



CITY OF NEW ORLEANS ETHICS REVIEW BOARD

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

erb@nolaerb.gov

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

BOARD MEETING

City Hall, City Council Chamber, New Orleans, Louisiana
Monday, May 8, 2023 at 3:30 P.M.

AGENDA

1. Call to order.
2. Approval of the minutes of April 10, 2023, regular board meeting and April 14, 2023, special board meeting.
3. Monthly report of Office of Inspector General.
4. Reports of Office of the Independent Police Monitor.
 - a. Report and discussion regarding proposed ordinance on investigatory functions.
 - b. Monthly report.
5. Monthly report of Ethics Trainer.
6. Monthly report of General Counsel and Executive Administrator.
7. Report on appointments to ERB and Quality Assurance Review Advisory Committees.
8. Discussion of annual reviews of IG, IPM, and Executive Administrator.
9. Executive session pursuant to (1) Louisiana Revised Statutes section 42:17 to discuss investigative proceedings regarding allegations of misconduct, and (2) Louisiana Revised Statutes section 42:17(A)(1) to discuss the character, professional competence, or physical or mental health of a person..
10. Call for agenda items for future board meetings.
11. Adjournment.

**Draft Minutes of
Previous Board
Meeting**



Ethics Review Board for the City of New Orleans

Board Meeting of April 10, 2023, at 12:00 P.M. in New Orleans City Council Chambers

Minutes

1. *Call to Order.*

1.1. The chair called the meeting to order at 12:06 p.m.

1.2. ERB members present:

1.2.1. Wanda A. Brooks.

1.2.2. Dawn Broussard

1.2.3. Holly Callia, Chair.

1.2.4. Elizabeth Livingston de Calderon.

1.2.5. Monique G. Doucette

1.2.6. Tyrone G. Jefferson, Jr.

1.3. ERB members absent:

1.3.1. SUNO appointee (position is vacant).

1.4. Staff members present:

1.4.1. Dane S. Ciolino, Executive Administrator and General Counsel.

1.4.2. Jordy Stiggs, Ethics Trainer

1.5. Staff members absent:

1.5.1. None.

- 1.6. The agenda for the meeting is attached.
2. *Welcome to Dawn Broussard.* Ms. Callia welcomed Dawn Broussard as the newest board member.
3. *Approval of Minutes.* Upon a duly made and seconded motion, the ERB unanimously approved the minutes of the regular ERB meeting of March 2023, including an addition by Ms. Callia regarding post-consent decree work of OIPM.
4. *Monthly Report of the Office of the Inspector General.*
 - 4.1. Ed Michel appeared on behalf of the Office of the Inspector General. He was accompanied by his general counsel, chief evaluator, chief auditor, and office manager.
 - 4.2. Mr. Michel presented his office's monthly written report (attached). He also reported orally to the ERB and responded to ERB members' questions.
 - 4.3. Reported on recent sentencing of former city employee who pled guilty to fraud in federal court.
 - 4.4. Audit underway on OP Sheriff's Office because the Sheriff receives funds from the City. The Sheriff's Office has refused to give information voluntarily; OIG therefore issued a subpoena to get the information needed for the audit.
 - 4.5. OIG "shall have access to" City data to conduct its work. Authority is very broad. OIG can issue subpoenas.
 - 4.6. OIG highlighted the annual report, including cost savings to the City.
 - 4.7. Noted that OIG's work with regard to daily use of apartment by mayor at Upper Pontalba Apartments presented issues that were recently considered by the governing authority. Reported on the value lost to the city as a result of the daily use of the apartment by the mayor. Noted that the property must be used for a public purpose only.
 - 4.8. Noted that OIG wrote to SWB regarding proposed rate increases and outstanding balances owed by customers.
 - 4.9. Noted that on the horizon, his office will release various reports regarding the NOPD. It will also address time and expense reporting of all city employees.
 - 4.10. In summary, there is a "tremendous" amount of work underway in his office. His office will exceed all work done last year.
 - 4.11. Ms. Calderon asked whether the budget report was modified in the monthly report. The IG clarified that it was changed.

- 4.12. The IG thanked Ms. Broussard for agreeing to serve on the board.
5. *Monthly Report of Ethics Trainer.*
 - 5.1. Mr. Jordy Stiggs presented his monthly written report (attached). The board unanimously agreed to take this report out of order in advance of the OIPM reports.
 - 5.2. Mr. Stiggs reminded the board members to submit their financial reports to the state board by May 15, 2023. Mr. Ciolino also reminded the board about the deadline.
 - 5.3. Mr. Stiggs reported on the diversity of people who attended his most recent training in downtown New Orleans. These attendees are listed in the monthly report.
 - 5.4. Noted that the ERB website may undergo some changes to include more educational resources. He has consulted a WordPress developer to get some ideas and proposals. He may propose a contract.
 - 5.5. Noted that he is working on board member orientation package.
 - 5.6. Mr. Stiggs reported that he has been getting feedback from city employees through a survey sent to past attendees at his training programs. Responses did not raise any substantial concerns about programming.
 - 5.7. Ms. Callia noted that she has attended some “citizens’ academies” for the city. She asked whether Mr. Stiggs has attended any of them. He responded that he has not but that he would be happy to work on such projects on behalf of the ERB.
6. *Monthly Report of the Office of Independent Police Monitor.*
 - 6.1. Stella Cziment and Boncyle Sukunbi appeared on behalf of the Office of the Independent Police Monitor. Lawyer Sharonda Williams also appeared with the IPM.
 - 6.2. Ms. Cziment discussed the monthly report (attached).
 - 6.3. Reported on sexual misconduct by NOPD officer Ronnie Vicknair who recently was to be sentenced in federal court. A second hearing later took place after the federal judge rejected the originally proposed sentence as too lenient. The OIPM reported on this as an illustration of the work of her office—her office was the first to facilitate the investigation into the officer by PIB and law enforcement.
 - 6.4. Noted that her office recently monitored an event regarding the Mardi Gras Indians to see the interaction between the “tribes” and the NOPD. The NOPD responded to the tribes very positively. There was one pepper-spray incident that likely did not involve NOPD.

- 6.5. Noted that her office has brought on interns from Loyola and Tulane.
- 6.6. Noted that her office has started to build a 24-hour hotline.
- 6.7. Noted that her office is working with NOPD and PIB to get information to NOPD officers and the community about her office's mediation efforts. The goal is to increase participation in mediations.
- 6.8. As to the "proposed ordinance," there are no updates. The IPM anticipates that there will be developments before the next board meeting. The ordinance may appear on the council's May meeting agenda.
 - 6.8.1. Ms. Callia and Ms. Doucette asked about the status of the ordinance. She responded that the issues involve (1) investigatory power; (2) subpoena power; and, (3) confidentiality issues. There is some overlap in the issues. But the OIPM sees these issues as issues that can be dealt with separately by the council. The OIPM has asked that the confidentiality component be acted on first.
 - 6.8.2. The OIPM sent recommended changes to the city council in May of 2022. Those recommendations are still pending. The language of the ordinance is unchanged since October 2022. There have been no committee meetings since October 2022; the matter has been deferred repeatedly since then by the council. It will next be considered in May.
 - 6.8.3. The OIPM will be informed about the changes before the council meeting.
- 7. *Discussion of issues raised in the letters attached as Item 1 of the agenda, including a presentation by the OIPD and by any city or NOPD representatives who wish to be heard.*
 - 7.1. Ms. Callia noted that the ERB is not an investigatory body. Not asking for any confidential information to be disclosed.
 - 7.2. The OIPM used slides and identical handouts (attached).
 - 7.3. Ms. Donesia Turner, City Attorney, appeared and noted that her office represents the city, not any particular employees. Ms. Brooks asked how often she has personally been involved in investigations by PIB. She responded that she has been involved in such investigations, but could not disclose them.
- 8. *Report of the Executive Administrator and General Counsel.*
 - 8.1. Mr. Ciolino presented his oral report.
 - 8.2. Mr. Ciolino reported that the ERB has received no new complaints.

9. *Executive Session.*

9.1. Motion to go into executive session to discuss ongoing investigation. Motion was seconded. Motion carried unanimously.

9.2. Motion to go back into general session. Motion was seconded. Motion carried unanimously at 3:18.

10. *Adjournment.*

10.1. A motion was made to adjourn the ERB meeting.

10.2. The motion was seconded.

10.3. The ERB unanimously voted to adjourn. The meeting was adjourned at 3:19 p.m.

* END *

**Draft Minutes of
Previous Board
Meeting**



Ethics Review Board for the City of New Orleans

**Board Meeting of April 14, 2023, at 5:30 P.M. at Loyola University New Orleans Dana
Center Room 222**

Minutes

1. *Call to Order.*
 - 1.1. The chair called the meeting to order at 5:03 p.m.
 - 1.2. ERB members present:
 - 1.2.1. Wanda A. Brooks.
 - 1.2.2. Dawn Broussard
 - 1.2.3. Holly Callia, Chair.
 - 1.2.4. Elizabeth Livingston de Calderon.
 - 1.2.5. Monique G. Doucette
 - 1.2.6. Tyrone G. Jefferson, Jr.
 - 1.3. ERB members absent:
 - 1.3.1. SUNO appointee (position is vacant).
 - 1.4. Staff members present: None.
 - 1.5. The agenda for the meeting is attached.
2. *Executive Session.*
 - 2.1. Motion to go into executive session pursuant to Louisiana Revised Statutes section 42:17(A)(1) to discuss the character, professional competence, or physical or mental health of a person. Motion was seconded. Motion carried unanimously.

- 2.2. Motion to go back into general session. Motion was seconded. Motion carried unanimously.
- 3. *Adjournment.*
 - 3.1. A motion was made to adjourn the ERB meeting.
 - 3.2. The motion was seconded.
 - 3.3. The ERB unanimously voted to adjourn. The meeting was adjourned.

* END *

Monthly Report of OIG

MONTHLY REPORT

APRIL 2023



OIG

**NEW ORLEANS
OFFICE OF INSPECTOR GENERAL**

**EDWARD MICHEL, CIG
INSPECTOR GENERAL**

ADMINISTRATION DIVISION



1,940

Number of registered Twitter followers

ADMINISTRATION

The Office Manager is responsible for the following ongoing tasks:

- Human Resources
 - Coordinating the hiring process
- Finance
 - Managing and refining the OIG budget
- Procurement Process
 - Communicating with OIG vendors
 - Processing requisitions to create purchase orders
 - Overseeing the timely payment of OIG expenditures
- Operations
 - Coordinating with the OIG's landlord and various City departments on administrative matters

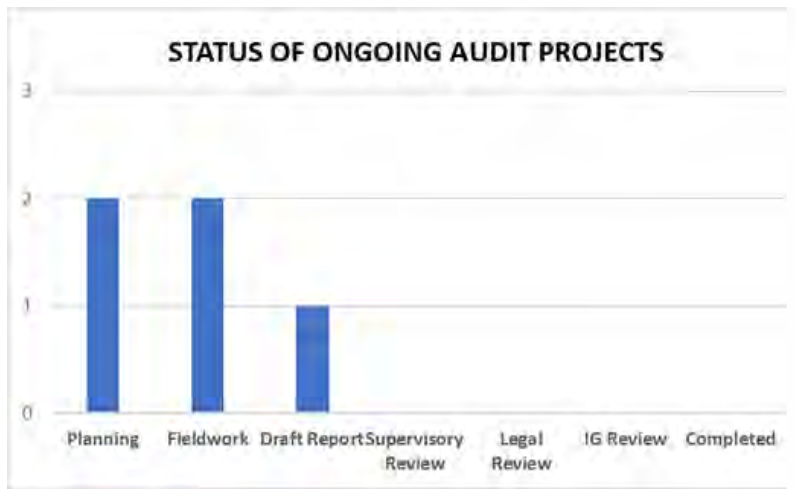
INFORMATION SECURITY

The OIG Information Security Specialist is responsible for the following tasks to maintain the OIG's information technology (IT) integrity

- Technical Support
- Hardware and Software Updates
- Communication and Coordination
- Consultation for IT Purchases

AUDIT & REVIEW DIVISION

The Audit and Review Division conducts financial audits, attestations, compliance, and performance audits of City programs and operations. Auditors test for appropriate internal controls and compliance with laws, regulations and other requirements.



The Audit and Review Division has the following projects in process:

- Wisner Fund
- Orleans Parish Sheriffs Office
- Short Term Rentals
- Safety and Permits Third Party Contractors
- Hurricane Ida Cleanup Procurement

Project Phase Descriptions:

Planning - includes background research, data gathering, initial interviews, and/or internal controls assessment.

Fieldwork - includes data and statistical analyses, interviews, testing of procedures, onsite observations, and/or physical inspections.

Draft Report - includes data and statistical reviews, documenting fieldwork results, initial report writing, revisions and internal Quality Assurance Review (QAR) prior to supervisory review.

