

**QUALITY ASSURANCE REVIEW ADVISORY COMMITTEE
FOR THE OFFICE OF INDEPENDENT POLICE MONITOR**

ANNUAL REVIEW 2018

I. EXECUTIVE SUMMARY

The Quality Assurance Review Advisory Committee (“QARAC” or “QAC”) conducted an independent review of written records produced by the Office of Independent Police Monitor (“OIPM” or “IPM”) in 2018. As outlined in detail in this report, the overall conclusions of the QAC’s review as to the quality and quantity of work by the OIPM are extremely positive. The OIPM is a small, productive, hard-working staff that regularly produces detailed, insightful, and thorough reports on various aspects of the New Orleans Police Department (“NOPD”). To the fullest extent of its capabilities, the QAC appears to be fulfilling its mission. As a general matter, the QAC concludes that the OIPM is responsibly and judiciously using the budget of \$1,034,083 it received in 2018 from the City’s general fund.

The final section of this report contains recommendations for OIPM in the spirit of making this valuable organization even better. In terms of implementation, the QAC believes that OIPM may well be working at capacity now and that the City may need to increase the budget, resources, and staff of OIPM to ensure its continued growth in its important role in our community and the smooth transition from oversight through the Consent Decree.

II. OVERVIEW OF QARAC

The QAC engages in an independent annual review of written records produced by the OIPM in the preceding calendar year. Municipal Ordinance Art. XIV, Sec. 2-1121(22) provides: “Completed reports, inspections, performance reviews, public reports of investigation, and other records, shall be subject to an annual quality assurance review by a third-party advisory committee, known as the quality assurance review advisory committee for the office of the independent police monitor.”

In terms of the membership of the QAC, according to Sec. 2-1121 (22): “The quality assurance review advisory committee for the office of the independent police monitor shall include a representative appointed by the city council, who shall serve as chair of the committee; a representative appointed by the office of the mayor; and a representative appointed by the ethics review board.” The members of this QAC, appointed to review IPM for the calendar year 2018 are as follows:

- Janet C. Hoeffel, Catherine D. Pierson Professor of Law, Tulane Law School, Chair, appointed by the city council;

- Imtiaz A. Siddiqui, IAS LAW LLC, appointed by the office of the mayor;
- Marcus M. Kondkar, Ph.D., Associate Professor of Sociology, Loyola University, appointed by the ethics review board.

Pursuant to instructions from the Ethics Review Board, “QAC functions as a common sense, ‘citizen check’ on IPM’s work. QAC may consider whether reports are well written, objective, reflective of a sound method/fair process; report its views as to the breadth and volume of the IPM’s work product; evaluate whether the work is reflective of the IPM’s annual budget and the needs of the public, etc.” (Memo to Chair, QAC, May 7, 2019, titled, “IPM Quality Assurance Review Advisory Committee, Description of Work & Duties”).

III. IPM DUTIES AND RESPONSIBILITIES

Municipal Ordinance Sec. 2-1121(3) sets out the duties and responsibilities of IPM, as follows:

The independent police monitor shall monitor the New Orleans Police Department, particularly in the areas of: civilian and internally-generated complaints; internal investigations; discipline; use of force; critical incidents; and in-custody deaths. The independent police monitor shall review and analyze the numbers and types of complaints; assess the quality and timeliness of New Orleans Police Department investigations; review the adequacy of data collection and analysis; review the public integrity bureau's policies, procedures, and resource needs; conduct risk management reviews; review the operations and effectiveness of New Orleans Police Department "early warning system"; review specific issues regarding supervision, training, and discipline; and conduct relevant pattern analysis.

IPM’s self-stated mission is “to improve police service to the community, civilian trust in the NOPD, and officer safety and working conditions.” (IPM website, at <https://nolaipm.gov/our-mission/>). Further, IPM states it “has six broad responsibilities”:

- To ensure that all complaints regarding police misconduct are classified and investigated or mediated at the appropriate level and that those investigations are fairly, timely, and thoroughly handled; to ensure that discipline is fair, timely, appropriate, and upheld upon appellate scrutiny. To make information about this review process available to the public.
- To monitor NOPD investigations into use of force to identify violations of civil rights, concerns of officer tactics and safety, risks to life, liberty, and property, and adherence to law and policy.

