



ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

BOARD MEETING

Monday, January 28, 2018
3:30 P.M. – 5:30 P.M.

City Council Chamber
New Orleans City Hall
1300 Perdido Street
New Orleans, LA 70112

AGENDA

1. Approval of minutes of previous board meeting. (Chair)
2. Discussion of monthly report from the Office of Inspector General with Inspector General. (Chair)
3. Discussion of monthly report from the Office of Independent Police Monitor with Independent Police Monitor. (Chair)
4. Discussion of monthly report from the Ethics Trainer with Ethics Trainer. (Chair)
5. Report on status of appointment of members to Quality Assurance Review Committees. (Chair)
6. Report on approval by City Council of new position of “Executive Administrator and General Counsel.” (Chair)
7. Report of Executive Administrator and General Counsel. (Chair)
 - a. Transition status.
 - b. ERB deadlines and events for 2019.
 - c. Status of ordinance to empower the Inspector General to serve as investigator and prosecutor for ethics-related complaints.
8. Adjournment (Chair).

Monthly Report of OIG

Report to the Ethics Review Board
December 2018

Audit & Review

The Audit & Review division continued working on the system-wide risk assessment. Auditors received questionnaires back from city agencies and began compiling the information that was provided. The Audit group continues work on the Department of Public Works Catch Basin audit.

Inspection & Evaluation

The Evaluation group continued its work on the S&WB Billing Dispute Resolution Process project and on the Traffic Camera project at the Department of Public Works. The I&E division is assisting Audit with the system-wide risk assessment.

In December, evaluators also continued gathering and reviewing materials for two large public records requests.

Investigations

The Investigations division received six complaints in December.¹ Most of them were matters outside of OIG's purview.

On Dec. 5, the OIG released "Report of Investigation: Allegation that Specific City Department Heads and Managers Have Each Received Free Tickets to Jazz Fest."

Two OIG Investigations Division cases are in prosecution:

- The case alleging misappropriation of city funds by Tonnette "Toni" Rice during her time as president of the New Orleans Multi-Cultural Tourism Marketing Network (NOTMN) is in the discovery phase in state court.
- The case alleging misappropriation of funds from the New Orleans Public Library Foundation by Irvin Mayfield and Ronald Markham is also in the discovery phase. A trial is scheduled in federal court for April 2019.

Training

An OIG investigator attended forensic IT training in December and received two advanced certifications.

Also in December, the Assistant IG for Inspections & Evaluations / Director of Evaluation passed the first of three exams to become a Certified Internal Auditor.

¹ As of Dec. 18, 2018.

Staff/General OIG developments

The Deputy IG for Audit / Director of Audit presented at the monthly luncheon of the Institute of Internal Auditors in December. She spoke to approximately 25 to 30 people about the Joint Audit and Investigation of the New Orleans Firefighters Pension Board.

Monthly Report of OIPM

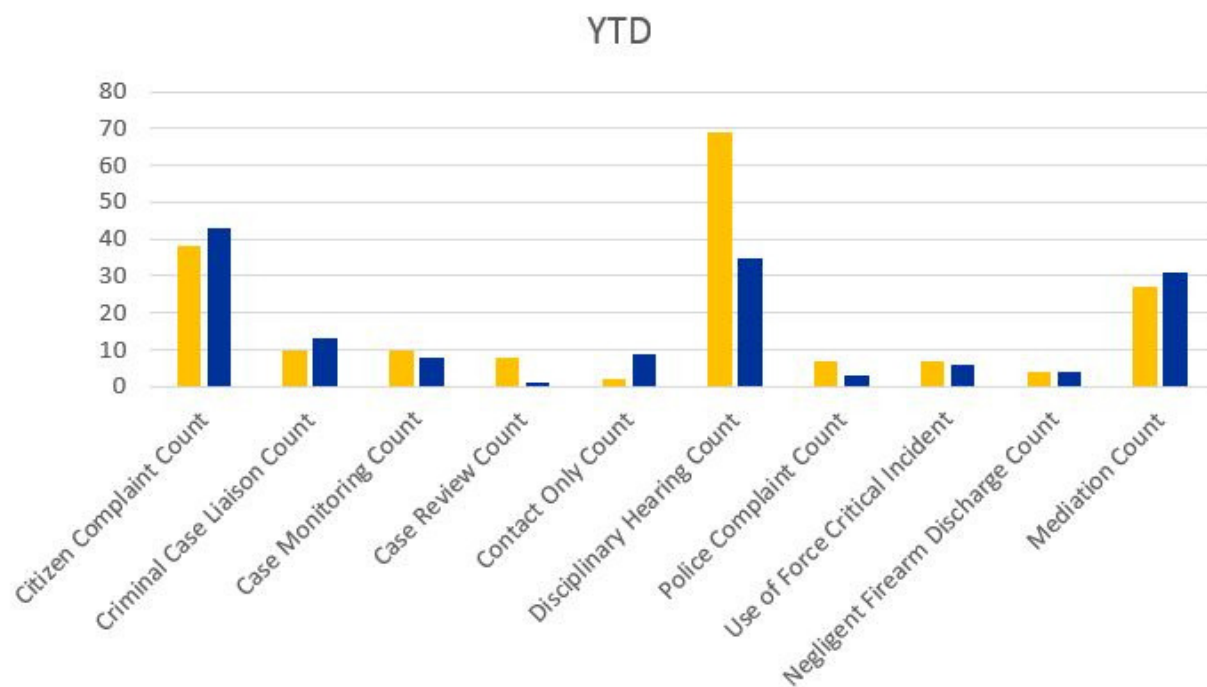
THE OFFICE OF THE INDEPENDENT POLICE MONITOR



