, March 21, 2017 at 4:00 P.M.
- Tuesday, April 18, 2017 at 4:00 P.M.
- Wednesday, June 14, 2017 at 3:30 P.M.

Ethics Education Report

Ms. Toni Hackett Antrum of the Hackett Group told the board that since the ERB's January meeting the Hackett Group has not completed any additional trainings but has been in contact with the French Market and the City Council.

Ms. Hackett Antrum told the board that the Hackett Group has received additional training since the ERB's January meeting and will continue to remain Certified Louisiana State Ethics Trainers.

Mr. Miller asked the Hackett Group to advise the ERB of the Ethics Education Schedule for members that may want to attend.

The chair called for a vote to adjourn to executive session pursuant to Louisiana Revised Statute sections 42:17(A) (4) to discuss investigative proceedings regarding allegations of misconduct. Mr. Brown moved and a second was offered by Dr. Cowan at 4:23 P.M. and the motion passed.

The board, by an affirmative vote of all members present, held an executive session.

At the conclusion of the executive session, the board reconvened its public meeting. Mr. Rodgers moved to reconvene and resume the open session and a second was offered by Mr. Brown and the motion passed.

Mr. Brown moved for the board to refer ERB Matter No. 2017-01 to the Louisiana State Ethics Board for an investigation and action as appropriate. Dr. Ricks seconded the motion and the motion passed unanimously.

Mr. Brown also moved for the board to close ERB Matter No. 2017-02. The motion was seconded by Dr. Cowan and the motion passed unanimously.

At 4:50 P.M., Dr. Ricks moved that the meeting adjourn, Mr. Brown seconded. The motion carried unanimously and the meeting adjourned.