



**Ethics Review Board for the City of New Orleans**

**Board Meeting of November 16, 2020 at 3:30 P.M.**

**Conducted via Zoom Teleconference Due to COVID-19 Emergency**

**Minutes**

1. *Call to Order.*
  - 1.1. Board members present:
    - 1.1.1. Wanda A. Brooks.
    - 1.1.2. Elizabeth Livingston de Calderon.
    - 1.1.3. Michael A. Cowan (Chair).
    - 1.1.4. Holly Callia.
    - 1.1.5. Monique G. Doucette.
    - 1.1.6. Tyrone G. Jefferson, Jr.
    - 1.1.7. Torin T. Sanders.
  - 1.2. Board members absent: None.
  - 1.3. Staff member present: Dane S. Ciolino, Executive Administrator and General Counsel.
  - 1.4. A 3:31 p.m., the Chair declared that a quorum of the board was present and commenced the meeting via Zoom videoconference and teleconference.
  - 1.5. The agenda for the meeting is attached.
2. *Ratification of Prior Written Certification of Emergency Need for Video Conference Meeting.* Pursuant to [State of Louisiana Executive Department Proclamation No. JBE 2020-30 Section 4 \(March 16, 2020\)](#) and subsequent orders and legislation addressing the

COVID-19 state of emergency, the ERB unanimously agreed to conduct this meeting by video conference and audio conference after certifying that the ERB would not otherwise have been able to operate due to quorum requirements due to the ongoing COVID-19 emergency.

3. *Approval of the Minutes.* The Board unanimously approved the minutes of the October 26, 2020, board meeting.
4. *Chair's Report*
  - 4.1. Dr. Cowan reported that he has meetings scheduled with the Mayor and members of the City Council to discuss the board's activities, including its efforts to replace the IG.
  - 4.2. Dr. Cowan reported that he met with the OIG staff to discuss the transition.
  - 4.3. Dr. Cowan reported on recent articles and news publications addressing the situation at the OIG, including Derry Harper's absences, performance, and pay arrangement with OIG employee Jessica Lang.
    - 4.3.1. Mr. Sanders, Ms. Brooks, and Ms. Calderon had follow up questions regarding Ms. Lang's current status to assure she was no longer on the ERB payroll.
    - 4.3.2. Dr. Cowan noted that the board will request regular financial reports from the OIG and OIPM in the future.
5. *Report of the Office of Inspector General.*
  - 5.1. The Office of the Inspector General was represented by Interim IG Ed Michel. Other OIG staff members were also in attendance, including Mr. Larry Douglass.
  - 5.2. Mr. Michel discussed his transition into the Interim IG position, including that he held an all-office meeting recently. His goal is to provide a fully-functional office to the new appointed IG.
  - 5.3. Mr. Michel discussed the monthly report submitted by the OIG.
  - 5.4. Mr. Michel reported on a recent guilty plea by Irvin Mayfield, which was based in part on work of the OIG.
    - 5.4.1. Ms. Calderon asked Mr. Michel whether the board should expect to see more prosecutions and activity. Mr. Michel responded in the affirmative.
  - 5.5. Mr. Michel noted that his office is updating its website and will keep it current.
  - 5.6. Mr. Cowan asked what "big challenges" lie ahead for the OIG? Mr. Michel noted that his challenges include improving personnel engagement with management,

improving communication within the office and with the public, and understanding the current financial state of the OIG.

- 5.7. Mr. Cowan asked what the “work plan” was for the OIG. Mr. Michel responded that the work plan remains the same as the 2021 Work Plan previously announced.
6. *Report of the Office of the Independent Police Monitor.*
  - 6.1. IPM Susan Hutson appeared for the OIPM. Bonycle Sokunbi also appeared.
  - 6.2. Ms. Hutson discussed her monthly report (attached).
  - 6.3. Ms. Hutson noted that there were two officer-involved shootings this month. One officer was shot in the face, but no shots were fired by NOPD.
  - 6.4. Ms. Hutson noted that complaints this month are up—almost double the usual number. Her office has been very busy.
7. *Vote on RFP to Hire Executive Search Firm for IG Search*
  - 7.1. Ms. Calderon moved for the board to publish an RFP at an amount no more than \$50,000 to hire an executive search firm to assist with the search for a new IG. She also moved that each search firm submitting a proposal:
    - 7.1.1. Commit to place hiring advertisements in diverse listing/journals, including but not limited to diversity of: Gender, Race, Ability/Disability, LGBT&Q, Fields of practice (IGs, Judiciary, Law Enforcement, Auditors/Comptrollers, Public Administration, Attorneys, etc.);
    - 7.1.2. Commit to search for candidates with the qualifications required by Code of Ordinances § 2-1120(3)(b);
    - 7.1.3. Present the anticipated costs, speed, recommendations, history of hiring for this type of position, and proposed screening and updating process.
    - 7.1.4. Commit to search for and accept applications for at least 60-90 days and until the IG appointed.
  - 7.2. A board member seconded the motion.
  - 7.3. The board discussed the motion.
    - 7.3.1. Mr. Cowan asked why the \$50,000 amount was selected as a cap. Mr. Ciolino responded that the number was reasonable in light of his preliminary talks with executive search firms.
    - 7.3.2. There was no additional discussion.

