THE OFFICE OF THE INDEPENDENT POLICE MONITOR

MONTHLY REPORT

MAY 2020

SUSAN HUTSON
INDEPENDENT POLICE MONITOR

Community Letter

Dear New Orleans Community,

Over the last several days, I have reflected on my role as the Independent Police Monitor and what police oversight truly means to our community and nation. The murder of George Floyd was a violent act that appears to have universally violated policing protocol and policies. Our office stands with the community in expressing outrage and sadness at the death of George Floyd, Breonna Taylor, and the countless others who have died because of and during interactions with the police. Every day we strive to say these individuals' names and honor their lives through our oversight work and holding the police accountable.

As we look to the successes and failures of the police departments responding to protests and demonstrations happening in the US, we want to encourage NOPD to work collaboratively with those in the streets to prevent injuries for all in response to the protests in New Orleans. We know that weapons used to disperse crowds hit and injure those who are not committing any crimes and that commends to disperse crowds are often hard to hear and missed by many. Therefore, we are encouraging NOPD to think collaboratively about how to manage their responses in a different manner. Moving forward, as long as the protests continue, the OIPM will remain vigilant and will continue to monitor the demonstrations to ensure the police remain respectful of the community's first amendment right to speak, gather, and protest regarding police misconduct. We also continue to hear complaints from the community about the tear gas incident, as well as other incidents.

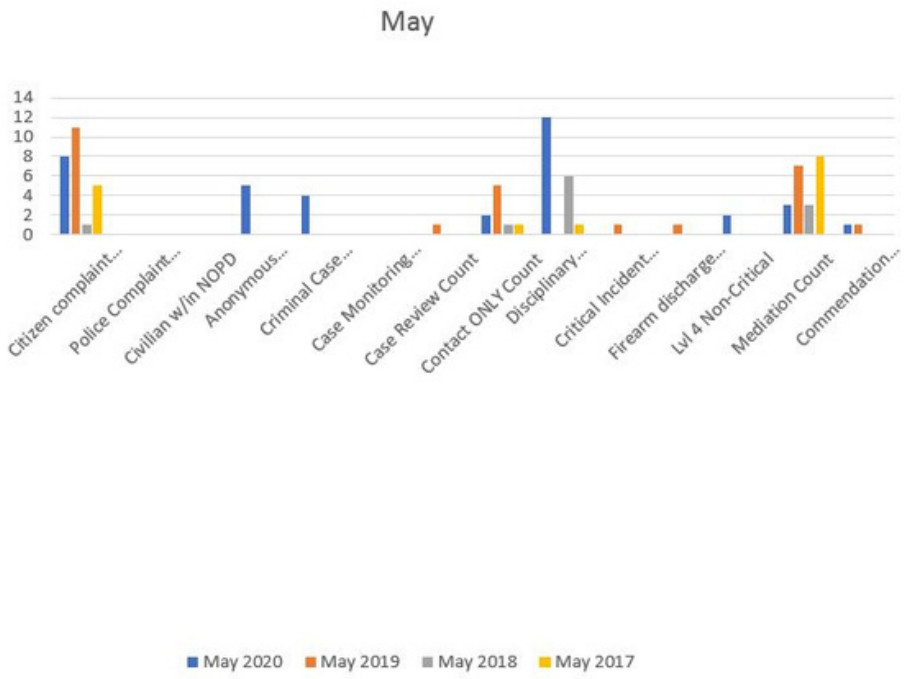
The OIPM was impressed by the decision of Chief Ferguson this month to suspend and dismantle task forces in the NOPD after learning of concerning accounts of police misconduct. The OIPM received and referred the complaint regarding multiple accounts of Eighth District Officers testifying on the stand in an inaccurate and dishonest manner. This complaint, among an audit of task force activity, was cited by the Chief as the basis for his decision.

During the month of May, the OIPM continued to remain busy responding to concerns related to Covid19 and policing tactics. The OIPM responded to and monitored to an incident involving an accidental discharge and continued to monitor and review use of force incidents. Over the last month, the OIPM received thirteen (13) complaints from the community ranging from accounts of corruption to officers not wearing required PPE during responses and received twelve (12) new disciplinary proceedings – two of which were the result of complaints referred by the OIPM.

In the coming month, the OIPM will continue to monitor the NOPD and provide support to the community. The OIPM commits to never being silent about the community's need for meaningful engagement in our law enforcement and police oversight. We will never be silent about policing that violates policy, the law, and the needs of our community. We will continue to amplify the voice of those impacted by policing and what matters – in honor of George Floyd and the countless others. The OIPM will support our community's outcry that Black lives matter. We thank our community for their important work in demanding police reform and look forward to continuing this work together.