- To review and analyze aggregate data from complaints, investigations, community concerns, and public policy in crafting recommendations aimed toward improving the quality of services by the NOPD.
- To inform the community about the OIPM, to listen and respond to broader community concerns, and to prepare the community for engagement in NOPD policy and practice.
- To mend police-community relationships by fostering effective police-community partnership.
- To collect police commendations, review and monitor police training and supervision issues, and support a healthy and safe working environment for NOPD employees.”

IPM website, at <https://nolaipm.gov/our-mission/>.

IV. REVIEW PROCESS

The QAC requested all written reports issued by IPM in 2018. We thoroughly reviewed the following documents:

- 2018 Annual Report
- Reports on Complaints
- Reports on Disciplinary Actions
- Reports on Use of Force

The members of the QAC want to commend Independent Police Monitor Susan Hutson and her staff at OIPM for their tremendous cooperation with this review. We were highly impressed with their organization, responsiveness, and professionalism. OIPM was proactive in the process. They initiated the review, set up two in-person meetings between OIPM and the QAC, supplied all necessary documents upon securing a confidentiality agreement from the members of the QAC, and quickly and thoroughly responded to all email requests for additional information. The QAC could not have produced this report without the teamwork of OIPM.

V. ANALYSIS OF WRITTEN REPORTS

OIPM has three general areas in which it routinely issues written reports to NOPD: use of force, complaints, and disciplinary actions. The QAC divided up its analysis of the quality of these reports according to these three areas. As described more fully in each section, the QAC found that the reports, as a whole, were detailed, thorough, and objective. We were impressed with IPM’s ability to serve in a simultaneously collaborative and challenging role with the NOPD, commending NOPD’s performance or offering constructive critique where appropriate.

A. Use of Force Review

Among the responsibilities of the OIPM is the responsibility “[t]o monitor NOPD investigations into use of force to identify violations of civil rights, concerns of officer tactics and safety, risks to life, liberty and property, and adherence to law and policy.” (IPM website, at <https://nolaipm.gov/our-mission/>; IPM 2018 Annual Report, at <https://nolaipm.gov/wp-content/uploads/2019/05/OIPM-Annual-Report-YIR-2018-FINAL.pdf>).

The QAC reviewed the following documents relevant to use of force reports for 2018:

- 2018 Annual Report: Statistical Review of NOPD’s Use of Force (hereinafter “2018 UOF Statistics”), available at <https://nolaipm.gov/wp-content/uploads/2019/05/OIPM-2018-Annual-Report-UOF-Statistics-FINAL-5-30-19.pdf>.
- 2018 Annual Report: OIPM Use of Force Monitoring and Review Activities (hereinafter “2018 OIPM UOF Report”), available at <https://nolaipm.gov/wp-content/uploads/2019/05/OIPM-2018-UOF-Annual-Report-Critical-Incidents-FINAL.pdf>.
- Nine 2018 memos from OIPM to NOPD re: Use of Force Investigations

We reviewed these three sets of documents for objectivity, methodology, thoroughness and transparency.

1. *Statistical Review of NOPD’s Use of Force*

As part of OIPM’s duties, it collects data on NOPD’s use of force. The data to be studied is housed in the NOPD’s complaints and use of force database (IAPro). OIPM was unable to independently access the relevant raw data and had to rely on data prepared by the NOPD. Therefore, as OIPM noted, the statistical review of NOPD’s use of force was greatly compromised. OIPM rightly maintains, “for the OIPM to fulfill its mandate and duties, OIPM must have complete and in-house access to NOPD datasets.” (2018 UOF Statistics, p. 8). The QAR concludes that OIPM is prevented thereby from fulfilling its obligations of independent, thorough and transparent review of NOPD’s use of force data.