- 7.4. The board unanimously adopted Ms. Calderon's motion without modification.
8. *Report of Executive Administrator and General Counsel.*
  - 8.1. Mr. Ciolino reported that no new complaints had been received.
  - 8.2. Mr. Ciolino noted that the board in December or January should discuss proposing a revision to the Code of Ordinances to include definitive sanctions for ethics code violations. He also noted that the board should invite David Marcello to present on the topic.
  - 8.3. Mr. Ciolino discussed the Board's upcoming deadlines and events.
  - 8.4. Mr. Ciolino reminded the board that, by year end, each present and former board member must complete one hour of mandatory ethics training and file a Tier 2.1 financial disclosure form.
9. *Discussion of Ethics Training.*
  - 9.1. The board discussed whether ethics training should be conducted by a new employee or by an independent contractor (as in the past).
  - 9.2. Ms. Callia noted that whoever performs training should use technology to widely broadcast and to better engage training sessions.
  - 9.3. Mr. Cowan agreed and noted that we need to "think outside of the box" with training.
  - 9.4. Ms. Calderon noted that she looks forward to further considering transitioning to an employee delivery model. She also emphasized the importance of in person training rather than purely online training.
  - 9.5. Mr. Cowan noted that it is critically important to train liaisons and to have those liaisons train personnel in their departments.
  - 9.6. The board will vote on how to proceed in December.
10. *Adjournment.*
  - 10.1. A motion was made to adjourn the board meeting. The motion was seconded.
  - 10.2. The Board unanimously voted to adjourn.
  - 10.3. The meeting was adjourned at 5:00 p.m.

\* END \*



## CITY OF NEW ORLEANS ETHICS REVIEW BOARD

525 St. Charles Avenue New Orleans, LA 70130-3409

[erb@nolaerb.gov](mailto:erb@nolaerb.gov)

<https://www.nolaerb.gov/>

### BOARD MEETING

Monday, November 16, 2020

3:30 P.M. – 5:30 P.M.

The board will conduct this meeting via Zoom Video Conference and Telephone Conference

Video Conference Link: <https://loyno.zoom.us/j/5049753263>

Telephone Conference Dial-In Number: 312-626-6799; ID No. 504 975 3263

Certification of Necessity: The board hereby certifies that it is unable to satisfy live-meeting quorum requirements due to the COVID-19 declaration of emergency. See [State of Louisiana, Executive Department Proclamation No. JBE 2020-30 § 4](#) (Mar. 16, 2020) (permitting video conference meetings due to gubernatorial declaration of state of emergency); [State of Louisiana, Executive Department Proclamation No. 111 JBE 2020 § 1](#) (August 26, 2020) (providing that “statewide public health emergency is declared to continue to exist”).

### AGENDA

1. Ratification of certification of necessity for videoconference/teleconference meeting (Chair).
2. Approval of minutes of previous board meeting (Chair).
3. Update on transition to Interim IG (Chair).
4. Discussion of monthly report from the Office of Inspector General (Chair).
5. Discussion of monthly report from the Office of Independent Police Monitor (Chair).
6. Discussion and vote on search protocol for new Inspector General (Chair and Ms. Calderon).
7. Discussion and vote on RFP to retain IG search firm at a cost of \$50,000 or less (Chair).
8. Discussion of Ethics Training Position: Contractor vs. Employee (Chair).
9. Report of Executive Administrator and General Counsel (Chair).
10. Executive Session. Discussion of investigative proceedings regarding allegations of misconduct pursuant to La. Rev. Stat. § 42:17(A)(4).
11. Adjournment (Chair).

**Draft Minutes of  
Previous Board  
Meeting**



**Ethics Review Board for the City of New Orleans**

**Board Meeting of October 26, 2020 at 3:30 P.M.**

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**Minutes**

1. *Call to Order.*
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    - 1.1.7. Torin T. Sanders.
  - 1.2. Board members absent: None.
  - 1.3. Staff member present: Dane S. Ciolino, Executive Administrator and General Counsel.
  - 1.4. A 3:33 p.m., the Chair declared that a quorum of the board was present and commenced the meeting via Zoom videoconference and teleconference.
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COVID-19 state of emergency, the ERB unanimously agreed to conduct this meeting by video conference and audio conference after certifying that the ERB would not otherwise have been able to operate due to quorum requirements due to the ongoing COVID-19 emergency.

