



## 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/>

### PUBLIC BOARD MEETING

Friday, October 27, 2023, at 3:30 P.M.

Loyola University New Orleans College of Law  
526 Pine St., Room 461  
New Orleans, Louisiana

### AGENDA

1. Call to order.
2. Approval of the minutes of August 2023 board meeting.
3. Acceptance of written monthly report of Office of Inspector General (no oral report).
4. Acceptance of written monthly report of Office of the Independent Police Monitor (no oral report).
5. Acceptance of written monthly report of Ethics Trainer (no oral report).
6. Acceptance of written monthly report of General Counsel and Executive Administrator (no oral report).
7. 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.
8. Call for agenda items for future board meetings.
9. Adjournment.

**Draft Minutes of  
Previous Board  
Meeting**



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

### **Board Meeting of August 14, 2023, at 3:30 P.M. in New Orleans City Council Chambers**

#### **Minutes**

1. *Call to Order.*

1.1. The chair called the meeting to order at 3:40 p.m.

1.2. ERB members present:

1.2.1. Wanda A. Brooks

1.2.2. Dawn Broussard

1.2.3. Elizabeth Livingston de Calderon

1.2.4. Holly Callia, Chair.

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.

1.5. Staff members absent:

1.5.1. None.

1.6. The agenda for the meeting is attached.

2. *Approval of Minutes.* Upon a duly made and seconded motion, the ERB unanimously approved the minutes of the regular ERB meeting on June 2023.
3. *Monthly Report of the Office of the Inspector General.*
  - 3.1. Ed Michel did not appear on behalf of the Office of the Inspector General.
  - 3.2. The board accepted his monthly written report (attached).
4. *Monthly Report of the Office of Independent Police Monitor.*
  - 4.1. Stella Cziment did not appear on behalf of the Office of the Independent Police Monitor.
  - 4.2. The board accepted Ms. Cziment's monthly report (attached).
5. *Monthly Report of Ethics Trainer.*
  - 5.1. Mr. Jordy Stiggs did not appear.
  - 5.2. The board accepted Mr. Stiggs's monthly written report (attached).
6. *Report of the Executive Administrator and General Counsel.*
  - 6.1. Mr. Ciolino presented his oral report.
  - 6.2. Mr. Ciolino reported that the ERB has received no new complaints.
  - 6.3. Mr. Ciolino reported on the efforts by the IPM to obtain a charter amendment to obtain additional funding. The board will ask the IPM to present any proposed amendments to the board for discussion prior to presenting the request to the council or to any council members.
7. *Report on Appointments to ERB and Quality Assurance Review Advisory Committees.*
  - 7.1. Mr. Ciolino reported that three ERB positions must be filled ASAP. The mayor's office is working on this.
  - 7.2. Mr. Ciolino reported that four (4) Council and Mayorial appointments remain unfilled on QARACs for the IG and the IPM.
8. *Executive Session to Discuss Competence of Two Persons.*
  - 8.1. On motion duly seconded, the board unanimously voted at 4:04 p.m. to go into executive session.
  - 8.2. On motion duly seconded, the board unanimously voted at 5:32 p.m. to adjourn the executive session and to go into public session.

8.3. The board conducted no votes and there were no motions at the conclusion of the executive session.

9. *Adjournment.*

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

9.2. The motion was seconded.

9.3. The ERB unanimously voted to adjourn. The meeting was adjourned at 5:32 p.m.

\* END \*

# **Monthly Report of OIG**

# **MONTHLY REPORT**

**SEPTEMBER 2023**



# **OIG**

**NEW ORLEANS  
OFFICE OF INSPECTOR GENERAL**

**EDWARD MICHEL, CIG  
INSPECTOR GENERAL**

# ADMINISTRATION DIVISION

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# 1,982

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:

- Orleans Parish Sheriffs Office
- Safety and Permits Third Party Contractors
- New Orleans East Hospital Credit Card

## **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 <sup>1</sup>	Anticipated <sup>2</sup> Completion Date
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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.

Safety and Permits Third Party Contractors	Planning
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**Summary of Objectives:** The purpose of the audit is determine the adequacy of S&P policies and procedures related to Third Party Inspections and verify that residential inspections performed by Third Party Inspectors were in compliance with those policies and procedures.

**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.

Ongoing

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

New Orleans East Hospital Credit Card	Fieldwork	Ongoing
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**Summary of Objectives:** The purpose of the audit is to determine whether New Orleans East Hospital credit card purchase were business-related and allowed by law, and that these purchases followed relevant agency policies.

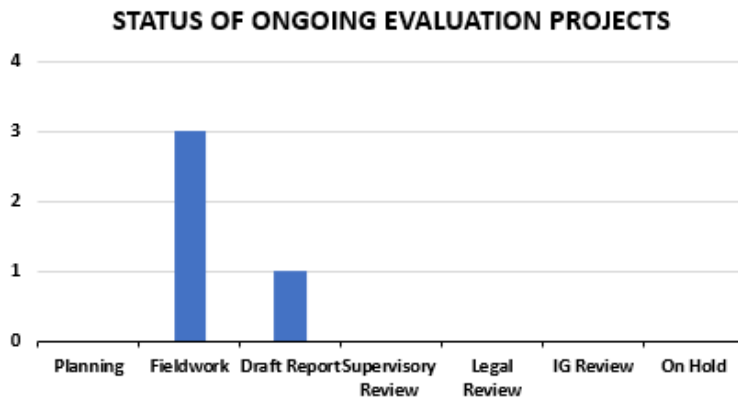
**Footnotes:**

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**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.

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**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 <sup>1</sup>	Anticipated <sup>2</sup> Completion Date
City of New Orleans Employee Time and Attendance Reporting	Draft Report	Ongoing
<b>Summary of Objectives:</b> To determine whether the City has policies, procedure, and controls to ensure that Time and Attendance is reported accurately.		
NOPD Violent Crime Response Analysis	Fieldwork	Ongoing
<b>Summary of Objectives:</b> 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
<b>Summary of Objectives:</b> 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	Fieldwork	Ongoing
<b>Summary of Objectives:</b> To evaluate S&WB's policies and practices related to water loss control management.		

### 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

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## **ADMINISTRATIVE INVESTIGATIONS (SEPTEMBER HIGHLIGHTS)**

Issued three Requests for Documents in ongoing investigations.

A company who was acting as a Third-Party Inspector for the City, inspecting completed work on behalf of the City was removed from the role of eligible companies to provide Third-Party Inspection services to the City.

The work to be inspected was previously permitted by the City. Additionally, the principal of the company was also personally removed from this list.

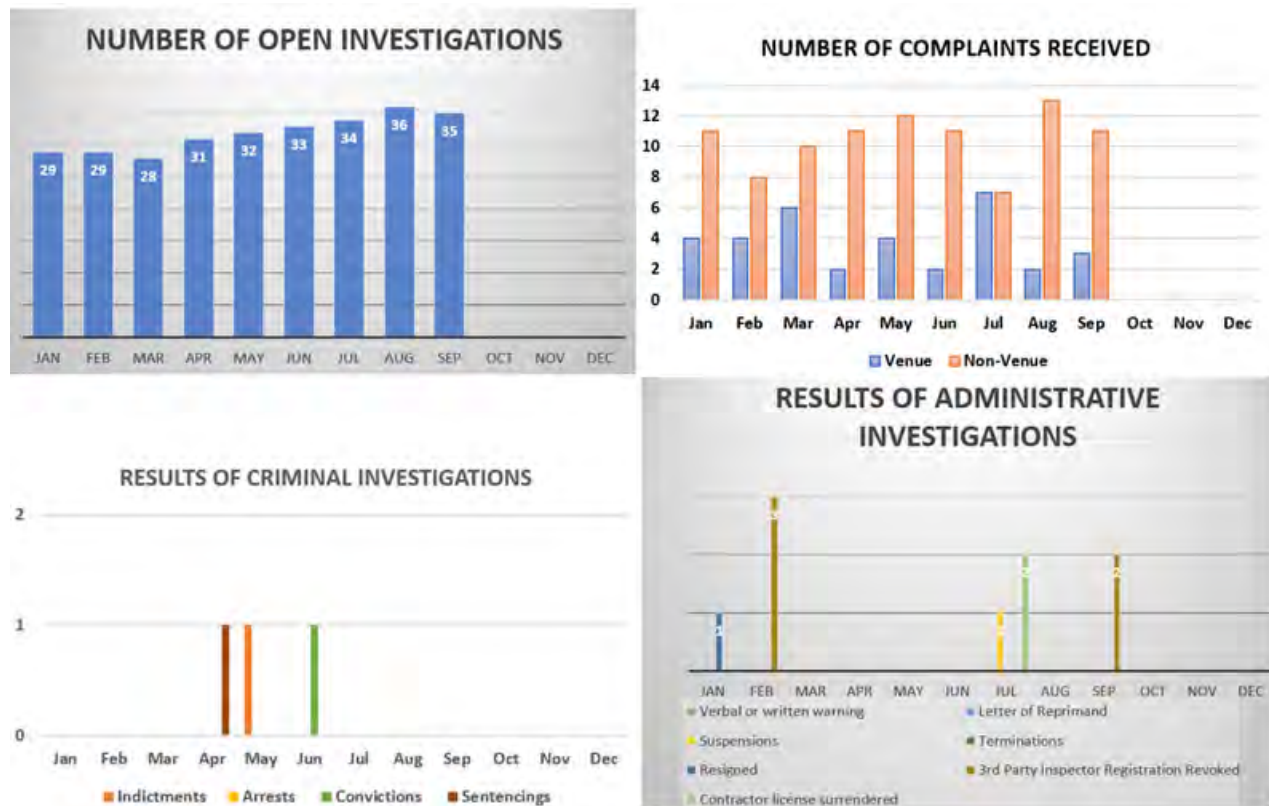
Issued a letter to Department of Safety & Permits regarding a business operating without the proper City business licensees.

Issued a letter to the S&WB regarding a possible billing error of a customer.

# 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

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**Total 2023 Appropriation \$ 4,020,437**

<b>Expenditures</b>	<b>Spent YTD</b>	<b>Projected Expenditures FY 2023</b>
<b>Personnel</b>	<b>\$ 1,980,959</b>	<b>\$ 3,209,430</b>
<b>Operating</b>	<b>\$ 332,748</b>	<b>\$ 743,368</b>
<b>Total</b>	<b>\$ 2,313,707</b>	<b>\$ 3,952,798</b>
<b>Remaining Balance</b>	<b>\$ 1,706,730</b>	<b>\$ 67,639</b>

As of 10/1/2023

# OIG ON SOCIAL MEDIA





# OIG ON SOCIAL MEDIA



# OIG ON SOCIAL MEDIA



# **MONTHLY REPORT**

**AUGUST 2023**



# **OIG**

**NEW ORLEANS  
OFFICE OF INSPECTOR GENERAL**

**EDWARD MICHEL, CIG  
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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
- New Orleans East Hospital Credit Card

## **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.

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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:** The purpose of the audit is determine the adequacy of S&P policies and procedures related to Third Party Inspections and verify that residential inspections performed by Third Party Inspectors were in compliance with those policies and procedures.

**Footnotes:**

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**Summary of Objectives:** The purpose of the audit is to determine whether New Orleans East Hospital credit card purchase were business-related and allowed by law, and that these purchases followed relevant agency policies.

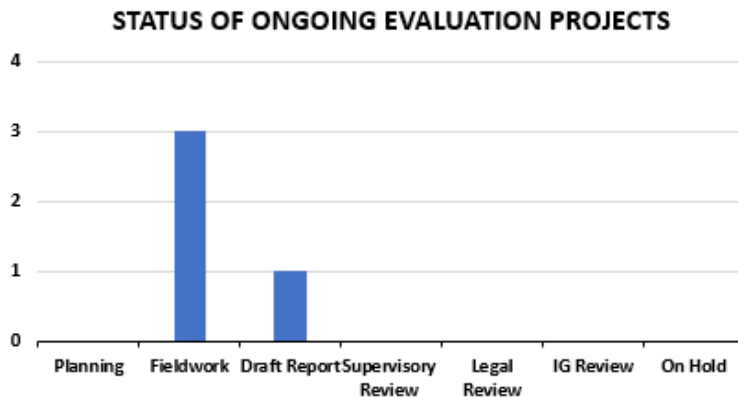
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City of New Orleans  
Employee Time and  
Attendance Reporting

Draft Report

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

Fieldwork

Ongoing

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

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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

Fieldwork

Ongoing

**Summary of Objectives:** To evaluate S&WB's policies and practices related to water loss control management.

### Footnotes:

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# INVESTIGATIONS DIVISION

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## **ADMINISTRATIVE INVESTIGATIONS (AUGUST HIGHLIGHTS)**

Issued three Requests for Documents in ongoing investigations.

Issued a Report of Investigation regarding an allegation that two (2) Orleans Parish Juvenile Court employees are not maintaining an actual domicile within the Parish of Orleans, in violation of the City of New Orleans Domicile Ordinance and the Chief Administrative Office Policy, Memorandum Number 19(R), Domicile Requirements for City Employees.