Within the data limitations, OIPM still produced a very informative and interesting statistical review. While the underlying data may be no different than that used for the NOPD’s own annual review, OIPM was thoughtful on how best to break down and present that data in a meaningful way and the report offers important insights. Useful illustrations of this included: a comparison of NOPD’s use of force with three other cities (2018 UOF Statistics, p. 12), demonstrating a higher rate of use of force per capita in New Orleans than in those cities (p. 14); while overall a decrease in use of force in 2018 (p. 13), an increase Level 3 force, particularly head strikes (p. 18), and an increase in NOPD determinations that use of

force was “unjustified” (p. 28); and younger, less experienced, white male officers are more likely to use force (pp. 38, 41).

OIPM also made some recommendations to NOPD. The report suggests these are ongoing issues that have been raised in the past, leaving the QAC to wonder how NOPD may respond in a more effective manner. OIPM’s three areas of concern and recommendations were valid and important. First, NOPD does not define for its officers when use of force is “effective,” “not effective” and of “limited effectiveness.” For example, NOPD self-determined that all Level 1 and Level 2 uses of force were 100% effective, but OIPM has no way of evaluating that conclusion (pp. 26-27). Second, NOPD designates “refusing verbal commands” as a justifiable reason for use of force but again, this is not defined in a way for OIPM to evaluate this justification (p. 31). Third, OIPM observed that force is used disproportionately against black people (p. 46), and hence recommends training on implicit bias and anti-oppression, and a cooperative study on the reasons for this disparity (p. 47).

Within the parameters of OIPM’s abilities, this report appeared to be objective, analytical, and helpful. The members of the QAC believe OIPM could benefit from the services of a statistician in generating reports of this kind. For example, OIPM noted a higher rate of use of force in some police districts and concluded, “Variation of police use of force in these district cannot solely be attributed to difference in policing practices” (p. 21), but had no support for that conclusion. It is likely there are more trends, correlations, and observations that could shed light on the use of force by NOPD.

2. OIPM Use of Force Monitoring and Review Activities

OIPM is required by City Code sec. 2-1121 to monitor the quality and timeliness of NOPD’s investigations into use of force and in-custody deaths. OIPM reviewed the investigation of all five “Critical Incidents” that occurred in 2018. OIPM was able to respond personally to the scene of all five incidents. OIPM informed the QAC that OIPM staff then monitor the steps of the investigatory process. If there is a death that results from the critical incident, OIPM attends and monitors the autopsy. With proper notice, OIPM attends interviews of the involved officers, witness officers and civilian witnesses. As part of this process, OIPM staff is able to ask the officer(s) questions through a PIB investigator. OIPM also reviews all evidence gathered regarding the critical incident as well as reviews the case file of PIB to be able to see everything that has been gathered by NOPD throughout the course of the investigation. OIPM is also able to make recommendations to NOPD regarding evidence and the investigatory process, if it feels it would be helpful with the investigation. The QAC is impressed with this procedure and believes this presence on the scene and involvement during the investigative process serves an invaluable role in promoting effective and safe policing.

Pursuant to the 2012 Consent Decree, NOPD developed the “Use of Force Review Board” (UFRB) as “a quality control mechanism to ensure timely reviews of

all serious uses of force investigations to determine the appropriateness of the investigative findings, and to quickly appraise use of force incidents from a tactics, training, policy, and agency perspective” (NOPD Ops. Manual Chapter 1.3.7). At the monthly meetings, the UFRB reviews NOPD’s Public Integrity Bureau’s (PIB) Force Investigation Team (FIT) report on serious uses of force. OIPM attends the meetings and is invited during the discussion period to make observations and recommendations. UFRB reviewed 16 cases in 2018 (described in a helpful Appendix to 2018 OIPM UOF Report).