3. *Approval of the Minutes.* The Board unanimously approved the minutes for the October 1, 2020, board meeting.
4. *Discussion of Monthly Report of the Office of Inspector General.*
  - 4.1. The Office of the Inspector General was represented by IG Derry Harper. Other OIG staff members were in attendance as well, including Mr. Douglass and Mr. Michel.
  - 4.2. No monthly report was filed by the OIG. Mr. Harper noted that there have been “no major changes” since last ERB meeting.
  - 4.3. Mr. Harper reported that the Audubon payroll report would be released soon.
  - 4.4. IG Harper thanked the board for having the opportunity to serve and stated that he was looking forward to his retirement.
5. *Discussion of Monthly Report of the Office of the Independent Police Monitor.*
  - 5.1. IPM Susan Hutson appeared for the OIPM.
  - 5.2. Ms. Hutson read from and emphasized various portions of the monthly report of the OIPM (attached). Ms. Hutson solicited questions; there were none.
  - 5.3. Ms. Hutson reported that a “mini-audit” on NOPD use of PPE (personal protective equipment) will be coming out soon.
  - 5.4. Mr. Cowan noted that a concerned citizen called him about the IPM participating in an election forum on the DA race.
    - 5.4.1. Ms. Hutson explained that the sponsor was “The Peoples’ DA” which was a group that does not endorse candidates and encompasses 40-50 community groups.
    - 5.4.2. Mr. Sanders noted that he was familiar with the group and encouraged the IPM to be involved in such nonpartisan activities.
  - 5.5. Mr. Cowan asked Ms. Hutson about the role her office intended to play when the current federal consent decree is lifted.
    - 5.5.1. Ms. Hutson noted that it is an exciting time. She noted that her office will step up monitoring, but that the degree that she can do so depends on funding.



5.5.2. Ms. Hutson further noted that she is in discussions with NOPD about future audits.

5.5.3. Ms. Calderon asked what steps the office was taking to prepare for the end of the consent decree. Ms. Hutson responded that she is conducting yearly audits on complaints and use of force. However, her office does not have the resources of the current monitor so it remains unclear what her office's future role will be.

6. *Report of the Ethics Trainer.*

6.1. Ms. Toni Hackett attended the board meeting. Mr. Eric Caulfield also attended.

6.2. Ms. Hackett's contract expired in October 2020.

6.3. Ms. Hackett filed no monthly report.

6.4. Ms. Hackett gave an extended presentation of the work of her office over the five years of her contract. (attached).

6.5. Ms. Calderon thanked Ms. Hackett for providing materials for the ERB website. Mr. Ciolino noted that those materials would soon be posted.

6.6. Ms. Hackett noted that COVID is preventing any large-scale training efforts.

6.7. Ms. Calderon stated that the LSBE should all for-credit Zoom trainings by Hackett.

6.8. Mr. Cowan explained to the new board members the history of ethics training.

7. *Report of Executive Administrator and General Counsel.*

7.1. Mr. Ciolino reported that no new complaints had been received.

7.2. Mr. Ciolino noted that at the next meeting the ERB needs to authorize an RFP to hire a search firm.

7.3. Mr. Ciolino noted he would reach out to potential search firms to assist with the IG search process. Ms. Calderon discussed the need to amend the City Code of Ordinances to widen the pool of eligible candidates.

7.4. Mr. Ciolino discussed the Board's upcoming deadlines and events.

8. *Discussion and Vote on Ordinance Proposal to Broaden Pool of Eligible IG Candidates.*  
The board unanimously approved a motion by Ms. Calderon, which was duly seconded, that the City of New Orleans adopt an ordinance to broaden the pool of eligible candidates for the office of Inspector General. The proposed language adopted by the ERB and to be sent to the Council was as follows:

(d) *Restrictions on appointment.*

1. A former or current elected official or employee of New Orleans city government, including a former or current elected official or employee of governmental entities that receive funds directly or indirectly from the city or its citizens, may not be appointed inspector general within ~~four~~ two years following the end of such individual's period of service. This restriction shall not prohibit the reappointment of an inspector general currently holding the position of New Orleans Inspector General.

a. Notwithstanding the foregoing restriction, employees of the office of inspector general who have served in the office for two or more years may be immediately eligible for appointment to the position of inspector general.