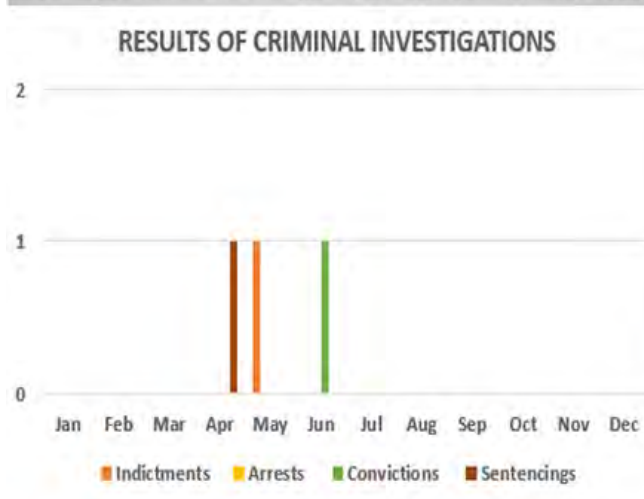
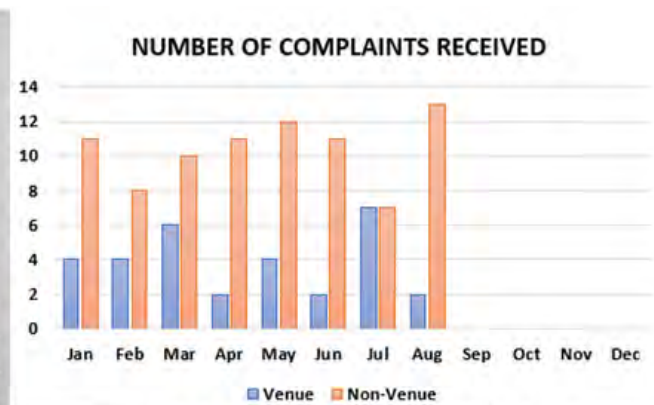
Issued a letter and related documents to the Assessor's Office concerning 25 residential properties which continued to receive a homestead exemption and senior freeze reduction despite the listed homeowner reportedly being deceased. The total number of residential properties submitted for 2023 is 125. The Assessor's Office acknowledged receipt of the letter.

Issued a letter to Department of Property Management regarding an employee who may have been utilizing a take home vehicle without having the required Take-Home Vehicle Use Charge deducted from his paycheck.

# MEASURING PROGRESS

## INVESTIGATIONS DIVISION

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# 2023 BUDGET

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<b>Personnel</b>	<b>\$ 1,671,652</b>	<b>\$ 3,209,430</b>
<b>Operating</b>	<b>\$ 311,893</b>	<b>\$ 743,368</b>
<b>Total</b>	<b>\$ 1,983,545</b>	<b>\$ 3,952,798</b>
<b>Remaining Balance</b>	<b>\$ 2,036,892</b>	<b>\$ 67,639</b>

As of 9/1/2023

# OIG ON SOCIAL MEDIA

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# OIG ON SOCIAL MEDIA

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# OIG ON SOCIAL MEDIA



**New Orleans OIG @NOLAOIG · Jul 25**

**OIG ALONG WITH THE ASSESSOR'S OFFICE AND THE BUREAU OF TREASURY IDENTIFY \$187,000 IN ADDITIONAL PROPERTY TAX REVENUE OWED TO THE CITY**

[nolaoig.gov/media/press-re...](https://nolaoig.gov/media/press-re...)

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**NEW ORLEANS OFFICE OF  
INSPECTOR GENERAL**

Edward Michel, OIG  
Inspector General



**IMMEDIATE RELEASE**  
**MEDIA CONTACT: Edward Michel**

July 25, 2023  
Phone Number: 504-681-3209

**OIG ALONG WITH THE ASSESSOR'S OFFICE AND THE BUREAU OF TREASURY IDENTIFY \$187,000 IN ADDITIONAL PROPERTY TAX REVENUE OWED TO THE CITY**

The Office of Inspector General (OIG) provides an independent and objective assessment of government policies, programs, and operations by conducting audits, evaluations, and investigations. Since June 2021, the OIG has issued numerous letters to the Orleans Parish Assessor's Office concerning residential properties which continued to receive a homestead exemption and senior freeze reduction despite the listed homeowner reportedly being deceased. As of July 2023, the total number of residential properties submitted to the Assessor's Office for 2021, 2022 and 2023 is 172.

For the first and second quarters of 2023, the City of New Orleans Bureau of Treasury has issued 26 Revised Real Estate Tax Bills concerning residential properties that the OIG identified as having benefited from homestead exemptions and a senior freeze reduction, despite the listed homeowners reportedly being deceased. The Assessor's Office has also removed the homestead exemptions and senior freeze reductions for these properties. According to the Bureau of Treasury, the City of New Orleans is due more than \$187,000 in additional property tax revenue from these 26 properties.

*In these times of increasing threats and limited resources, it is incumbent upon the Assessor's Office and the Bureau of Treasury to combine their resources to efficiently identify and mitigate the threat of Homestead Exemption fraud.*

Edward Michel, Inspector General

For information on OIG initiatives, including recent reports concerning Homestead Exemption fraud and other work products, please visit the newly re-designed OIG website at [www.nolaoig.gov](https://www.nolaoig.gov).



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# **Monthly Report of OIPM**



# OFFICE OF THE INDEPENDENT POLICE MONITOR

## MONTHLY REPORT

**September 2023**

**I am  
what  
oversight  
looks like**

OFFICE OF THE INDEPENDENT  
POLICE MONITOR



Office of the Independent  
Police Monitor

# LETTER TO THE COMMUNITY

Dear New Orleans Community,

A big policing announcement was made in September - **Mayor Cantrell appointed Anne Kirkpatrick to be the Interim Chief of the New Orleans Police Department.** This significant appointment must be confirmed by the City Council in order to be official. In the coming weeks, we as a community will learn more about Interim Chief Kirkpatrick and the OIPM looks forward to hearing more about Interim Chief Kirkpatrick's vision for the NOPD. The OIPM encourages everyone to watch or attend the upcoming City Council hearing for the confirmation of Anne Kirkpatrick. **This hearing will occur on October 11th and the community will be provided opportunities to submit public comments and questions.**

September also included another significant hearing. Judge Morgan held a three day Rule to Show Cause on the question of whether the NOPD violated the Consent Decree in their handling of the Vappie investigation and response to the Federal Monitor's requests for the signed investigation. Over those three days, the Department of Justice and the City of New Orleans questioned witnesses and presented evidence - including two additional complaint referrals prepared and submitted by the OIPM. The OIPM highlights this point as a reminder that the submission of misconduct complaints to our office can have a huge impact on the police department. Judge Morgan has not issued a ruling yet, but the OIPM will continue to keep the public informed as this matter progresses.

In September, **the OIPM issued a formal letter addressing the New Orleans Police Department's investigation into Officer Jeffrey Vappie and the operations of the Executive Protection Team.** This report served as a bookend to the Vappie investigation and the role the OIPM played in this misconduct investigation. In the OIPM's formal letter, the OIPM evaluated the investigatory process, the final signed investigation, and provided assessments and recommendations regarding the supervision and policy of the Executive Protection Team. As the Independent Police Monitor, I said, "This misconduct investigation needed to be a candid opportunity for the NOPD to address both the individual failings of this officer and the departmental failings that existed around the Executive Protection Team. This team of officers is responsible for the important work of protecting our elected officials, but they were left unsupported by leadership and unguided by policy." That said, I joined in the praise of the investigators who faced unique challenges in this investigation; but stated that the final signed investigation did not capture the robust discussions and work that occurred over last year. Additionally, we continue to urge NOPD leadership to make the necessary systemic changes needed now: "Our office was impressed by many of the investigative decisions made by the Public Integrity Bureau investigators who were handling some novel and challenging issues; but the OIPM still has concerns with the final investigation. The OIPM is ready to partner with the NOPD where appropriate to start making the fixes necessary to create to a more accountable and supported Executive Protection Team and to improve future misconduct investigations."

Finally, the OIPM is excited to onboard new members of our team this Fall. **In September, we welcomed a new full-time Misconduct and Force Analyst and a full-time Mediation Program fellow and in October we are welcoming our new Deputy Police Monitor.** We look forward to introducing both to the ERB at the October meeting.

We are still trying to hire a Data Coordinator. This position can be found on the OIPM website or at: <http://bit.ly/OIPMJobs>. Please share with your networks to help us find high quality candidates. Thank you for your ongoing support to impact policing and uphold officer accountability.

Thank you,

*Stella Ciment*



# RELEVANT UPDATES; WORK

## Goal: Released Vappie Report

In September, the OIPM issued a formal letter addressing the New Orleans Police Department's investigation into Officer Jeffrey Vappie and the operations of the Executive Protection Team. In the OIPM's formal letter, the OIPM evaluated the investigatory process, the final signed investigation, and provided assessments and recommendations regarding the supervision and policy of the Executive Protection Team.

The OIPM was an active monitor and resource to the Public Integrity Bureau within the NOPD who conducted this investigation and provided extensive and comprehensive real time recommendations to the Bureau regarding evidence collection, witness interviews, investigative strategy, policy, practice, and supervision regarding the Executive Protection Team. During the review, the OIPM identified both shortcomings and successes in this novel investigation.

Similar to the customary OIPM review of Formal Disciplinary Investigations, in this formal letter, the OIPM evaluated the investigation conducted by the Public Integrity Bureau and adopted and endorsed recommendations from partner agencies. The OIPM also highlighted concerns and questions regarding the investigation and the application of NOPD policy. The OIPM focused our assessments on areas that have not been previously addressed by others such as the Office of the Consent Decree Monitors and the Office of the Inspector General. The OIPM is also released the NOPD drafted response to the OIPM assessments.



### Report Release

The OIPM released final assessments and recommendations on the misconduct investigation of Officer Vappie and the NOPD's Executive Protection Team.

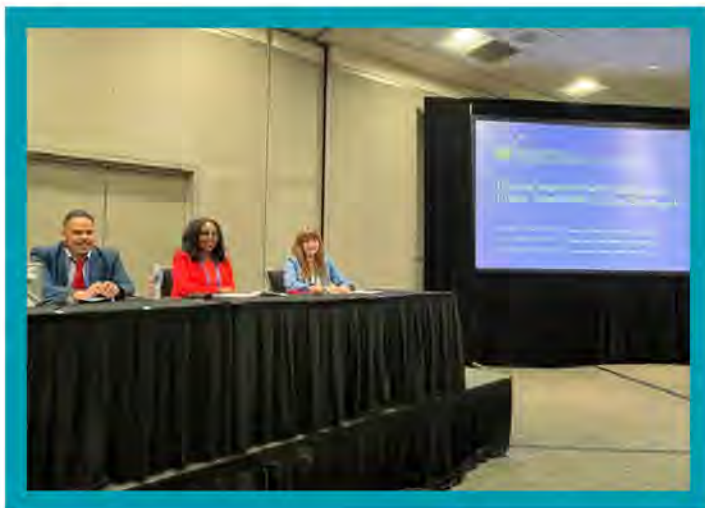
This report included critical evaluation of the misconduct investigation, adopted and new recommendations on investigative practice and policy and supervision for the Executive Protection Team.

Document available on the OIPM website. Link in bio.

 Office of the Independent Police Monitor  
www.nolaipm.gov | 504.309.9799

## Goal: Led Panel at the International City / County Management Association Conference

In September, the IPM presented at the International City / County Management Association Conference along with Hansel Aguilar, Director of Police Accountability in Berkeley, CA, and Mummi Ibrahim, Independent Policing Auditor of Arlington County, VA. We presented about how civilian oversight can improve public safety and public trust. It was great to be in front of city leaders from across the country and discuss how civilian oversight can benefit municipalities.





# 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	91	51	49	51	66	22	30	44.83
Police Complaint Count	1	1	4	5	2	5	2	3.17
Civilian w/in NOPD	0	0	1	1	0	0	0	0.33
Anonymous Complaint	17	24	19	25	0	0	0	11.33
Criminal Case Liaison Count	28	12	20	33	15	3	6	14.83
Case Monitoring Count	4	7	4	9	0	9	8	6.17
Case Review Count	1	4	4	2	4	8	0	3.67
Contact Only Count	42	27	17	28	14	2	4	15.33
Disciplinary Hearing Count	38	47	20	54	39	53	23	39.33
Critical Incident Count	3	7	7	9	8	5	7	7.17
Firearm Discharge Count *	2	5	6	8	7	3	4	5.50
Lvl 4 Non-Critical	7	17	6	8	0	0	0	5.17
Force Monitoring	1	0	0	0	0	0	0	
Mediation Count	24	17	18	27	26	19	24	21.83
Commendation Count	5	0	8	1	4	1	2	3.20
<b>Grand Total</b>	<b>264</b>	<b>219</b>	<b>183</b>	<b>261</b>	<b>185</b>	<b>130</b>	<b>110</b>	<b>181.8666667</b>

	Sept 2023	Sept 2022	Sept 2021	Sept 2020	Sept 2019	Sept 2018	Sept 2017	2017-2022 Average
Citizen Complaint Count	14	7	2	3		11	5	5.17
Police Complaint Count	1	0	0	3		1	1	0.83
Civilian w/in NOPD	0	0	0	1				0.33
Anonymous Complaint	6	1	0	2				1.00
Community Liaison Count	3	1	1	4		0		1.50
Case Monitoring Count	1	0	0	0		0	0	0.00
Case Review Count	0	0	0	0		0	0	0.00
Contact Only Count	7	2	3	1		0	0	1.00
Disciplinary Hearing Count	5	5	0	12		1	0	3.33
Critical Incident Count *	0	0	0	0		0	0	0.17
Firearm Discharge Count	0	0	0	0		0	0	0.17
Lvl 4 Non-Critical	0	1	0	0				0.33
Force Monitoring	0	0	0	0		0		
Mediation Count	2	3	3	2		1	3	2.50
Commendation Count	0	0	2	0		0	1	0.50
<b>Grand Total</b>	<b>39</b>	<b>20</b>	<b>11</b>	<b>28</b>		<b>14</b>	<b>10</b>	<b>15.50</b>

\*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
<b>2022 Total OIPM Budget</b>	<b>\$1,169,582.00</b>
<b>2022 Total OIPM Budget</b>	<b>\$1,169,582.00</b>
Amounts Spent to Date:	\$718,784.00
<b>Unexpended funds</b>	<b>\$450,798.00</b>