MONTHLY REPORT

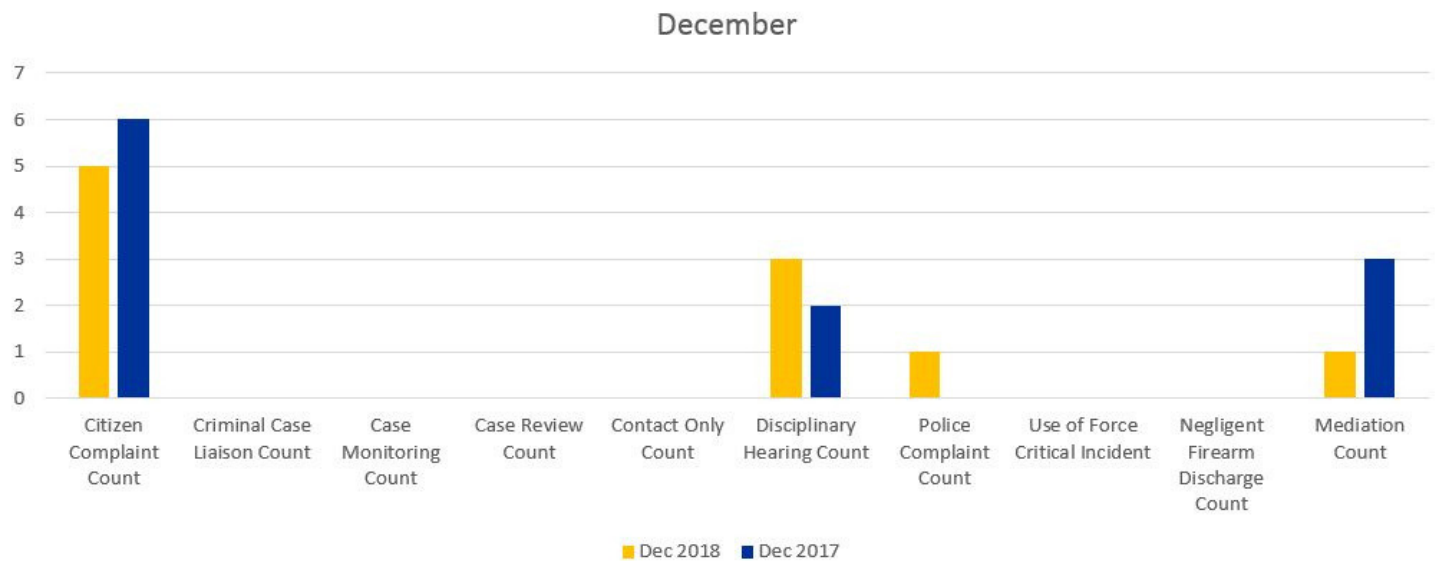
DECEMBER 2018

Year to Date Overview



	2018	2017
Citizen Complaint Count	37	43
Criminal Case Liaison Count	10	13
Case Monitoring Count	10	8
Case Review Count	8	1
Contact Only Count	2	9
Disciplinary Hearing Count	69	35
Police Complaint Count	8	3
Use of Force Critical Incident	7	6
Negligent Firearm Discharge Count	4	4
Mediation Count	27	31
Grand Total	182	153

December Overview



	Dec 2018	Dec 2017
Citizen Complaint Count	5	6
Criminal Case Liaison Count	0	0
Case Monitoring Count	0	0
Case Review Count	0	0
Contact Only Count	0	0
Disciplinary Hearing Count	3	2
Police Complaint Count	1	0
Use of Force Critical Incident	0	0
Negligent Firearm Discharge Count	0	0
Mediation Count	1	3
Grand Total	10	11

December Overview

Complaints	
CC2018-0032	The complainant alleges the police wrongfully arrested her when she called for assistance due to an ongoing safety threat from her neighbor.
CC2018-0033	The complainant believes she was discriminated against because of her gender identity during a call for assistance for a domestic matter.
CC2018-0034	The complainant alleges responding officers failed to utilize a Spanish translator or translation service when responding to her call for assistance, and as a result, improperly arrested a family member with developmental disabilities and did not inform the complainant of his whereabouts or whether he was safe for an extended period.
CC2018-0035	The complainant alleges numerous officers of the Seventh (7 th) District have failed to respond and investigate accounts of noxious fumes and criminal damage to her property.
CC2018-0028	The complainant alleges officer responding to a call for a domestic disturbance failed to fully investigate the domestic incident and wrongfully arrested her instead of the aggressor.
PO2018-0007	The complainant alleges her ranked supervisor has transferred her without cause and blocked her from training and promotion opportunities.
Complaints: 6	

December Overview

Disciplinary Hearings	
DH2018-0068	Officer is accused of ordering and participating in a strip search of a civilian on a public roadway without following required NOPD policies and protocol.
DH2018-0067	Officer was involved in a car accident with the complainant and is accused of not being truthful and comprehensive in the officer's subsequent report about the accident as required by NOPD policy.
DH2018-0066	Officer is accused of using unnecessary force against a civilian when he deployed a CEW for three cycles during an arrest.
Disciplinary Hearings Count: 3	

Mediation
Mediation cases are confidential
Mediation Cases: 1

Complaints and Discipline

OIPM serves as an alternative site for civilians and police officers alike to file complaints of misconduct against the NOPD. These complaints and allegations are compiled into referrals by the OIPM and provided to the Public Integrity Bureau (PIB) for them to investigate. The OIPM monitors and reviews the classification and investigation conducted by PIB. If the complaint continues into a disciplinary proceeding, the OIPM will continue to monitor and review the disciplinary process. OIPM monitors and reviews disciplinary proceedings conducted by NOPD to ensure accountability and fairness. The OIPM reviews the disciplinary investigation and attends the subsequent disciplinary hearings where the OIPM will provide systemic and individualized findings and recommendations based on NOPD's investigation. The OIPM conducts a thorough review of the proceedings, findings, and recommendations that is available for review by both the NOPD and the New Orleans community.

5

**CITIZEN COMPLAINT
COUNT**

3

**DISCIPLINARY HEARING
COUNT**

1

**POLICE COMPLAINT
COUNT**



Community-Police Mediation

Mediation is an alternative to the traditional process of resolving complaints of police officer misconduct. Mediation is a process facilitated by two professionally-trained community mediators to create mutual understanding and allow the civilian and officer to be fully heard and understood in a non-judgmental way.

3

**REFERRALS FOR
MEDIATION**

1

**MEDIATION OFFER
DECLINED**

1

MEDIATION PENDING

1

**MEDIATION
COMPLETED**



Community Relations

OIPM participates in community events to help extend the message the of OIPM and participates in activities to impact the nature of the relationships the community has with police officers. OIPM is committed to being present in the community, but also presenting helpful information to the public.

2

KNOW YOUR RIGHTS TRAINING

- Liberty's Kitchen
- District C

1

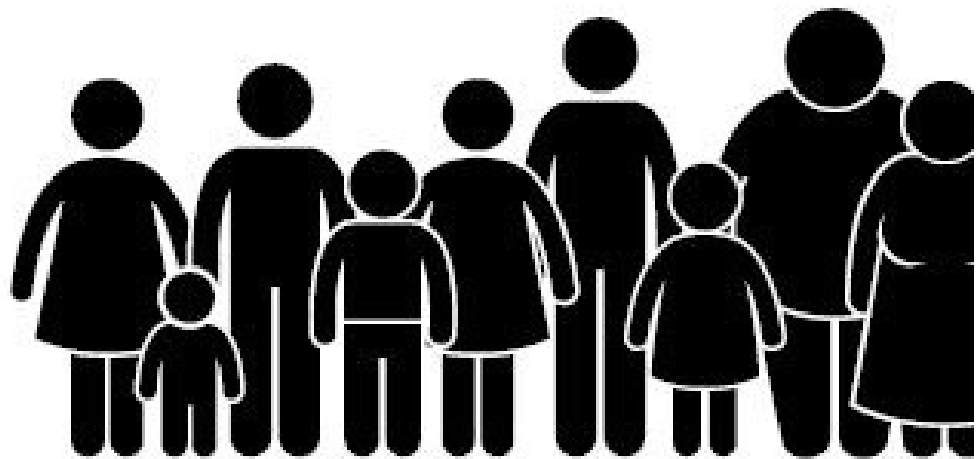
TRAINING

- Social Media and Community Policing Training

1

SITE VISIT

- Real Time Crime Camera Center



Monthly Report of Ethics Trainer

ERB

December 2018 (January 2019 report)

Special project

The deep dive report was completed and submitted to Board members in December. Scheduled Internal meeting evaluating the recommendations and findings of the report to determine training strategy and initiatives for 2019.

Regular Training

In addition, training certificates were distributed to the departments/individuals trained during the last quarter of the year.

