

OFFICE OF THE INDEPENDENT POLICE MONITOR

Use of Force Investigation: Officer Involved Shooting August 8, 2018



Parties Involved

Key Facts



Officer Jerome Newsome

NOPD Third District Night Watch



Length of Service:

August 31, 2014



History:

No previous complaints of unauthorized use of force.



Use of Firearm:



Officer Emilio Aleman

NOPD Third District Night Watch



Length of Service:

June 12, 2016



History:

No previous complaints of unauthorized use of force.



Use of Firearm:



- Officer Jerome Newsome was responding to a call for service concerning three dogs chasing children in the area.
- Officer Newsome radioed for Officers Emilio Aleman and Arden Taylor, Jr to assist him with trying to secure the dogs in the rear yard of an abandoned house.
- As the officers approached the abandoned house where the dogs were located, two of the dogs passed the gate and continued toward the officers.
- Officer Newsome fired four shots at the two dogs.
- One of the dogs ran toward Officer Aleman. Officer Aleman fired two shots at the dog.
- The two dogs that ran toward the officers were shot and the third dog was not injured.
- All three dogs retreated.
- The dog's owner arrived and took custody of the dogs.
- One dog was euthanized due to her wounds.
- The other dog was treated and recovered.
- There were no injuries to the officers or any human beings as a result of the firearms discharge.
- Both officers remained on full duty status after the incident.

KEY QUESTIONS ASKED BY THE OFFICE OF THE INDEPENDENT POLICE MONITOR (OIPM)

2. Was the level of force *appropriate*?

1. *Were the officers' tactics safe and sound?*

3. Was the level of force *effective*?

4. Was the Force Investigation Team investigation *fair, timely and thorough*?

5. Were there risks that could have been mitigated by a *change in policy or training*?

6. Did NOPD appropriately *critique officer tactics*?

7. Are there special *lessons learned* through this incident?

8. Were bystander *civilians' safety* preserved?

9. Were *officer and suspect safety* preserved?

With this report and report summary, the Office of the Independent Police Monitor (OIPM) committed to building public confidence in law enforcement through transparency, accountability and fairness. The OIPM spent over hours reviewing and monitoring this Use of Force case. With our oversight and recommendations, OIPM hopes to lower the risk level posed to the community, the Department and the future liability to the city.

USE OF FORCE

The NOPD Operations Manual requires officers to, "under circumstances in which officers have sufficient advance notice that a potentially dangerous animal may be encountered, officers should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, CEW, animal control officer)".

NOPD Policy Chapter 1.3, Para. 32



DOGS APPROACHING OFFICERS



OIPM RECOMENDATIONS & ANALYSIS

• Use of Force

- OIPM agrees with the analysis of PIB/FIT and the NOPD Police Academy regarding the tactics in this case. OIPM also agrees with the conclusion that the use of force could have possibly been avoided if a more developed plan was in place and/ or if the officers had used other tactical options available to them such as using their car(s) as a barrier between them and the dogs. Evidence Handling
- There were two crime scenes during this incident that needed to be secured. OIPM is concerned that a ranking member of NOPD that personally observed blood and noted that it was evidence did not secure that scene. OIPM agrees with the training and counseling recommendations of PIB/FIT regarding this issue.

• Sequestration

- OIPM is concerned that all officers, witness and involved, were not properly sequestered according to NOPD policy.

• Involved Officer Section of Fit Report

- OIPM recommends all relevant use of force incidents should be captured in the ASI report. This will allow a better identification of patterns of use of force by officers.

• Notice to OIPM of Interviews

- OIPM was not properly notified of all interviews, as required by the MOU. OIPM requests notice of all interviews during a critical incident investigation.

• Electronic Transmission

- OIPM continues to raise concern about officers using radio channels that are not recorded, such as channel D2 Communications which was utilized during this incident.

RISKS OF THE INCIDENT

- Discharging a weapon in a neighborhood.
- Lack of barrier or protection from the canines.

To read the full, detailed OIPM report, please visit www.nolaipm.gov