2. A former or current elected official or employee of the state or its political subdivisions may not be appointed inspector general within ~~four~~ two years following that individual's period of service.

a. Notwithstanding the foregoing restriction, employees of the office of inspector general of the state or its political subdivisions who have served in any such office for two or more years may be immediately eligible for appointment to the position of inspector general.

3. The inspector general shall not hold, nor be a candidate for, any elective office while inspector general, or for four years thereafter. The inspector general shall not hold office in any political party or political committee, nor shall he/she participate in any political campaign of any candidate for public office, nor make any campaign contribution or campaign endorsement, while inspector general.

a. An officer or employee of the office of the inspector general shall not hold, or be a candidate for, any elective office while an officer or employee, or for four years thereafter. An officer or employee of the office of the inspector general shall not hold office in any political party or political committee, or participate in any political campaign of any candidate for public office, or make any campaign contribution or campaign endorsement, while an officer or employee of the office of inspector general.

9. *Adjournment.*

- 9.1. A motion was made to adjourn the board meeting. The motion was seconded.
- 9.2. The Board unanimously voted to adjourn.
- 9.3. The meeting was adjourned at 4:56 p.m.

\* END \*

# **Monthly Report of OIG**

**Report to the Ethics Review Board**  
**October 2020**

**Audit & Review**

The Audit & Review division has the following audits underway: BRASS Purchasing, Orleans Parish Communications District, and the Department of Public Works and Sewerage & Water Board coordination. The Audubon Payroll Internal Controls audit report was released on October 28<sup>th</sup>.

Please see the attached project status spreadsheet for details.

**Inspections & Evaluations**

The I&E group also has the following two evaluations underway in the fieldwork phase: Firefighter's Pension Fund and the Job Ordering Contracts.

Please see the attached project status spreadsheet for details.

**Administration**

The Inspector General's resignation was effective October 31st.

**Investigations**

The Investigations Division received five (5) complaints in October 2020. One (1) concerned a matter outside of the OIG's purview.

OIG Investigations Division activities and cases:

- **Criminal Investigations:**

The case alleging misappropriation of funds from the New Orleans Public Library Foundation by Irvin Mayfield and Ronald Markham is in the discovery phase. A rearrangement hearing has scheduled for November 10, 2020.

Three former Sewerage and Water Board Employees are awaiting trial for theft of brass and three arrest warrants remain outstanding.

Assessor's Office retroactively raised the property tax assessments on three properties for the years 2018 through 2020 in response to an OIG inquiry concerning residential properties which continued to receive a homestead exemption and senior freeze reduction despite the listed

homeowners reportedly being deceased. A Report of Investigation will be provided to the Assessor's Office and the Bureau of the Treasury concerning this matter.

- Administrative Investigations:

Completed a Report of Investigation concerning four (4) City employees who are not maintaining an actual domicile within the Parish of Orleans in violation of the City Domicile Ordinance and the Chief Administrative Office Policy Memorandum No. 19(R), Domicile Requirements for City Employees, dated April 15, 2013

OIG Information Security Division activities for October 2020:

Recurring Monthly tasks

Daily backup monitored. All backups are working effectively.

Daily e-mail health check. E-mail is working as expected.

Constant Contact address updates

Software updates

Microsoft 365 web account has been created. We will transition the office staff to Microsoft Teams for group meetings.

Windows Server Updates

Technical Support provided, hardware related

Collected computer equipment, peripheral devices, and cell phones from staff who are no longer employed at the OIG.

Technical Support provided, non-hardware related

21 service desk tickets resolved.

Scheduled ZOOM meetings for office staff

LAMA access configuration and connectivity completed for I&E and Audit Staff

Assisted Legal Counsel with file transfers to external entities

Software access has been granted to OIG Information Security Division. The e-mail archive is online and e-mail is importing as expected. OIG Information Security Division working with the software to import emails that were sent and receive during those months that OIG Information Security Division was waiting access to be granted.

Communications

Audit Report - ANI Payroll Audit sent to stake holders via constant contact and posted to the website.

Created support requests via the COX communications website because the internet to the office was down for a few days this month.

Purchasing

Submitted purchase requests for new mice, RFID id badge holders, ID badge reels for belt clip and Microsoft 365 subscription.



Derry Harper Esq., CIG  
Inspector General

Continued to gathering quotes and product information for end of year technology needs.

#### Training

OIG IT Cyber Security Staff training was delivered to OIG staff OCT 1 2020 and will Expire OCT 31, 2020. There was an 83% participation rate in training. Everyone who did participate did very well on the assessment.

The ITI Department for the City sent out a link to their Cyber Security Training. The message has been forwarded to OIG Staff.