# 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:

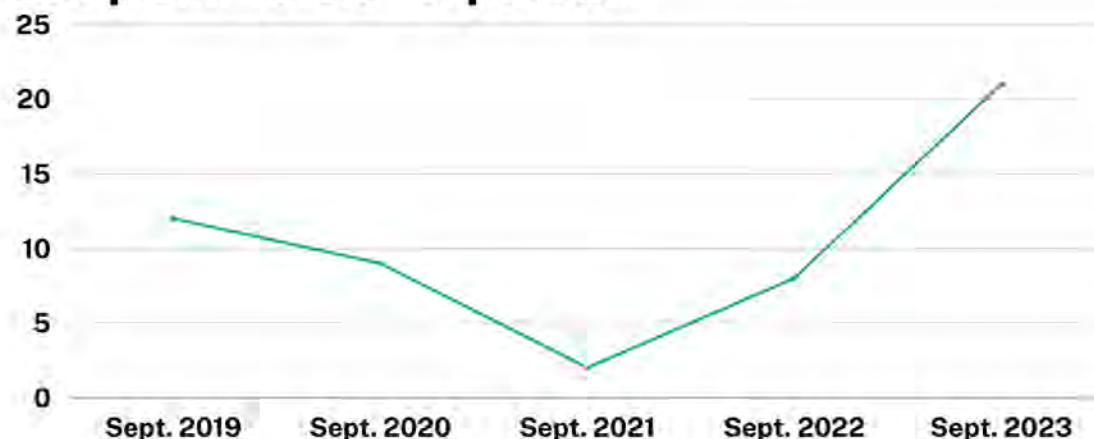
- Use of Force
- Abuse of Authority such as unlawful searches and seizures, premises enter and search, no warrant, threat to notify child services, threats to damage of property, etc., refusal to take complaint, refuse to identify themselves, damages to property seized
- Failure to supervise
- Falsification 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 - September



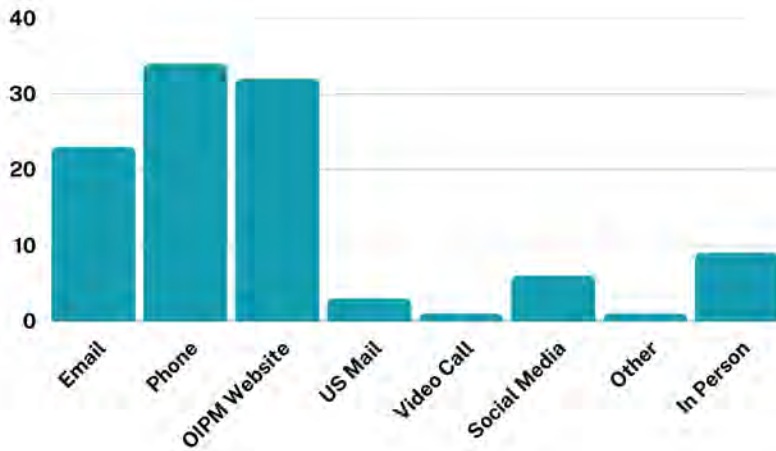
**21**

**Total Complaints  
Received this  
month**

**109**

**Total Complaints  
Received This  
Year**

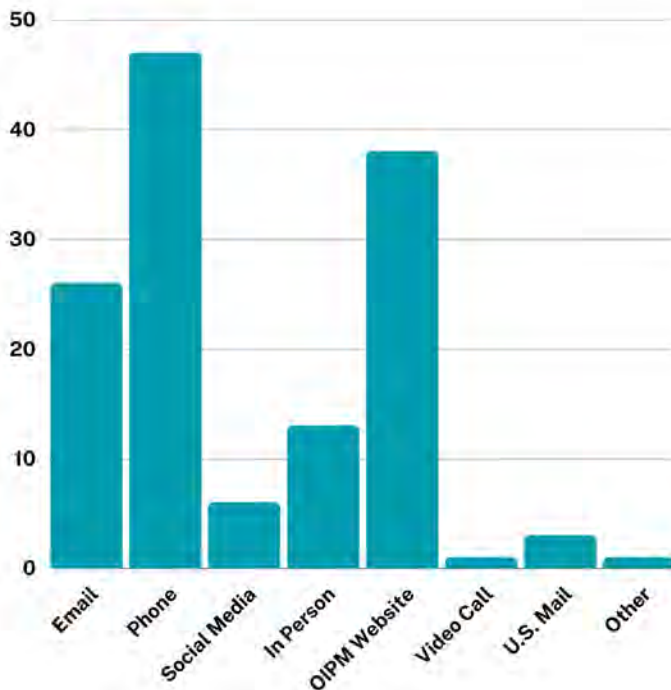
## Complaint Intake Source - 2023



## Complainant Type - 2023



## Complaint Intake Source - Past 12 Months



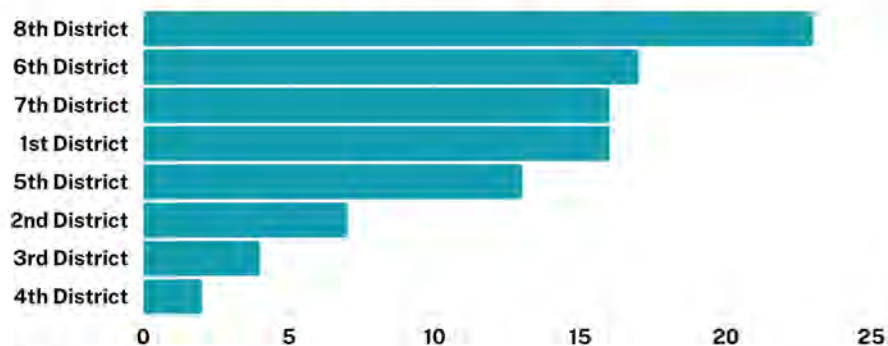
## Complainant Type - Past 12 Months



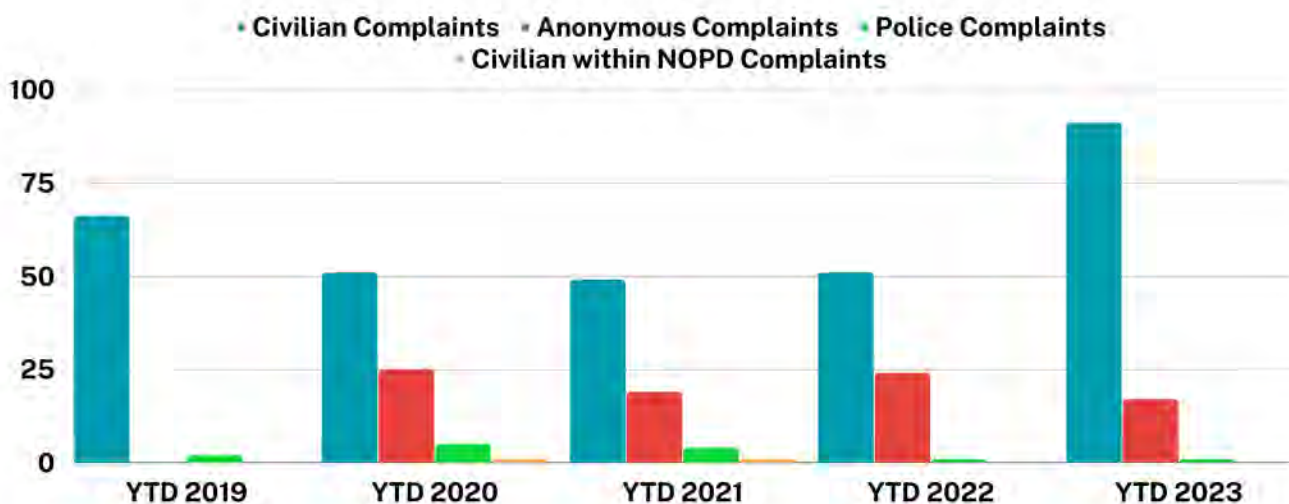


## Districts - Past 12 Months

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.

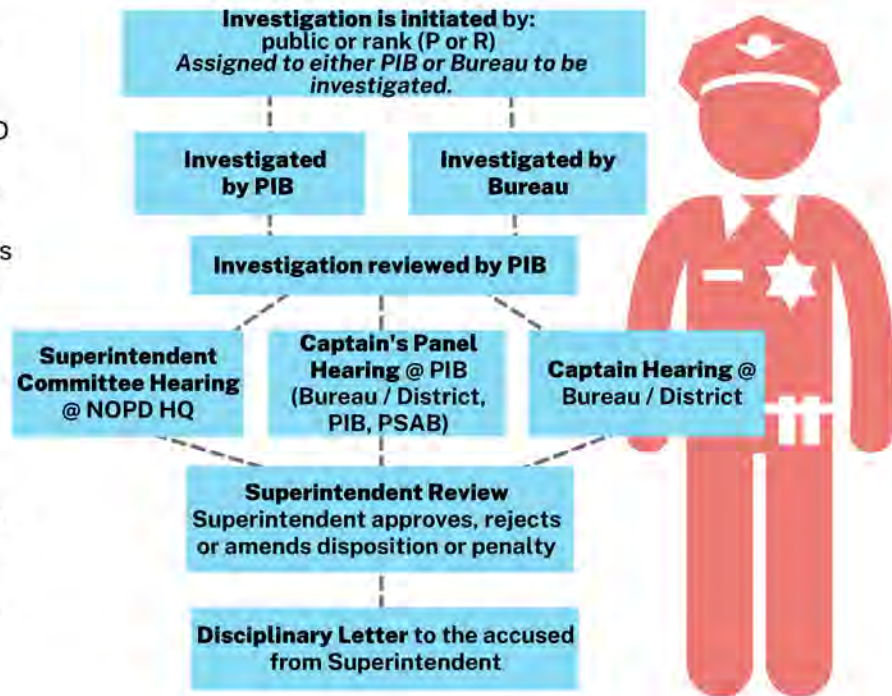


## Complaint Type YTD - 2019, 2020, 2021, 2022, 2023



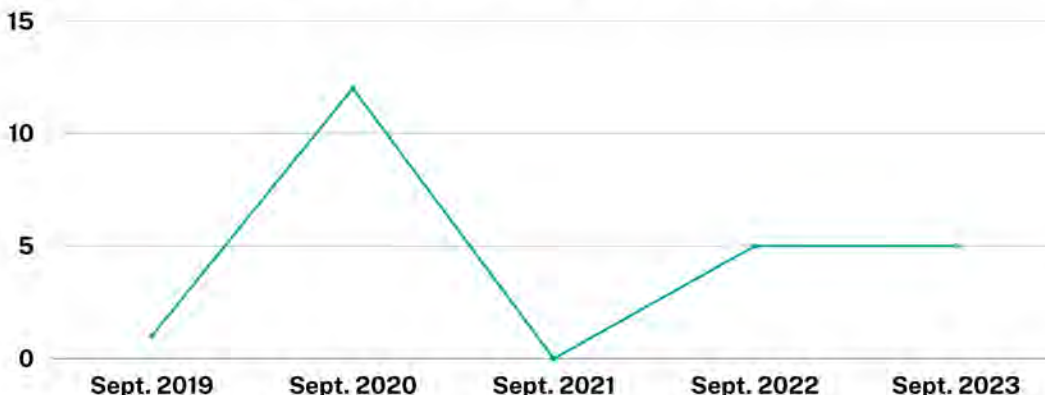
# DISCIPLINARY PROCEEDINGS

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 - September



**5**

**Total Disciplinary Cases 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. Additionally, this figure does not account for investigations in which multiple officers are accused, or for hearing notifications received in a prior year but rescheduled to the current month. 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

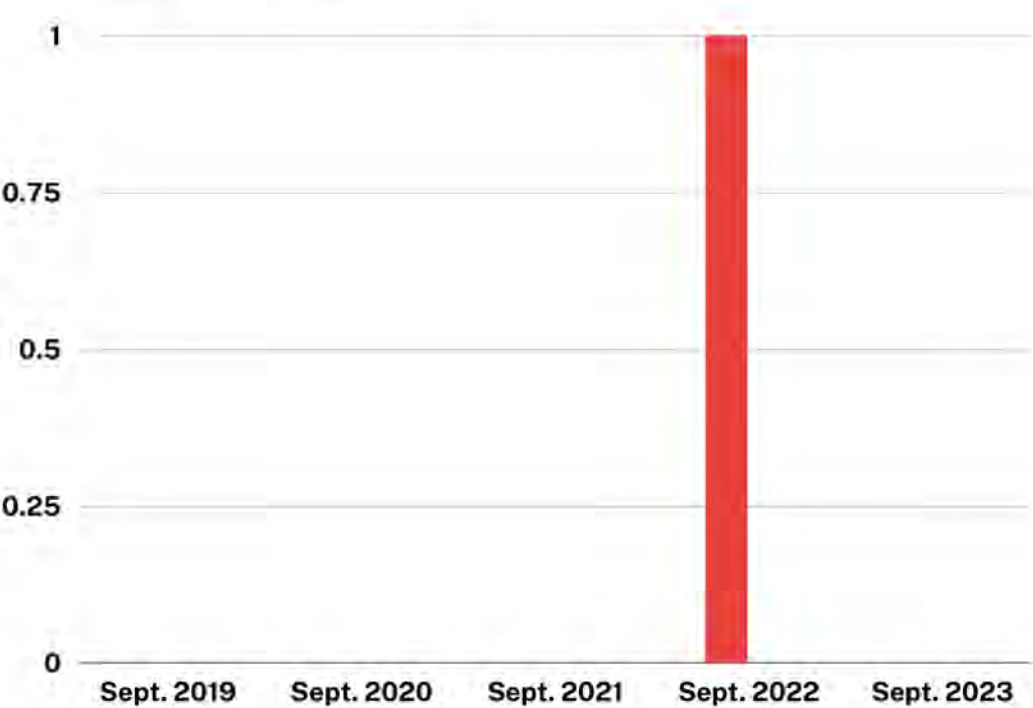


# Use of Force Work

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



- Firearm Discharge
- Level 4 Non-Critical Incident Force

- Critical Incident
- Force Monitoring

0  
Firearm Discharge this month

0  
Critical Incidents this month

0  
Level 4 Non-Critical Use of Force this month

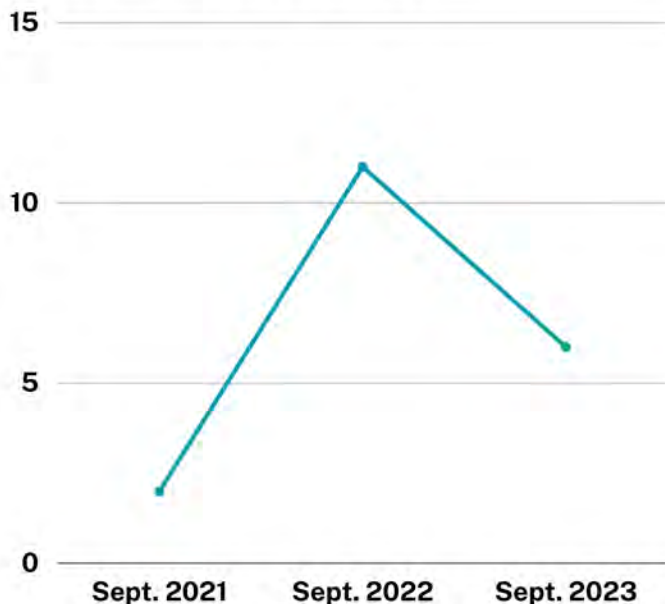
0  
Force Monitoring this month



# 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 - September 2021, 2022, 2023



### Outreach Events

- Participated in Panel titled: "How Civilian Oversight can Improve Public Safety and Trust" at the International County / City Management Association conference
- Interview with WGNO on the release of the Vappie Letter
- Attended the Metropolitan Crime Commission Excellence in Law Enforcement Luncheon
- Taught 2 hour professional development class to mediators on 9/12 on Zoom
- Mediator Meet and Greet on 9/26 at Val's (Freret Street)
- Consultation meetings on best practices in community-police mediation with Dallas Fort Worth Police Monitor and Seattle Office of Police Accountability



# 6

## Total Outreach Events this Month



Above, the OIPM's Director of the Community-Police Mediation Program leads an active listening course at the NOPD Academy.