Supervisory Review - includes the review by both Deputy Inspector General and First Assistant Inspector General to ensure sufficiency and appropriateness of evidence, adequate fieldwork procedures, and proper conclusions, content, presentation and readability.

Legal Review - Report review by in-house General Counsel and/or outside Legal Counsel to ensure appropriate and proper legal citations and/or interpretations.

IG Review - Report review by the Inspector General based on corrections and recommended changes resulting from the Legal Review.

30-Day Comment Period - 30-day deadline for the department to review the draft report and submit management responses for inclusion in the final report.

MEASURING PROGRESS

AUDIT AND REVIEW DIVISION

The following information provides a summary of the Audit Division's project phase and a summary of the audit objectives.

Project Name	Project Phase ¹	Anticipated ² Completion Date
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Wisner Fund	Draft Report	Ongoing
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Summary of Objectives: The OIG will be releasing a letter explaining why the 2020 Extension of the Wisner Trust was not proper, violating City Code and prior court rulings concerning the Trust.

Orleans Parish Sheriffs Office	Fieldwork	Ongoing
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Summary of Objectives: The purpose of the audit is to evaluate the operating effectiveness of the Orleans Parish Sheriff Office's controls and expenditures related to payroll and paid details.

Short-Term Rentals	Fieldwork	Ongoing
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Summary of Objectives: The OIG will be releasing a letter suggesting that the City increase its efforts to levy fines on illegal short-term rentals.

Safety and Permits Third Party Contractors	Planning	Ongoing
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Summary of Objectives: TBD

Footnotes:

1 - Project phase determination is based on the objective(s), scope, and methodology for each project. It is not determined by a standard set of hours and/or phase deadline.

2 - The completion date may be re-evaluated if necessary.

MEASURING PROGRESS

AUDIT AND REVIEW DIVISION

The following information provides a summary of the Audit Division's project phase and a summary of the audit objectives.

Project Name	Project Phase ¹	Anticipated ² Completion Date
Hurricane Ida Cleanup Procurement	Planning	Ongoing

Summary of Objectives: The OIG will be releasing a letter that reviews and analyzes the City's procurement contracts, processes, and history with vendors for clean up services after Hurricane Ida.

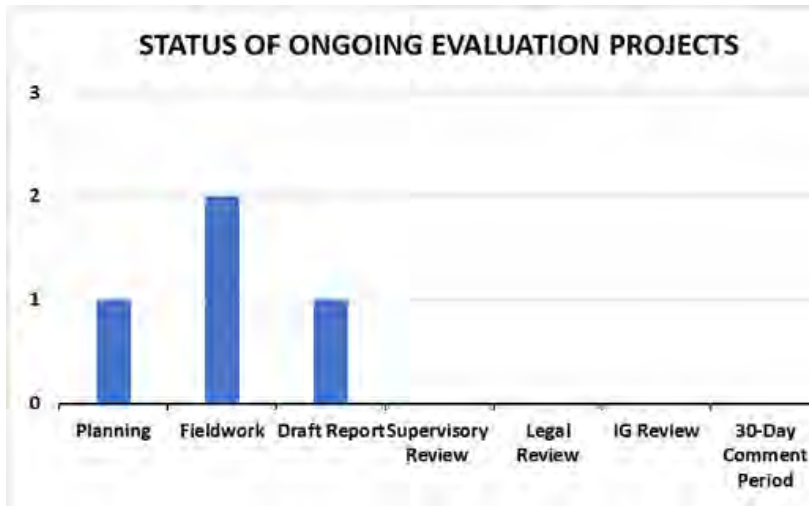
Footnotes:

1 - Project phase determination is based on the objective(s), scope, and methodology for each project. It is not determined by a standard set of hours and/or phase deadline.

2 - The completion date may be re-evaluated if necessary.

INSPECTIONS & EVALUATIONS DIVISION

The Inspections and Evaluations Division works to increase the efficiency, effectiveness, transparency, and accountability of City programs, agencies, and operations. Evaluators conduct independent, objective, empirically based and methodically sound inspections, evaluations, and performance reviews.



The Inspections & Evaluations Division has the following projects in process:

- New Orleans Police Department (NOPD) Violent Crime Response Analysis
- City of New Orleans Employee Time and Attendance Reporting
- EMD Fuel Dispensing Follow-Up
- Sewerage and Water Board Water Loss Control

Project Phase Descriptions:

Planning - includes background research, data gathering, initial interviews, and/or internal controls assessment.

Fieldwork - includes data and statistical analyses, interviews, testing of procedures, onsite observations, and/or physical inspections.

Draft Report - includes data and statistical reviews, documenting fieldwork results, initial report writing, revisions and internal Quality Assurance Review (QAR) prior to supervisory review.

Supervisory Review - includes the review by both Deputy Inspector General and First Assistant Inspector General to ensure sufficiency and appropriateness of evidence, adequate fieldwork procedures, and proper conclusions, content, presentation and readability.

Legal Review - Report review by in-house General Counsel and/or outside Legal Counsel to ensure appropriate and proper legal citations and/or interpretations.

IG Review - Report review by the Inspector General based on corrections and recommended changes resulting from the Legal Review.

30-Day Comment Period - 30-day deadline for the department to review the draft report and submit management responses for inclusion in the final report.

MEASURING PROGRESS

INSPECTIONS AND EVALUATIONS DIVISION

The following information provides a summary of the Inspections and Evaluations Division's project phase and a summary of the each project's objectives.

Project Name	Project Phase ¹	Anticipated ² Completion Date
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City of New Orleans
Employee Time and
Attendance Reporting

Fieldwork

Ongoing

Summary of Objectives: To determine whether the City has policies, procedure, and controls to ensure that Time and Attendance is reported accurately.

NOPD Violent Crime
Response Analysis

Draft Report

Ongoing

Summary of Objectives: To assess the NOPD's response to violent crimes in the City in relation to best practices and industry standards.

EMD Fuel Dispensing
Follow-Up

Fieldwork

Ongoing

Summary of Objectives: This follow-up evaluation seeks to determine if the City implemented the corrective actions to which it agreed in June 2016 in response to the OIG's initial evaluation, and whether the deficiencies identified in the original report still exist.

Sewerage & Water Board
Water Loss Control

Planning

Ongoing

Summary of Objectives: To assess Sewerage and Water Board policies and controls for the loss of treated water due to infrastructure failures.

Footnotes:

1 - Project phase determination is based on the objective(s), scope, and methodology for each project. It is not determined by a standard set of hours and/or phase deadline.

2 - The completion date may be re-evaluated if necessary.

INVESTIGATIONS DIVISION

ADMINISTRATIVE INVESTIGATIONS (APRIL HIGHLIGHTS)

Issued a subpoena to a local business for documents.

Issued two subpoenas for witnesses to appear at the OIG Office for an interview associated with an ongoing investigation.

Issued a letter and related documents to the Assessor's Office concerning ten (10) residential properties which continued to receive a homestead exemption and senior freeze reduction despite the listed homeowner reportedly being deceased. The total number of residential properties submitted for 2023 is 30. Assessor's Office acknowledged receipt of the letter.

Published a letter to Superintendent of Police regarding the New Orleans Police Department Executive Protection Team (EPT). The OIG determined that the EPT does not have policies in place to regulate and guide its operations. In the calendar year 2022, the four member EPT operated at a cost of \$414,796.25, which included the sum paid to an Orleans Parish Sheriff's Office deputy assigned to the EPT. The EPT's lack of policies and procedures contributed to ineffective and inefficient use of both the EPT's and NOPD's limited resources.

INVESTIGATIONS DIVISION

ADMINISTRATIVE INVESTIGATIONS (APRIL HIGHLIGHTS)

NOPD drafts policy for mayor's bodyguards after IG finds lack of oversight

BY MISSY WILKINSON | Staff writer

Apr 28, 2023



INVESTIGATIONS DIVISION

CRIMINAL INVESTIGATIONS (APRIL HIGHLIGHTS)

On April 6, 2023, James Mohammad was sentenced to forty-six (46) months imprisonment. He pled guilty to conspiracy to using an interstate facility with intent to carry on unlawful activity (Title 18, United States Code, Sections 371 and 1952(a)(3)) and filing false tax returns (Title 26, United States Code, Section 7206(1)). Additionally, he was ordered to pay a \$100,000 fine, \$314,902 in restitution to the IRS, and a mandatory \$200 special assessment fee. Upon release from imprisonment, he will serve a three (3) year term of supervised release.

According to court documents, Mohamad, the former Director of the Department of Inspection and Code Enforcement for the City of Kenner, bribed Brian Medus, the Assistant Chief Mechanical Inspector for the City of New Orleans, Safety and Permits Department with money, in return for the issuance of fraudulent permits for Mohamad's HVAC jobs. Throughout the conspiracy, Mohamad paid Medus and others approximately \$93,000 to further the bribery scheme. Additionally, Mohamad filed false individual tax returns that omitted substantial amounts of income, thus understating the income tax due the IRS.

The US Attorney's Office for the Eastern District of Louisiana issued a press release in which it credited the OIG with participating in the investigation along with the Federal Bureau of Investigation and the Internal Revenue Service-Criminal Investigations.

INVESTIGATIONS DIVISION

CRIMINAL INVESTIGATIONS (APRIL HIGHLIGHTS)

Former Kenner code enforcement director sentenced: 46 months for bribery, fraudulent inspections

BY DAVID HAMMER | WWL-TV
Apr 6, 2023



James Mohamad, the former head of code enforcement in the city of Kenner.
WWL-TV

INVESTIGATIONS DIVISION

CRIMINAL INVESTIGATIONS (APRIL HIGHLIGHTS)

PRESS RELEASE

Former City of Kenner Director of Inspection and Code Enforcement Sentenced to 46 Months Imprisonment

Thursday, April 6, 2023

Share

For Immediate Release

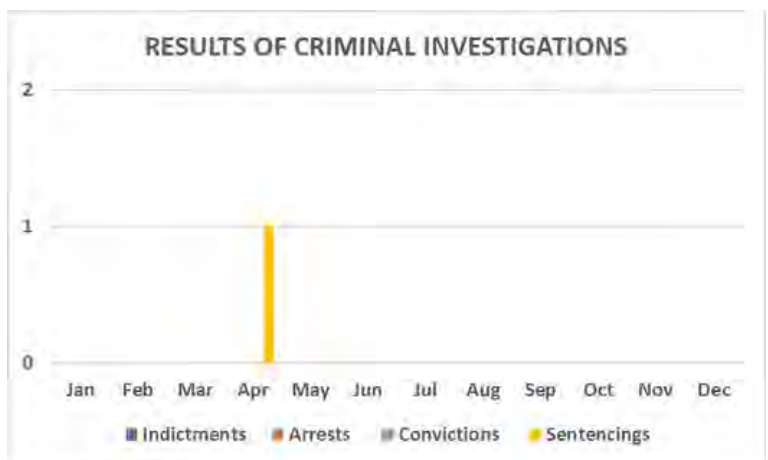
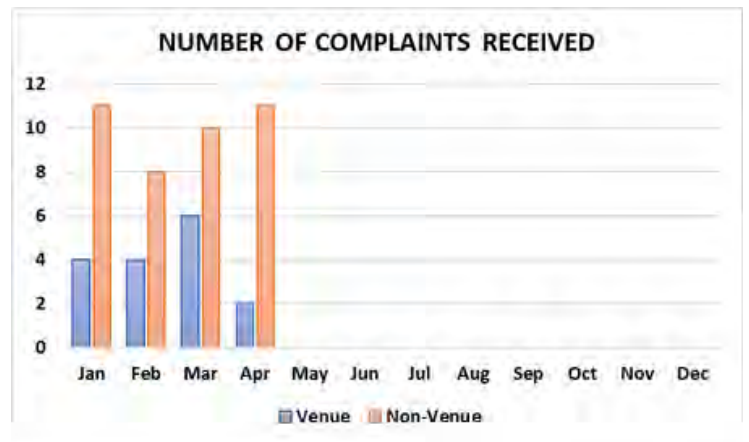
U.S. Attorney's Office, Eastern District of Louisiana
shane.jones@usdoj.gov

NEW ORLEANS, LA – The U.S. Attorney's Office announced today that United States District Court Judge Lance M. Africk sentenced **JAMES MOHAMAD**, 54, of Kenner, to forty-six (46) months imprisonment. **MOHAMAD** pleaded guilty to conspiracy to using an interstate facility with intent to carry on unlawful activity (Title 18, United States Code, Sections 371 and 1952(a)(3)) and filing false tax returns (Title 26, United States Code, Section 7206(1)). Additionally, **MOHAMAD** was ordered to pay a \$100,000 fine, \$314,902 in restitution to the IRS, and a mandatory \$200 special assessment fee. Upon release from imprisonment, he will serve a three (3) year term of supervised release.