**Draft Minutes of
Previous Board
Meeting**

REVISED

9:24 am, Jan 26, 2019

DRAFT



Ethics Review Board for the City of New Orleans

Board Meeting of December 12, 2018 at 3:30 P.M.

**City Council Chambers, New Orleans City Hall
1300 Perdido Street, New Orleans, Louisiana 70112**

Minutes of Board Meeting

1. *Call to order.*
 - 1.1. Board members present:
 - 1.1.1. Brandon Boutin.
 - 1.1.2. James Brown, Chair.
 - 1.1.3. Elizabeth Livingston de Calderon.
 - 1.1.4. Michael Cowan
 - 1.1.5. Howard Rodgers, Vice-Chair.
 - 1.2. Staff members present: None (Dane S. Ciolino, General Counsel, out of the country).
 - 1.3. At 3:30 p.m., a quorum being present, the Chair called the meeting to order.
 - 1.4. The agenda for the meeting is attached.
2. *Approval of minutes.* The board unanimously approved the minutes of the November 14, 2018, board meeting.
3. *Report of the Office of Inspector General.*
 - 3.1. The OIG's monthly report is attached.
 - 3.2. IG Derry Harper appeared for the OIG.

- 3.3. Mr. Harper reported on his office's investigative report regarding Jazz Festival tickets "routinely" provided to city employees.
 - 3.3.1. The office received a complaint about this practice in 2017. Mike Centola was the lead investigator. Nineteen city employees were interviewed.
 - 3.3.2. City property (a gazebo) was also used by the festival.
 - 3.3.3. The OIG did not conclude how much financial impact this practice had. So, no "solid number" as to how much money was involved.
 - 3.3.4. The OIG said the level cooperation from the past administration and the present administration was high.
 - 3.3.5. Many employees said they used the tickets to conduct official business (including within the Department of Revenue).
 - 3.3.6. The report concluded that the practice of giving the tickets should stop. Instead, a credentialing process should be used for official access.
 - 3.3.7. The city administration responded to the report and noted that it would
 - 3.3.8. Mr. Brown asked whether the report was provided to the state ethics administration. Mr. Harper declined to answer. Mr. Brown recommended that he consider doing so now that the report is public. This would be "appropriate" for the state ethics board to review, suggested Mr. Brown.
 - 3.3.9. Mr. Rodgers noted that he was recused and not participating in this issue because he serves on the Jazz Fest Board.
- 3.4. Mr. Harper noted his office is conducting searches for various important positions in his office, including a General Counsel.
 - 3.4.1. Mr. Cowan asked when the OIG last had a lawyer. Mr. Harper reported that three years ago, the last full-time lawyer departed. Thereafter, an interim appointment was made. That interim lawyer departed 6-8 weeks ago.
- 3.5. Mr. Cowan asked about the airport project. Mr. Harper reported that his staff was continuing to work on the project.
- 3.6. Mr. Harper wished the board a happy holiday and concluded his appearance.
- 4. *Report of the Office of Independent Police Monitor.*
 - 4.1. The OIPM's monthly report is attached.
 - 4.2. Ms. Hutson appeared for the OIPM.

- 4.3. Mr. Brown noted that the OIPM requested that the monthly report deadline be changed to the 5th of each month.
 - 4.3.1. Mr. Rodgers moved to change the deadline for all monthly reports to the 5th of each month. Mr. Boutin seconded the motion.
 - 4.3.2. The board voted on the motion and the motion passed unanimously.
- 4.4. Ms. Hutson reported that her office will publish the monthly reports on her website. She said that her office likes preparing and publishing these reports.
- 4.5. Ms. Hutson spoke directly from the report.
- 4.6. Ms. Hutson reported an “uptick” in activity in her office. This was partly because the NOPD has been referring more citizens to her office.
- 4.7. Ms. Hutson noted that her office is doing more public outreach, including the “Know Your Rights” program. She wants to partner with as many groups as possible. She will also invite NOPD to more of these events, as suggested by Mr. Brown at a previous meeting.
- 4.8. Ms. Hutson reported that she would like to include the ERB in more of its community activities if the ERB is interested.
- 4.9. Ms. Hutson noted that Mr. Cowan requested some clarifications on the last Annual Report. Ms. Hutson noted that these clarifications were made on the website. Mr. Cowan thanked her for doing so.
- 4.10. Mr. Brown noted that the board would like to see more matters referred to mediation. He asked if there is any progress in this regard. Ms. Hutson noted that this is still in process. She noted that she is meeting with NOPD top management on these issues.
- 4.11. Ms. Hutson noted that she is still working on data access issues. Ms. Hutson asked that the board set a date for the NOPD to attend a board meeting in the future to work through the data issues. Chief Harrison and Chief Westbrook would be the appropriate people to address the data issues and the mediation issue (principally Chief Westbrook on mediation).
- 4.12. Mr. Brown asked whether the NOPD has signed on to increasing the time available to request mediation. Ms. Hutson noted that Chief Westbrook still needs to sign off, but it is in process.
- 4.13. Mr. Brown asked whether racial targeting allegations will be available for mediation. She said that this one is “more sticky” because it involves 4th Amendment issues. This will need to be addressed by Judge Morgan in the federal consent decree.

- 4.14. Mr. Brown asked whether the board can help break any “log jams”? He doesn’t, however, want to burden NOPD with unnecessary appearances before the board.
- 4.15. As to data access, Ms. Hutson requested a date certain for reporting back to the board on progress.
- 4.16. Mr. Cowan noted that the board agreed to have NOPD appear at a board meeting to move data access along. Mr. Cowan wanted to know why the Chief of Police needs to come back. Ms. Hutson thought it would be helpful to continue to move things along because the process is moving more slowly than she would like.
 - 4.16.1. Mr. Cowan noted that the board has no authority over the NOPD and that the board should be careful trying to exercise oversight over the NOPD. Ms. Hutson stated that the concern was “duly noted.”
 - 4.16.2. Mr. Brown also expressed reluctance to “haul” the NOPD into board meetings.
- 4.17. Mr. Brown noted that the OIPM must issue annual reports. The ordinance says “shall” issue reports and admits no delays. To the extent NOPD needs to provide data for this report, they should do so.
- 4.18. Ms. Calderon attempted to clarify what data was available remotely and only in the NOPD offices.
 - 4.18.1. Ms. Calderon asked what data was needed but was not provided from NOPD.
 - 4.18.2. Ms. Hutson responded that there are difficulties in getting body camera data and cross-referencing that data with other data.
 - 4.18.3. There is a problem with a conduit between PIB computers and OIPM computers.
 - 4.18.4. Ms. Calderon asked why this was a problem. Money? Labor? Ms. Hutson reported that it was apparently a control-of-data problem. NOPD lost its IT person, so that has been a problem.
 - 4.18.5. Ms. Hutson also noted that her office can do “everyday work” through a VPN linking to NOPD.
 - 4.18.6. Ms. Hutson noted that there will be a meeting tomorrow on a “hardware” fix and a link using the VPN.
- 4.19. Mr. Brown asked for a report in January as to how the data sharing is progressing. He noted that he is hopeful that the data will be available so that she can issue her report on time in May 2019.