Sincerely,
Susan Hutson

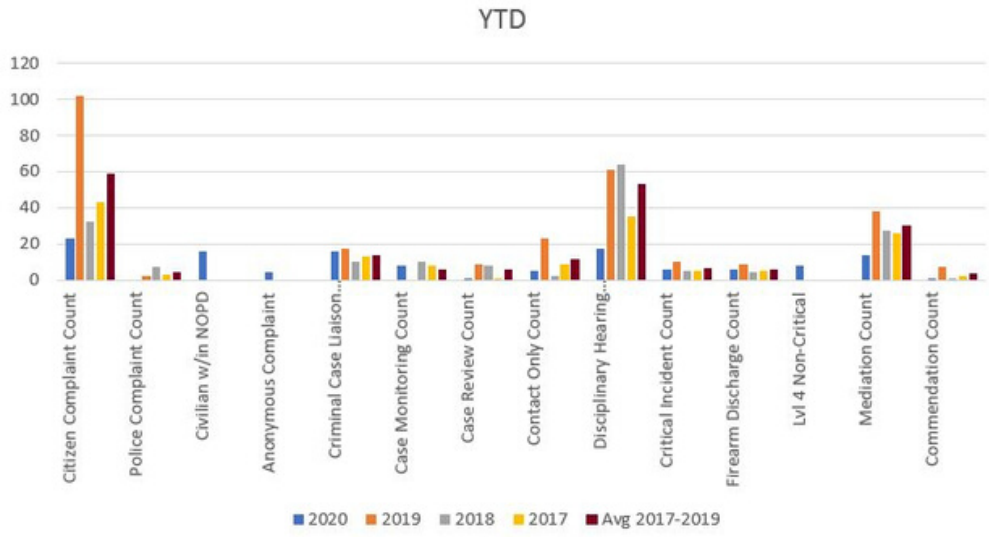
May Overview



	May 2020	May 2019	May 2018	Apr 2017	Avg 2017-2019
Citizen Complaint Count	8	11	1	3	5.00
Police Complaint Count	0	0	0	1	0.33
Civilian w/in NOPD*	0			-	-
Anonymous Complaint*	5			-	-
Criminal Case Liaison Count	4			-	-
Case Monitoring Count	0	0	0	0	0.00
Case Review Count	0	1	0	0	0.33
Contact Only Count	2	5	1	0	2.00
Disciplinary Hearing Count	12	0	6	0	2.00
Critical Incident Count	0	1	0	0	0.33
Firearm Discharge Count	0	1	0	0	0.33
Lvl 4 Non-Critical*	2			-	-
Mediation Count	3	7	3	3	4.33
Commendation Count	1	1	0		0.50
Grand Total	37	27	11	7	14.33

*indicates a new category

Year to Date Overview



	2020	2019	2018	2017	Avg 2017-2019
Citizen Complaint Count	23	102	32	43	59.00
Police Complaint Count	0	2	7	3	4.00
Civilian w/in NOPD*	16	0	0	0	0.00
Anonymous Complaint*	4	0	0	0	0.00
Criminal Case Liaison Count	16	17	10	13	13.33
Case Monitoring Count	8	0	10	8	6.00
Case Review Count	1	9	8	1	6.00
Contact Only Count	5	23	2	9	11.33
Disciplinary Hearing Count	17	61	64	35	53.33
Critical Incident Count	6	10	5	5	6.67
Firearm Discharge Count	6	9	4	5	6.00
Lvl 4 Non-Critical*	8	0			0.00
Mediation Count	14	38	27	26	30.33
Commendation Count	1	7	1	2	3.33
Grand Total	125	278	170	150	199.33

*indicates a new category

May Overview

Mediation
Mediation cases are confidential.
Mediations Held: 3

Level 4 Non-Critical Use of Force	
UF2020-0007	The officer was escorting an individual with a mental health crisis in handcuffs. The individual places his mouth on the officer's arm and the officer pushed the individual with an open hand. No injuries were reported.
UF2020-0008	The reserve officer stated he observed two (2) suspicious subjects at a residential location. The officer fired one (1) round
Level 4 Non-Critical Use of Force: 2	

Criminal Liasion	
CL2020-0020	Individual reached out to OIPM to report that someone was threatening them and their partner (not involved in NOPD). The OIPM directed the individual on how to reach out to the Third District to report a potential crime and receive assistance.
CL2020-0021	Individual reached out to OIPM for assistance with a restraining order question. The OIPM directed the individual to where and how to get assistance from the NOPD with the matter.
CL2020-0022	The OIPM is assisting a complainant with reaching out to the Sex Crimes Unit for information regarding a pending criminal investigation.
CL2020-0023	OIPM received a complaint regarding how NOPD responded to a warrant issue. OIPM successfully worked with Deputy Chief John Thomas to address the complainant's concern and resolve the matter. As a result, the complaint was archived.
Criminal Liasion Count: 4	

Anonymous Complaint	
AC2020-0025	According to the complainant, she was stopped at a NOPD informational checkpoint and she thought the NOPD did not provide any information but instead used the checkpoint as an opportunity to visually search her car.
AC2020-0026	According to an anonymous complainant, the NOPD may be involved in illegal retaliatory behavior towards an informant in
AC2020-0028	Complainant alleges that officer has lied in his domestic matters in court and misrepresented the NOPD and has openly spoken in a discriminatory fashion towards the LGBTQ
AC2020-0032	According to an anonymous complainant, an officer responding to a call of service failed to wear required PPE while working with a civilian.
AC2020-0034	According to the anonymous complainant, two officers are allegedly involved in criminal activity in the community including theft and robbery.
Anonymous Complaint Count: 5	