## Status Report for OIG Projects - Audit and Evaluations Division

Report Date: Friday, October 30, 2020

Project Number	Project Name	Project Phase *					
Audit/Review		Planning	Fieldwork	Draft Report	Supervisory Review	Legal Review	IG Review
AD-15-0001	Audubon Payroll Internal Controls <b>Released 10/28/2020</b>						
AD-19-0002	DPW/SWB Coordination		X				
AD-20-0001	BRASS Purchasing		X				
AD-20-0002	Orleans Parish Comm District (OPCD)+	X					

+ The Current OPCD audit confirming jurisdictional authority was heard and adjudicated by the Civil District Court on September 29th. However, we have learned the ruling, with an anticipated

Project Number	Project Name	Project Phase *					
Inspections/Evaluations		Planning	Fieldwork	Draft Report	Supervisory Review	Legal Review	IG Review
IE-19-0001	Firefighter's Pension Governance		X				
IE-20-0001	Job Ordering Contracts		X				

Legend	Description
<b>Planning</b>	Background Research, Data Gathering , Initial Interviews, and/or Controls Assessment
<b>Fieldwork</b>	Data and Statistical Analyses, Interviews, Testing of Procedures, Onsite Observations and/or Physical Inspections
<b>Draft Report</b>	Data/Statistical Reviews, Documentaries of Fieldwork Results, Initial Report Writing, Revisions and Internal QAR prior to supervisory review
<b>Supervisory Review</b>	Review by both Division Director and First Assistant Inspector General to ensure sufficiency and appropriateness of evidence, fieldwork presentation and readability
<b>Legal Review</b>	Report Review by In-house General Counsel and/or Contracted Counsel Services for appropriate and proper legal citations and/or interpretation
<b>IG Review</b>	Report Review by Inspector General, based on corrections and recommended changes resulting from the Legal Review

\* Project phase determination is based on the objective(s), scope, and methodology for each audit/evaluation project, and is not determined by a standard set of phases. This phase will be decided based on the nature of work to be performed, and at the discretion of OIG management.

\*\* Expected Release timeline for the report may be determined based on the start of the legal review process, and may be later reevaluated based on both the timing of the IG reviews, and the 30-day timeline of the proposed final report to the client and the subsequent receipt of management responses.





# **Monthly Report of OIPM**

# THE OFFICE OF THE INDEPENDENT POLICE MONITOR



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## **MONTHLY REPORT**

**OCTOBER 2020**

# Community Letter

Dear New Orleans Community,

As the end of the year quickly approaches, the Office of the Independent Police Monitor continues to push ahead with our goals for the 2020 year to amplify the needs of our community and advise the NOPD on how to better serve our public.

First, the Office of the Independent Police Monitor extends its heartfelt thoughts to both officers hurt during the shooting in the French Quarter on October 30, 2020. The OIPM was on the scene and monitored the investigation into this distressing shooting. Though this incident was emotionally challenging for the officers who responded, the OIPM appreciates the professionalism and sensitivity shown at the scene to all witnesses and members of the public. Our office joins with the community to hope for the speedy recovery of these officers.

On October 23, the Office of the Independent Police Monitor joined with the community organization, Families Overcoming Injustice (FOI), in a day of thoughtful solidarity as we marked the National Day Against Police Brutality. This year, FOI marked the day with a community event on the steps of City Hall. We joined other organizations including the American Civil Liberties Union (ACLU) and Court Watch NOLA to both speak with and listen to the families of those affected. We thank the families that came to this event and shared their stories with us.

As our city enters a new phase of reopening after the Covid19 shutdowns, the Office of the Independent Police Monitor has continued to hear and facilitate the concerns of musicians and street performers who feel they are being unjustly targeted for their street performances. We worked with NOPD leadership, the Eighth (8<sup>th</sup>) District, and the musician advocacy groups to try to resolve these clashes and determine how to best proceed together safely. So, we can both keep our city vibrant and full of music but safe from the risks that crowds and gatherings may bring during the pandemic. We look forward to this continued partnership and collaboration.

During the month of October, the Office of the Independent Police Monitor continued to provide vital monitoring and facilitating services. On October 6, 2020, the Office of the Independent Police Monitor monitored the investigation of an Officer Involved Shooting in the Third District on St. Bernard. Until the last bullet casing was photographed by Crime Lab, our staff remained on the scene to monitor the investigation conducted and ensure that the NOPD follow all necessary protocols. Our office was also involved in some next steps for other Officer Involved Shootings this month including facilitating a meeting for a family of someone involved in an Officer Involved Shooting and the Captain of the Public Integrity Bureau so the family can learn more about the investigation that was conducted. Also, this month we monitored misconduct intake and witness statements made at the Public Integrity Bureau at the request of the complainants. These complainants also happened to be employees of the NOPD, so the OIPM appreciates the trust that these employees and ranked officers have shown towards our office to ask us to be present during these investigations.