- 4.20. Mr. Cowan noted that he has a difficulty in asking Ms. Hutson to carry messages to the NOPD.
- 4.21. Mr. Brown noted that the board looked forward to a report from the OIPM in January on these issues.
- 5. *Report of the Ethics Trainer.*
 - 5.1. The ethics trainer's monthly report is attached.
 - 5.2. Toni Hackett appeared.
 - 5.3. The trainer noted that the "special project" report will be sent to the board at the end of the week.
 - 5.3.1. The report will address how the study was conducted.
 - 5.3.2. The report will discuss best practices.
 - 5.3.3. The report will include recommendations.
 - 5.3.4. The trainers will discuss in detail at the next board meeting.
 - 5.4. Ms. Hackett noted that she is trying to tailor her training to specific departments and to focus on "missing elements." This was a focus of her research.
 - 5.5. Mr. Brown clarified that the report will be out by the end of the week. The ethics trainer confirmed that the report would be out this week.
 - 5.6. Ms. Hackett also raised the issue of her role with the ethics awards to be adopted by the board. Mr. Brown said that the ethics award issue would be addressed later in the meeting.
- 6. *Quality Assurance Review Committees.*
 - 6.1. Mr. Brown noted that both the ERB and the Mayor's office have completed their appointments to both QAR committees.
 - 6.2. Mr. Brown noted that the board is still awaiting appointments from the City Council for both QAR committees. He noted that he has personally been in contact with council staffers regarding this this issue.
- 7. *Vacant Board Position Formerly Held by Allen Miller.*
 - 7.1. Mr. Brown noted that he has contacted the Mayor's office about filling Mr. Miller's seat.
 - 7.2. He has written a letter to the Mayor's office about filling this seat (which is the Xavier University position).

8. *Ethics Awards Program.*

- 8.1. Mr. Brown noted that the board discussed this issue at the last meeting.
- 8.2. Mr. Rodgers noted that Dr. Ricks has changed his proposal at least three times after feedback from the board and the public and the Hackett Group.
- 8.3. Mr. Brown asked for input from the Hackett Group. Ms. Hackett responded that the “liaison award,” would be awarded based on input from her group. This would be a “best practice.” Suggested that once some percentage of participation was reached in a department, the liaison would get a certificate.
- 8.4. Ms. Hackett also noted that a certificate might be awarded once the liaison had communicated certain “checklist” information to their department.
- 8.5. Ms. Calderon noted that it might be awkward to ask employees certain questions about participation in ethics-related activities. Ms. Hackett agreed and noted that they will have to be careful in communicating with city employees and liaisons.
- 8.6. Mr. Rodgers noted that we are trying to encourage participation by all city employees and to bring “ethics into the workplace.” He also noted that this will “evolve” over time. The training is going well and that an award program is a good first step.
- 8.7. Mr. Cowan noted that the last version of the Ethics Award Program involves the ethics trainers in setting forth criteria.
- 8.8. Mr. Cowan commended Mr. Ricks for his efforts in creating the Ethics Award Program.
- 8.9. Mr. Cowan noted that the Liaison Award should be given to every liaison every year if the program is working well. The Torch Award for Excellence will be given to fewer people.
- 8.10. Mr. Brown noted that the final proposal approved by the board should be posted on the website.
- 8.11. Mr. Brown read from the proposal (attached) and discussed the budget proposed in the proposal. He expressed that he believed that this would be money “well spent.”
- 8.12. Ms. Calderon asked about the timeline award for “Innovation in Ethics” and noted that the title should be consistent.
- 8.13. Mr. Cowan noted that Mr. Ciolino would work with the board to staff the program.

- 8.14. Ms. Calderon asked for clarification about applications and nominations for the awards. Mr. Brown clarified that people would apply for the awards and that people would see the awards in advertisements and marketing.
- 8.15. Ms. Calderon asked who would be on the Awards Committee, and how much a time commitment would be required. Mr. Brown noted that such committees are “fun” to serve on, and that he does not anticipate problems in staffing the committee. Mr. Rodgers noted that this is a first step and that it should not be hard to staff the committee. Mr. Cowan noted that a larger committee will include more people from the community.
- 8.16. Mr. Rodgers moved for approval of the attached proposal. Ms. Calderon seconded the motion. The board approved the motion unanimously.
- 9. *Meeting Dates for 2019.*
 - 9.1. Mr. Brown discussed the dates and locations for the 2019 board meetings.
 - 9.2. Mr. Brown noted that all meeting dates would be posted on the ERB website.
- 10. *Adjournment.*
 - 10.1. Mr. Rodgers moved to adjourn the meeting. Mr. Boutin seconded the motion.
 - 10.2. The board unanimously passed the motion and the Chair declared the meeting adjourned at approximately 4:35 p.m.

* END *

Agenda for Board Meeting with Attachments



ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

BOARD MEETING

Wednesday, December 12, 2018
3:30 P.M. – 5:30 P.M.

City Council Chamber
New Orleans City Hall
1300 Perdido Street
New Orleans, LA 70112

AGENDA

1. Approval of minutes of previous board meeting (Chair).
2. Discussion of monthly report from the Office of Inspector General (Chair).
3. Discussion of monthly report from the Office of Independent Police Monitor (Chair).
4. Discussion of monthly report from the Ethics Trainer (Chair).
5. Report from Ethics Trainer on status of “special ethics education project” final report (Chair).
6. Report on status of appointment of members to Quality Assurance Review Committees (Chair).
7. Vote on ethics award program (Mr. Rodgers).
8. Report on board meeting dates and places for 2019 (Chair).
9. Adjournment (Chair).

**Draft Minutes of
Previous Board
Meeting**

REVISED

10:55 am, Dec 08, 2018

DRAFT



**Ethics Review Board
City of New Orleans**

Board Meeting

**November 14, 2018
3:35 P.M. – 5:08 P.M.**

Norman Mayer Public Library | 3001 Gentilly Blvd. | New Orleans, Louisiana 70122

Minutes of Board Meeting

1. *Call to order.*
 - 1.1. Board members present:
 - 1.1.1. Brandon Boutin.
 - 1.1.2. James Brown, Chair.
 - 1.1.3. Elizabeth Livingston de Calderon.
 - 1.1.4. Michael Cowan
 - 1.1.5. Howard Rodgers, Vice-Chair.
 - 1.2. Staff member present: Dane S. Ciolino, General Counsel.
 - 1.3. At 3:38 p.m., a quorum being present, the Chair called the meeting to order.
 - 1.4. The agenda for the meeting is attached.
2. *Approval of minutes.* The board unanimously approved the minutes of the October 24, 2018, board meeting.
3. *Report of the Office of Inspector General.*
 - 3.1. The OIG's monthly report is attached.

