

OFFICE OF INSPECTOR GENERAL
CITY OF NEW ORLEANS



SUSAN HUTSON
INDEPENDENT POLICE MONITOR

From: Susan Hutson
Sent: Monday, November 01, 2010 7:09 PM
To: 'Ronal W. Serpas'; 'Arlinda P. Westbrook'
Subject: Pattern Analysis Reviews

Good Evening Ron and Arlinda:

Attached please find a template letter that I would like to use to request information about employees on whom I would like to perform a pattern analysis. We propose to conduct this type of review when the officer comes to our attention due to a significant number of complaints, which is outlined in the letter. We would also conduct such an analysis if an employee triggered the early warning system or came to our attention in some other manner, such as for uses of force. As noted, it will be a supplement to the early warning system, which only flags employees, but a detailed analysis is still required. We hope that by being proactive, we can prevent any major issues with the subject employees.

It is a great deal of information and, depending on how productive the employee is, the review could take us months to complete. However, when conducted properly the analysis will reveal any pattern and potential issues with respect to the subject employee. For example, we would review the subject employee's arrest reports (or a sample) which could reveal a lack of articulation of reasonable suspicion or probable cause which is causing him/her to get racial profiling or false imprisonment complaints. Or, a review of an employee's training record may reveal a lack of training in uses of force, which is causing him/her to use more force than necessary. We can then make specific recommendations to you and the officer's chain of command to help resolve the issues.

I adapted this review from the different reviews being conducted at the LAPD, which were required by the consent decree. It is not punitive in nature, although it may reveal a pattern in the complaints to be looked for in future investigations. Instead, it is more directed at thoroughly reviewing employees to prevent major issues from developing.

I apologize for not getting to this sooner. I would like to include some language in the Protocols, if possible, but I understand that we need to discuss it thoroughly so that you will know what to expect. So, if it doesn't make it in this initial version, if we reach an agreement, we can add it with any other modifications.

The first one I would like to conduct would be on [REDACTED]. He has come to our attention due to a number of complaints I noted during PIB comstat. Arlinda, if your



Page 2

folks can pull it for me, I would like to get a copy of his PIB record on Wednesday, to ensure that he fits our criteria.

Thanks and I look forward to discussing.

A handwritten signature in blue ink, appearing to be 'Susan', written in a cursive style.

Susan



525 ST. CHARLES AVENUE | NEW ORLEANS, LOUISIANA | 70130-3049

Phone (504) 681-3223 | Fax (504) 681-3230

Sample Request for Information RE Pattern Assessment

OFFICE OF INSPECTOR GENERAL
CITY OF NEW ORLEANS



SUSAN HUTSON
INDEPENDENT POLICE MONITOR

DATE

Ronal W. Serpas
Superintendent of Police
New Orleans Police Department
715 S. Broad Street
New Orleans, Louisiana 70119

Arlinda Westbrook
Director, Public Integrity Bureau
New Orleans Police Department
118 North Rocheblave St.
New Orleans, LA 70119

RE: Officer/Sergeant/Lieutenant **XXXX**, Badge Number **XXXX**

Dear Superintendent Serpas and Deputy Superintendent Westbrook:

This memorandum is written to request information pursuant to New Orleans City Code Section 2-1121 (3) (the Police Monitors Ordinance) which will allow the Office of the Independent Police Monitor (IPM) to conduct a “risk management review” and “pattern analysis” on the above referenced employee (subject employee). We would also like to “review the operations and effectiveness of [the] New Orleans Police Department’s early warning system” with respect to this same employee.

The subject employee has received more than **XXX high/medium/low** risk complaints within the last **XXX** year(s) and has therefore triggered the IPM’s criteria for selecting employees for Pattern Analysis reviews. Specifically, the IPM reviewed all or part of the subject employee’s disciplinary history, and looking at the *last five years*, determined that the subject employee has a significant number of complaints, using the following scale:

- 3 or more separate complaints involving allegations from the *HIGH* category, including but not limited to allegations about racial profiling, retaliation, unauthorized force, or unlawful search; and/or



- 4 or more separate complaints involving allegations from the *MEDIUM* category including but not limited to allegations about unbecoming conduct or neglect of duty; and/or
- 5 or more separate complaints involving allegations from the *LOW* category including but not limited to allegations about discourtesy or improper remarks; and/or
- 7 or more total complaints involving any combination of allegations from any category.

Although the subject employee's complaint record has triggered a Pattern Analysis, a determination has *not been* made that the employee is at risk of engaging in future misconduct or of being a risk to the public. At this point, the IPM will conduct a further detailed analysis to determine whether we believe a risk management issue exists. Therefore, we are specifically requesting access to and copies of the following original documentation/information:

1. The subject employee's complete PIB disciplinary history or list of complaints, both criminal and administrative.
2. Any and all currently open complaints against the subject employee.
3. Any and all completed disciplinary investigations, in which the subject employee is an accused employee; and including any video, photographic or audio evidence.
4. Any and all information regarding any internal administrative hearings regarding the subject employee, in the possession of the NOPD; including any hearings conducted by or actions taken by the Civil Service Commission.
5. Any and all investigations conducted by or information collected by the Office of Municipal Investigations (OMI) regarding the subject employee, if in the possession of the NOPD.
6. Any and all information in the early warning system with respect to the subject employee, including any alerts, memoranda or actions taken.
7. Any and all use of force reports, regarding any level of force used by this employee. Depending on the size of this population, we may review a sample or all of the subject employee's use of force reports for compliance with applicable



law and policy. The requested time period for this information is from 2005-2010.

8. Any and all arrest/incident reports authored, in whole or in part, by the subject employee. Depending on the size of this population, we may review a sample or all of the subject employee's arrest reports for compliance with applicable law and policy. The requested time period for this information is from 2005-2010. We will also to the extent possible review the number of times this subject officer's arrests result in convictions.
9. Any and all Field Interview Cards (FIC), authored in whole or in part, by the subject employee. Depending on the size of this population, we may review a sample or all of the subject employee's FICs for compliance with applicable law and policy. The requested time period for this information is from 2005-2010.
10. Any and all summons/citations/tickets authored in whole or in part, by the subject employee. Depending on the size of this population, we may review a sample or all of these documents for compliance with applicable law and policy. The requested time period for this information is from 2005-2010.
11. The subject officer's complete training record.
12. The subject officer's complete personnel file.
13. Any and all records of counseling or corrective action taken by a supervisor involving the subject officer.
14. Any and all NOPD records or orders requiring the subject employee to attend psychological or psychiatric evaluation/counseling by a mental health physician or practitioner.
15. A complete list of the approved work "details" for the subject officer.
16. Any and all lawsuits involving the subject officer.
17. Any and all commendations or awards for the subject officer.

It is our intention to conduct a review and analysis of the requested material and then issue a report to you, which will detail our findings and recommendations regarding the subject officer.



Ronal W. Serpas, Superintendent of Police
Arlinda Westbrook, Deputy Superintendent
DATE
Page 4

Please advise me of whom I should contact to obtain, review, and copy the requested information.

If you should have any questions about the methodology or process, please do not hesitate to contact me.

Sincerely,

Susan Hutson
Independent Police Monitor
504-681-3275