MEASURING PROGRESS

INVESTIGATIONS DIVISION

The Investigations Division conducts criminal and administrative investigations involving City of New Orleans employees, contractors, and vendors that receive City funds. Investigators also work with local, state, and federal partners to conduct joint investigations. The Investigations Division is also available to provide fraud awareness training to City employees and to engage in other outreach programs with businesses and citizens.



Venue: Matters that the OIG has the jurisdiction to investigate

Non-Venue: Matters outside of the OIG's jurisdiction

2023 BUDGET

Total 2023 Appropriation \$ 4,020,437

Expenditures	Spent YTD	Projected Expenditures FY 2023
Personnel	\$ 782,593	\$ 3,209,430*
Operating	\$ 185,231	\$ 743,368
Total	\$ 967,824	\$ 3,952,798
Remaining Balance	\$3,052,613	\$ 67,639

As of 5/1/2023

*The OIG is actively hiring to fill the following vacant positions: Public Relations Specialist, Information Technology II Specialist, Criminal Investigator IV, Forensic Auditor II, Forensic Auditor III, Inspector & Evaluator III, and two additional interns.

OIG ON SOCIAL MEDIA



New Orleans OIG @NOLAOIG · Apr 6

The New Orleans OIG is proud to partner with our federal and local partners to mitigate fraud, and corruption.

Former City of Kenner Director of Inspection and Code Enforcement Sentenced to 46 Months Imprisonment



justice.gov

Former City of Kenner Director of Inspection and Code Enforcement Sentenced to 46 Months Imprison...



1



94



New Orleans OIG @NOLAOIG · Apr 6

The New Orleans OIG conducted an audit of the Orleans Parish Communications District:

nolaoig.gov/media/orleans-...



Orleans Parish Communication District Credit Cards Audit

April 6, 2022

The Office of Inspector General (OIG) for the City of New Orleans (City) conducted a performance audit of the Orleans Parish Communication District (OPCD). The objective of the audit was to determine if OPCD credit card expenditures were business-related and allowed by law and if OPCD credit card purchases were compliant with relevant OPCD policy, laws, and other best practices.



4



1



755



OIG ON SOCIAL MEDIA

↻ New Orleans OIG Retweeted



Cassie Schirm @Cassiewdsu · Apr 7

...

Yesterday I sat down with [@JPMorrell](#) on why he created the ordinance that would require anyone using the Pontalba to pay rent and he said frankly "there is a constitution prohibition on gratuitous donations. Having free housing is a gratuitous donation. You just can't do it."



↻ 3

♥ 5

📊 673



[Show this thread](#)

↻ New Orleans OIG Retweeted



Cassie Schirm @Cassiewdsu · Apr 7

...

I asked [@JPMorrell](#) why anyone should care whether the mayor is using the Pontalba or not? He says it's a "slippery slope" and other city leader could start wanting to get free things. "Also you wouldn't excuse anyone coming out of City Hall with \$40,000 in their back pocket."

OIG ON SOCIAL MEDIA



New Orleans OIG @NOLAOIG · Apr 19

...

Thanks to the MCC for inviting the OIG to present the 2022 Annual Report concerning our mitigation of fraud, waste, abuse and public corruption.



2



3



1,284



OIG ON SOCIAL MEDIA

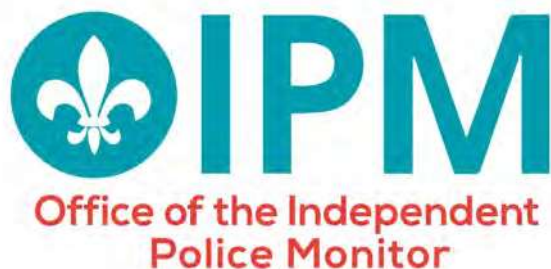


Monthly Report of OIPM

OFFICE OF THE INDEPENDENT POLICE MONITOR

MONTHLY REPORT

April 2023



LETTER TO THE COMMUNITY

Dear New Orleans Community,

It is spring and for everyone in New Orleans that means we are in the heart of festival season. This season is filled with tourists, brass bands at French Quarter corners, food vendors, Jazz Fest shirts, and packed music venues. While enjoying all that New Orleans has to offer during April and May, the OIPM asks that you let us know how the NOPD is serving you during your festival experience. Have you been helped? Have you been ignored? Let us know about your interactions and engagement with the NOPD - the good and the bad - so we can work with the department to ensure a safe and enjoyable festival season for all.

The OIPM spent the month of April finishing our annual report to submit to the NOPD for comment. Every year, the OIPM uses this time to reflect on the performance of the police department and our office over the last year. We look to what was done well and what can be built upon or improved moving forward. Our annual report effectively serves as a "State of the Union" but for the OIPM and policing in New Orleans. We recap the lessons learned and the work completed, while proposing what should happen next. As we enter May, we intend to work with the NOPD leadership to hear their feedback, comments, and questions on the annual report before releasing the final product at the end of the month. We look forward to sharing the OIPM annual report with you in May.

In April, the country marked the National Crime Victims' Rights Week. This is a week when the OIPM considers how the police department is solving crimes, preventing crime, and serving crime survivors and the loved ones of victims as they await justice. This is why the OIPM is concerned about some of the trends shared at the recent Consent Decree public hearing held before Judge Morgan in April.

In their status update to Judge Morgan, the federal monitors shared concerns regarding the drop in the sex offense clearance rate from 11% to 3%, the vacancies in the quality assurance unit of the Public Integrity Bureau, the failure of the Public Integrity Bureau to make appropriate credibility determinations, 14 hour waits for officers to respond to mental health crisis calls in New Orleans East, unauthorized vehicle pursuits, and the timeliness and quality of force investigations. The OIPM echoes those concerns, many of which were discussed between the two monitoring offices in the months leading up to the status hearing, and intends to continue to work with all stakeholders, the federal monitors, and NOPD leadership to address and find impactful solutions to these issues. The OIPM stays committed to seeing full and effective compliance in the Consent Decree.

In the month of April, Councilmember Morrell and Giarrusso confirmed that City Council is dropping the ordinance to potentially expand the investigative and subpoena powers of the OIPM and the legal protection of confidential information. Additionally, the Council stated that any movements that were previously considered regarding the OIPM's budget are now moot. The OIPM intends to continue our vital work and at a future date we will again discuss the legal protection our office requires to protect confidentiality and anonymity in police misconduct work.

Finally, the OIPM is opening up a Misconduct and Force Analyst position. Check out the post online and join our team!

Thank you,



Stella Cziment

Independent Police Monitor

WHO WE ARE

The OIPM is an independent, civilian police oversight agency created by voters in a 2008 charter referendum. Its mission is to improve police service to the community, community trust in the NOPD, and officer safety and working conditions. Since first opening its doors in August 2009, the Office of the Independent Police Monitor has been responsible for representing the community of New Orleans, providing accountability and oversight to the NOPD, and assisting in the reforms required under the Federal Consent Decree.

The OIPM is protected and required by City Charter and Ordinance. The OIPM operates through a Memorandum of Understanding (MOU) with the City of New Orleans and the New Orleans Police Department and has distinct responsibilities outlined by ordinance. This means this office was created by the people of New Orleans to represent all people interacting with the New Orleans Police Department to improve the way our community is policed.

Ensuring Compliance and Reform

- The OIPM reviews the NOPD's policies, practices, and investigations to ensure that every action taken is compliant with local, state, and federal law, and Consent Decree reforms.
- The OIPM advises on policy, tactics, training, and supervision to ensure that the NOPD is adopting national best practice and building a nondiscriminatory, safe, effective, and respectful police department that is responsive to the needs of the community and their employees.
- The OIPM does this through monitoring, case reviews, audits, and policy recommendations.

Amplifying the Needs of the Community

- The OIPM engages with the community to ensure that they both know about our services and understand how the police department works. Through providing information, the OIPM is equipping and empowering the community to navigate police encounters safely and demand what they need.
- Provides Complaint Intake.
- Operates the Community-Police Mediation Program.
- Partners with Families Overcoming Injustice.
- Coordinates public forums and outreach opportunities for the community to provide vital input on the way they are policed.

Making the NOPD a Safer and Nondiscriminatory Workplace

- The OIPM provides recommendations and assessments to ensure that the NOPD is a safe and nondiscriminatory work place for all employees.
- The OIPM assesses supervision and training to ensure that employees are being equipped and supported.
- The OIPM meets with police associations to hear concerns from their membership.
- The OIPM monitors disciplinary hearings to ensure that discipline is consistent and nonretaliatory.
- The OIPM receives commendations and accounts of positive policing from the community.



WHAT DO WE DO?

Mission, Vision, Work

We serve the community, ensure police transparency, compliance, and accountability, and make policing a safer and more rewarding employment experience.

WHAT WE DO



Misconduct Complaints



Disciplinary Proceedings



Data Analysis



Community Outreach



Use of Force



Community-Police Mediation Program



Audits and Policy



Commendations

The OIPM is the oversight body for the New Orleans Police Department (NOPD). The OIPM provides oversight through monitoring, reviewing, and auditing police activity and data. The OIPM is responsible for conducting complaint and commendation intake, on-scene monitoring of critical incidents and uses of force, overseeing the community-officer mediation program, reviewing investigations, providing assessments, identifying patterns, and making recommendations for improved practice, policy, resource allocation, and training. There are three components to the OIPM's work and mission:

The OIPM envisions a police force where the community is a valued and respected partner in public safety and law enforcement. This is achieved through:

- Assurance of transparency, accountability, and fairness within the NOPD and in all policing practices
- Community-driven policing policy that reflects the changing and dynamic needs of New Orleanians
- Continued efforts to engage the community and collaborate with community partners
- Recruitment and retention of a police force that is representative of and responsive to the community it serves
- Utilization of de-escalation techniques and methods when responding to calls of service
- Conducting only lawful and necessary arrests free of discriminatory practices
- Thorough and effective investigations resulting in appropriate arrests and prosecutions
- Clear and professional communication with victims and witnesses of crime and all that come into contact with the NOPD
- Responsible utilization of equipment and allocation of resources
- Development of highly trained supervisors and organizational leadership
- Interactions with the public and internally within the police force that are based in mutual trust and respect

The OIPM seeks to amplify the voice of the community to ensure that all within the city – visitors and residents alike – can access police services equally and have a positive experience with officers.

DATA OVERALL: YEAR TO DATE AND MONTH

	2023	2022	2021	2020	2019	2018	2017	Avg 2017-2022
Civilian Complaint Count	37	21	20	15	25	9	11	16.83
Police Complaint Count	0	0	2	0	0	4	2	1.33
Civilian w/in NOPD	0	0	0	0	0	0	0	0.00
Anonymous Complaint	8	4	14	8	0	0	0	4.33
Criminal Case Liaison Count	15	6	7	19	13	1	3	8.17
Case Monitoring Count	2	6	1	8	0	7	4	4.33
Case Review Count	1	4	1	1	3	2	0	1.83
Contact Only Count	18	15	2	5	8	0	2	5.33
Disciplinary Hearing Count	16	14	7	5	6	35	12	13.17
Critical Incident Count	2	3	4	6	5	3	5	4.33
Firearm Discharge Count	1	4	3	6	4	1	2	3.33
Level 4 Non-Critical*	2	5	3	6	0	0	0	2.33
Force Monitoring*	1	0	0	0	0	0	0	-
Mediation Count	5	7	7	11	13	6	9	8.83
Commendation Count	1	0	1	0	0	0	0	0.20
Grand Total	26	280	248	313	243	162	139	221

	Apr-23	Apr-22	Apr-21	Apr-20	Apr-19	Apr-18	Apr-17	2017-2022 Average
Citizen Complaint Count	4	7	6	5	3	3	3	4.50
Police Complaint Count	0	0	2	0	0	0	1	0.50
Civilian w/in NOPD*	0	0	0	0	-	-	-	0.00
Anonymous Complaint*	0	1	5	6	-	-	-	4.00
Criminal Case Liaison Count	5	3	1	1	2	-	-	1.75
Case Monitoring Count	0	0	0	1	0	2	0	0.50
Case Review Count	1	0	1	0	2	1	0	0.67
Contact Only Count	0	6	1	2	2	0	0	1.83
Disciplinary Hearing Count	6	7	3	0	0	23	0	5.50
Critical Incident Count	1	0	1	3	1	2	0	1.17
Firearm Discharge Count	0	0	1	3	1	0	0	0.83
Level 4 Non-Critical*	0	1	1	1	-	-	-	1.00
Force Monitoring*	0	-	-	-	-	-	-	-
Mediation Count	2	4	2	4	5	5	3	3.83
Commendation Count	0	0	1	0	0	-	-	0.25
Grand Total	19	29	25	26	16	36	7	23.17

*indicates a new category or a category that was not always captured by OIPM

CURRENT BUDGET

OIPM Budget Description	Amount
Personnel	\$769,582.00
Operating	\$400,000.00
2023 Total OIPM Budget	\$1,169,582.00
2023 Total OIPM Budget	\$1,169,582.00
Amounts Spent to Date:	(\$327,932.00)
Unexpended funds	\$841,650.00

MISCONDUCT WORK

Relevant Definitions

Complaint

A complaint is an allegation of misconduct filed against a NOPD officer(s) by a member of a public or civilian (external) or another officer (internal). A complaint may concern an action or lack of action taken by a NOPD officer(s), an interaction with a NOPD officer, or a witnessed interaction with a NOPD officer.