In a four-page section of this Report, OIPM evaluates the work of the UFRB, concluding, “the UFRB is a positive and healthy self-critical undertaking which assists NOPD in reforming its use of force actions, investigations, training, policies, and adjudications” (2018 OIPM UOF Report, p. 6). To illustrate this point, OIPM describes two cases in some detail and the deliberations undertaken by the UFRB, in terms of findings and recommendations. The QAC agrees with OIPM’s conclusion that the UFRB’s process is “forward thinking and robust” (p. 9).

The second section of this report is a short, few-paragraph description of OIPM’s involvement in the UFRB process. It summarizes that OIPM has been able to flag recurring issues, such as the untimely sequestration by supervisors of involved officers at critical incident scenes. OIPM raises these issues directly with PIB before the UFRB meeting and also raises the concerns directly at the monthly hearings “to varying levels of receptivity” (p. 10). The QAC learned that OIPM has recently convinced the UFRB to vote on all recommendations. This sort of data will be helpful to understanding the impact and role of OIPM and should be included in future reports as it supplies some meaningful measurement of OIPM’s efforts.

3. Use of Force Investigations

The QAC reviewed nine memos to NOPD, dated in 2018, on nine separate incidents of use of force (4 occurring in 2017 and one in 2016). Each report is several pages long and contains an incident summary, a summary of the PIB’s analysis and recommendation, and then OIPM’s analysis and recommendations.

Two of the reports involve an officer’s use of a CEW (taser) on a handcuffed subject. In both, PIB found the use of force did not comply with NOPD regulations, but in one, PIB found the use of force nonetheless “justified” and the other “unjustified.” OIPM objected to a finding that a use of force was against regulations but somehow justified. The QAC agrees that this finding would seem to require some explanation and mutual understanding of the outcome.

In both reports, OIPM outlines a number of problem areas presumably not addressed by PIB. In both instances, an officer used a CEW on a handcuffed individual who was trying to run away. In both instances, OIPM details its concerns that NOPD is not taking seriously its own foot pursuit policy in the NOPD Ops. Manual (Ch. 41.4), which requires consideration and utilization of alternatives to

foot pursuits. In both cases, OIPM noted improper removal or absence of a required Body Worn Camera and noncompliance with the requirement of seat-belted suspects in transport. The QAC found these reports to be objective and thorough, detailing all potential violations of policy during an incident as well as recurring problem areas that NOPD should address.

In four reports, OIPM addressed incidents of negligent discharge of a firearm by a police officer. In each report, OIPM stresses its disagreement with PIB, in that negligent discharge should be considered a use of force to be reviewed by the UFRB. Additionally, OIPM repeats its endorsement of a supposed upcoming NOPD policy change to require breath and urine testing for any discharge of a departmental firearm, whether on or off duty. OIPM has apparently been raising this issue for at least two years. In one case, where the officer involved was a PIB officer, OIPM correctly pointed out the potential conflict of interest when PIB investigates PIB. Each report pays close attention to details, NOPD policy, and Consent Decree requirements and is meticulous in pointing out misalignment in policy and needed changes and updates, such as a requirement to stay on the scene of a negligent discharge.

The three remaining reports are examples of OIPM's issuance of "Preliminary Observations and Questions" to PIB for further information on use of force incidents, asking detailed, probing and relevant questions. In sum, QAC believes the OIPM is staying on task with investigating use of force incidents, with great attention to detail and perseverance on repeated problem areas. OIPM also appropriately praises PIB when it has engaged in a thorough and objective investigation.

B. Complaints Review

As stated in its mission statement, two major responsibilities of OIPM are to:

- (i) "ensure that all complaints regarding police misconduct are classified and investigated or mediated at the appropriate level and that those investigations are fairly, timely, and thoroughly handled," and to
- (ii) "review and analyze aggregate data from complaints, investigations, community concerns, and public policy..."

OIPM website, at <https://nolaipm.gov/our-mission/>; OIPM 2018 Annual Report, at <https://nolaipm.gov/wp-content/uploads/2019/05/OIPM-Annual-Report-YIR-2018-FINAL.pdf>.