Below and below left are photos of the OIPM's new Misconduct and Force Analyst, Morenike Erinkitola, speaking on a panel about communities and law enforcement at St. Thomas University.





# 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.

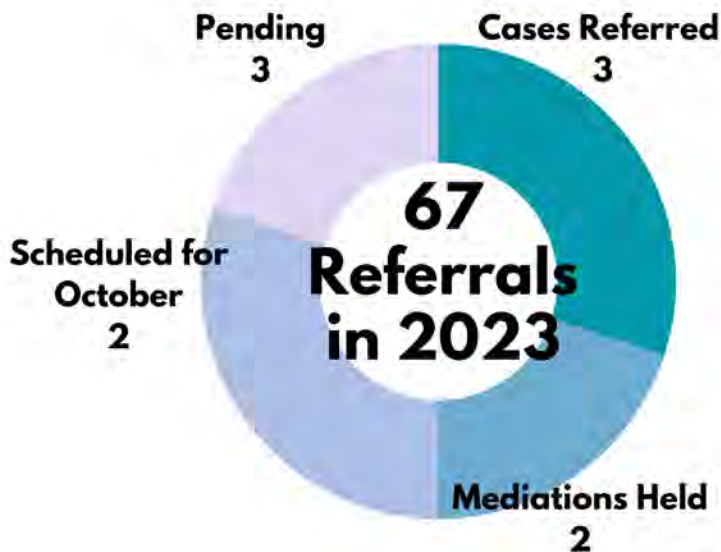
### Mediator

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 September



## 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.

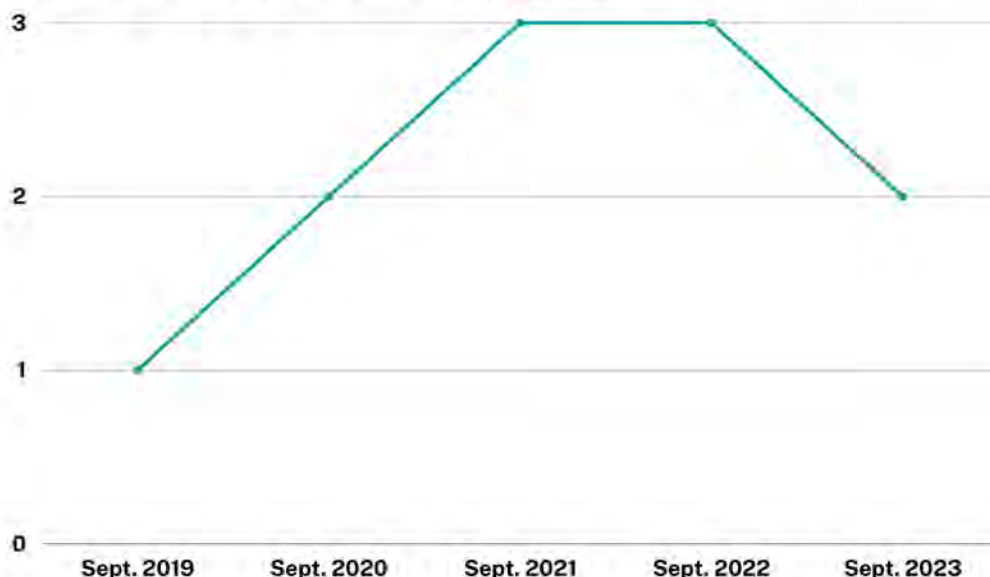
**Non-judgmental**  
**Confidential**  
**Voluntary**



### 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.

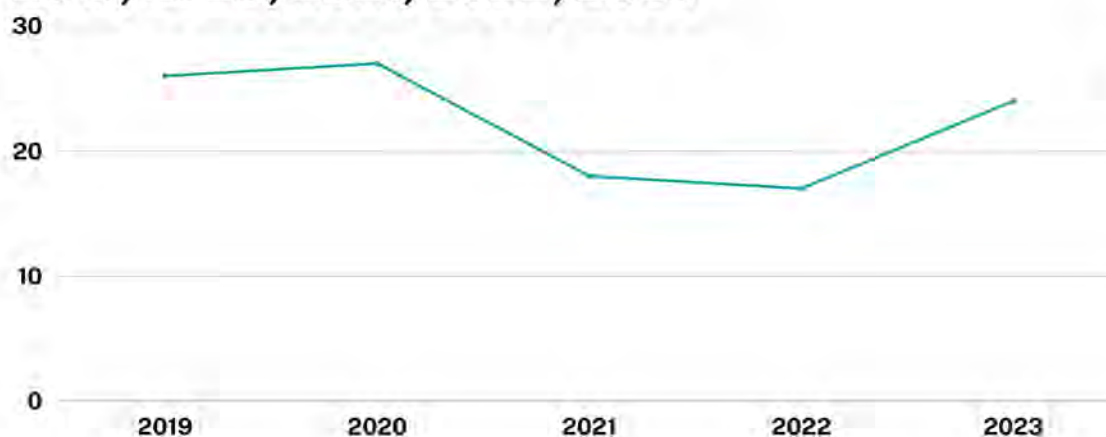
### Mediations Held This Month 2019, 2020, 2021, 2022, 2023



**2**

**Total Mediations  
Held this month**

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



**24**

**Total Mediations  
Held YTD**



# CONSENT DECREE & OVERSIGHT BACKGROUND

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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.

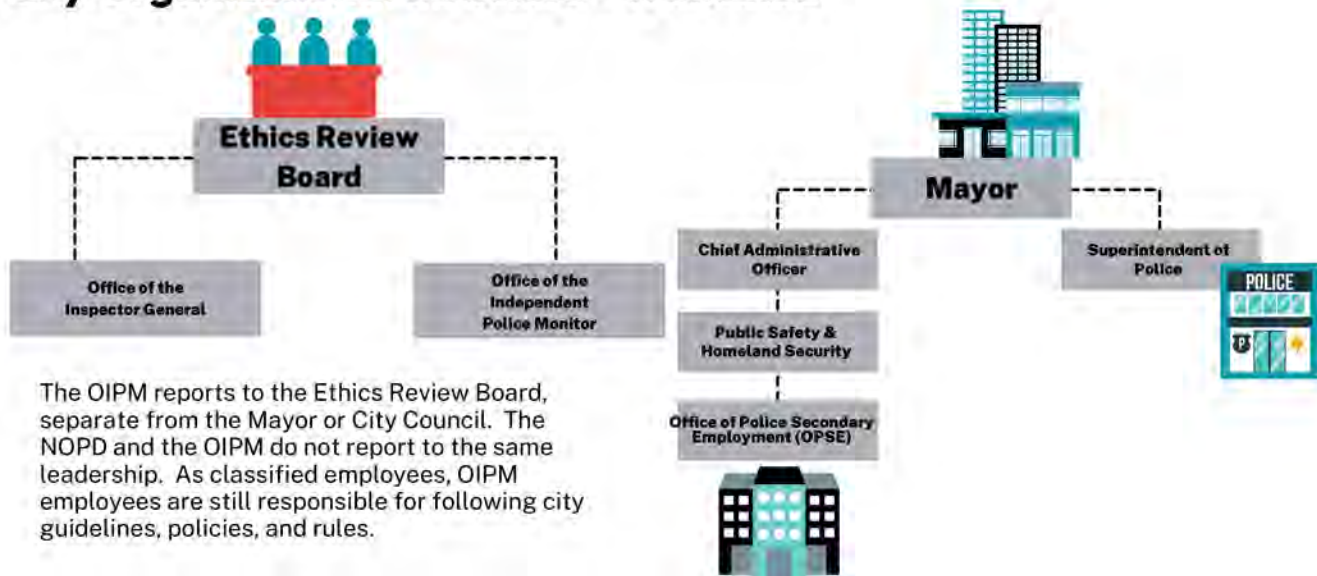
## **Ordinance 29130: Sharing of Data**

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.

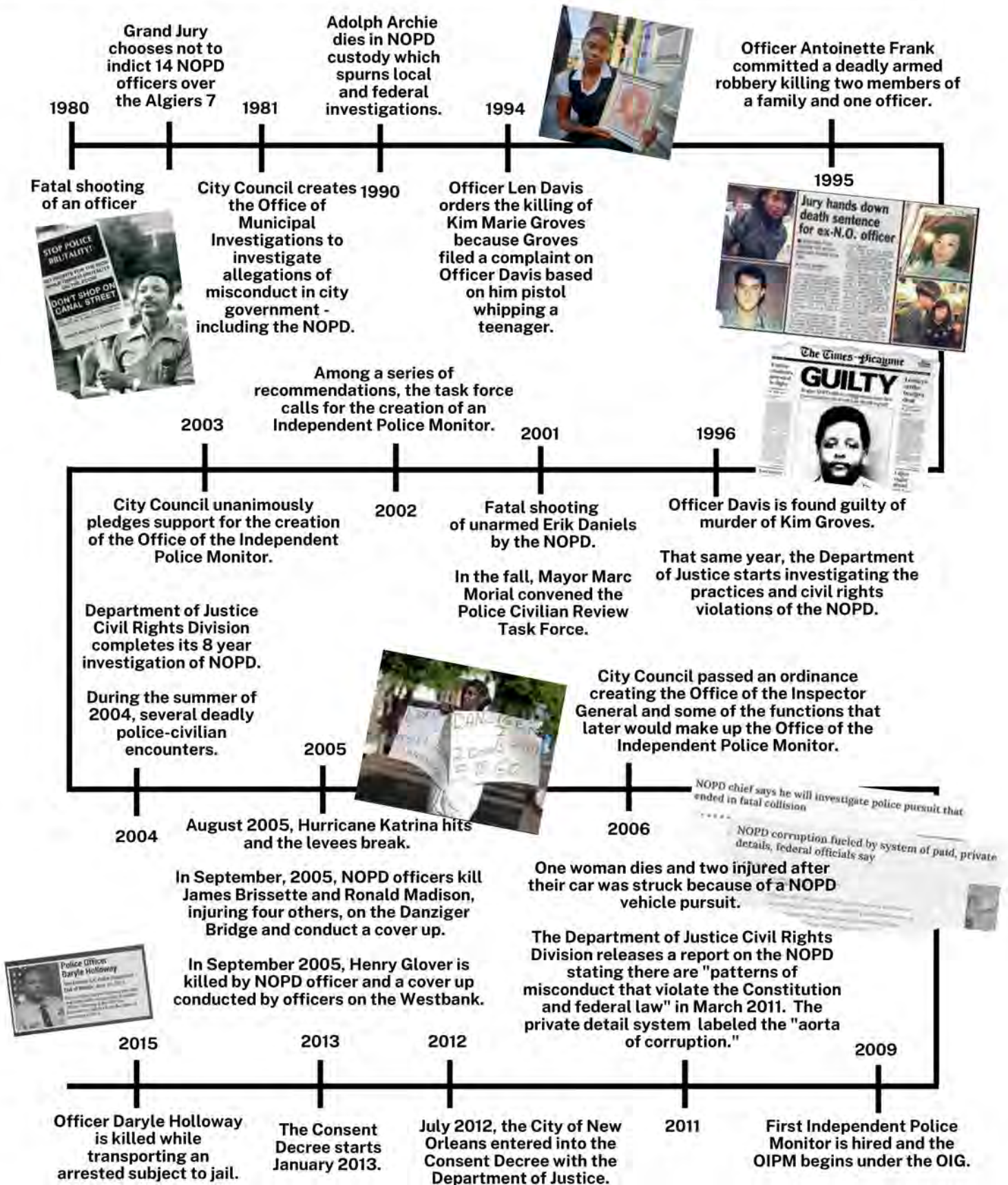
## City Organizational Structure - Truncated