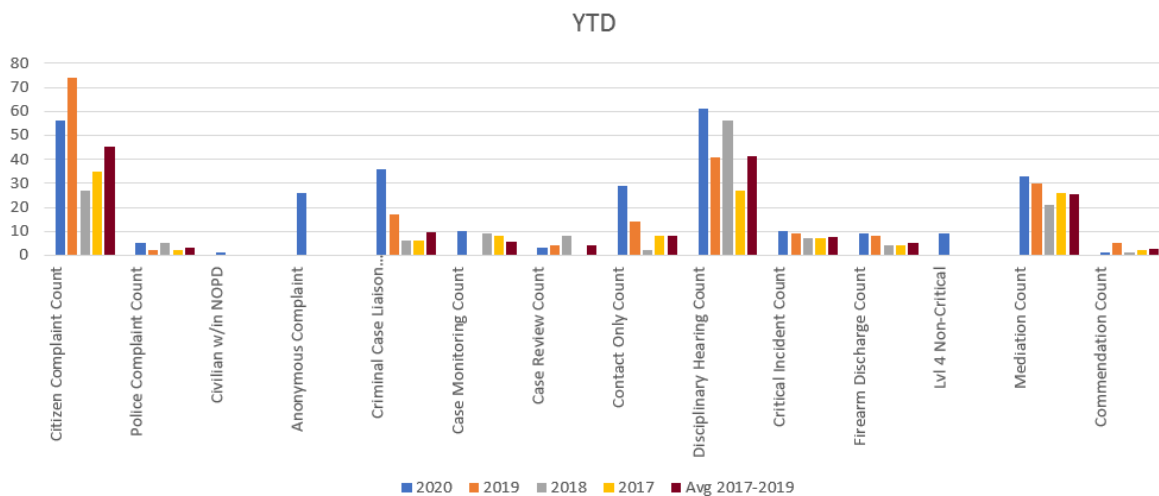
Finally, as New Orleans enters election season, the OIPM encourages all New Orleanians to participate in this civil engagement and vote. Voting is another way to use your voice in our community and we hope you take advantage of this valuable opportunity to be heard.

Thank you,

Susan Hutson

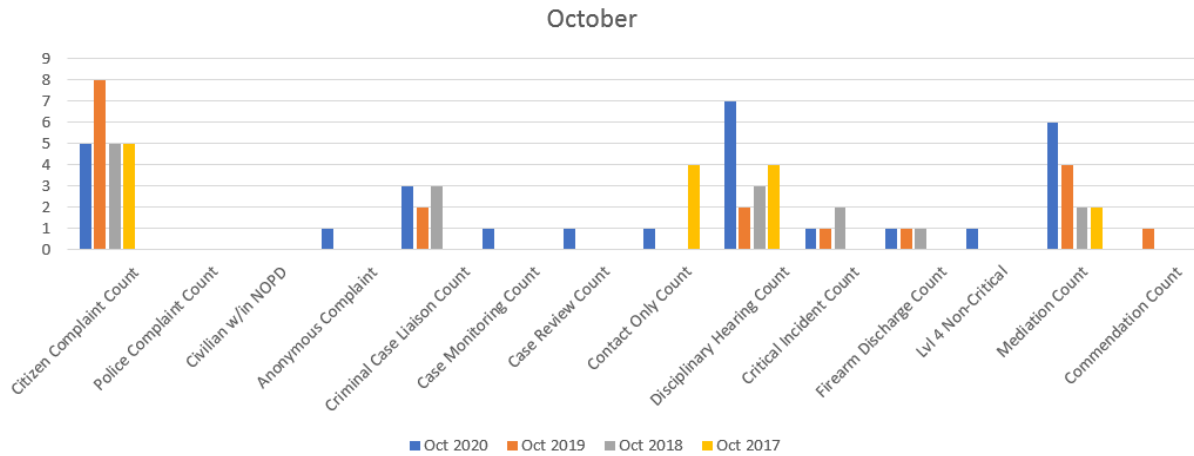
# Year to Date Overview

	2020	2019	2018	2017	Avg 2017-2019
Citizen Complaint Count	56	74	27	35	45.33
Police Complaint Count	5	2	5	2	3.00
Civilian w/in NOPD*	1	0	0	0	0
Anonymous Complaint*	26	0	0	0	0
Criminal Case Liaison Count	36	17	6	6	9.67
Case Monitoring Count	10	0	9	8	5.67
Case Review Count	3	4	8	0	4.00
Contact Only Count	29	14	2	8	8.00
Disciplinary Hearing Count	61	41	56	27	41.33
Critical Incident Count	10	9	7	7	7.67
Firearm Discharge Count	9	8	4	4	5.33
Lvl 4 Non-Critical*	9	0	0	0	
Mediation Count	33	30	21	26	25.67
Commendation Count	1	5	1	2	2.67
<b>Grand Total</b>	<b>289</b>	<b>204</b>	<b>146</b>	<b>125</b>	<b>158.33</b>