In order for OIPM to meet these responsibilities, it relies on information provided through the PIB complaint management system, IAPro. Complainants may file directly with PIB, or with the referral assistance of OIPM. In its 2018 Annual Report, OIPM notes that PIB documented 679 complaints (with a total of 1,328 allegations) against NOPD. Of those complaints and allegations, 42 and 45

respectively were referred to PIB by OIPM. Therefore, the vast majority of complaints do not get reviewed by OIPM.

In those relatively few cases where complainants came through OIPM, it provided PIB with a complaint referral letter summarizing the complaint narrative, and any additional relevant information deemed useful for PIB investigations. When appropriate, the letter also included recommendations for corrective measures.

This part of the QAC's review of OIPM's work in 2018 is limited to OIPM's documentation of the 42 complaints it referred to PIB, based on the unpublished copies of the 42 complaint referral letters, and its review and analysis of the 2018 aggregate data on all complaints and investigations, based on the Annual Report. See Annual Report, at <https://nolaipm.gov/wp-content/uploads/2019/05/OIPM-Annual-Report-YIR-2018-FINAL.pdf>.

1. OIPM's complaint referrals

In 2018 OIPM referred 42 complaints to PIB. Six were initiated by NOPD employees against other NOPD employees. The remaining 36 were initiated by civilians. OIPM complaint referral letters include the following information:

- Complainant, NOPD employee subject, and witness information
- Incident date and location
- Allegations (*e.g., RULE 2: MORAL CONDUCT: PARAGRAPH 05 – VERBAL INTIMIDATION; RULE 4: PERFORMANCE OF DUTY: PARAGRAPH 02 – INSTRUCTIONS FROM AUTHORITY SOURCE – Policy 41.3.10 Body Worn Camera, Paragraph 10, Required Activation*)
- Narrative summary of complaint
- Five-year disciplinary history of NOPD employee subject
- OIPM recommendation (*e.g., At this point, the OIPM recommends that PIB place this officer under monitoring by her commanding officer through INSIGHT and that pursuant to New Orleans City Code Section 2-1121 (3) OIPM conduct a "risk management review" and "pattern analysis" to determine whether risk management issues exist; i.e. whether the subject employee is at risk of engaging in future misconduct or of being a risk to the public*)
- Classification recommendation (*e.g., The OIPM recommends this investigation be classified as Serious Misconduct*)

Each complaint referral letter is clear, concise, thorough, and objective. OIPM does not attest to the validity of allegations. It attempts to accurately convey complainants' accounts and summarize the relevant data from NOPD's own information systems. Referral letters are designed to provide PIB with pertinent information needed for an investigation into the validity of the allegations.

2. OIPM complaints data analysis

As with the Use of Force data, OIPM's ability to accurately review and analyze complaints data is limited by its dependence on the accuracy of the NOPD's data recording practices. OIPM is unable to independently confirm or verify the data and is often faced with missing data. With these constraints in mind, OIPM's complaints analysis is sound and comprehensive.

OIPM's analysis of NOPD's PIB data reported that, in 2018, 52.6% of allegations were "neglect of duty," 23.4% were "professionalism," and the remaining 24% were classified "other," "adherence to law," "instructions from authoritative source," "courtesy," "unauthorized force," and "verbal intimidation." Allegation outcomes were, "sustained" (33%), "not sustained" (10.8%), "unfounded" (23.6%), "NFMI" (10.6%), "exonerated" (6.3%), "pending" (5.9%) "DI-2" (4.4%), referred to "mediation" (3.9%), or "data inconsistency" (1.4%). The analysis also disaggregates the outcome data by officer race, and an additional breakdown of complaints from anonymous complainants.

OIPM's analysis of NOPD PIB data is thorough and rigorous and is oriented towards identifying patterns and changes over time. While this review concludes that OIPM has handled referrals competently and thoroughly, and its analysis of NOPD PIB data is relevant and comprehensive, we also find that OIPM's independence in monitoring NOPD conduct is somewhat limited by its complete dependence on NOPD's data on such conduct.