- ## Different Reasons Why There is Oversight / Monitors



# 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

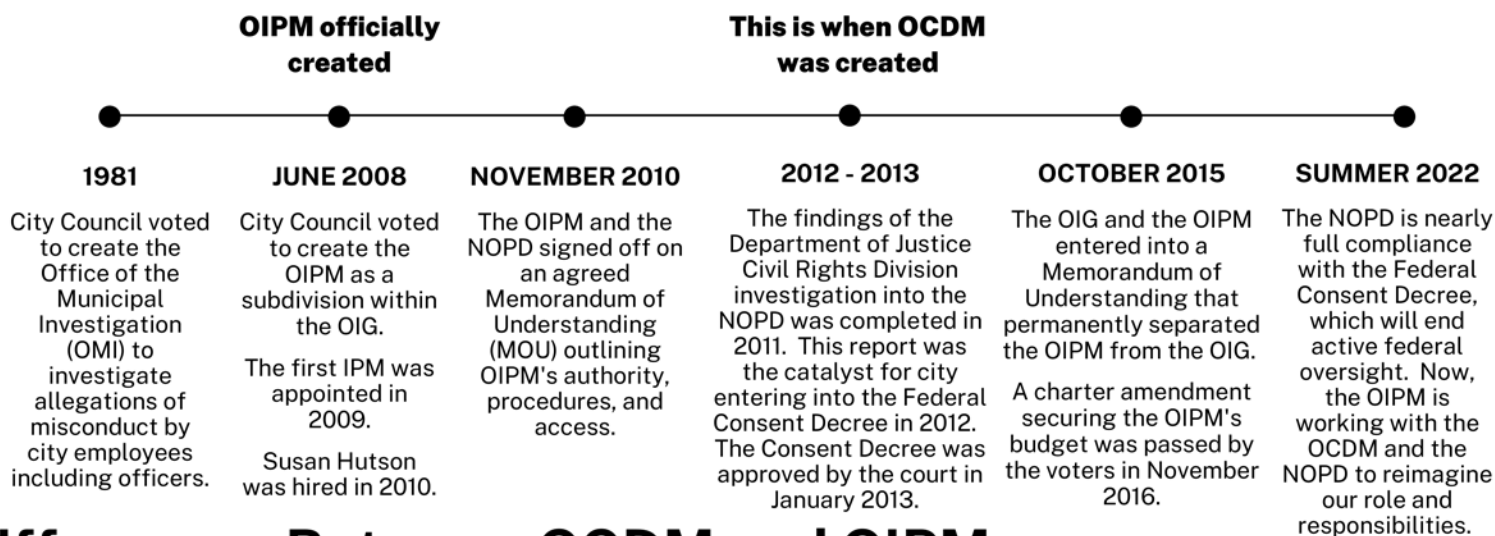
There are two types of monitors in New Orleans. There are three reasons why a city may have oversight or monitoring:

- 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

### Office of the Independent Police Monitor (OIPM)

- Created by City Council and receives jurisdiction and responsibilities from Ordinance.
- Everyone in the office is a city employee.
- On the ground and community based work - complaint intake site, runs the Community-Police Mediation Program,
- On scene monitoring including Use of Force and disciplinary proceedings.
- Provides recommendations and assessments based on reviews of finalized NOPD investigations and policies.
- Monitors investigations in real time and provides real time recommendations that become exhibits in NOPD investigations.
- Analyzes data and builds tools that will benefit the community and increase transparency.
- Funded through .16% of the general fund

### Office of the Consent Decree Monitor (OCDM)

- Appointed created by the Consent Decree and receives jurisdiction and responsibilities from the Consent Decree.
- Law firm bid on the city contract to monitor the compliance with the Consent Decree. Predominantly monitors from out of state. No one is employed by the city.
- NOPD needs present all policy rewrites and practice changes to OCDM for approval.
- OCDM worked with the Dept. of Justice to finalize all recommendations then presents to Judge Morgan for final sign off.
- OCDM conducted audits to determine NOPD compliance with the changes.
- Only focuses on matters identified in the Consent Decree.
- Monitors are paid through a contract that was entered into with the city as a necessity of the Consent Decree (Section O: Selection and Compensation of the Monitor)

The overlap between OIPM and OCDM is in policy recommendations, monitoring audits, and creating public reports or holding public forums.



# OFFICE OF THE INDEPENDENT POLICE MONITOR

## MONTHLY REPORT

**August 2023**

**I am  
what  
oversight  
looks like**

OFFICE OF THE INDEPENDENT  
POLICE MONITOR

# LETTER TO THE COMMUNITY

Dear New Orleans Community,

On August 29, 2005, Hurricane Katrina made landfall and New Orleans was forever changed. Now, over a decade later, we reflect on the lasting impact of Hurricane Katrina. In the wake of the storm, were egregious acts committed by former NOPD officers that also forever influenced this city, including the - w murders of James Brissette and Ronald Madison on Danziger Bridge and the murder of Henry Glover on the Westbank. I reflect on these events and how they touched on all New Orleanians and our relationship with the police. The murders committed by NOPD officers and the coverups that occurred afterwards cast a long shadow and[JG1] it is one that police oversight must always acknowledge in our work.

To ensure accountability during every hurricane and storm to follow, the OIPM prepared and released a comprehensive oversight strategy to be implemented during storms and in the immediate recovery afterwards: the OIPM Hurricane and Oversight Plan. The OIPM's hurricane plan reviews the NOPD's Hurricane Policing Plan and creates clear and detailed rubrics on how the OIPM will both monitor and evaluate all policing actions regarding anti-looting protocol and curfews, use of force, and alleged misconduct that may occur. This plan is presented to the NOPD and then released to the public. You can now access this plan on our website: [bit.ly/2023HurricaneOversightPlan](https://bit.ly/2023HurricaneOversightPlan). We encourage you to review this plan along with the report the OIPM wrote on the NOPD's performance during Hurricane Ida to learn more about how the NOPD has put new reforms into place to ensure accountability and effective policing during storms.

In August, the OIPM participated in the review and approval of the Education and Training Division's Annual Master Training Plan (AMTP) for the upcoming year. As a member of the NOPD's Training Advisory Committee, the OIPM has an opportunity to provide input and feedback on the training that is required of officers, identify gaps, and make recommendations. This year, the OIPM is pleased to note that the Academy has followed our recommendation to continue to collaborate with our office on providing Active Listening training to new supervisors. Our office will also be helping to develop a new Core In-Service course "To Protect and to Serve" on improving professionalism and interpersonal communication skills. Additionally, the Academy adopted recommendations made by the OIPM to train officers on how to identify and engage with individuals with autism, intellectual disabilities, and neuro-divergent issues, who often exhibit behavior that can be misunderstood. Finally, the Master Plan also includes OIPM's recommendation that the NOPD work with the District Attorney's Office to provide more trainings on how police officers can contribute to more effective prosecution.

We enjoyed meeting you over coffee this month at our most recent Coffee with the IPM event at the PJ's on Read Blvd in New Orleans East. This event is an informal way to meet OIPM leadership and talk to us about policing concerns and learn more about police oversight. This month we were pleased to see so many residents come out and talk to us and share their experiences. We also appreciated the appearance of both Chief Woodfork and Captain DeLarge of the 7th District. These coffees are just one way we are able to connect with you and we hope you can continue to join us at events like this moving forward.

Another informational event that we held this month was a presentation for the participants of the NOPD's Citizen's Academy. This presentation led to a robust discussion about the NOPD, the role of oversight, and policing concerns and policy. Our office appreciated the opportunity to engage with this program.

Finally, the OIPM is excited to onboard new members of our team this Fall. In September, we have a new full-time Misconduct and Force Analyst and a full-time Mediation Program fellow joining us. We are currently hiring a Data Coordinator position. All available positions are on the OIPM website or can be found at: [http://bit.ly/OIPMJobs](https://bit.ly/OIPMJobs). Please share with your networks to help us find high quality candidates. Thank you for your ongoing support to impact policing and uphold officer accountability.

Thank you,





## RELEVANT UPDATES; WORK

## Goal: NOPD Academy Adopted the OIPM's Officer Training Recommendations

During the summer, the Director of the OIPM Community-Police Mediation Program, Jules Griff, and the Deputy and IPM provided feedback and input to the NOPD Academy's Director of Curriculum on programing that would be beneficial to new and experienced officers. During the month of August, the OIPM participated as a member of the Training Academy's Advisory Committee to review the final Annual Master Training Plan for 2024 and many of the recommendations submitted over summer were adopted into the plan. These recommendations include offering a course taught in partnership with the District Attorney's Office (so to ensure successful criminal prosecutions through better police reports), a course to train officers on how to engage with individuals with developmental disabilities that may influence police responses and abilities for the individual to under or comply with commands, and the Academy requested to continue to collaborate with the OIPM on providing Active Listening training to new supervisors.



## Goal: Led Training for Investigators at the NOPD Academy

For the second time this year, the IPM, Stella Cziment, presented to investigators in the Field Operations Bureau and the Public Integrity Bureau of NOPD about the role of the OIPM in misconduct and force investigations and how we review and monitor formal disciplinary investigations. There was robust discussion on how to investigate allegations of police misconduct under a Consent Decree and comprehensive investigatory tactics including how to determine what is relevant to investigations, what is mitigating or aggravating factors, and what should be considered in credibility determinations. The IPM also discussed why the NOPD disciplinary decisions are being overturned in Civil Service and what lessons should be learned from those appeals in how misconduct investigations are handled.



**Goal: Continue to Comply with Ordinance 29063:  
Quarterly Presentations to the Criminal Justice  
Committee of City Council**

In August, the IPM appeared before the Criminal Justice Committee of City Council to update them on recent projects including the progress of the OIPM's report on the "Vappie Investigation," the release of the OIPM's Hurricane and Declared Emergency Oversight Plan, and the OIPM's position on the NOPD chief search and the request to better engage the community in that leadership search. The IPM also presented a data snapshot of oversight work completed in the third quarter of the year. This presentation is an opportunity to address City Council and the community and continue to inform all of our role, responsibilities, and operations.





# 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	78	44	47	48	55	17	27	39.67
Police Complaint Count	0	1	4	2	1	4	2	2.33
Civilian w/in NOPD	0	0	1	0	0	0	0	0.17
Anonymous Complaint	11	23	19	23	0	0	0	10.83
Criminal Case Liaison Count	25	11	19	29	15	3	6	13.83
Case Monitoring Count	3	7	4	9	0	9	8	6.17
Case Review Count	1	4	4	2	4	8	0	3.67
Contact Only Count	34	25	14	27	14	2	4	14.33
Disciplinary Hearing Count	33	42	20	42	38	53	21	36.00
Critical Incident Count	3	7	7	9	8	5	6	7.00
Firearm Discharge Count	2	5	6	8	7	3	3	5.33
Lvl 4 Non-Critical	7	16	6	8	0	0	0	5.00
Force Monitoring*	1	0	0	0	0	0	0	
Mediation Count	22	14	15	25	25	16	21	19.33
Commendation Count	5	0	6	1	4	0	2	2.60
<b>Grand Total</b>	<b>225</b>	<b>199</b>	<b>172</b>	<b>233</b>	<b>171</b>	<b>120</b>	<b>100</b>	<b>166.266667</b>

	Aug 2023	Aug 2022	Aug 2021	Aug 2020	Aug 2019	Aug 2018	Aug 2017	2017-2022 Average
Civilian Complaint Count	11	4	7	3	8	5	7	5.67
Police Complaint Count	0	1	0	2	1			1.00
Civilian w/in NOPD	0	0	0	0				0.00
Anonymous Complaint	1	2	0	1				1.00
Criminal Case Liaison Count	4	1	1	2	1	1	0	1.00
Case Monitoring Count	0	0	1	1	0	0	2	0.67
Case Review Count	0	0	0	0	0	5	0	0.83
Contact Only Count	5	5	2	1	0	0	0	1.33
Disciplinary Hearing Count	4	14	2	2	2	1	4	4.17
Critical Incident Count	0	0	0	0	0	1	0	0.17
Firearm Discharge Count	0	0	2	0	0	1	0	0.50
Lvl 4 Non-Critical	1	6	2	0				2.67
Force Monitoring*	0							
Mediation Count	3	1	0	4	0	2	0	1.40
Commendation Count	2	0	3	0	3			1.50
<b>Grand Total</b>	<b>31</b>	<b>34</b>	<b>20</b>	<b>16</b>	<b>15</b>	<b>16</b>	<b>13</b>	<b>19.00</b>

\*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
2022 Total OIPM Budget	\$1,169,582.00
2022 Total OIPM Budget	\$1,169,582.00
Amounts Spent to Date:	(\$503,213.00)
Unexpended funds	\$666,369.00

# 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:

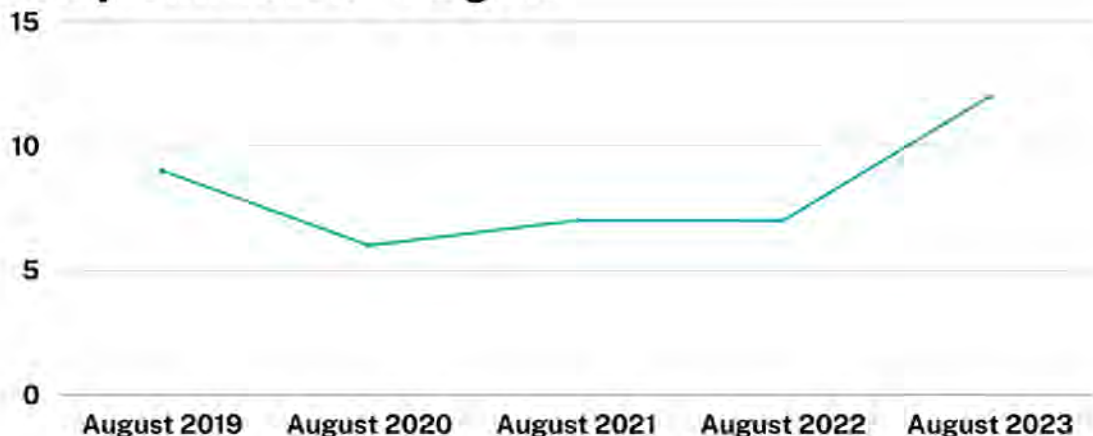
- Use of Force
- Abuse of Authority such as unlawful searches and seizures, premises enter and search, no warrant, threat to notify child services, threats to damage of property, etc., refusal to take complaint, refuse to identify themselves, damages to property seized
- Failure to supervise
- Falsification 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 - August



