

OFFICE OF INDEPENDENT POLICE MONITOR  
**CITY OF NEW ORLEANS**



SUSAN HUTSON  
INDEPENDENT POLICE MONITOR

June 23, 2015

Michael Harrison, Superintendent  
New Orleans Police Department  
715 South Broad Street  
New Orleans, LA 70119

RE: Debriefing on the Death of Officer Daryle Holloway

Dear Superintendent Harrison:

The IPM observes major uses of force (critical incidents) for evidence control, to monitor the investigations, and to improve public and officer safety by making policy recommendations. Although the incident leading to the tragic death of Officer Daryle Holloway did not involve an NOPD use of force, the OIPM thanks the NOPD for notifying OIPM of the incident and for the opportunity to observe and confirm that there was no NOPD use of force.

We write to commend the NOPD for the transparency exhibited during the initial investigation of this matter and the apprehension of the suspect. We also noted the level of cooperation between different NOPD bureaus and units which were called to the scene, each with their own responsibilities, but seemingly one mission: to handle this investigation in the most above board, effective, and thorough manner.

This officer's death has affected our entire community. I am sure that it is affecting both officer and citizen morale about the safety of living in our community. Therefore, it is important to have a thorough, fair, and transparent review of the circumstances and causes of this incident and your efforts to protect the men and women who protect and serve us all.

In any major event involving a police department, there should be an internal dialogue to discuss any strengths or shortcomings in the underlying incident, as well as the NOPD's response. Therefore, we also write to request that the OIPM be an observer at the NOPD debriefing of the incident.



### Debriefing

After monitoring over 65 officer involved shootings in the past five years, the OIPM continues to note areas of grave concern about New Orleans police officers engaging in tactics that put themselves and the public in danger. We highly recommend that NOPD conduct a structured debriefing to immediately examine ways to help keep its officers safe in the areas of tactics and prisoner transport. Although an investigation is underway and won't be completed for a while, officers continue to face dangerous situations and need to be equipped with the best tactics available.

### OIPM's Past Recommendations

On March 14, 2012, after individuals shot two NOPD officers and at several others, as well as the death of three individuals by Officer-Involved-Shooting in the first 3 months of the year; the OIPM sent recommendations to Mayor Landrieu and Superintendent Ronal Serpas requesting that they immediately institute training to assist officers in being safer in their tactics. The OIPM believes that if officers use better tactics, their lives are less at risk which also makes the public safer.

The Superintendent responded to the recommendations advising that training personnel will review the Department's tactical training to make sure the training is in compliance with national standards. Additionally, Superintendent Serpas advised that the NOPD Training Academy provided training entitled *Officer Survival Training and Vehicle Stop Tactics* and that the Academy would soon begin providing *Tactical and Warrant Service Training* for task force units.

Despite that assurance in training, since 2013 officers have been shot at least 6 times by suspects, leaving one officer dead, one officer paralyzed, and the other officers injured. We are unsure as to how many officers have had weapons brandished against them, or shots fired at them over this same time period.

### OIPM's Current Recommendations

A thorough and structured debriefing is the first step in making sure that our officers are following the best tactics possible going forward. But above all, I think that this debrief is critical for your officers to know that you are taking their safety into due consideration. We all appreciate and rely on your leadership in this matter. I am heartened to hear that you have already started emphasizing this training at roll calls, but I want to ensure that the training and supervision are uniform throughout the department. The input of your officers and command staff will be critical in this effort.



Some of the most important and obvious questions to be answered in a debriefing include:

1. Whether all officers involved in this incident (and department wide) were wearing their Kevlar vests.
2. Whether all officers involved in the arrest or transport of the suspect provided effective searches incident to this arrest/transport.
3. Whether handcuffing was within policy.
4. Whether the handcuffing equipment was fully functional and the best equipment available.
5. Whether officers searched the transport vehicle at the beginning and end of their watches.
6. Whether there need to be changes to current NOPD policy regarding searches incident to arrest.
7. Whether there needs to be changes to current NOPD policy or procedure regarding the transport of prisoners.
  - We received input from a former police officer (20+ years of service) regarding the transport of prisoners. He suggested that officers who are able to work, but not able to return to full duty may be able to transport prisoners, freeing up patrol officers to be on the street. Reassigned officers are often in need of appropriate assignments. Your reserve officers may be able to play a role in transporting as well.
8. And, although the investigative effort was coordinated fairly well, there were also a lot of questions regarding the division of labor and command.
  - NOPD should review how it conducts its post incident response. Almost all of the Bureaus were present and actively involved in some aspect of the response after the incident. NOPD supervisors at the scene and partners from other agencies will have valuable feedback about a clear division of labor, command, and accountability at such scenes. For example, all of the units had to coordinate with Sgt. Burns of PIB/FIT, which could have been a distraction to Burns' duties.



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- All units need to be clear on how an investigation involving FIT should be conducted, especially with a suspect at large. The entire leadership of the organization can benefit from dialoguing about what went right and wrong in this incident.

### Commendations

Although we have not yet reviewed all body camera footage or any investigatory documentation in this matter, we noted the leadership exhibited by Deputy Superintendent Arlinda Westbrook and her entire PIB Force Investigation Team. PIB ensured that the OIPM, Compliance Bureau, and Office of Consent Decree Monitor were notified of the event and had the access necessary to do our jobs. The OIPM specifically noted the efforts of Commander Gwen Nolan, Sgt. Kevin Burns (the lead investigator), Sgt. Regina Williams, and Sgt. Mike McCleery.

The incident commander at the scene, Deputy Superintendent Robert Bardy, cooperated well with PIB, Compliance Bureau, and ISB. Acting Lt. Gernon of Homicide had his own responsibilities but made sure to coordinate with Sgt. Burns, until it could be confirmed that Officer Holloway did not use force during the incident. Gernon brought solutions to Sgt. Burns, to ensure that those solutions would not interfere with the use of force investigation.

Although OIPM has not yet reviewed the body camera footage associated with the suspect's capture or transport to PIB, we did observe officers at PIB and the hospital. The officers were vigilant but professional at all times that the OIPM was able to observe them. Although it must have been a difficult and emotional time for them, they acted according to NOPD's Oath and policy.

The Crime Lab team worked rapidly and tirelessly. We observed them exhibit a calm, cool and collected demeanor as they meticulously went about their important work.

We strongly urge you to consider our recommendation to organize a debrief of the incident with an eye towards better organizing the division of labor at such scenes, as well as developing more training, equipment and policy to improve officer safety and working conditions.

Please know that we are here to assist you in this undertaking.

Sincerely,



Susan Hutson

Independent Police Monitor