C. Disciplinary Review

OIPM is responsible for monitoring whether all NOPD action taken during disciplinary proceedings are compliant with state and federal law, NOPD policy, the Consent Decree, and the Memorandum of Understanding between the NOPD and the OIPM executed on November 10, 2010. OIPM monitors and assesses the efforts of NOPD to ensure all disciplinary investigations and proceedings are conducted in a manner that is non-retaliatory, impartial, fair, consistent, and truthful in accordance with NOPD policies. OIPM reviews the disciplinary investigations and proceedings executed by NOPD to ensure they are executed in a timely manner that is consistent with all requirements under law (2018 Annual Report, at <https://nolaipm.gov/wp-content/uploads/2019/05/2018-Annual-Report-Complaint-Discipline-FINAL.pdf>).

As required in the preliminary memorandum to PIB, OIPM will, as appropriate, make determinations as to whether departmental rules or policies have been violated, make recommendations regarding appropriate discipline, and review the appropriateness of disciplinary sanctions as authorized by the Ordinance, the MOU, and the Federal Consent Decree Section XVII: Misconduct Complaint Intake, Investigation, and Adjudication. These determinations, recommendations, and findings shall be submitted to NOPD in writing (2018 Annual Report, at <https://nolaipm.gov/wp-content/uploads/2019/05/2018-Annual-Report-Complaint-Discipline-FINAL.pdf>).

1. Disciplinary System Monitoring and Review

With respect to its review of OIPM's Disciplinary System Monitoring and Review, the QAC reviewed the following relevant documents:

- 2018 Annual Report: Year in Review
- 2018 Annual Report: Complaints, Commendations, and Disciplinary Proceedings
- 31 memoranda from OIPM to PIB regarding disciplinary hearings

In reviewing the documents, the QAC: (1) considered whether the relevant portions of these documents were well-written, objective, reflective of a sound method/fair process; (2) assessed the breadth and volume of OIPM's work product; and (3) evaluated whether the work is reflective of, among other things, OIPM's annual budget and the needs of the public.

2. Discipline Data

In the 2018 Annual Report, OIPM analyzed data obtained from and prepared by NOPD to identify and highlight patterns, trends, and outliers of note. While the QAC was not provided the underlying data that was analyzed, the annual report included six figures relating to: (1) the outcomes of allegations brought against NOPD employees; (2) the outcomes of disciplinary investigations; (3) discipline by complainant gender; (4) outcomes by officer gender; (5) outcome by complainant race; and (6) discipline by officer race.

The figures in the Annual Report adequately identified and highlighted any patterns, trends or outliers. OIPM concluded that discipline by complainant gender and outcomes by officer gender appear to be proportional. With respect to discipline by officer race, OIPM concluded that further analysis is needed to determine if any more nuanced race base trends exist. Finally, with respect to discipline by officer race, OIPM identified a potential pattern and determined that further examination of this trend was necessary.

In sum, the OIPM's presentation of data to highlight patterns, trends, and outliers appears thorough and utilized sound methodology. Going forward, it would be helpful for the OIPM to provide the QAC with the data underlying the figures so that the QAC could also review the data analysis for objectivity and accuracy.

3. OIPM Recommendations to NOPD with respect to 2018 Disciplinary Proceedings

In its Annual Report, OIPM identified six recommendations that it made in memoranda to NOPD with respect to training. In the QAC's independent review of

the 31 memoranda from OIPM to PIB regarding individual disciplinary hearings, the QAC identified nine other areas where training was recommended by OIPM:

- Vehicle pursuits
- Photographic lineup training
- Missing persons calls
- Accident reconstruction, implicit bias, and Fourth Amendment standards
- Traffic stops outside of Orleans Parish and what constitutes a traffic stop
- Social media, professionalism, and domestic violence awareness training
- Password safeguarding and supervisor access
- Incident reporting
- Strip searches