**12**

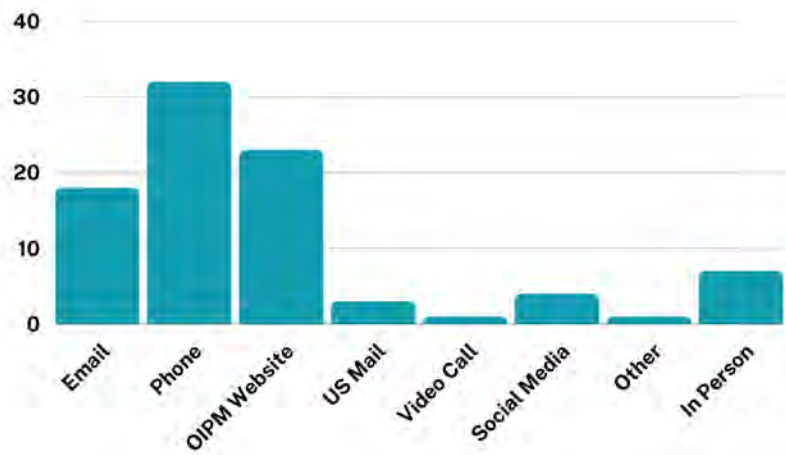
**Total Complaints  
Received this  
month**

**89**

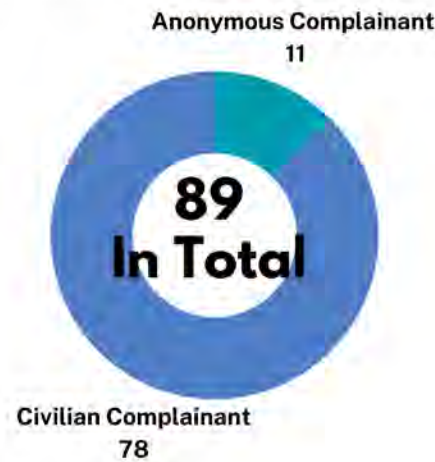
**Total Complaints  
Received This  
Year**



### Complaint Intake Source - 2023

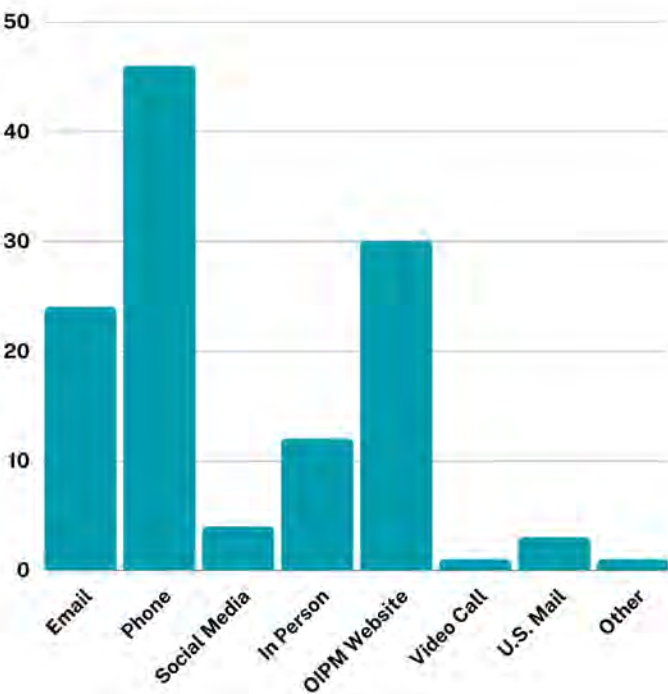


### Complainant Type - 2023

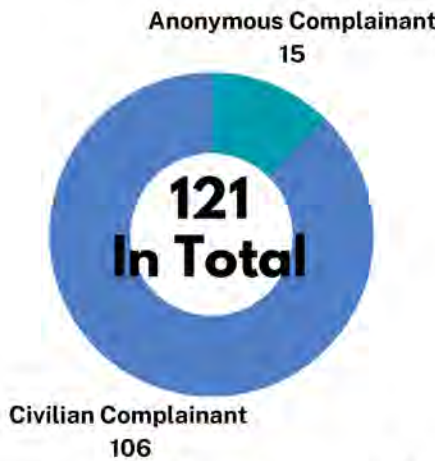


**Anonymous Complainant: 12%**  
**Civilian Complainant: 88%**

### Complaint Intake Source - Past 12 Months



### Complainant Type - Past 12 Months



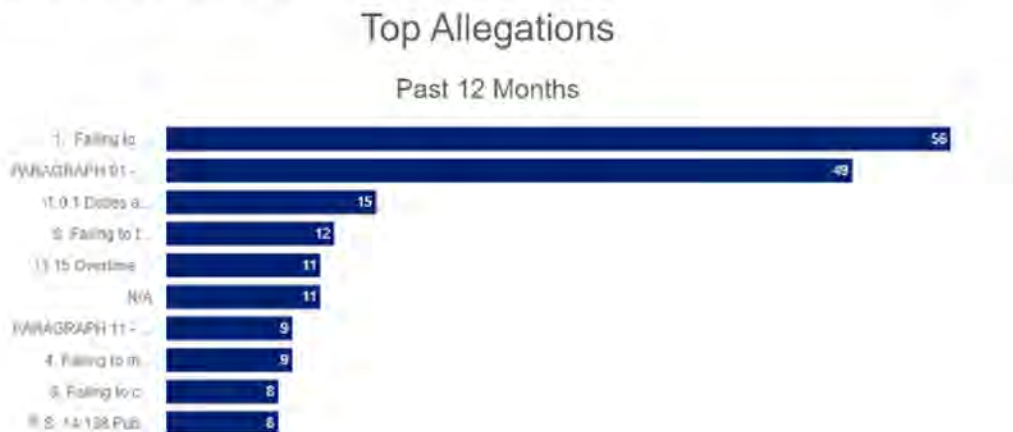
**Anonymous Complainant: 12.4%**  
**Civilian Complainant: 87.6%**

## Complainant Type - Past 12 Months



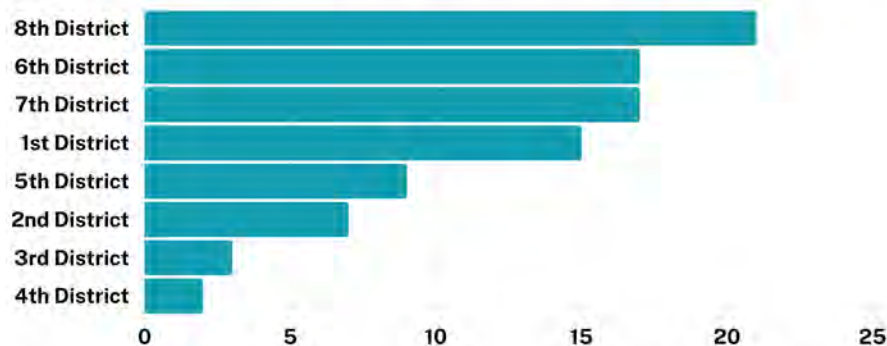
## Top Allegations - Past 12 Months

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

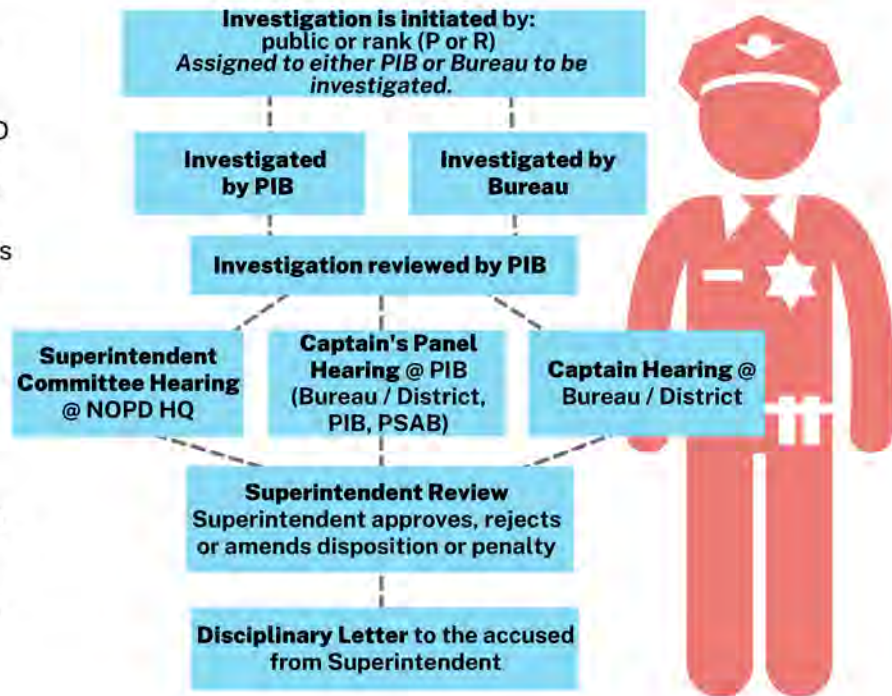
This chart communicates where the alleged misconduct occurred by police district. This requires the misconduct to occur in a physical space (instead of an incident that occurs over the phone or internet for example). This is based on complainant disclosure and the OIPM tries to verify this information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





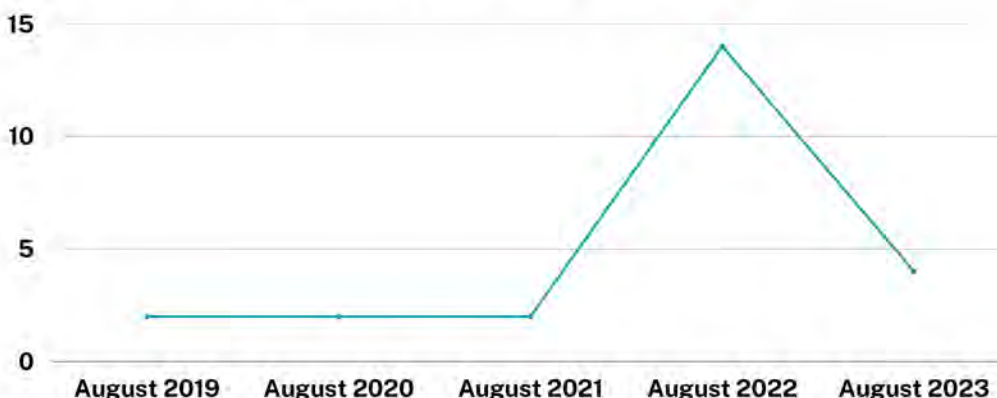
# DISCIPLINARY PROCEEDINGS

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 - August



**4**

**Total Disciplinary Cases Received this month that included Hearings for 10 Officers**

OIPM tracks Disciplinary Proceedings based on the date notice is received from NOPD and not necessarily on when the disciplinary proceeding occurs. Additionally, this figure does not account for investigations in which multiple officers are accused, or for hearing notifications received in a prior year but rescheduled to the current month. 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



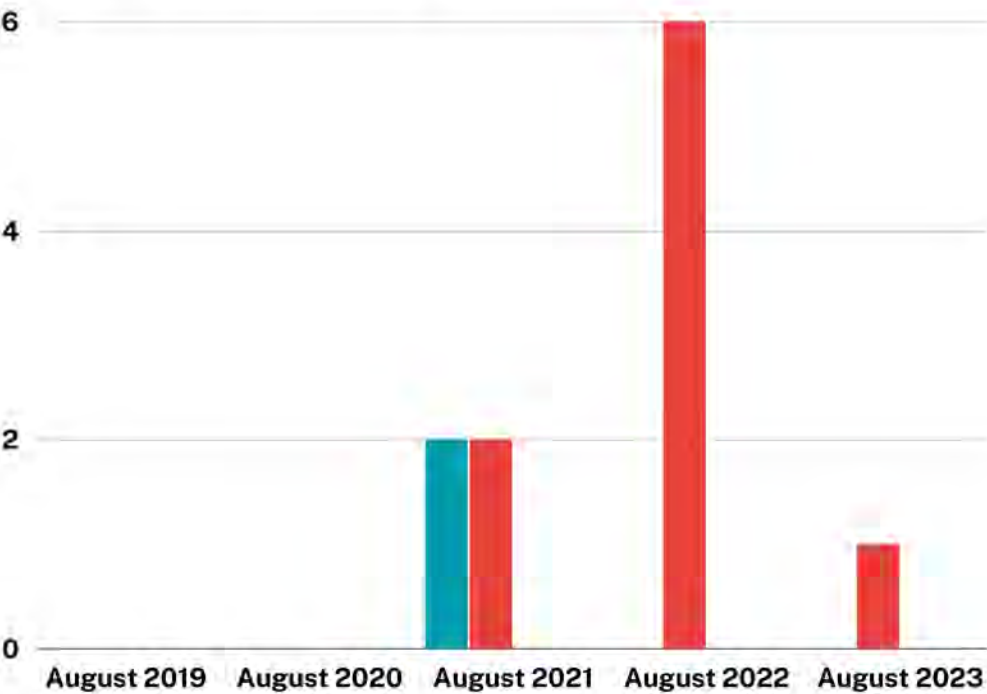


# Use of Force Work

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



Firearm Discharge  
Level 4 Non-Critical Incident Force

Critical Incident  
Force Monitoring

0  
Firearm Discharge this month

0  
Critical Incidents this month

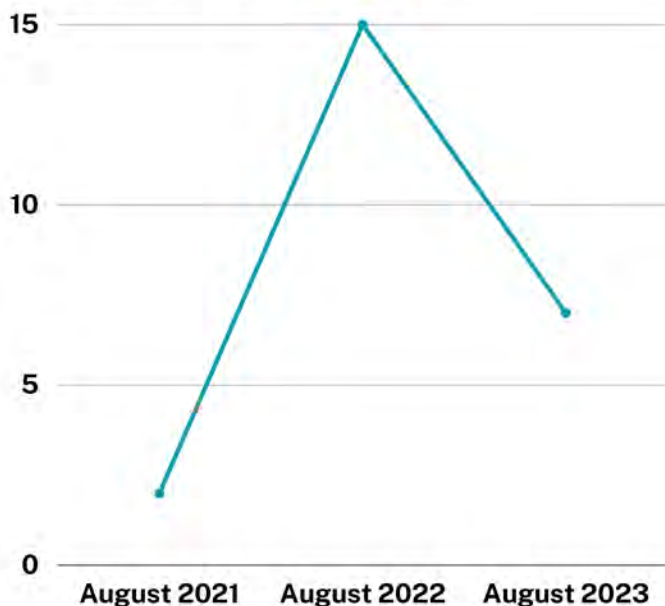
1  
Level 4 Non-Critical Use of Force this month

0  
Force Monitoring this month

# 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 - August 2021, 2022, 2023



### Outreach Events

- Meeting with the New Orleans United Front
- NOPD Academy Graduation of Class 197 at Dillard University
- Meeting with MaCCNO regarding 8th District Concerns
- Presented to the Citizen Police Academy at NOPD Academy
- Coffee w/ the IPM at the PJ's Coffee on Read Blvd
- Presented to the City Council Criminal Justice Committee
- Taught 4-hour class on Active Listening and Mediation at PIB new supervisor class at Academy



# 6

## Total Outreach Events this Month



In August, the OIPM presented to the Criminal Justice Committee of City Council. Above is the Instagram post from that presentation to the public.