Complainant

A complainant is the individual who files a complaint against a NOPD officer(s). A complainant may be generated internally (by another officer or a supervisor) or externally (by a member of a public). The complainant does not need to be personally affected by the incident.

OIPM Complaint Codes

When the OIPM receives a complaint referral, the OIPM organizes the complaint according to the source of the complaint.

- Civilian based complaints are classified as: CC.
- Complaints from police officers are classified as: PO.
- Complaints from civilians working within the NOPD are classified as: CN.
- Anonymous complaints are classified as: AC.

Misconduct

Officer action or failure to take action that violates any rule, policy, procedure, order, verbal or written instruction of the NOPD or is a violation of any city ordinance, state or federal criminal law. Misconduct includes, but is not limited to:

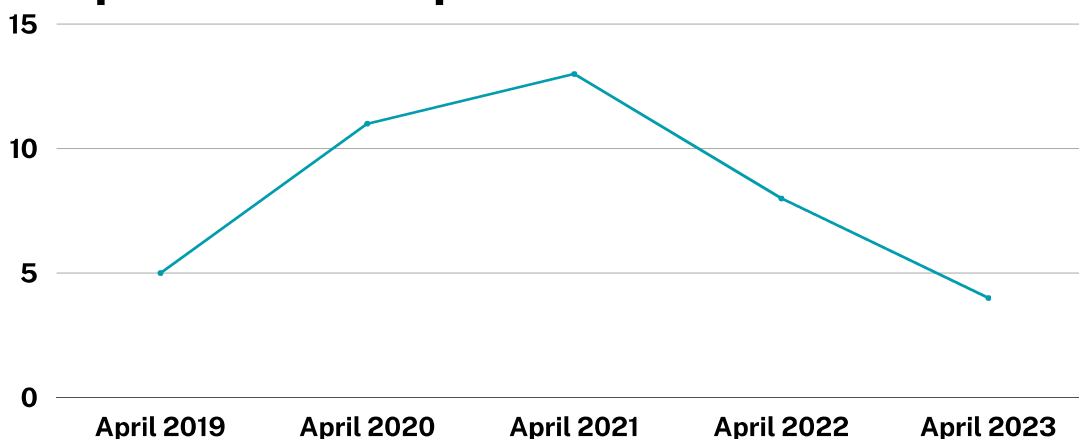
- Use of Force
- Abuse of Authority such as unlawful searches and seizures, premises enter and search, no warrant, threat to notify child services, threats to damage of property, etc., refusal to take complaint, refuse to identify themselves, damages to property seized
- Failure to supervise
- Falsification of records
- Inappropriate language or attitude
- Harassment
- Interference with Constitutional rights
- Neglect of duty
- Discrimination in the provision of police services or other discriminatory conduct on the basis of race, colors, creed, religion, ancestry, national origin, gender, sexual orientation
- Theft
- Retaliation for filing complaint with NOPD or the OIPM

Complaint Procedures

The OIPM does not verify the statements made during complaint intake or agree with the statements provided by the complainant. The OIPM strives to accurately capture the words, emotions, goals and narrative shared by the complainant and selects the policy, practice, or rule that each allegation of behavior / incident could have violated if determined to be true. OIPM personnel may review information in NOPD systems regarding the interaction complained of, including body worn camera video, in car camera video, electronic police reports and field interview cards. The OIPM may include information obtained from NOPD information systems in the complaint referral.

The OIPM assesses whether in the information provided should be provided confidentially or if the OIPM would recommend covert operations conducted by the Special Investigation Squad (SIS). Anything shared in this report is public information.

Complaint Totals - April



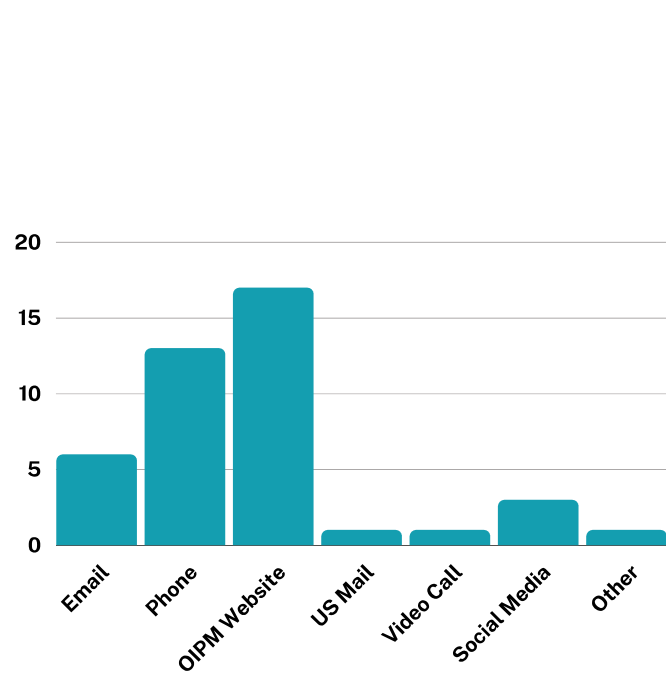
4

**Total Complaints
Received this
month**

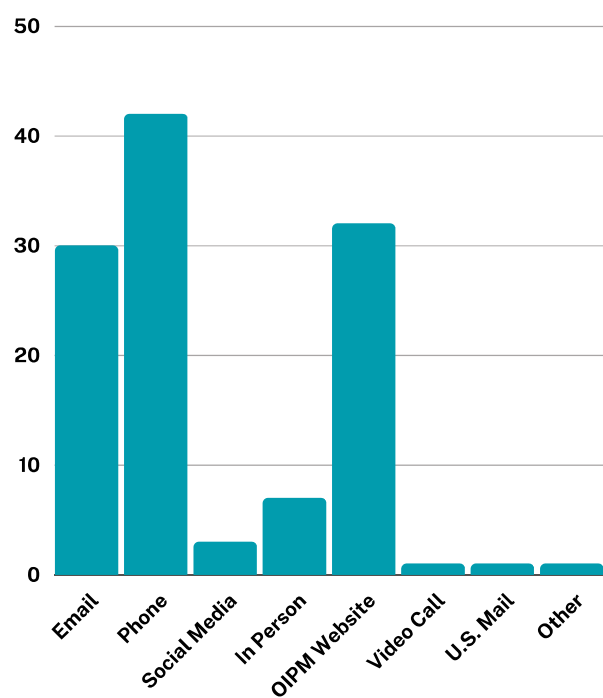
118

**Total Complaints
Received in
the Past 12
Months**

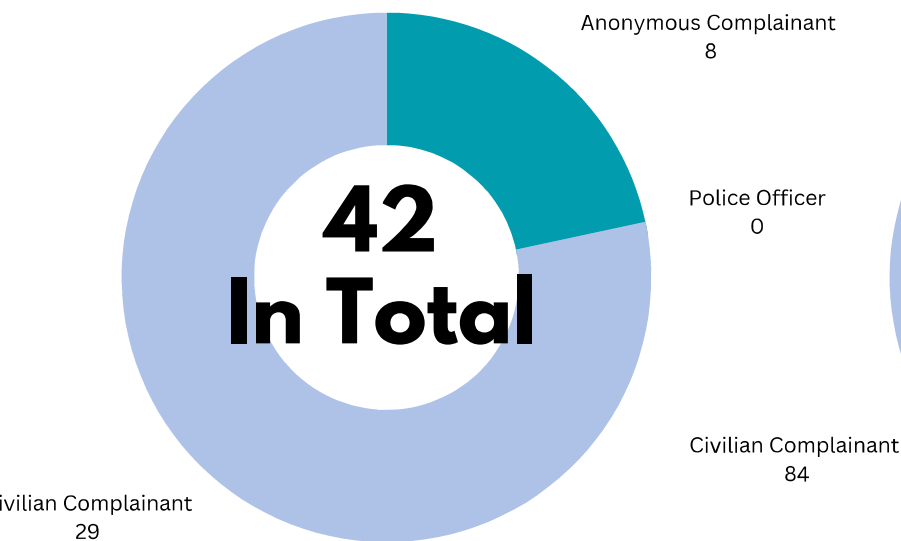
Complaint Intake Source - 2023



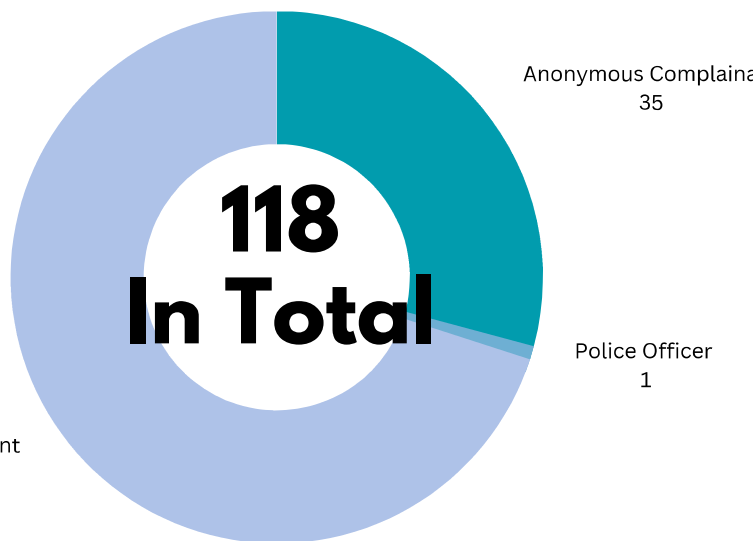
Complaint Intake Source - Past 12 Months



Complainant Type - 2023



Complainant Type - Past 12 Months



Anonymous Complainant: 19%
Civilian Complainant: 81%

Anonymous Complainant: 29.7%
Civilian Complainant: 69.5%
Police Officer Complainant: 0.8%

Complainant Type - Past 12 Months



Top Allegations - Past 12 Months

This chart captures the top allegations are proposed by the OIPM in the referral letters submitted to the Public Integrity Bureau. This chart is limited since it will only include the allegations that the OIPM entered into our database and has not yet been updated. The OIPM hopes to work on this issue with the NOPD in order to ensure accuracy in the proposed allegations.



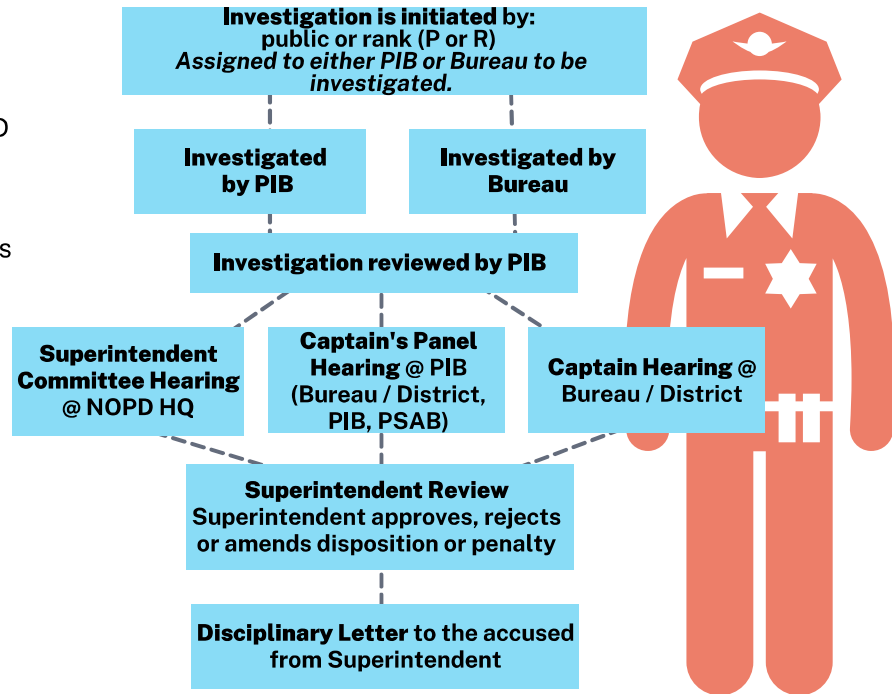
Districts - Past 12 Months

This chart communicates where the alleged misconduct occurred by police district. This requires the misconduct to occur in a physical space (instead of an incident that occurs over the phone or internet for example). This is based on complainant disclosure and the OIPM tries to verify this information through electronic police reports, body worn camera footage, and field identification cards.