OIPM's recommendations were based on well-reasoned and thorough reviews of disciplinary charges and the related issues. OIPM also attends and monitors disciplinary proceedings conducted by the Public Integrity Bureau including Superintendent's Committee Hearings and Predisposition Conferences. The underlying disciplinary hearing memoranda from OIPM to PIB were uniform with respect to the categories of information presented, *i.e.*, each memorandum included a summary table and the same eight (8) questions with corresponding proceeding-specific answers. The eight questions related to any additional charges that could have been brought; any concerns with respect to the Bill of Rights, the disciplinary investigation, whistleblower/retaliation issues, and any particular allegation; training; Constitutional and legal issues; and whether any policy/procedure, risk management, and/or liability issue were/was not adequately addressed.

While the quality of the memoranda was superior in general, the QAC did observe a few minor issues with the memoranda: in two instances, the information provided in the memoranda was incomplete and, in another instance, a memorandum appeared to inadvertently include information from a previous memorandum. In spite of these insignificant, unintentional errors, the QAC was impressed with the thoroughness and overall quality of the memoranda.

4. Conclusion & Additional Comments

In conclusion, with respect to the OIPM's disciplinary system monitoring and review, the QAC concludes that: (1) the relevant documents were well-written, objective, and reflective of a sound method/fair process (2) OIPM's work product was thorough and reasoned; and (3) the work of OIPM is reflective of, among other things, OIPM's annual budget and the needs of the public.

The QAC agrees with OIPM's recommendations that the tracking of disciplinary proceedings should be improved and that OIPM should be provided access to the underlying data and information from NOPD so that its review is not limited by when, how much, and in what manner data and information is provided by NOPD to OIPM.

D. Other Observations of OIPM's Work

1. *Mediation*

The QAC did not review any individual written documentation of OIPM's mediation work, but it reviewed the 2018 Annual Report: Community-Police Mediation Program, at <https://nolaipm.gov/wp-content/uploads/2019/05/OIPM-2018-Annual-Report-Mediation-FINAL.pdf>. It is a very comprehensive document, setting out the program's procedures, goals, and results in great detail. The QAC was impressed with the design, thoughtfulness, and quality of the program.

The New Orleans Community-Police Mediation Program is mandated by City Ordinance, the Memorandum of Understanding between NOPD and OIPM, and the Consent Decree. In 2018, the Program held 29 mediations involving 28 civilians and 34 officers, out of a total of 75 cases referred from PIB. Only certain categories of cases are eligible for mediation, and the most common involve complaints as to "professionalism." The program appeared to have a broad reach: participants in the mediations reflected the demographics of the city, and mediations took place in more than 15 community venues.

Among the impressive parts of the Program is its self-assessment of its effectiveness, gained through a survey instrument completed by participants. The surveys, as summarized in the Annual Report, show great satisfaction with the Program:

Anonymous post-mediation surveys revealed that 96% of civilians and 100% of officers who participated in mediations thought that the mediation meetings were unbiased; 88% of civilians and 90% of officers felt they had the opportunity to explain their point of view; 86% of officers and 88% of civilians agreed that mediation is a good way of resolving disputes between civilians and police officers. 80% of civilians and 86% of officers said they would recommend mediation to other civilians or officers; 84% of civilians and 90% of officers were satisfied with the mediation process according to surveys completed after each mediation.

IPM 2018 Annual Report, at <https://nolaipm.gov/wp-content/uploads/2019/05/OIPM-2018-Annual-Report-Mediation-FINAL.pdf>.

The QAC lauds the quality of this part of the Annual Report.

The QAC learned that OIPM is set to double the number of meditations this year, and, ultimately, will need funding for a full time person to handle the increase. With a full time person, OIPM could also conduct mediations between NOPD and Community Groups and between officers. The QAC understands that this is a joint program with NOPD and that currently NOPD does not contribute funding to the program. This program is invaluable to the community and the QAC hopes NOPD will contribute to the funding to aid its expansion.