Below, is the Instagram post and photos from the Coffee with the IPM event held at the PJ's Coffee on Read Blvd. in New Orleans East.





# 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 August



## 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.

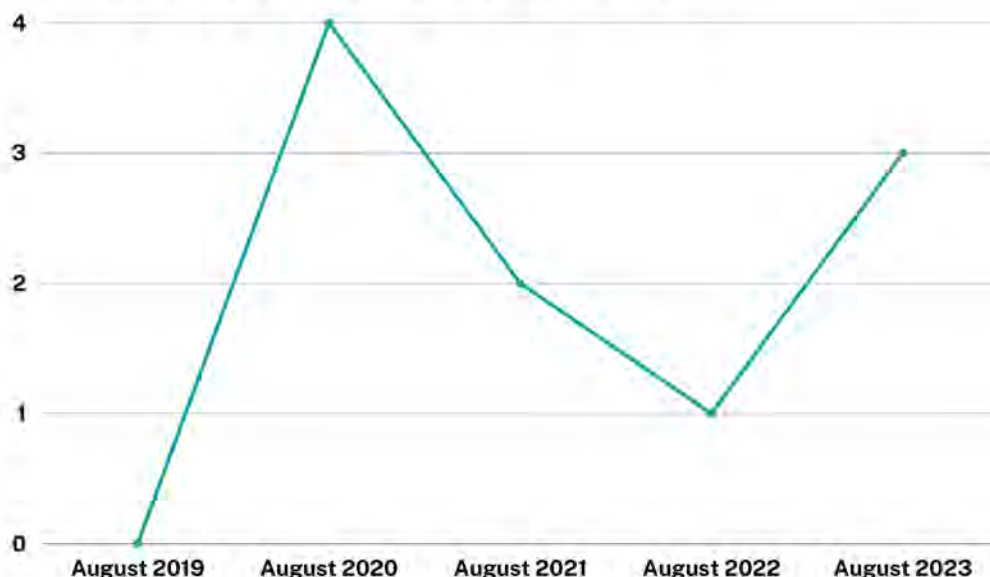
**Non-judgmental**  
**Confidential**  
**Voluntary**



### 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.

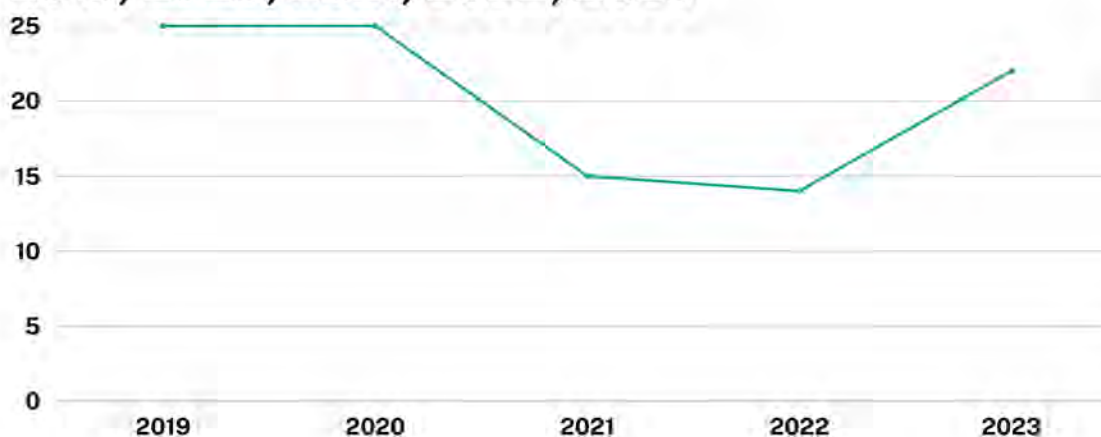
### Mediations Held This Month 2019, 2020, 2021, 2022, 2023



**3**

**Total Mediations  
Held this month**

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



**22**

**Total Mediations  
Held YTD**



# CONSENT DECREE & OVERSIGHT BACKGROUND

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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.

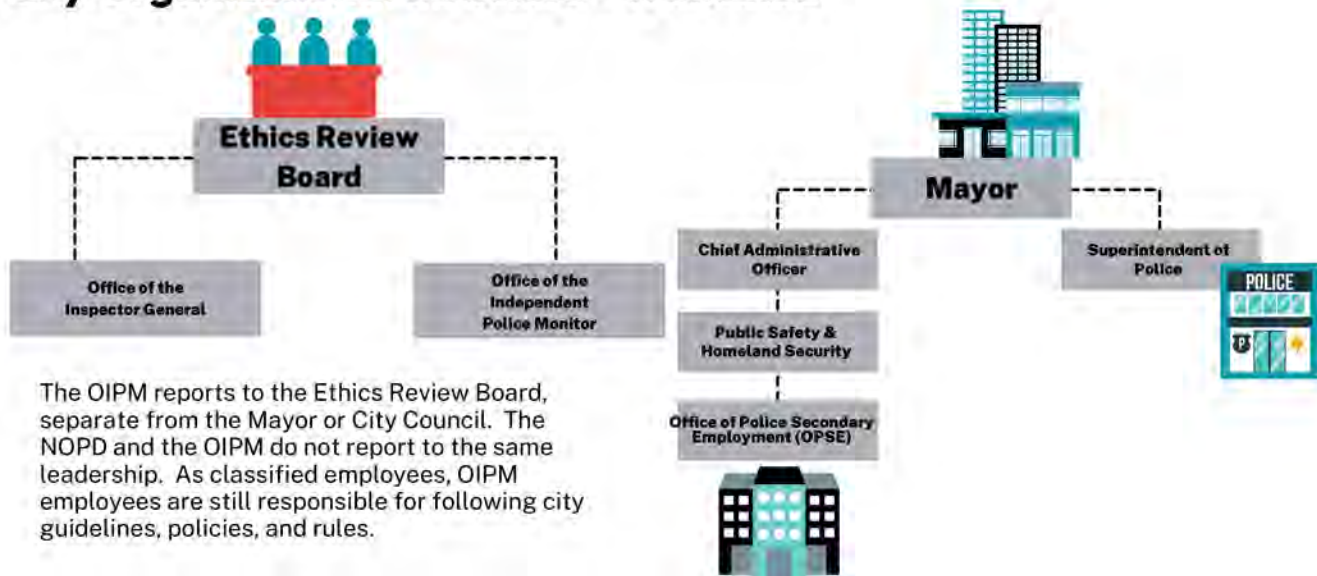
## **Ordinance 29130: Sharing of Data**

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.

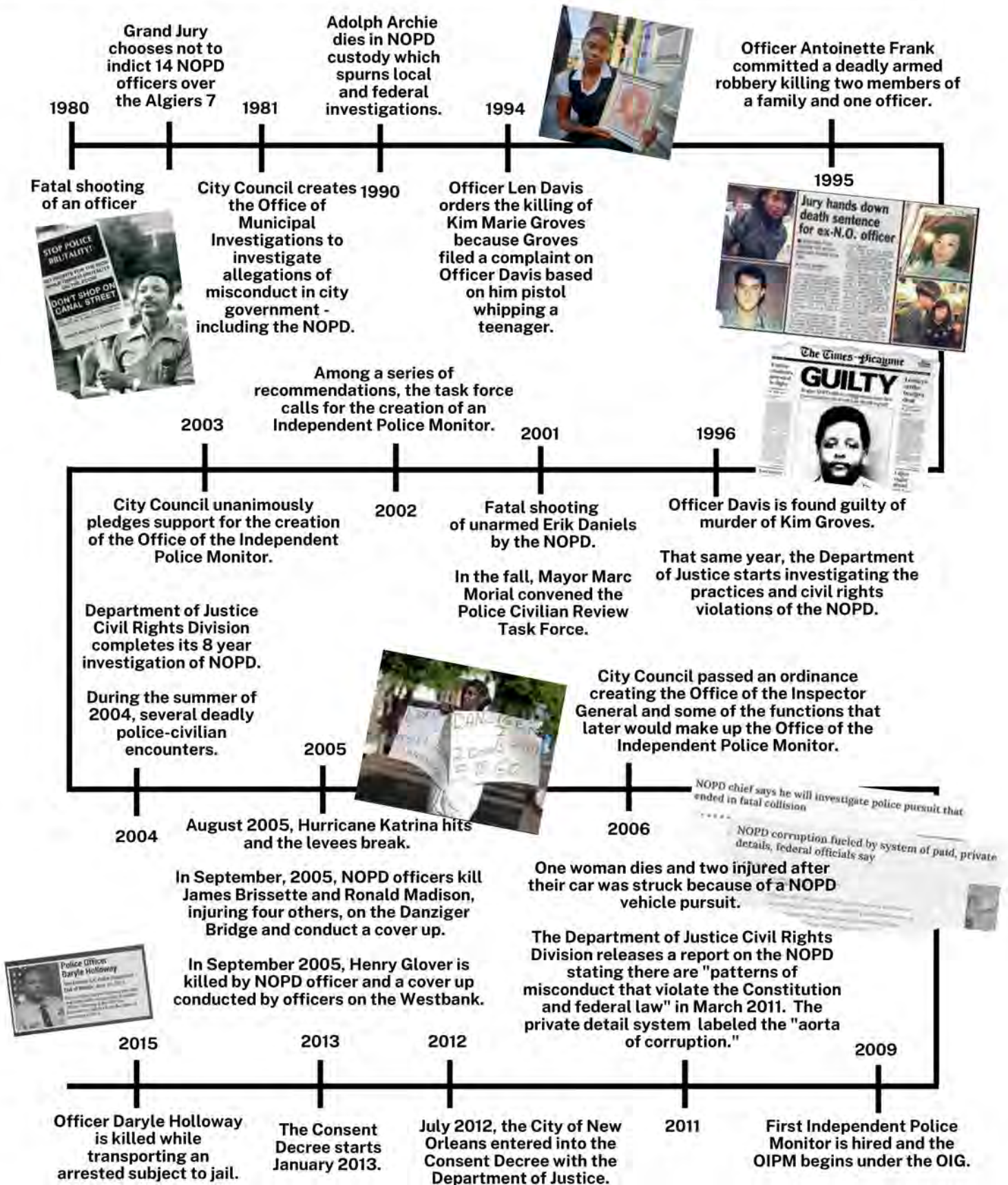
## City Organizational Structure - Truncated



- ## Different Reasons Why There is Oversight / Monitors



# 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

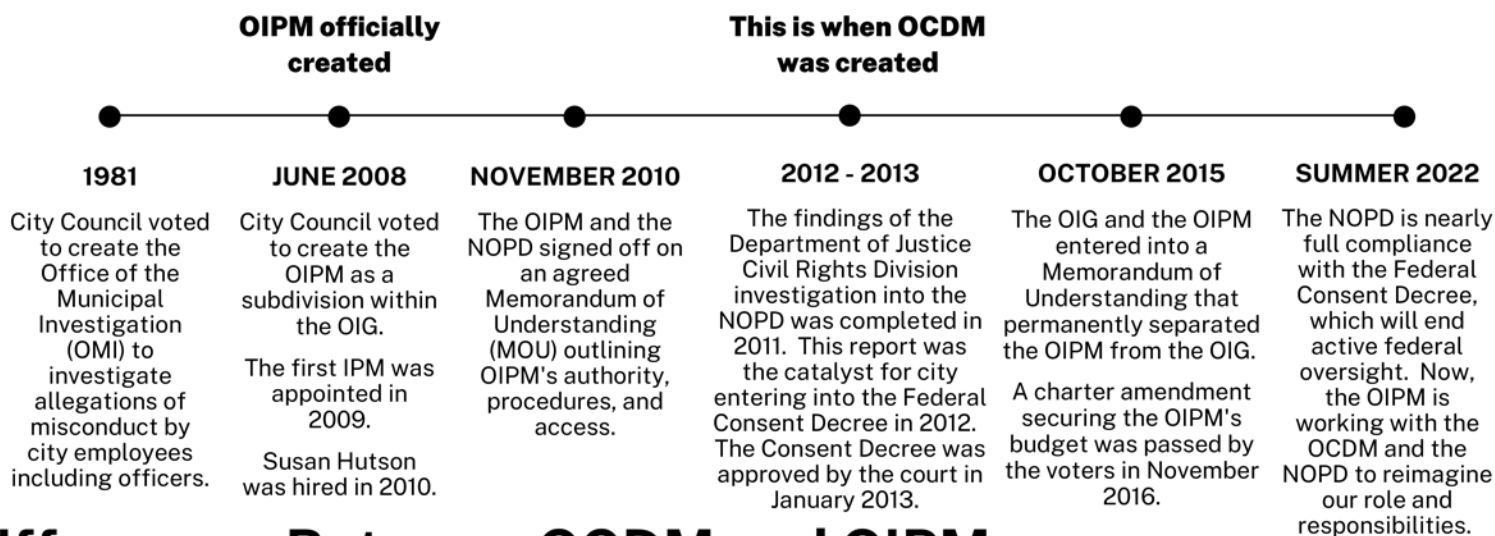
There are two types of monitors in New Orleans. There are three reasons why a city may have oversight or monitoring:

- 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

### Office of the Independent Police Monitor (OIPM)

- Created by City Council and receives jurisdiction and responsibilities from Ordinance.
- Everyone in the office is a city employee.
- On the ground and community based work - complaint intake site, runs the Community-Police Mediation Program,
- On scene monitoring including Use of Force and disciplinary proceedings.
- Provides recommendations and assessments based on reviews of finalized NOPD investigations and policies.
- Monitors investigations in real time and provides real time recommendations that become exhibits in NOPD investigations.
- Analyzes data and builds tools that will benefit the community and increase transparency.
- Funded through .16% of the general fund

### Office of the Consent Decree Monitor (OCDM)

- Appointed created by the Consent Decree and receives jurisdiction and responsibilities from the Consent Decree.
- Law firm bid on the city contract to monitor the compliance with the Consent Decree. Predominantly monitors from out of state. No one is employed by the city.
- NOPD needs present all policy rewrites and practice changes to OCDM for approval.
- OCDM worked with the Dept. of Justice to finalize all recommendations then presents to Judge Morgan for final sign off.
- OCDM conducted audits to determine NOPD compliance with the changes.
- Only focuses on matters identified in the Consent Decree.
- Monitors are paid through a contract that was entered into with the city as a necessity of the Consent Decree (Section O: Selection and Compensation of the Monitor)

The overlap between OIPM and OCDM is in policy recommendations, monitoring audits, and creating public reports or holding public forums.