- 3.2. William Bonney appeared and spoke directly from the office's monthly report.
- 3.3. Mr. Brown inquired into when the two audits into the Department of Public Works would be delivered. Mr. Bonney responded that they should be delivered in the next few months.
- 3.4. Mr. Brown requested that the OIG would exclude any confidential information from its monthly reports. Mr. Bonney confirmed that this would be done.
- 4. *Report of the Office of Independent Police Monitor*
 - 4.1. The OIPM monthly report is attached.
 - 4.2. Stella Cziment, Tonya McClary, and Jules Griff appeared and reported that Ms. Hutson was attending a conference.
 - 4.3. Ms. Cziment spoke directly from the office's monthly report.
 - 4.4. Mr. Rodgers inquired about the critical incident reported with a death. The OIPM reported that the police were called to a burglary in progress. The victim was found to have had illegal drugs in his system, and the police apparently did not cause his death.
 - 4.5. Ms. Griff reported that the office has submitted recommendations to NOPD PIB regarding changes to the mediation program. The goal is to increase the number of mediations. Officers agree to mediate 90% of the time, which citizen consent is approximately 40%.
 - 4.5.1. The first recommendation is to increase the number of days to get consent from 10 to 15 days. Mr. Brown asked whether more days could be added. Ms. Griff was not optimistic but reported that she would make an effort to get an agreement from NOPD for more time.
 - 4.5.2. Ms. Calderon asked how many days were allowed under the police officers' bill of rights. Ms. Griff reported that the process must be completed within 120 days and PIB does not want to be "jammed" if mediation does not resolve the issue.
 - 4.5.3. Ms. Calderon asked how often mediations "fail." Ms. Griff said it depends on how you define "fail." These are voluntary mediations. If the officer does not cooperate, the matter is referred back to PIB.
 - 4.5.4. Ms. Griff noted that typically officers agree; civilians are slow to respond often.
 - 4.5.5. The second recommendation is to increase the number of incidents that are eligible. This is a bigger and more important recommendation. For example, discriminatory or bias policing issues should be eligible for

mediation but now they are not. In other jurisdictions, these issues are “eligible.” Mr. Brown encouraged the office to work to expand the category of “eligible” incidents and offered the ERB’s assistance if necessary.

- 4.5.6. Ms. Griff said that her office would work with PIB and Chief Westbrook to try and implement this change. The matter also needs to be considered by Judge Morgan and the DOJ.
- 4.6. Ms. Calderon asked whether mediation “takes load off of the NOPD.” Ms. Griff responded that it does ease the burden of sergeants.
- 4.7. Mr. Rodgers asked why mediations could not be conducted regarding alleged civil rights violations. Ms. Griff explained that such matters could be criminal and are not eligible. Ms. Calderon raised the issue of whether purely civil civil-rights matters could be made “eligible.”
- 4.8. Ms. Griff noted that one problem with eligibility issues is that there are often multiple violations alleged. Some of these may be eligible and others not. At present, none would be eligible for mediation. The office is looking into the possibility of bifurcating these matters to make more matters eligible.
- 4.9. Ms. Griff noted that some matters that are eligible are not being mediated. The office needs to get a better understanding as to why this is the case.
- 4.10. Mr. Brown noted that he liked the plans for increasing mediations.
- 4.11. Mr. Boutin asked about the timeline for agreeing to mediation. Ms. Griff responded that it was 10 days.
- 4.12. Mr. Cowan asked about the Community Mediation Report for 2017 on the website. He noted problems with the pie charts and other data that did not make sense. The office said it would be fixed.
- 4.13. Ms. Cziment stated that by next meeting, the OIPM hopes to have all technology problems solved.
- 4.14. Mr. Brown asked whether the office was “fully staffed,” and Ms. Cziment reported that it was (since it was not replacing an auditor).
- 5. *Report of the Ethics Trainer.*
 - 5.1. Toni Hackett appeared.
 - 5.2. Ms. Hackett reported that her regular contract period ended in mid-October.

- 5.3. Ms. Hackett noted that all trainees receive an annual certificate and that she reports the training to the state. She also receives reviews from attendees as required by the state.
- 5.4. Ms. Hackett reported that she would welcome the board soliciting and receiving independent feedback from trainees.
- 5.5. Ms. Hackett reported that, to date, her ratings have been very good. Mr. Brown asked whether she would share a compilation of her reviews with the board. Ms. Hackett agreed to do so by the next meeting.
- 5.6. Ms. Calderon inquired into the number evaluations that are available from Ms. Hackett's training sessions. Ms. Hackett responded that she has data from 11 sessions, including 128 survey responses.
- 5.7. Ms. Hackett noted that training is the easiest part of her work; the hardest part is to get trainings scheduled.
- 5.8. Ms. Hackett noted that the cost for training was approximately \$700/participant.
- 5.9. Mr. Cowan noted that there is real value in getting relationships with critical decision makers.
- 5.10. Ms. Hackett noted that she is focusing on liaisons and managers. She also noted that several high-level trainings have occurred in the mayor's office and city attorney's office.
- 5.11. Mr. Brown asked if she was still changing the trainings and the hypos. Ms. Hackett responded that she was doing to and tailoring the trainings to the particular agency at issue.
- 5.12. Ms. Hackett committed to having her "special project" report to the board within the next 30 days.
- 5.13. Mr. Rodgers moved to undertake to get direct feedback from trainees. Ms. Calderon seconded. The board voted and unanimously approved the motion.
- 6. *Ethics Awards Program.*
 - 6.1. Mr. Rodgers discussed the creation of a "Torch Award" and the other items in the attached proposal. He also discussed the possibility of an luncheon and awards ceremony.
 - 6.2. A vote on any proposal, however, would be deferred until a future meeting.
- 7. *EBR Budget for 2019.*

- 7.1. The board discussed the attached template for the ERB 2019 budget. That template allocated \$186,407 to “other operating” and \$92,864 to “personal services.”
- 7.2. Mr. Ciolino explained the allocations and budgeting process.
- 7.3. Mr. Cowan moved to adopt the template as presented. Mr. Rodgers seconded the motion. The board unanimously approved the motion.
8. *Quality Assurance Review Committees.*
 - 8.1. The board unanimously approved Mr. William Banta as the board’s representative to the Quality Assurance Review Committee for the OIG.
 - 8.2. Mr. Brown reported that he is awaiting 2 appointees from the City Council and one from the Mayor’s office.
 - 8.3. Mr. Brown confirmed that Marcus M. Kondkar, Ph.D., will serve as the ERB appointee to the QAR for the OPIM.
 - 8.4. Mr. Cowan inquires as to when the ERB will conduct its triennial peer review. Mr. Brown reported that it would occur in 2020.
9. *Meeting Dates for 2019.*
 - 9.1. The board selected meeting dates for 2019, with the locations to be determined.
 - 9.2. The dates are as follows:
 - 9.2.1. Monday, January 28, 2019 at 3:30 p.m.
 - 9.2.2. Monday, February 25, 2019 at 3:30 p.m.
 - 9.2.3. Monday, March 25, 2019 at 3:30 p.m.
 - 9.2.4. Monday, April 29, 2019 at 3:30 p.m.
 - 9.2.5. Wednesday, May 29, 2019 at 3:30 p.m.
 - 9.2.6. Monday, June 24, 2019 at 3:30 p.m.
 - 9.2.7. Monday, August 26, 2019 at 3:30 p.m.
 - 9.2.8. Monday, September 23, 2019 at 3:30 p.m.
 - 9.2.9. Monday, October 28, 2019 at 3:30 p.m.
 - 9.2.10. Monday, November 25, 2019 at 3:30 p.m.