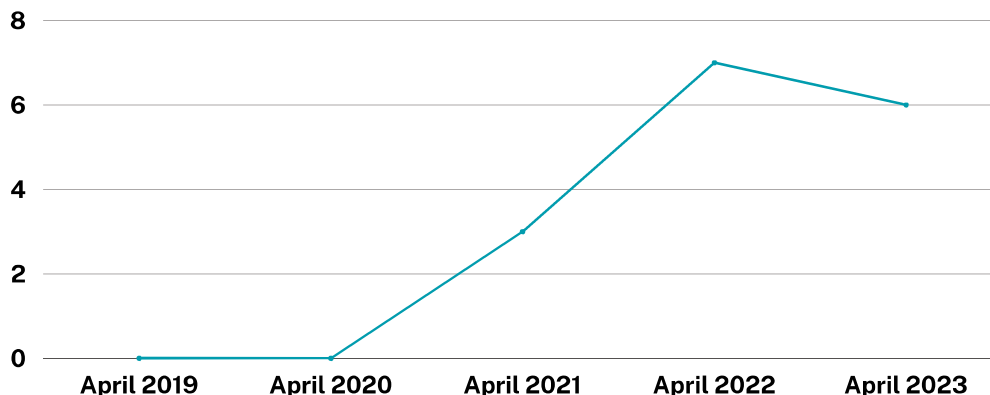
DISCIPLINARY PROCEEDINGS

After the misconduct investigatory process, if the investigating officer sustained an allegation, then that allegation must be affirmed by NOPD leadership in order for that accused officer to be disciplined. This occurs through the disciplinary proceeding process. The disciplinary proceedings are conducted by the NOPD - either by Captains or Deputy-Chiefs. The 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, truthful, and timely in accordance with NOPD policies and law. Adjudication of misconduct is handled internally by the PIB or the Bureau of the officer / employee.



The OIPM may monitor the process conducted by the PIB or by the Bureau; however, under the MOU, there are detailed directions regarding how the OIPM is notified of investigations by the PIB and similar protocol does not currently exist for Bureaus. For that reason, the OIPM tends to be more involved with investigations and disciplinary proceedings conducted by the PIB. During every disciplinary proceeding, the OIPM remains in the room for deliberation with the NOPD leadership to give the hearing officers feedback and input. This process is how the OIPM provides our recommendations and feedback regarding the strength of the investigation, liability and risk management concerns, and areas where the policy required clarification or was being applied inconsistently. Though OIPM may provide this feedback in memorandums to the NOPD prior to the hearing or supplementing these hearings, these discussions during the deliberation process enable the NOPD to consider and digest our points before any final decision was made on the matter. These discussions are an opportunity for the OIPM to provide and receive insight into the NOPD investigation and often these comments lead to meaningful discussion with not just the hearing officers, but the assigned investigator on the case, since it was an opportunity for that investigator to explain investigatory decisions and to answer questions.

Disciplinary Proceedings



6

Total Disciplinary Proceedings Received this month

OIPM tracks Disciplinary Proceedings based on the date notice is received from NOPD and not necessarily on when the disciplinary proceeding occurs. These proceedings are often rescheduled for scheduling conflicts. Tracking by notification date allows for consistent and accurate data collection.

USE OF FORCE

Relevant Definitions

Critical Incident

Critical incidents are an internal definition that was agreed upon by the OIPM and the NOPD through the November 10, 2010 Memorandum of Understanding. This definition captures that the OIPM should be notified of deaths, certain levels of injuries, and officer involved shootings within an hour so the OIPM has the ability to monitor the on scene investigation by the Force Investigation Team. According to this shared definition, critical incidents are:

- All incidents including the use of deadly force by an NOPD officer including an Officer Involved Shooting ("OIS");
- All uses of force by an NOPD officer resulting in an injury requiring hospitalization;
- All head and neck strikes with an impact weapon, whether intentional or not;
- All other uses of forces by an NOPD officer resulting in death; and
- All deaths while the arrestee or detainee is in the custodial care of the NOPD.

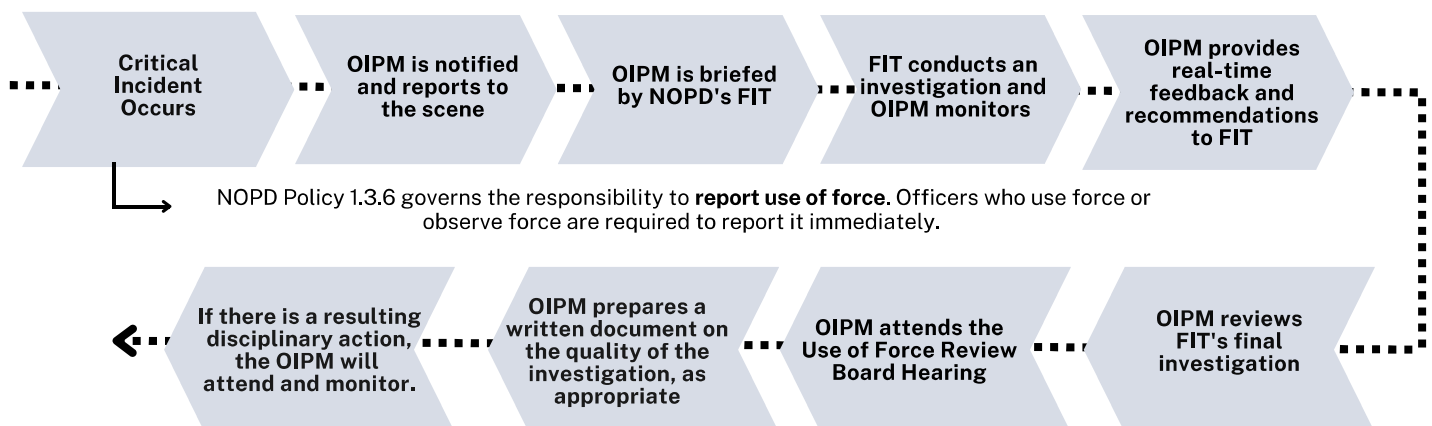
Use of Force

Use of Force is when an officer uses physical contact on an individual during a civilian-police interaction. The force can be mild to severe based on the levels of force outlined in the NOPD policy. The force may be considered justified by NOPD policy considering the facts and circumstances known to the officer at the time which would justify that appropriate physical contact based on how officers are trained to handle that interaction. Force will be assessed based on the type of contact utilized compared to the resistance encountered, resulting injuries, witness statements, officer statements, and evidence found.

Levels of Force

- **Level 1:** Includes pointing a firearm at a person and hand control or escort techniques (e.g., elbow grip, wrist grip, or shoulder grip) applied as pressure point compliance techniques that are not reasonably expected to cause injury; takedowns that do not result in actual injury or complaint of injury; and use of an impact weapon for non-striking purposes (e.g., prying limbs, moving or controlling a person) that does not result in actual injury or complaint of injury. It does not include escorting, touching, or handcuffing a person with minimal or no resistance.
- **Level 2:** Includes use of a CEW also known as "tasers" (including where a CEW is fired at a person but misses); and force that causes or could reasonably be expected to cause an injury greater than transitory pain but does not rise to a Level 3 use of force.
- **Level 3:** Includes any strike to the head (except for a strike with an impact weapon); use of impact weapons when contact is made (except to the head), regardless of injury; or the destruction of an animal.
- **Level 4:** Includes all 'serious uses of force' as listed below:
 - (a) All uses of lethal force by an NOPD officer;
 - (b) All critical firearm discharges by an NOPD officer;
 - (c) All uses of force by an NOPD officer resulting in serious physical injury or requiring hospitalization;
 - (d) All neck holds;
 - (e) All uses of force by an NOPD officer resulting in a loss of consciousness;
 - (f) All canine bites;
 - (g) More than two applications of a CEW on an individual during a single interaction, regardless of the mode or duration of the application, and whether the applications are by the same or different officers, or CEW application for 15 seconds or longer, whether continuous or consecutive;
 - (h) Any strike, blow, kick, CEW application, or similar use of force against a handcuffed subject; and
 - (i) Any vehicle pursuit resulting in death, serious physical injury or injuries requiring hospitalization.

Critical Incident / Use of Force Chain of Events

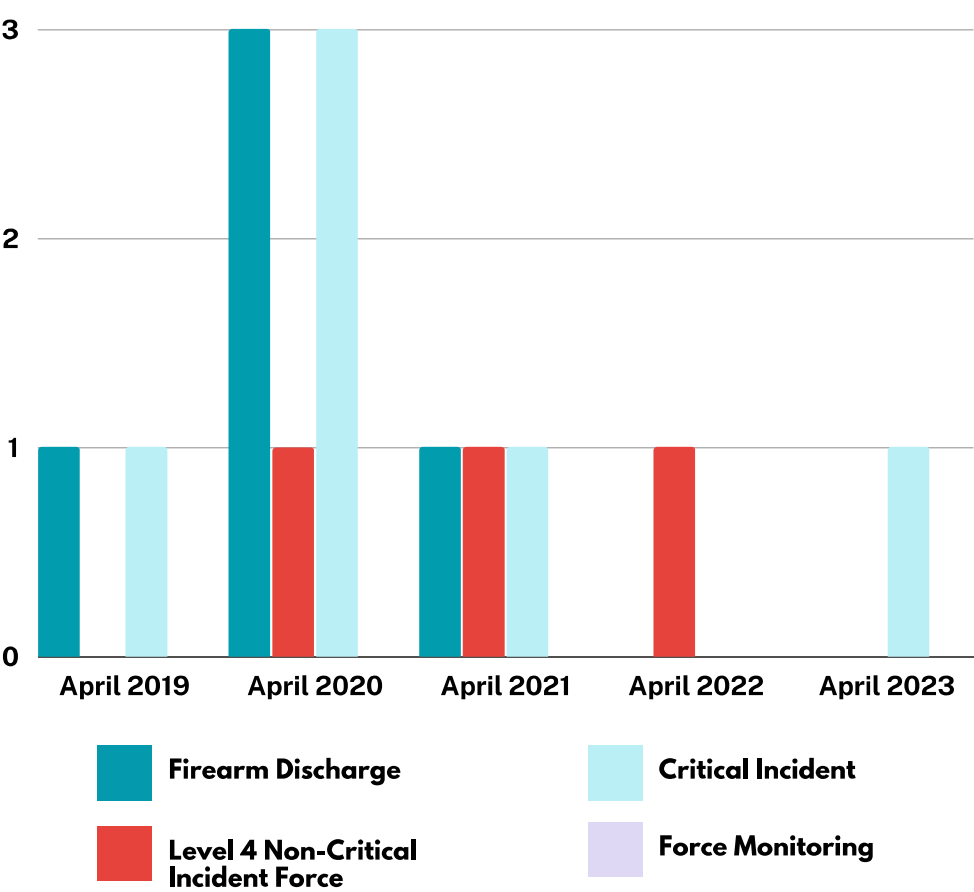


Use of Force Work

Use of Force monitoring and reviews are an opportunity for the OIPM to conduct a qualitative assessment of an investigation to ensure thoroughness, timeliness, fairness, transparency, accountability, and compliance with law, policy, and the Federal Consent Decree. The OIPM monitors and reviews the use of force, in-custody death, and critical incident investigations conducted by the Force Investigation Team (FIT) within the Public Integrity Bureau (PIB) of the NOPD. The OIPM is required by City Code § 2-1121 and by the MOU to monitor the quality and timeliness of NOPD's investigations into use of force and in-custody deaths. The OIPM will attend the investigation or the relevant activity, and will document the activity taken and not taken by the NOPD. The expectation is that the OIPM representative does not participate in the activity, but instead observes the police actions and takes notes.

While OIPM is notified of each use of force that occurs, OIPM gives the most attention to the most serious uses of force incidents, Critical Incidents. However, OIPM will often review lower-level uses of force incidents to ensure NOPD policy is being upheld.

Use of Force This Month 2019, 2020, 2021, 2022, 2023



0
Firearm Discharge this month

1
Critical Incidents this month

0
Level 4 Non-Critical Use of Force this month

0
Force Monitoring this month

Force Monitoring
In 2023, the OIPM began tracking "Force Monitoring." The OIPM is required to report to Critical Incident scenes, but may elect to report to a scene if necessary details to make a determination of force categorization are not available at the time of notification. OIPM recognizes many critical steps are taken early in an investigation and believes it is important not to miss the opportunity to monitor an investigation that may become critical, if possible.