# **Monthly Report of Ethics Trainer**





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# SEPTEMBER 2023

# MONTHLY REPORT

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TRAINING DIVISION  
NEW ORLEANS ETHICS REVIEW BOARD



# 2023 ETHICS EDUCATION & SEXUAL HARASSMENT PREVENTION TRAINING

The annual deadline for completion of 2023 Ethics Education and Sexual Harassment Prevention for City of New Orleans employees and the members of the Ethics Review Board is

**Friday, December 15, 2023.**

The programs may be completed online utilizing the links below:

**2023 Louisiana State Ethics Education:**  
<https://laethics.net/EthicsTraining>

**2023 City of New Orleans Sexual Harassment Prevention Training:**  
<https://nola.gov/sexual-harassment-training/employee/>

Please submit certificates/proof of completion to ERB Training Coordinator by **Monday, December 18, 2023**

If you are a new user, you must register for access to the portal in order to continue. If you already have a login from previous years, it is still valid to access the system and you may continue through to complete your educational requirement under the tab labeled, "Ethics Training for Public Servants." A detailed walkthrough is available below, for your convenience.

LOUISIANA ETHICS ADMINISTRATION PROGRAM

Home Registration Contact Us

**Online Training Portal**  
Online Training is for INDIVIDUAL USE ONLY.

Public servants and elected officials are required to take one hour of training per calendar year on the Code of Governmental Ethics pursuant to LA R.S. 42:1175A. Elected officials are additionally required to receive one hour of training per term of office on the Campaign Finance Disclosure Acts.

Enter your Username and Password

Username (E-mail):

Password:

Login

[Forgot Password](#)

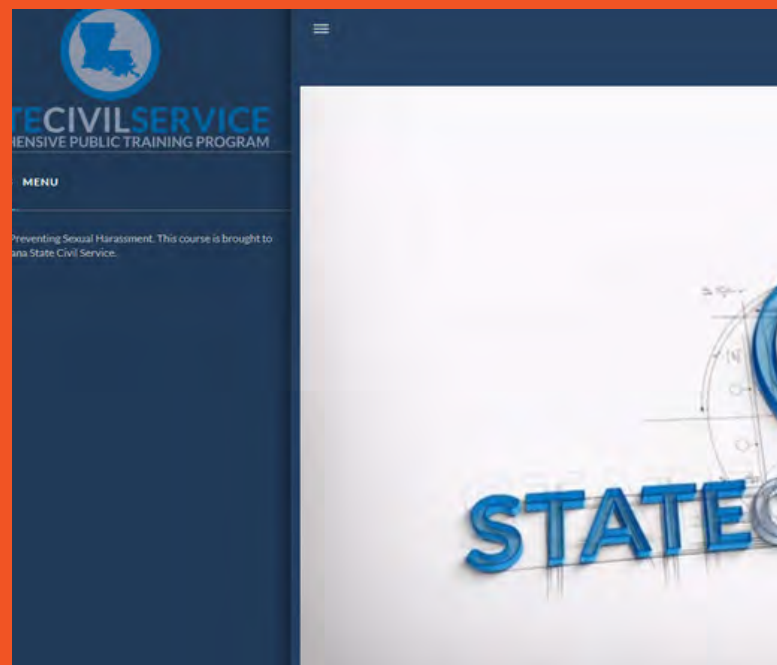
[Register \(New User\)](#)

[Return to the Louisiana Ethics Administration Home Page](#)

Lobbyist Training is accessed through the [Lobbyist Online System](#)

The Louisiana Board of Ethics is committed to protecting your personal information. For completing online Ethics Training, you must provide some basic information including Last Name, First Name, Mailing Address, Email address, Date of Birth, Agency, Department and Bar Number (attorneys only). This information is used for internal purposes only, namely to credit you with one hour of Ethics Training. We will not disclose this information to third parties; however, we may share selected information with your HR Department upon request.

00:07 01:14





# CITY DEPARTMENT LARGE GROUP TRAINING

Alongside standing weekly training sessions, the Training division has entered the period of the year where sessions are staged by the largest of the city departments.

The most recent session was completed with the Parks and Parkways Department, with **138** individuals receiving their annual Louisiana State Ethics training in a group setting.

The next large-scale group training for Ethics Education will take place on November 7, 2023 from noon to 2:00 P.M. at the

*Gernon Brown Recreation Center*  
1001 Harrison Ave, New Orleans, LA 70124







# ETHICS REVIEW BOARD WEBSITE - TRAINING MINI LESSONS

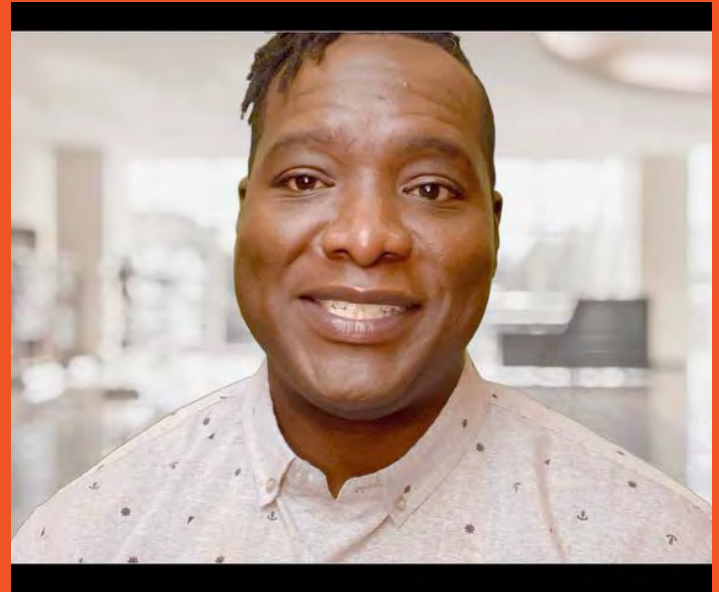
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The goal of providing a resource-filled space with an improved end-user experience on the ERB website is well underway.

Several mini-lessons will be available for users in the Training section under the 'Resources' tab on the Ethics Review Board website at [www.nolaerb.gov](http://www.nolaerb.gov).

These short lessons are under 3 minutes long and are intended to provide visitors with primary and supplemental high-level information on an array of hot-button governmental ethics topics.

The mini lessons to the right are available on the website, with more to come:



- **Gifts and Travel**
- **Moonlighting/additional Income Guidelines**
- **Post-separation guidelines for Board and Commission members**
- **Recognizing Nepotism in the Workplace**
- **Whistleblower Protections**



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# AUGUST 2023

# MONTHLY REPORT

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TRAINING DIVISION  
NEW ORLEANS ETHICS REVIEW BOARD



# ETHICS REVIEW BOARD WEBSITE - REDESIGN [UPDATE]

## City of New Orleans Ethics Review Board

Home News Meetings Complaints Resources Board Contact ERB Upcoming Items



### Home

Welcome to the official website of the New Orleans Ethics Review Board ("ERB"). This website contains [news](#) and information regarding the Ethics Review Board, including the Board's [members and staff](#), applicable [ethics standards](#), [ethics training programs](#), [Board meeting schedule and agendas](#), and [minutes of past Board meetings](#).

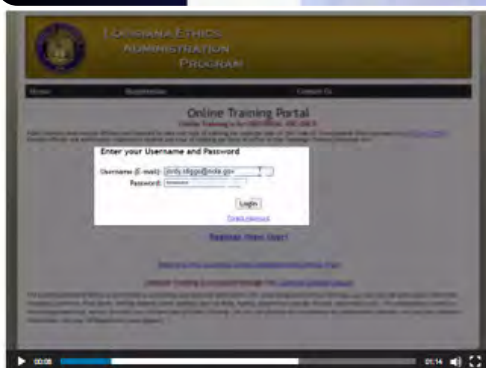


The Ethics Review Board is authorized by the Code of Ordinances for City of New Orleans to administer and enforce the provisions of the Code of Ethics of the City. The Code of Ethics was established to remind each



The training division is currently working towards updating the current ERB website. The goal of providing a resource-filled space with an improved end-user experience will be supported by a number of additions, with one being 'mini lessons' on common ethics situations faced by public employees. These include quick video presentations on topics such as -

- **Gifts and Travel**
- **Moonlighting/additional Income Guidelines**
- **Recognizing Nepotism in the Workplace**
- **Understanding and Recognizing Prohibited Sources**
- **Whistleblower Protections**
- **Reporting Violations of the Ethics Code**



Upon completion of training through the online portal, please save a copy of your completion certificate to your computer by navigating to the "Certificates" tab on your training home page. Email or deliver your certificate to your division's Human Resources designee.

These short videos will be available in the ERB website's Training section at [www.nolaerb.gov](http://www.nolaerb.gov).





# 2023 ETHICS AWARDS - TORCH AWARD RECIPIENT

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The ethics awards program was established to recognize the outstanding efforts of individuals and agencies and their commitment to furthering the mission of creating a culture of ethics within the city of New Orleans.

The Torch Award for Excellence in Ethics is one that is eligible to be received by all city departments, partner organizations, boards, and commissions within the city. This recognition is presented to the agency as a whole, rather than an individual.

**The New Orleans Regional Transit Authority -  
Department of Professional Standards and Training**  
has been selected as the recipient of the 2023 Torch  
Award for Excellence in Ethics!



The award will be formally presented to the director of the Regional Transit Authority's Director of Professional Standards and Training at the November 2023 Ethics Review Board Meeting.

**Monthly Report of  
Executive  
Administrator**

## MEMORANDUM

To: Ethics Review Board  
City of New Orleans

From: Dane S. Ciolino  
Executive Administrator and  
General Counsel

Date: October 26, 2023

Re: *Monthly Report (Sept. & Oct.)*

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### I. BUDGET-TO-ACTUAL EXPENDITURES TO DATE

A budget report is attached.

### II. COMPLAINTS

The ERB received no new complaints during the month of August 2023.

There are no complaints that remain pending for ERB action.

### III. APPOINTMENTS TO ERB

The mayor appointed Patrice Sentino as the ERB nominee for the SUNO board position. The City Council Governmental Affairs Committee had placed her confirmation on its agenda for August 31, 2023, but did not act on it. There is no new date for this meeting.

The mayor's office has requested nominees from Dillard and Tulane.

### IV. APPOINTMENTS TO QUALITY ASSURANCE REVIEW ADVISORY COMMITTEES

No action has been taken by the mayor's office or the council to fill four vacancies on the QARACs for the OIPM and the OIG.



## NOLA Chart In USD (5,000 row record limit) - Root level

Display Object	Description	Chart Section	2023 Budget	2023 Actual	2023 Encumbrance	2023 Commitment	Variance Amount	Remaining Percent
100	Assets	Balance Sheet	0.00	-1,225.54	0.00	0.00	1,225.54	0.00%
200	Liabilities	Balance Sheet	0.00	3,250.36	0.00	0.00	-3,250.36	0.00%
300	Fund Balance	Balance Sheet	0.00	120,297.65	0.00	0.00	-120,297.65	0.00%
500	Revenue	Income Statement	0.00	0.00	0.00	0.00	0.00	0.00%
600	Expenses	Income Statement	292,395.00	120,297.65	0.00	0.00	172,097.35	58.86%
710	Transfers In	Income Statement	0.00	0.00	0.00	0.00	0.00	0.00%
720	Transfers Out	Income Statement	0.00	0.00	0.00	0.00	0.00	0.00%
730	Proceeds from Issuance of Bonds	Income Statement	0.00	0.00	0.00	0.00	0.00	0.00%
740	Premium on Bonds Issued	Income Statement	0.00	0.00	0.00	0.00	0.00	0.00%
750	Fund Balances Beginning of Year	Income Statement	0.00	0.00	0.00	0.00	0.00	0.00%

DisplayAccount	AccountDescription	DerivedEndingBudgetBalance	DerivedEndingActualBalance
600	Expenses	292395.00	120297.65
600-A	Salaries and Wages	176543.00	119072.11
6001010	Salary	132791.00	90208.97
6001110	Municipal Employees Pension	22886.00	15498.03
6001200	Social Security Taxes	8259.00	5516.64
6001210	Medicare	1931.00	1290.17
6001300	Group Hospital Insurance	9500.00	6057.62
6001310	Workers' Comp Insurance	600.00	403.90
6001320	Life Insurance	99.00	59.15
6001330	Unemployment Compensation	56.00	37.63
6001763	Longevity Increase	421.00	0.00
600-B	Operating	115852.00	1225.54