\*indicates a new category

# October Overview



	Oct 2020	Oct 2019	Oct 2018	Oct 2017	Avg 2017-2019
Citizen Complaint Count	5	8	5	5	6.00
Police Complaint Count	0	0	0	0	0.00
Civilian w/in NOPD*	0	-	-	-	-
Anonymous Complaint*	1	-	-	-	-
Criminal Case Liaison Count	3	2	3	0	-
Case Monitoring Count	1	0	0	0	0.00
Case Review Count	1	0	0	0	0.00
Contact Only Count	1	0	0	4	1.33
Disciplinary Hearing Count	7	2	3	4	3.00
Critical Incident Count	1	1	2	0	1.00
Firearm Discharge Count	1	1	1	0	0.67
Lvl 4 Non-Critical*	1	-	-	-	-
Mediation Count	6	4	2	2	2.67
Commendation Count	0	1	0	0	0.33
<b>Grand Total</b>	<b>28</b>	<b>19</b>	<b>16</b>	<b>15</b>	<b>14.33</b>

\*indicates a new category

# October Overview

Citizen Complaints	
CC2020-0085	Complainant alleges that a particular officer harasses her while she performs music and targets other African American musicians.
CC2020-0086	The complainant alleges the NOPD failed to take necessary police action when the responding officer did not register the complainant's stolen vehicle's license plate in NCIC.
CC2020-0087	Complainant says he was stopped for allegedly running a stop sign, was given a ticket, and falsely arrested pursuant to an invalid warrant in Houston. Additionally, he had his legal firearm illegally seized and was falsely charged with possession of a firearm.
CC2020-0089	The complainant heard a District Captain make some questionable remarks about unconstitutional policing methods at a homicide scene. In addition, the next day, another officer from the same district allegedly harassed and tried to disperse a peaceful vigil for the homicide victim.
CC2020-0090	The complainant received a SOS alert from his child's cell phone and he contacted NOPD's non-emergency line several times for assistance but the complainant alleges the officers failed to take necessary and appropriate police action.
Citizen Complaints Count: 5	

Anonymous Complaint	
AC2020-0088	The complainants stated that they observed NOPD officers harass and arrest a man sitting on the stoop in the French Quarter without any perceived probable cause.
Anonymous Complaint Count: 1	

Criminal Liaison	
CL2020-0034	OIPM is assisting an individual with a car theft investigation involving the 5th District including facilitating communication and the possible retrieval of personal belongings.
CL2020-0035	OIPM assisted an individual with correcting a traffic accident report and facilitated communication between the individual and the responding officer.
CL2020-0036	An individual contacted OIPM for assistance with removing a warrant for a family member.
Criminal Liaison Count: 3	

Case Monitoring	
CM2020-0010	A Lieutenant within the NOPD requested that the OIPM monitor statements made in a misconduct investigation. OIPM attended and monitored two statements and is facilitating communication between PIB and the Lieutenant.
Case Monitoring Count: 1	

# October Overview

Case Review	
CR2020-0003	OIPM received a case review request regarding PIB2019-0680-P / CM2020-0008. The individual requested the OIPM review the misconduct investigation regarding unprofessional comments made by a responding officer.
Case Review Count: 1	

Contact Only	
CO2020-0035	Individual reached out to OIPM regarding an encounter the individual had on an airplane that made the complainant uncomfortable and scared.
Contact Only Count: 1	

Disciplinary Hearings	
DH2020-0056	Two officers are accused of being involved in a car accident during which a bicyclist was struck. The officers are accused of failing to make an immediate and proper notification or disclosing that they struck a cyclist.
DH2020-0057	A Sergeant for the Sixth District is accused of approving a report authored by an officer that disclosed there was an unauthorized field strip search in violation of NOPD policy. The Sergeant is accused of failing to make corrective action against the officer.
DH2020-0058	Two officers are accused of not following NOPD policy based on their posts regarding protestors on social media.
DH2020-0059	An officer responding to a call of service regarding a shoplifting incident is accused of hitting the involved individual with his car, failing to pursue the individual, and failing to conduct the necessary investigation into the incident and collect available evidence.
DH2020-0060	An officer is accused of approaching a civilian and taking his cell phone and deleting footage of the interaction with the officer and conducting an unnecessary and unauthorized field strip search. His supervisor, a Sergeant, is accused of failing to take corrective action against the officer for those two actions.
DH2020-0061	An Senior Police Officer is accused of conducting a search of a box within a car during a traffic stop and failing to document the search in the Field Identification Card (FIC) as required under policy.
DH2020-0048	An officer involved in an Officer Involved Shooting is accused of engaging in an unauthorized pursuit, failing to activate his body worn camera (BWC) and using demeaning language towards the individual in a manner that was not professional.
Disciplinary Hearings Count: 7	