Use of Force Review Board

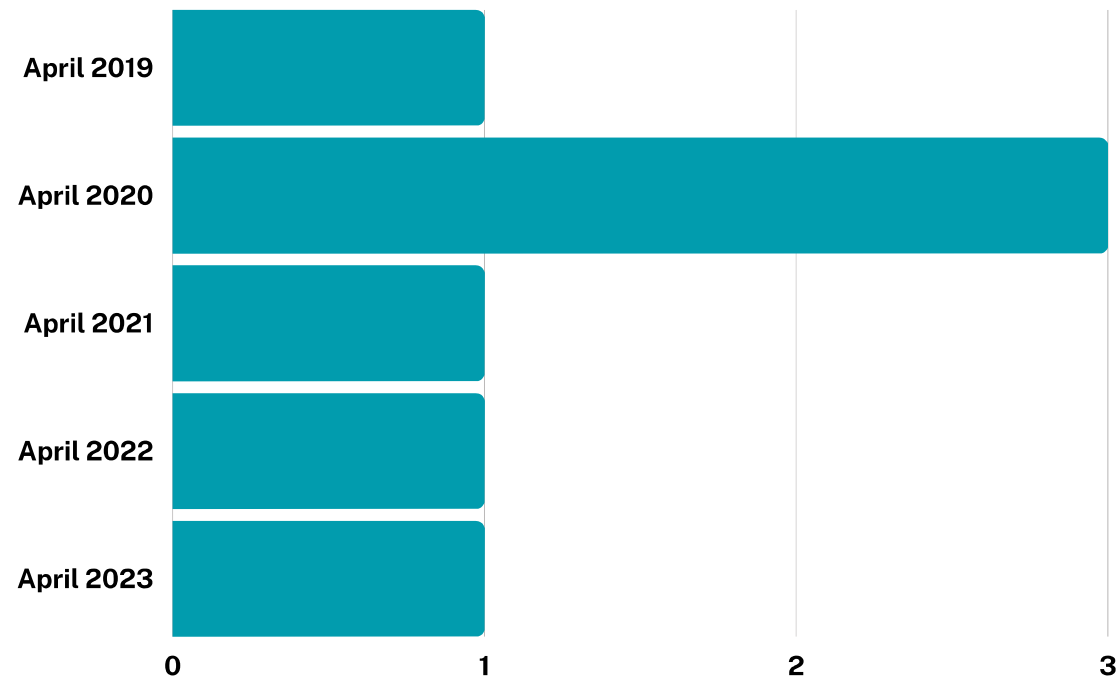
The Use of Force Review Board (UFRB) serves as a quality control mechanism to ensure timely reviews of all serious use of force investigations to determine the appropriateness of the investigative findings, and to quickly appraise use of force incidents from a tactics, training, policy, and agency improvement perspective. UFRB hearings should be held every 30 days.

The voting members of the UFRB are the Deputy Superintendents of Field Operations Bureau, Public Integrity Bureau, and Investigations and Support Bureau. Other NOPD deputy chiefs and commanders serve as non-voting members, and outside groups like OIPM and the Office of the Consent Decree Monitor have been invited to observe, listen and participate in discussion. During UFRB, the FIT investigator prepares a written report, presents the cases and provides recommendations to the Use of Force Review Board (Board). The Board makes the final determination of whether or not an NOPD officer's use of force is within policy or not based on the facts and evidence presented in the investigation. If the Board determines the use of force violated NOPD policy, the Board will refer it to PIB for disciplinary action.

The OIPM receives the cases ten (10) days before the hearing and has approximately one week to review the investigation and respond with our questions and feedback prior to the hearing. The OIPM may provide feedback formally or informally prior to the UFRB. OIPM often provides feedback to FIT investigators throughout the entirety of the investigation.



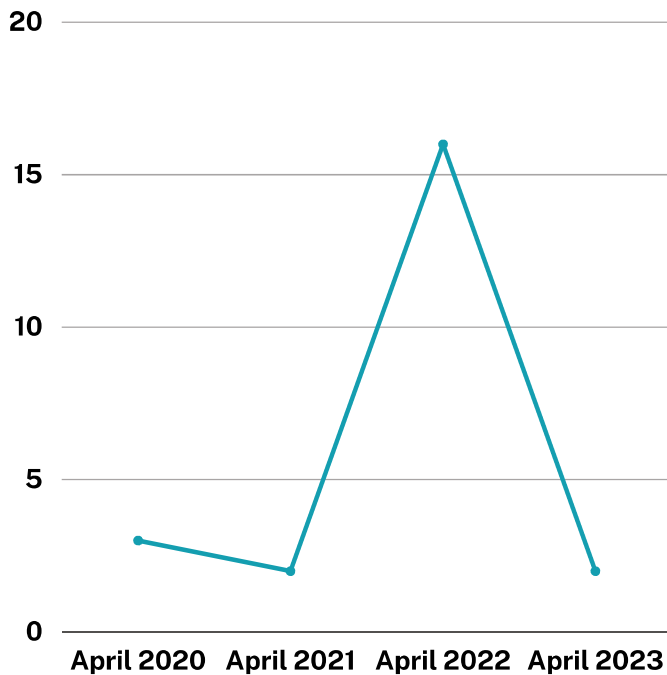
Use of Force Review Board Cases Heard



COMMUNITY ENGAGEMENT

The community is vital to police oversight and the center of the work conducted by the OIPM. In the Memorandum of Understanding, the OIPM committed to developing relationships with community and civil groups to receive civilian and anonymous complaints, meeting with police associations, and conduct public outreach meetings and engagement activities. In this section of the Monthly Report, the OIPM explains the community outreach and public events that the OIPM coordinated or participated in the last month.

Outreach - April 2020, 2021, 2022, 2023



Outreach Events

- Public Hearing on the Consent Decree in Federal Court
- Spoke at Junior Citizen's Police Academy

2

Total Outreach Events this Month



DPM, Bonycle Sokunbi, is picture above presenting at NOPD's Junior Citizens Academy

COMMUNITY-POLICE MEDIATION

Relevant Definitions

Mediation

A mediation process helps parties develop a mutual understanding of a conflict. Mediation may help the parties identify disputed issues, facilitate communication, provide an opportunity to improve community relationships, and generate options that may help the parties reach a mutually acceptable resolution.

Consent

All parties must voluntarily agree to participate in mediation and give consent. The consent process involves communication between the participant and the Mediation Director or program staff about the mediation process, what to expect, and clarification of any questions. Consent forms are signed in advance of confirming the mediation session.

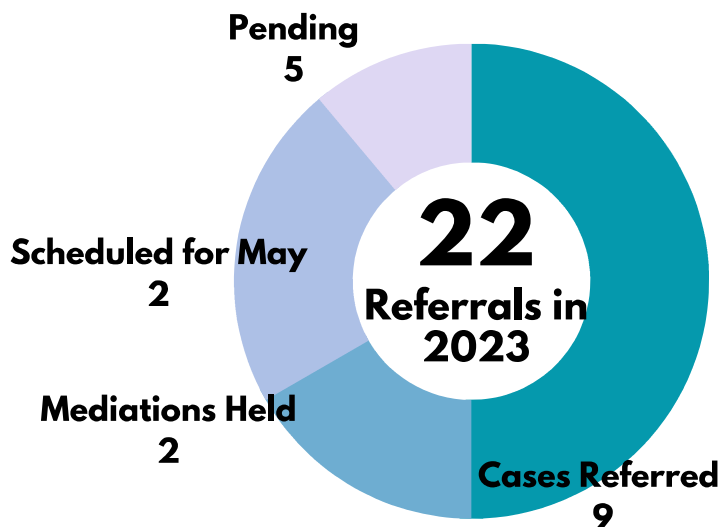
Mediator

The role of the mediator is to be a neutral and trained third party who listens, clarifies, and facilitates conversation. Mediators are non-judgmental and do not give advice, take sides, or decide who is right or wrong. Mediators do not influence or pressure participants to come to an agreement. Mediators are trained and recruited by the OIPM.

Voluntary

All participants engage in mediation at their own free will. They can end the process at any time and will not be forced to do anything or say anything they do not want to. No one is forced to agree to anything they do not want to.

Mediation Numbers for April 2023



What is Mediation?

Mediation is an alternative to the traditional process of resolving complaints of police officer misconduct. Mediation provides 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. Mediation creates a safe, neutral space for officers and civilians to speak for themselves, share about their interaction and how it impacted them, explain what is important to them, and come to their own agreements and solutions about moving forward.

The Public Integrity Bureau (PIB) of the NOPD determines which complaints are referred to the Mediation Program. The types of complaints that are most often referred to mediation are those that allege lack of professionalism, neglect of duty, or discourtesy. Complaints such as unauthorized use of force, unlawful search, and criminal allegations are ineligible for mediation and continue through the formal complaint investigation process by the PIB.

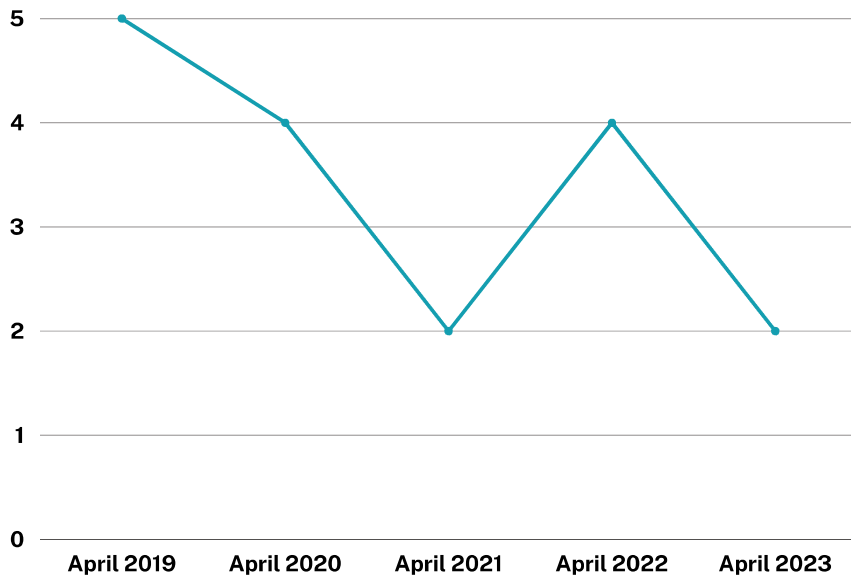
Non-judgmental
Confidential
Voluntary



Mediation is:

- ➔ A participant-guided process that helps the community member and the officer come to a mutually-agreeable solution. This helps to create mutual understanding and improve relationships.
- ➔ A space of discussion without the need to say who is right or wrong. No evidence is needed. The mediators are not judges. The mediators do not present their thoughts on the issue.
- ➔ It's about dialog, not forced resolutions. People are not forced to shake hands or make-up. The role of the mediators is to be neutral 3rd party facilitators. They will not pressure either participant to come to an agreement.
- ➔ An opportunity for the community member and the officer to be in charge of their own process and outcome. It will not be decided by an outside agency or person. It is outside of any punishment framework or the legal process. There is no appeal because mediation is voluntary.

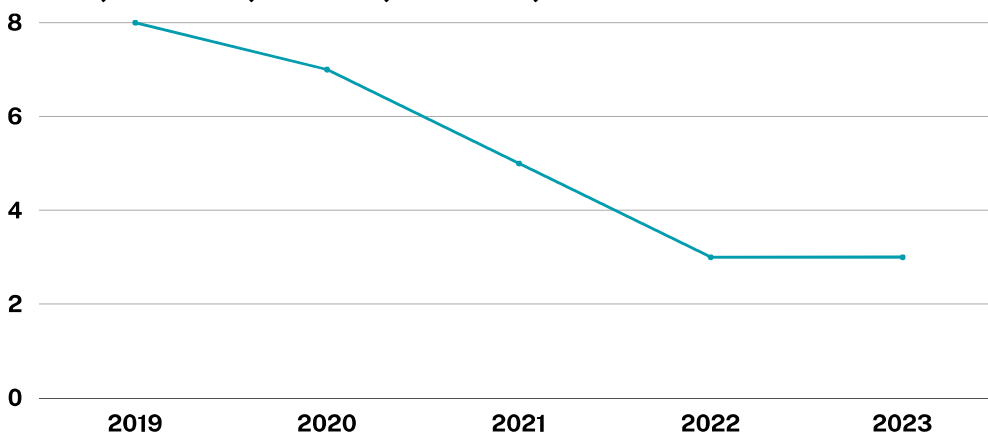
Mediations Held in April 2019, 2020, 2021, 2022, 2023



2

**Total Mediations
Held this month**

Mediations Held YTD In 2019, 2020, 2021, 2022, 2023



CONSENT DECREE & OVERSIGHT BACKGROUND

The OIPM is providing the following information in our monthly reports as a way to keep our partners and the public informed of the role of oversight, the policing history that led to the creation of the Consent Decree, and the differences between different types of oversight.

The OIPM wants to use every opportunity available to share valuable information and historical context to our work so everyone working towards the goal of accountability, transparency, and police oversight can be equipped, informed, and engaged.

Over the year, the OIPM may add to this section additional resources and information that we assess as helpful and empowering.



LEGAL JURISDICTION; OBLIGATIONS OF THE OIPM OFFICE AND STAFF

The OIPM operates under three core legal documents that guide the scope of local oversight and the jurisdiction of our work. Additionally, below are overviews of other ordinances that affect our work and create new legal obligations on the OIPM.