9.2.11. Monday, December 16, 2019 at 3:30 p.m.

10. *Adjournment.*

10.1. Mr. Cowan moved to adjourn the meeting. Mr. Boutin seconded the motion.

10.2. The board unanimously passed the motion and the Chair declared the meeting adjourned at 5:21 p.m.

* END *

Monthly Report of OIG

Office of Inspector General Report to the Ethics Review Board
November 2018

Audit & Review

The Audit & Review division continued working on the system-wide risk assessment and distributed questionnaires to agencies. The Audit group drafted the Sewerage & Water Board (S&WB) Internal Audit report, and the report is now under management review. The Audit group also continued fieldwork on Department of Public Works Catch Basin audit.

Inspections & Evaluations

In November, evaluators stepped aside from their regular duties and gathered documents to help the office with two large public records requests while the office is without legal counsel. Evaluators have also been assisting with general administrative functions in the office.

Meanwhile, the Inspections & Evaluations division continued work on the Traffic Camera project and the S&WB Billing Dispute Resolution Process project. It is also working on the inquiry into the S&WB Bill Under-Crediting issue as requested by S&WB leadership. The I&E division is also assisting Audit with the system-wide risk assessment.

Investigations

The Investigations Division received eight complaints in November. Most of them were matters outside of OIG's purview.

Two OIG Investigations Division cases are in prosecution:

- The case alleging misappropriation of city funds by Tonnette "Toni" Rice during her time as president of the New Orleans Multi-Cultural Tourism Marketing Network (NOTMN) is in the discovery phase in state court.
- The case alleging misappropriation of funds from the New Orleans Public Library Foundation by Irvin Mayfield and Ronald Markham is also in the discovery phase. A trial is scheduled in federal court for April 2019.

Training

An OIG investigator attended forensic IT training in November.

Staff/General Office

OIG is currently searching for a General Counsel and a Deputy IG for Audit & Inspections.