# October Overview

Critical Incident	
CI2020-0010	An officer was notified and arrived on scene of a gun battle between two subjects. One of the subjects pointed a gun at the officer and the officer fired his weapon striking the subject.
Critical Incident Count: 1	

Firearm Discharge	
FD2020-0009	See CI2020-0010.
Firearm Discharge Count: 1	

Level 4 Non-Critical Use of Force	
UF2020-0010	Officers responded to a call for service reporting a suspicious male walking in traffic armed with a knife. When officers arrived on scene the male subject refused verbal commands and they used a taser to subdue. The subject was tasered by 3 officers multiple times and was transported by EMS to UMC for mental evaluation and a broken finger.
Level 4 Non-Critical Use of Force: 1	

Mediation	
Mediation cases are confidential.	
Mediations Held: 6	

# Complaints and Discipline

The 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  
COMPLAINTS**

7

**DISCIPLINARY  
PROCEEDINGS**

0

**POLICE INITIATED  
COMPLAINTS**

1

**ANONYMOUS  
COMPLAINTS**



# 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.

## 13

**MEDIATIONS  
REFERRED**

I liked the chance to talk  
and that the mediators  
were good listeners. The  
process turned out good.”  
– Officer Participant



## 6

**MEDIATIONS  
HELD**

“ This was a good opportunity to  
express my concerns of how things  
were handled with the officer. I learned  
not to categorize the entire department  
because of one officer’s mistake. The  
officer learned to take time to listen  
before acting. This program should  
continue. Please don’t stop!”  
–Civilian Participant

## 3

**MEDIATIONS  
PENDING**

# Community Relations

OIPM participates in community events to help extend the message of the 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.

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**October 22, 2020** - Families Overcoming Injustice -  
National Day Against Police Brutality Vigil



**Item 1**

Following up on a topic raised at our last meeting and my discussion earlier this week with Dane, please share this email/memorandum for Monday's ERB meeting - an initial proposal for the NOLA ERB to draft and adopt a written policy for the "nationwide search" to hire Inspector General called for by N.O. Code Ord. § 2-1120(3)(a)1.b., including suggestions for what that policy would include.

As I see it, the goal is a process blueprint that maximizes opportunities for public participation and input, for an extensive and diverse body of applicants, for the efficient use of public resources, and, ultimately, for an excellent hire. Memorializing the process we decide on as a written ERB policy will further heighten efficiency in the future. This initial "proposal" is not meant to be comprehensive or final, but instead to serve as a starting point for discussion at the meeting on Monday:

A) Public Meetings (regular or special) on the matter shall include, but not be limited to:

- 1) Selecting and Instructions for Request for Purchase/Qualifications to Professional Hiring Firm, including:
  1. Require placement of hiring advertisements in diverse listing/journals, including but not limited to diversity of:
    1. Gender,
    2. Race,
    3. Ability/Disability,
    4. LGBT&Q,
    5. Fields of practice (IGs, Judiciary, Law Enforcement, Auditors/Comptrollers, Public Administration, Attorneys, etc.);
    6. Other?
  2. Qualifications set forth in § 2-1120(3)(b);
  3. Firm's costs, speed, recommendations, history of hiring for this type of position;
  4. Firm's planned screening and updating process, and
  5. Keep position open / accepting applications for at least 60-90 days and until position filled.
  6. NB, for time concerns, ERB itself may place initial postings/notices of vacancy. Also, board members and others should be encouraged to share the listing broadly).
- 2) Public updates from Selected Hiring Firm (general progress).
- 3) for Semi-Finalist Candidate (5-10):
  1. Introduce by name (in agenda);
  2. Opportunity for public comments on candidates.
- 4) for final 2-5 candidates :
  1. Public presentations,
  2. Questions from ERB,
  3. Public participation - questions/comment, and
  4. ERB discussion and vote on candidates.
- 5) Other meetings re character/fitness of candidates (including semi-finalist?) by Executive

Session.

6) Other?

B) May elect to appoint a subcommittee to work with Hiring Firm through selection of Semi-Finalist Candidates in regular or special meeting sessions, executive sessions as appropriate.

C) Other?