New Orleans Code of Ordinances Stat. § XIV: Office of the Independent Police Monitor

This statute was created by voter referendum and provides the legal responsibilities, perimeters, and budgetary support of the OIPM. This was put to a public vote in November 2016 and passed. This statute states the responsibilities of the OIPM and requires particular work streams and tasks. The statute also describes the disclosure requirements of the office.

Louisiana Revised Stat. § 33:2339: Detail or Secondary Employment; City of New Orleans

This statute was created in 2013 and gives legal abilities and subpoena power for the OIPM to investigate allegations of misconduct in the secondary employment system operated by the Office of Police Secondary Employment. The statute is silent as to the ability for the OIPM to refer these investigations to the NOPD or the District Attorney's Office for subsequent criminal or administrative accountability based on the OIPM investigation.

Memorandum of Understanding between NOPD and OIPM Executed November 10, 2010

The MOU is a Memorandum of Understanding between the NOPD and OIPM which outlines the responsibilities, expectations, and authority of the OIPM when providing oversight to the NOPD. Through this MOU, there is clarity regarding the work the OIPM will complete and how the OIPM will access NOPD records, data, and reports and monitor NOPD during on scene investigations. The MOU was entered into in November 2010 and in the coming year the OIPM intends to work with NOPD leadership to review this agreement and determine if it should be updated to ensure it is still relevant and considers updates to technology.

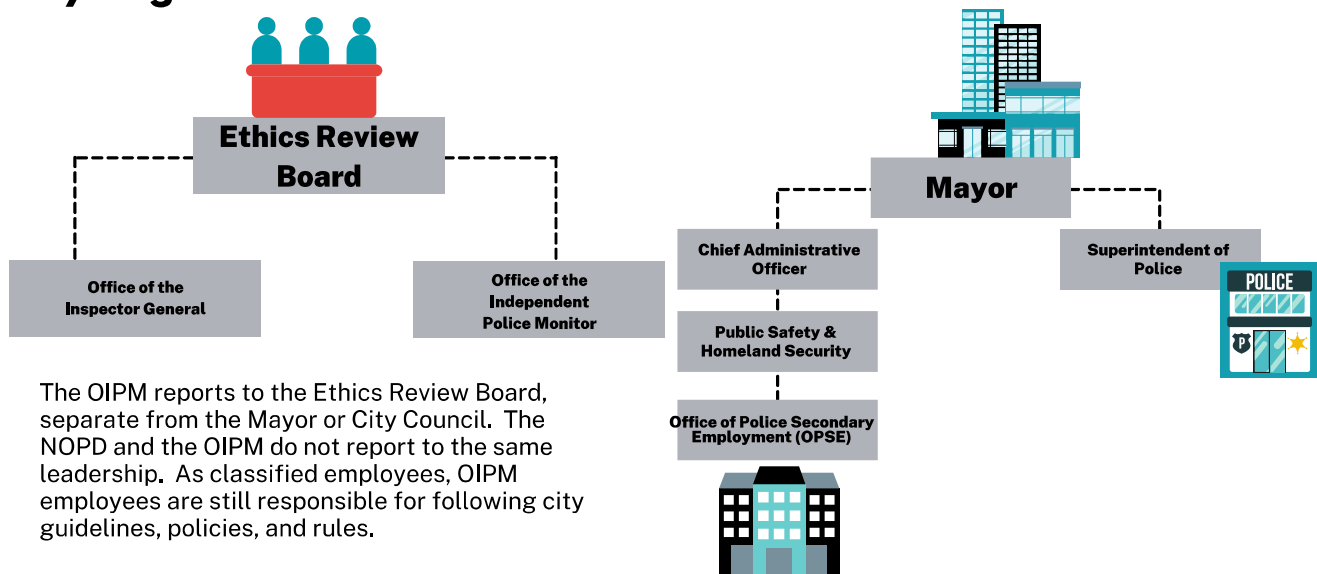
Ordinance 29130: Sharing of Data

Ordinance 29130 requires that our office (along with other public safety agencies) provide data monthly to City Council.

Ordinance 29063: Quarterly Presentations to the Criminal Justice Committee

Ordinance 29063 requires that our office (along with other public safety agencies) present quarterly to the City Council Criminal Justice Committee.

City Organizational Structure - Truncated



OVERSIGHT MODELS

Different Reasons Why There is Oversight / Monitors

Court Ordered

Court ordered monitors through litigation brought by the US Dept. of Justice to end "patterns and practices" of unconstitutional policing under federal law.

Consent Decree Monitors

Monitors that are the result of federal Consent Decrees.

Oversight Agencies

Oversight agency like civilian oversight that is responsible for review, auditing, or investigation.

New Orleans has both of these types of oversight

Models of Civilian Oversight

Review-Focused Model

Review-Focused models tend to utilize volunteer boards and commissions.

- Review-focused models assess the quality of finalized investigations conducted by an internal affairs division or the police department
- Conduct reviews of the agency's policies, procedures and disciplinary proceedings.
- Hold public forums, hear appeals, or make recommendations for investigations regarding allegations of misconduct

OIPM reviews the quality of finalized investigations conducted by the Public Integrity Bureau (which is the internal affairs of the NOPD)

Investigative-Focused Model

Investigative-focused models will employ professionally trained staff

- Investigative-Focused Conduct independent misconduct investigations
- Operate as an intake site for complaints.
- These models may: mediate complaints, analyze policies and practices issue recommendations to the police and public.

OIPM is a complaint intake site and OIPM has investigatory power over the secondary employment office.

Review-Focused Model

- Auditor / Monitor-Focused Assess systemic reform efforts.
- Review processes, evaluate policies, practices, and training. Based on those assessments, this oversight model will identify patterns and make recommendations Share findings with the public.
- These oversight agencies may participate in investigations.

OIPM assesses systemic efforts and will evaluate and review policies, practices and training then provide recommendations to NOPD.

Hybrid Civilian Oversight Model

Hybrid Civilian Oversight Hybrid civilian oversight means there is one office serving functions from different models or multiple agencies in one jurisdiction which may be different models (like an advisory civilian board and the investigatory OIG).

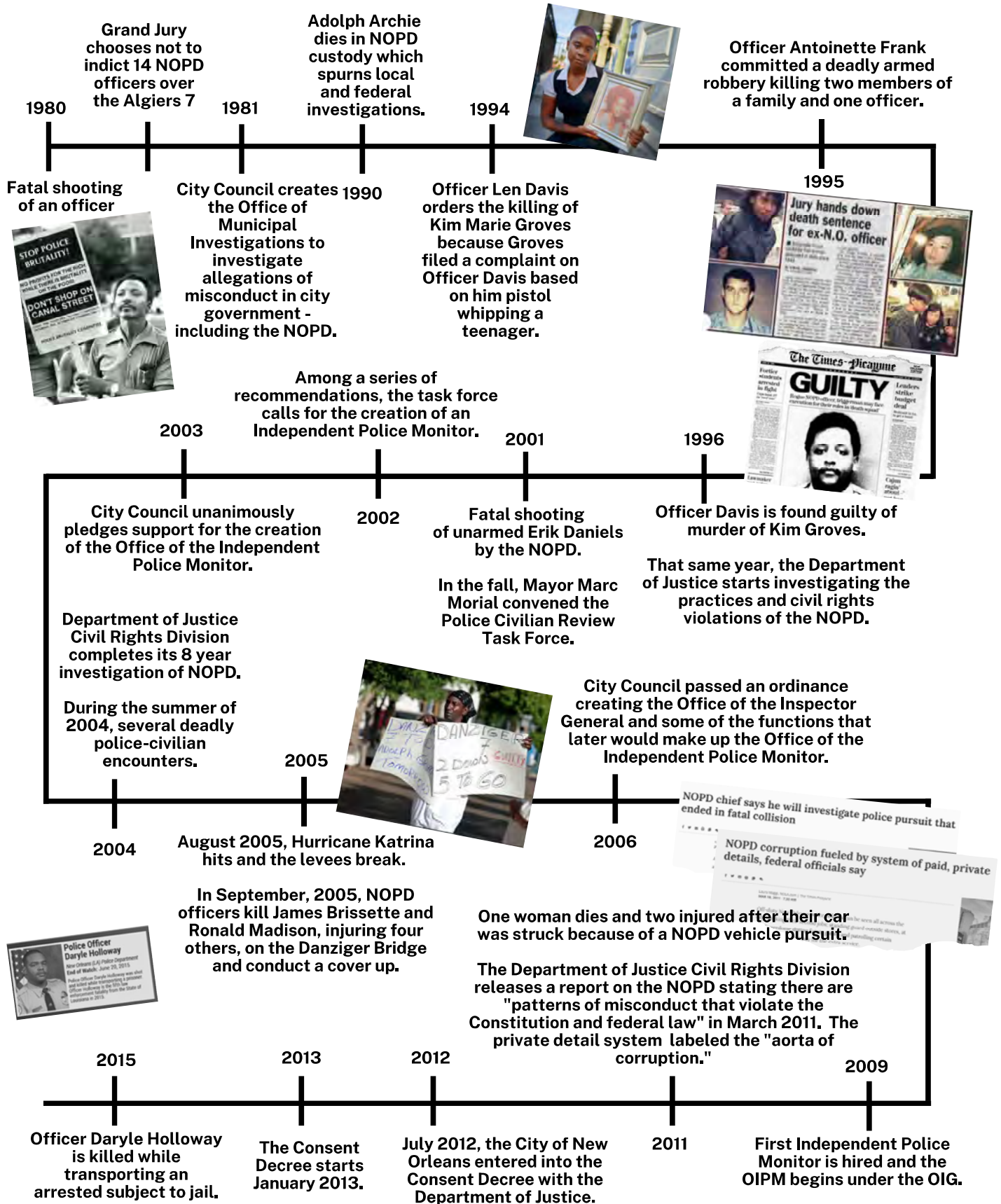
OIPM is a hybrid oversight agency because it has elements of all the different types of oversight models. Additionally, New Orleans has hybrid civilian oversight since we have multiple oversight agencies serving different functions.

13 Principles of Effective Oversight

The National Association for Civilian Oversight of Law Enforcement (NACOLE) identifies these 13 principles as necessary for effective oversight. The OIPM adopted these principles:

- Independence
- Clearly defined and adequate jurisdiction and authority
- Unfettered access to records and facilities
- Access to law enforcement executives and internal affairs staff
- Full cooperation
- Sustained stakeholder support
- Adequate funding and operational resources
- Public reporting and transparency
- Policy patterns in practice analysis
- Community outreach
- Community involvement
- Confidentiality, anonymity, and protection from retaliation
- Procedural justice and legitimacy

BRIEF HISTORICAL HIGHLIGHTS OF THE CONSENT DECREE; POLICING IN NEW ORLEANS



UNDERSTANDING THE CONSENT DECREE AND HISTORY

New Orleans entered a formal consent decree in January, 2013. This Consent Decree process started in the years prior with the investigation of the patterns and practices of the NOPD by the Department of Justice's Civil Rights Division. In order to understand the necessity of the Consent Decree and the reforms required within it, it's important to understand the historical context of the city and the NOPD's problematic behavior within the community.

The NOPD had a long history of misconduct, violence, discriminatory practices, and corruption stemming back decades. In the 1980s was the beginning of a community effort to organize civilian based oversight of the NOPD. This effort resulted in multiple initiatives from the Office of Municipal Investigations to the Police Civilian Review Task Force to eventually the creation of the Office of the Inspector General to the Office of the Independent Police Monitor.

While these local efforts were evolving, simultaneously, the federal government was conducting ongoing investigations of the NOPD, the most recent ending in March 2011. Ultimately, the Department of Justice found that the patterns and practices of the NOPD violated the Constitution and federal law. The report identified systemic deficiencies in multiple operational and substantive areas including policy, supervision, training, discipline, accountability - all of which "led to unconstitutional discrimination, uses of force, stops, searches, and arrests." The findings of the Department of Justice may have surprised the country, but the community of New Orleans was already well aware of the violent and unchecked behavior of the NOPD and the culture of obstructionism and discrimination that existed within the department.

This shared history of policing is briefly overviewed on the next page and the OIPM included examples of the dynamics of the NOPD and the crimes committed that directly impacted the safety of the community and public trust in the police department.

The OIPM strives to acknowledge and remember those in the community who both fought for oversight and were impacted by the pain caused by the NOPD. This is why a tenant of the work completed by civilian oversight is to amplify the voice of the community. It is in that memory that the OIPM works and stays vigilant monitoring the policing occurring today because a possible backslide from compliance, depending on the severity, could result in a return to a pattern and practices of policing that was corrupt, violent, and unconstitutional.

The goal of the Consent Decree is for the reforms to be so deeply enmeshed into the operations, policies, systems, and culture of the police department that to dismantle those reforms would be easily catchable and not only cause alarm in the community but also be virtually impossible because of the changed culture and expectations within supervision and the police department.