2. Publicity/Website

The QAC reviewed the website for OIPM (<http://nolaipm.gov>). Some parts of the website are up to date and easy to understand and navigate. Other parts are jumbled, incomplete, and difficult to navigate. OIPM was up front with the QAC that it was unsatisfied with the current website and that it is presently working to update the website. OIPM was able to hire a community relations person in September 2018 who is now working to improve the website. Because communication with the public is an important part of OIPM's mission and the website is its most public face, the QAC hopes to see improvements in the delivery of information on the website.

A few observations can be made here to illustrate the need for improvement of the website. The drop down menu on the main page does not divide up the information in the same manner and with the same labels as the "Quick Links," making navigating confusing. When one selects "Programs," the site has three choices: Mediation; Community Relations; and Use of Force, but Complaints and Discipline are not found here. When selecting "Reports," it is unclear what information is posted under each category: for example, it is difficult to know the different content of "Recommendations," "Subject Matter Reports," "Complaint Investigation Reviews," and "Case Review Summaries." More descriptive organization would be helpful. The navigation of the website should be considered from the viewpoint of the average citizen user.

As for content, under "Reports," there are no postings for 2018 for "Subject Matter Reports," for "Complaint Investigation Reviews" (this category had just one report dated 2010), for "Recommendations" (no "Policy and Training Recommendations" since 2016), or for "Public Letters." The QAC acknowledges that OIPM has a very small and busy staff (with a number of staff transitions occurring in 2018), not necessarily trained in website design and management. The website is a work-in-progress and we make these notations to suggest ways to improve the OIPM to properly reflect the office's clear commitment to its mission.

VI. RECOMMENDATIONS

The QAC recognizes that OIPM may well be working at capacity now and that any improvements may require an increase in staff and budget. Additionally some of the recommendations require further cooperation from NOPD. While some

specific recommendations appear in each of the above sections, the QAC has the following overarching recommendations:

1. Independent Access to NOPD Data and Data Personnel. Municipal Ordinance Sec. 2-1121(14) sets forth OIPM's data-gathering duties and states, "The New Orleans Police Department shall provide the appropriate database and personnel to facilitate this section." OIPM cannot fulfill its function as an independent monitor of OIPM without access to NOPD's raw data. The QAC urges NOPD to rectify this situation immediately. In addition, NOPD should provide funding for data personnel.

2. Complaints & Mediation: Increase Public Awareness & OIPM Capacity. The QAC believes the public is not aware of the independent complaint process provided by OIPM. An independent complaint system is superior to a complaint system run by NOPD. OIPM should consider viable avenues for increasing public awareness, in particular, some manner in which NOPD districts must provide a complainant with the information for filing with OIPM as well as the means, as through an available computer station. OIPM would require additional funding and personnel to be the primary repository of citizen complaints, and OIPM should seek funding from NOPD for expansion of the mediation program.

3. Measure OIPM Effectiveness. A missing component from the reports on use of force, complaints and discipline is OIPM's own measurement of its effectiveness. While the QAC found OIPM's reports in these areas to be thorough, detailed and objective, the QAC had no way of measuring OIPM's effectiveness and impact on NOPD.

4. Compile & Coordinate Officer Data. Municipal Ordinance Sec. 2-1121 (22) sets out as one of the duties of OIPM to monitor civil suits involving NOPD. No reports on civil suits were produced in 2018. The QAC recommends that OIPM consider keeping in one place a database on individual officers, coordinating information from use of force, complaints, discipline, and civil suits so that it can make recommendations as to particular officers.

5. More Holistic Approach to Recommendations to NOPD. OIPM's reports contain useful recommendations as to the individual incident at issue. The QAC recommends that OIPM take information gleaned from these reports, especially when patterns appear, to produce more generalized reports with recommendations to NOPD and make such reports publicly available.

6. Update & Reformat Website. As described above, OIPM's website needs attention. It needs updating, reformatting, and better organization so that the public can more easily access the important information OIPM has to share.