Monthly Report of OIPM



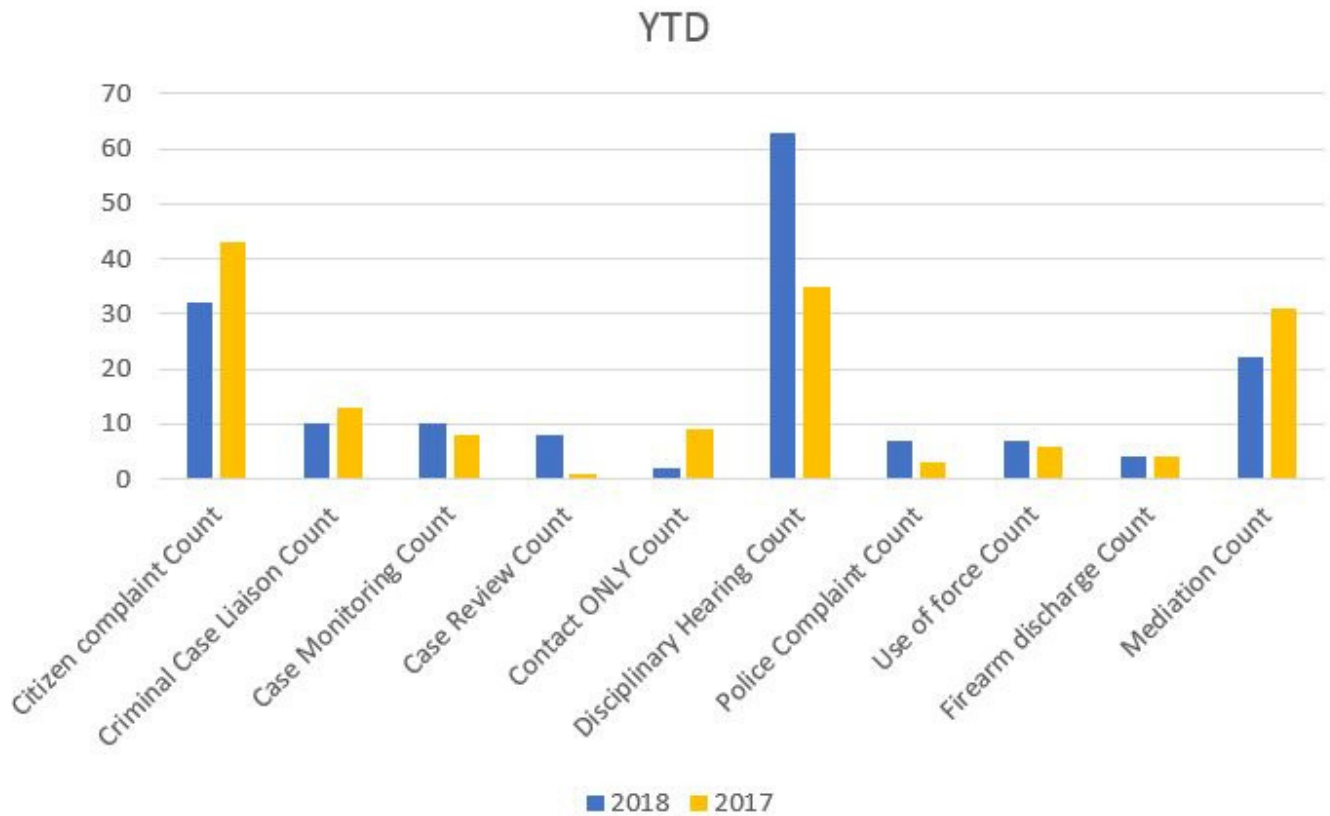
NOVEMBER

Monthly Report

THE OFFICE OF THE INDEPENDENT
POLICE MONITOR

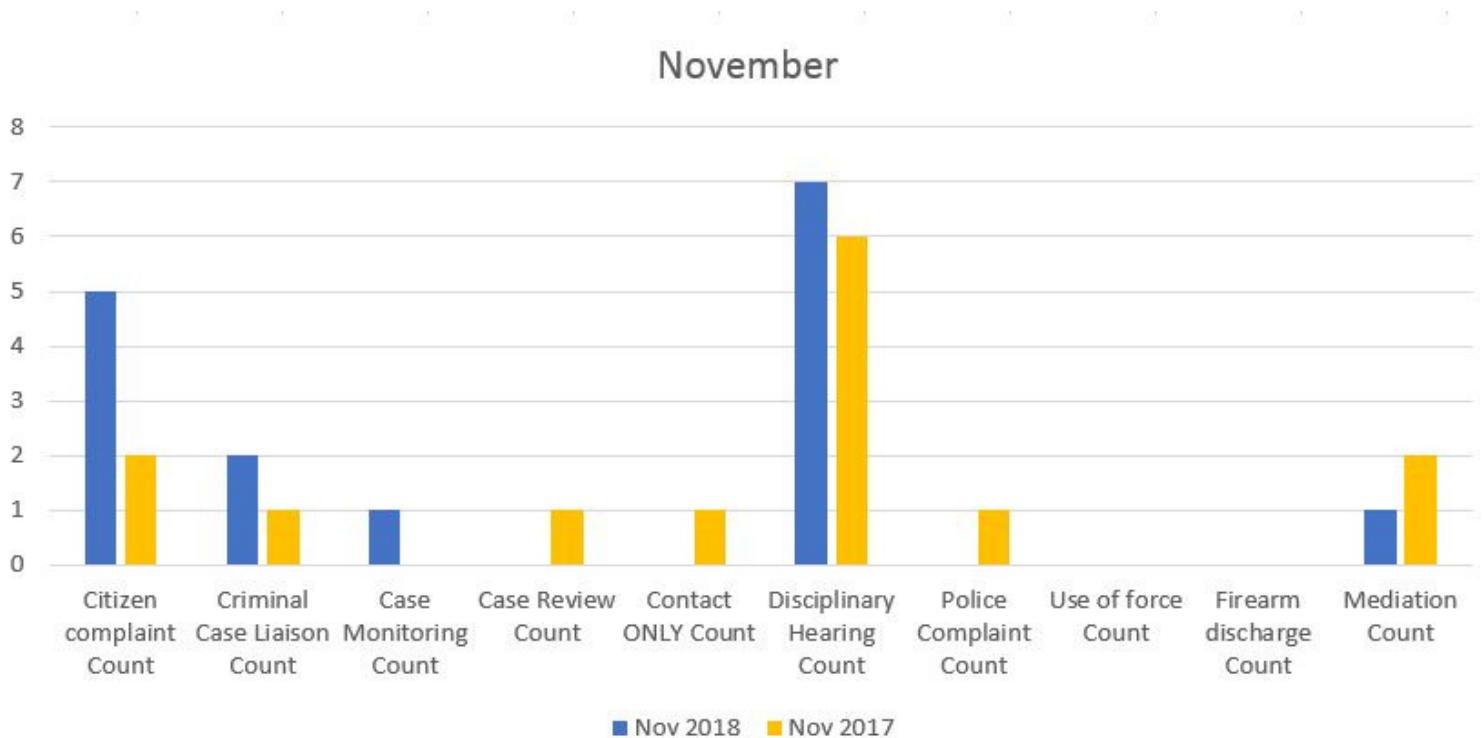
Susan Hutson
Independent Police Monitor

Year to Date Overview



	2018	2017
Citizen complaint Count	32	43
Criminal Case Liaison Count	9	13
Case Monitoring Count	10	8
Case Review Count	8	1
Contact ONLY Count	2	9
Disciplinary Hearing Count	63	35
Police Complaint Count	7	3
Use of force Count	7	6
Firearm discharge Count	4	4
Mediation Count	22	31
Grand Total	164	153

November Overview



	Nov 2018	Nov 2017
Citizen complaint Count	5	2
Criminal Case Liaison Count	1	1
Case Monitoring Count	1	0
Case Review Count	0	1
Contact ONLY Count	0	1
Disciplinary Hearing Count	7	6
Police Complaint Count	0	1
Use of force Count	0	0
Firearm discharge Count	0	0
Mediation Count	1	2
Grand Total	15	14

November Overview

Community Liason

Criminal Case Liaison	The citizen requested a police report. NOPD indicated they had the report and would follow-up when the Clerk of Court returned. OIPM will reach back out to the citizen to let him know he can come get the report and pay for it.
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Community Liason: 1

Disciplinary Hearing

DH2018-0059	Officer received Hit & Run citation from another jurisdiction.
DH2018-0060	The officer was under the influence of alcohol on duty.
DH2018-0061	The complainant alleged the accused was "DRUNK" driving causing an accident. She also alleged he fled the scene of the accident leaving his vehicle behind. The investigator unable to contact the complainant (phone disconnected).
DH2018-0062	The accused officer allegedly altered her personal payroll using the complainant's ADP password. Additionally, the complainant alleged she was improperly transferred based on the accused officers word.
DH2018-0063	The accused officer allegedly deployed CEW on a subject who was crouched and yelling "don't tase me."
DH2018-0064	The officer failed to follow instructions from her rank.
DH2018-0065	The complainant alleged two officers searched him for narcotics and the complainant alleges during the search, the officer touched him inappropriately, and that this encounter was not captured on BWC. The complainant alleged that he asked the first officer for his name and badge number and the officer responded "Don't worry about it." Additionally, there was question as to the preservation / collection of evidence and whether a police report was written on the incident.

Disciplinary Hearings Count: 7

Mediation

Mediation cases are confidential

Mediation Cases: 1

Case Monitoring

CM2018-0011	An officer allegedly discriminated against the complainant on the basis of her race. An additional officer failed to introduce himself at the scene of the complainant's accident.
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Case Monitoring Count: 1

November Overview

Citizen Complaints	
CC2018-0022	Complainant is concerned about lack of investigation involving the abuse of her son at school.
CC2018-0023	The complainant's phone was stolen by student at school. The complainant alleged there was a lack of an investigation. There is an alleged suspect, but there was no follow-up.
CC2018-0029	The complainant alleged a lack of investigation.
CC2018-0030	A guest of the complainant's neighbor, threatened the complainant with a gun and when the complainant called the NOPD, the police did not help the complainant.
CC2018-0031	The complainant is concerned regarding NOPD involvement in closed criminal case and suspects NOPD bias or personal relationship is influencing their response to an ongoing conflict with neighbor.
Citizen Complaints: 5	

Critical Incidents
No critical incidents were reported in the month of November.

Complaints and Discipline

OIPM serves as an alternative site for civilians and police officers alike to file complaints of misconduct against the NOPD. These complaints and allegations are compiled into referrals by the OIPM and provided to the Public Integrity Bureau (PIB) for them to investigate. The OIPM monitors and reviews the classification and investigation conducted by PIB. If the complaint continues into a disciplinary proceeding, the OIPM will continue to monitor and reviews the disciplinary process. OIPM monitors and review disciplinary proceedings conducted by NOPD to ensure accountability and fairness. The OIPM reviews the disciplinary investigation and attends the subsequent disciplinary hearings where the OIPM will provide systemic and individualized findings and recommendations based on NOPD's investigation. The OIPM conducts a thorough review of the proceedings, findings, and recommendations that is available for review by both the NOPD and the New Orleans community.

5

**CITIZEN COMPLAINT
COUNT**

7

**DISCIPLINARY HEARING
COUNT**

0

POLICE COMPLAINT COUNT



Community-Police Mediation

Mediation is an alternative to the traditional process of resolving complaints of police officer misconduct. Mediation is a process facilitated by two professionally-trained community mediators to create mutual understanding and allow the officer and civilian to be fully heard and understood in a non-judgmental way.