The position of the OIPM is that New Orleans must own our history with the police. Our history informs our fears. This is why there is a fear of history repeating itself. In New Orleans there is a real concern of "backsliding" and a return of the "old NOPD." Our neighbors, friends, coworkers, and loved ones may have experienced injustices at the hands of the NOPD. In our recent history as a city, filing a misconduct complaint about the police could have ended with retaliation or violence, walking in an unfamiliar neighborhood may have resulted in intrusive and illegal searches, arrests were conducted with force, officers could be bought, and supervisors turned a blind eye to a culture of corruption, discrimination, and violence.

For this reason, the OIPM is sensitive of allegations or noncompliance in areas that touch on these historical problems and shared fears that may exist in our community. The OIPM will not sweep these fears under a rug, but instead ensure that these allegations are immediately prioritized and addressed:

Criminal activity or associations

Corruption

Violence

Use of Force

Receiving payouts

Field strip searches

Targeting of young African

American boys

Supervisors failing to take

misconduct allegations

Unauthorized pursuits

Cover-up of wrong doing and

manipulation of misconduct

investigations

Discriminatory practices

LOCAL & FEDERAL OVERSIGHT IN NEW ORLEANS

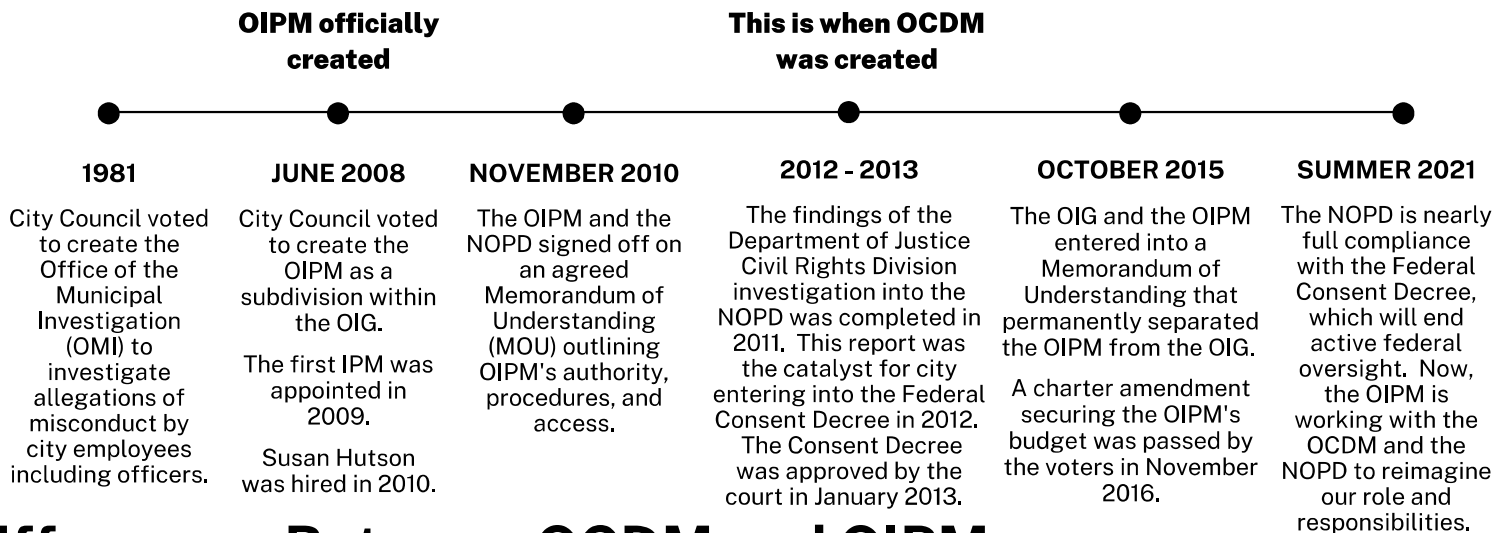
There are two types of monitors in New Orleans. There are three reasons why a city may have oversight or monitoring:

- Court ordered monitors through litigation brought by the US Dept. of Justice to end "patterns and practices" of unconstitutional policing under federal law.
- Monitors that are the result of federal Consent Decrees.
- Oversight agency like civilian oversight that is responsible for review, auditing, or investigation.

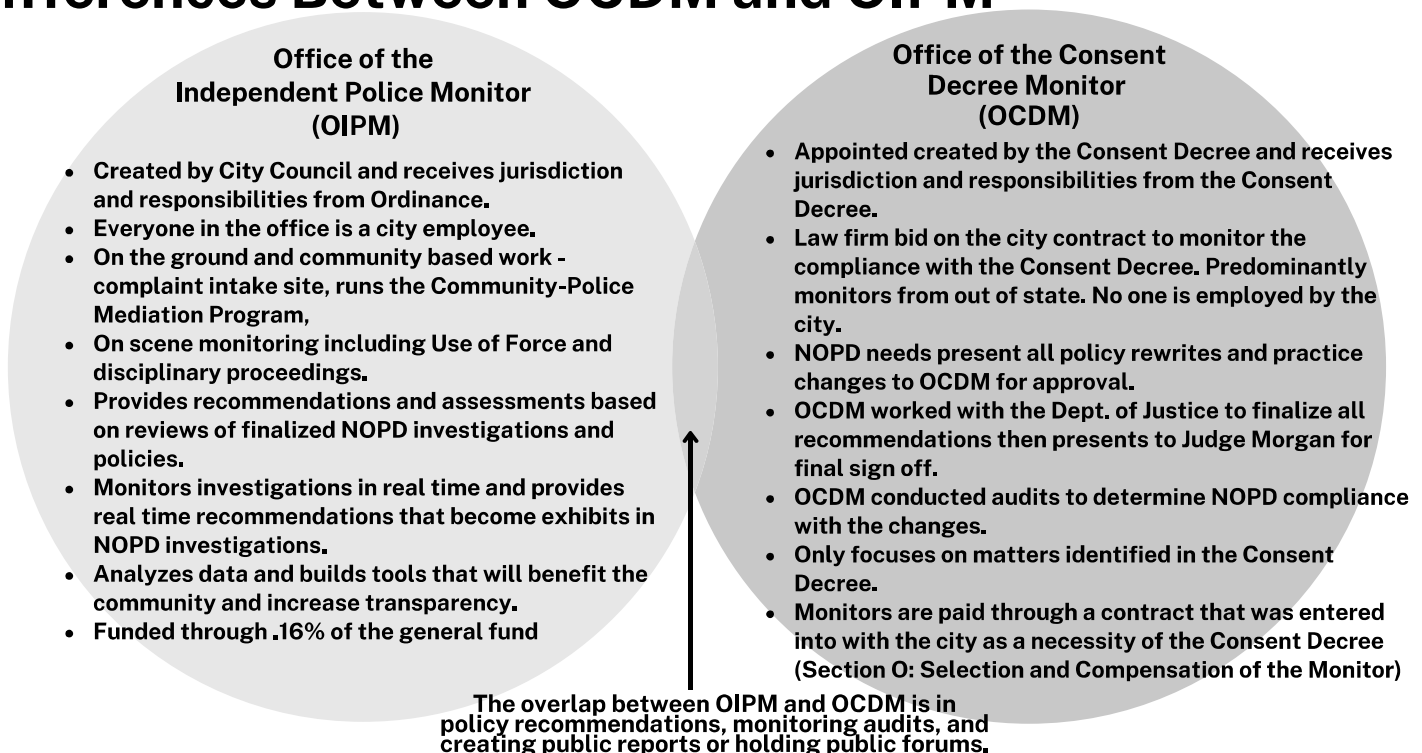
New Orleans has monitors for two of these reasons. There are monitors that a result of a federal consent decree and civilian oversight that is responsible for auditing, review, and / or investigation. The two offices have different responsibilities, were created through different mechanisms, and have different jurisdiction - all of which is described below.

Timeline of Oversight

Below is the timeline of oversight in New Orleans. While the Office of the Independent Police Monitor is rather new, the concept of oversight and accountability for officers and public employees has existed in New Orleans since 1981. The OIPM was created in 2008 and became independent in 2015, two years after the Consent Decree was entered into by the City of New Orleans.



Differences Between OCDM and OIPM



Monthly Report of Ethics Trainer



APRIL 2023

MONTHLY REPORT

TRAINING DIVISION
NEW ORLEANS ETHICS REVIEW BOARD



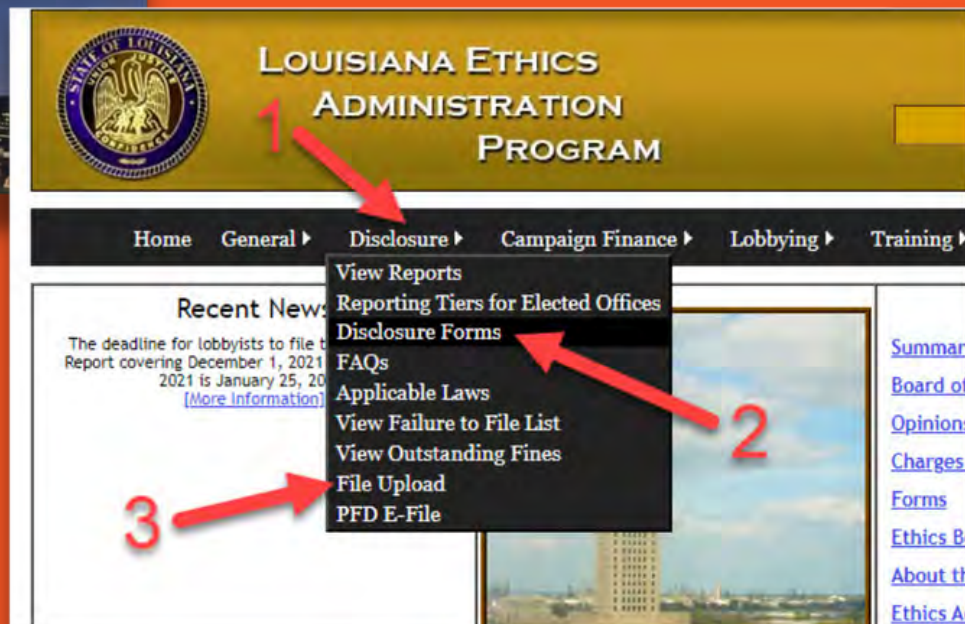
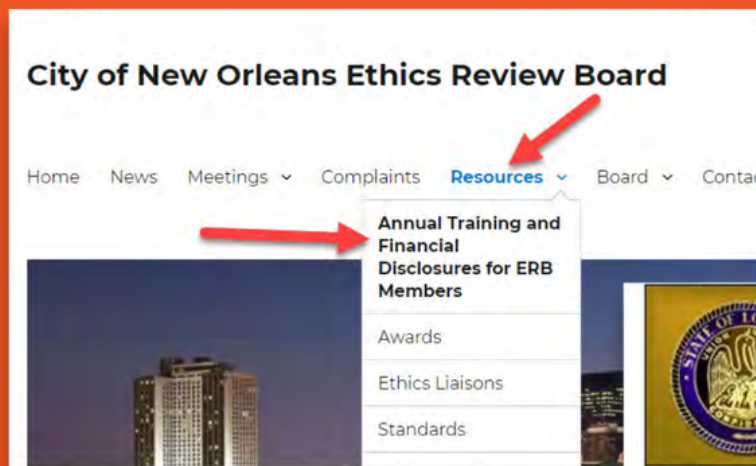
REMEMBER YOUR 2022 FINANCIAL DISCLOSURES!

All elected officials, as well as certain members of boards and commissions, are required to file a personal financial disclosure statement with the Louisiana Board of Ethics by **May 15th** of each year.

Please ensure that disclosure form '**Tier 2.1**' is completed and submitted. The form is located on the Ethics Review Board website (Fig. 1) or may be obtained directly from the state ethics website, www.ethics.la.gov (Fig. 2).

Submission options:

- Fax: 225-381-7271
- Mail: Board of Ethics, P.O. Box 4368, Baton Rouge, Louisiana 70821
- Upload: www.ethics.la.gov





APRIL ETHICS EDUCATION

ERB Ethics Trainer and city department liaisons have received notification from the Louisiana Board of Ethics that it is time now to complete the necessary recertification training for all liaisons and certified trainers.

Training opportunities for 2023 are available via webinar or in-person, with the latter being newly offered for 2023 since being suspended in 2020 in accordance with COVID-19 restrictions that were put into place at that time. Recertification must be completed by

Friday, June 30, 2022.



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NEW ORLEANS ETHICS REVIEW BOARD

Training Division

MARCH SESSION ATTENDANCE

Attendee Count:

102 Individuals

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BOARD MEMBER ORIENTATION MANUAL



Orientation aides are valuable components in the process of welcoming individuals to service and preparing them to have the most effective and rewarding experience.

To welcome new board members, the ERB board chair expressed a desire to have a manual that will assist new board members with navigating the transition into their new appointment.

The newly designed orientation manual will be distributed for viewing and feedback at the May 2023 ERB meeting.

A pdf version of this manual may be made available on the newly redeveloped ERB website.