12

**REFERRALS FOR
MEDIATION**

4

MEDIATIONS SCHEDULED

1

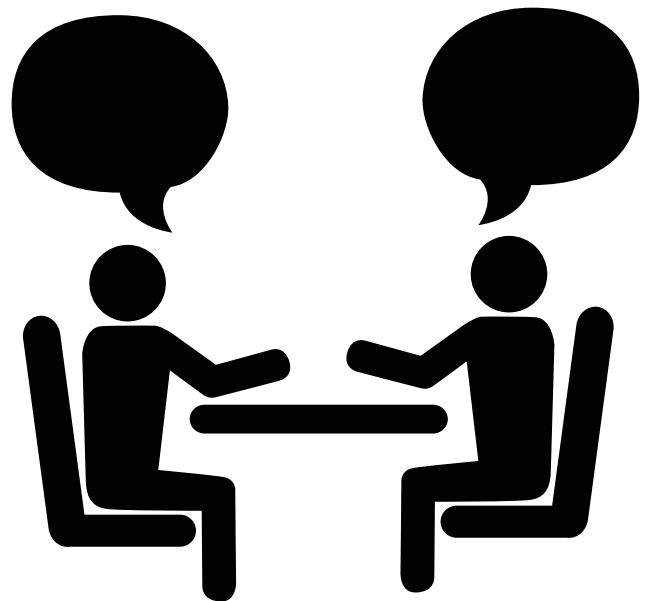
MEDIATION COMPLETED

1

MEDIATION PENDING

6

**MEDIATION OFFERS
DECLINED**



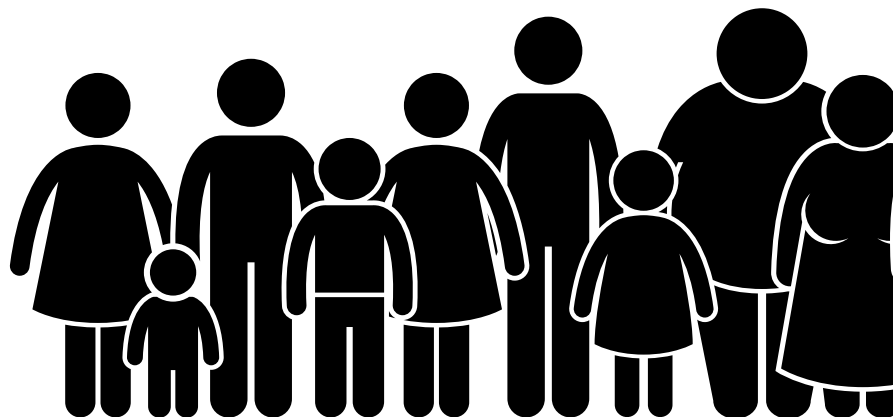
Community Relations

OIPM participates in community events to help extend the message the of OIPM and participates in activities to impact the nature of the relationships the community has with police officers. OIPM is committed to being present in the community, but also presenting helpful information to the public.

3

KNOW YOUR RIGHTS TRAINING

- St. Mary's High School
- G.W. Carver High School
- Day Reporting Center



2

PANELIST

- Southern Poverty Law Center Panel on Reform in New Orleans
- LEAD Career Panel at Dillard University

1

EVENT ATTENDANCE

- 3rd District New Orleans Neighbors & Police Anti-Crime Council

Monthly Report of Ethics Trainer



Training Update
December 6, 2018

Month of November 2018

November marked the beginning of the contract period. The monthly activity included housekeeping duties - submitting the names and birthdates of the training attendees and retrieving the certificates via the State of Louisiana data entry system, and delivering the certificates to respective departments/liaisons.

During this period, we continued our best practice research and met with Board members regarding the proposed ethics award, providing input on format, criteria, etc.

Finally, we began the final draft of the deep dive report.

Toni Hackett Antrum

Item 7

Proposal of December 12, 2018

The City of New Orleans Ethics Review Board Awards for Ethics in Government

Rational: The city's code of ethics gives the Ethics Review Board (ERB) broad powers to enforce compliance with state and city ethics codes. What is missing is a positive reward system for consistent ethics compliance and innovation in ethics systems. The proposed award would fill this gap in the ERB's strategy to create a greater culture of ethics in city government.

Inaugural Award: Calendar year 2019

We propose two awards:

1. Liaison Award – This award would be given annually to ethics liaisons whose departments meet minimum compliance qualifications. These qualifications will be determined by the ERB with input from the Hackett Group.
2. The Torch Award for Excellence in Ethics – This annual award will be given based on applications that would be reviewed by an independent panel of 7 members of the community. The panel will be made up of the following:
 - a. 1 representative from the ERB
 - b. 2 representatives from the academic community with scholarly background in legal and/or moral ethics
 - c. 1 from business - focused organizations (i.e. The Chamber, New Orleans Business Alliance, etc.)
 - d. 3 from community organizations

The panel would rate the applications on the following criteria and the agency would have to meet an identified cut off score in order to receive the award. The proposed criteria would be:

1. Demonstrate clearly the commitment to ethics of the leadership of the applying department, board, or commission as demonstrated by speeches, correspondence, and other communications from the head and other senior officers to employees and/or constituents. There should be documented evidence of the leadership telling the department, board, or commission's story as it relates to a culture of ethics.
2. The use or creation of a mission statement or philosophy that demonstrates the department, board, or commission's requirement for honesty, integrity and compliance with the law in all its dealings. Applications of ethics policy or philosophy that are unique to the challenges of the department, board, or commission is a critical component of the award.
3. Communicate clearly in publications, employee handbooks, training courses and other materials the ethical standards and culture of the department, board, or commission and its expectations of employees. The unit should indicate whether and how ethical

conduct by employees is measured, and show that employees throughout the organization understand and accept the department's ethical standards as indicated by survey results, internal audits, or demonstrated behavior.

4. Show that ethical issues are being addressed proactively by empowering employees, constituents, and other parties to use existing mechanisms to bring ethical problems to the attention of management and apprising them of how management uses existing mechanisms for resolution of issues raised to ensure fair and consistent treatment of the parties involved. Specific examples of how mechanisms are used by employees and other department constituents and information on outcomes of ethical problems or conflicts are important in the application process.
5. Produce a narrative description of ethics in action as demonstrated by the department's response to a specific challenge affecting its operations, or by evidence of how ethical decision-making is a part of the department's everyday operations, philosophy and culture.
6. Describe any additional innovation or action regarding ethics in the department, board, or commission that units are proud of and feel the committee should take into account.

Timeline:

1. Selection of the review committee January – May 1, 2019
2. Solicitation of applications for Innovation in Ethic Award January – May 2019
3. Applications for Innovation in Ethic Award due – May 31, 2019
4. Winners selected – July 31, 2019
5. Awards Luncheon October/November 2019

Budget:

Awards	500.00
Luncheon	7000.00
Marketing ⁱ	10000.00
Total	17500.00

ⁱ Marketing budget includes PR and some paid advertising

Item 8



ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

2019 BOARD MEETING SCHEDULE

1. Monday, January 28, 2019 at 3:30 p.m. - 5:30 p.m. (City Council Chambers).
2. Monday, February 25, 2019 at 3:30 p.m. - 5:30 p.m. (City Council Chambers).
3. Monday, March 25, 2019 at 3:30 p.m. - 5:30 p.m. (City Council Chambers).
4. Monday, April 29, 2019 at 3:30 p.m. - 5:30 p.m. (City Council Chambers).
5. Wednesday, May 29, 2019 at 3:30 p.m. - 5:30 p.m. (Norman Mayer Library).
6. Monday, June 24, 2019 at 3:30 p.m. - 5:30 p.m. (City Council Chambers).
7. Monday, August 26, 2019 at 3:30 p.m. - 5:30 p.m. (City Council Chambers).
8. Monday, September 23, 2019 at 3:30 p.m. - 5:30 p.m. (City Council Chambers).
9. Wednesday, October 23, 2019 at 3:30 p.m. - 5:30 p.m. (City Council Chambers).
10. Monday, November 25, 2019 at 3:30 p.m. - 5:30 p.m. (City Council Chambers).
11. Monday, December 16, 2019 at 3:30 p.m. - 5:30 p.m. (Norman Mayer Library).