May Overview

Disciplinary Hearings	
DH2020-0006	Officer is accused of violating NOPD Use of Force policy for wrongfully deploying his conduct electrical weapon (CEW) against an individual who was fleeing on foot after the officer suspected the individual bought drugs.
DH2020-0007	Officer is accused of being unprofessional when he made comments regarding the efficiency and incompetency of hospital after having a negative encounter while trying to transfer custody of a detained individual.
DH2020-0008	Two officers are accused of violating NOPD policy by deactivating their Body Worn Camera (BWC) before a drug related investigation was complete and for not properly securing the evidence seized, resulting some evidence being lost.
DH2020-0009	Officer is accused of violating NOPD Use of Force policy for wrongfully deploying his conduct electrical weapon (CEW) against an individual who was fleeing on foot after trying to
DH2020-0010	Two officers are accused cutting the lock of an individual's gate, entering and searching his residence, and seizing his firearm and arresting him without a warrant. This allegation of misconduct was initiated through the Office of the Independent Police Monitor (CC2019-0010).
DH2020-0011	Task force officers are accused of searching a residence without obtaining a warrant or consent to search.
DH2020-0012	Two officers are accused of stopping two teenage children, searching both twice, relocating and detaining them in the back of squad cars and running name checks for allegedly looking like they "displayed the characteristics" of someone carrying a gun even though neither child was in possession of a gun.
DH2020-0013	Task force officers are accused of conducting a strip search of an individual in the field without a warrant and against NOPD
DH2020-0014	Officers are accused of failing to conduct a thorough investigation and document all relevant information in subsequent reports, potentially showing bias, in their investigation. This allegation of misconduct was initiated through the Office of the Independent Police Monitor (CC2018-
DH2020-0015	A supervisor is accused of failing to either authorize or terminate a pursuit in violation of NOPD policy and instead commanded the officers to stay behind the vehicle.
DH2020-0016	A sergeant is accused of speaking to another NOPD employee in a manner that is condescending and unprofessional.
DH2020-0017	Officer is accused of using profanity towards an arrested individual, failing to interview a witness, deactivating their Body Worn Camera (BWC), and submitting a gist missing pertinent facts from the investigation.
Disciplinary Hearings Count: 12	

May Overview

Citizen Complaints	
CC2020-0024	The complainant called NOPD for assistance with a potentially violent neighbor who threatened the complainant. According to the complainant, the responding officer and the officer's supervisor failed to conduct an investigation, issue a summons or an arrest, and instead only wrote a report on the incident.
CC2020-0027	According to the complainant, four officers in the 8th District knowingly testified on the stand in a way that contradicted the statements and actions made on the officer's BWC in an attempt to cover up the lack of probable cause the officers had for the searches conducted.
CC2020-0030	According to the complainant, the Third District failed to properly respond to and investigate a call for assistance regarding damages and injuries caused by a neighbor setting off fireworks and the complainant believes discriminatory policing is a factor.
CC2020-0031	The complainant stated that a female officer responded to a call regarding an unconscious man in the street and was aggressive towards the man before he and after he awaken. The officer is also alleged to have ignored and refused the man's request for water and failed to call EMS. The officer is also alleged to have been rude to a neighbor.
CC2020-0033	According to the complainant, during summer in 2018, the complainant was wrongfully arrested for criminal damage and assault based on a NOPD warrant issued without any investigation into the veracity of the allegation.
CC2020-0035	According to the complainant, the complainant was a victim of a robbery and the detective assigned to his case failed to communicate with him. The complainant stated he went two (2) without receiving any update.
CC2020-0036	The complainant stated that he may have been the victim of racial profiling when he was approached by an officer who knew him by name and showed him a few pictures of crime suspects, alleging that one of the photos was of him. However, upon further conversation with the officer, the complainant learned that the person in the picture had a different last name than the complainant.
CC2020-0037	Complainant alleges the NOPD failed to conduct a thorough investigation into the death of the complainant's sibling, ruling it a suicide, without considering all available evidence.
Citizen Complaints Count: 8	

Complaints and Discipline

The OIPM serves as an alternative site for civilians and police officers alike to file complaints of misconduct against the NOPD. These complaints and allegations are compiled into referrals by the OIPM and provided to the Public Integrity Bureau (PIB) for them to investigate. The OIPM monitors and reviews the classification and investigation conducted by PIB. If the complaint continues into a disciplinary proceeding, the OIPM will continue to monitor and review the disciplinary process. OIPM monitors and reviews disciplinary proceedings conducted by NOPD to ensure accountability and fairness. The OIPM reviews the disciplinary investigation and attends the subsequent disciplinary hearings where the OIPM will provide systemic and individualized findings and recommendations based on NOPD's investigation. The OIPM conducts a thorough review of the proceedings, findings, and recommendations that is available for review by both the NOPD and the New Orleans community.

8 CITIZEN COMPLAINTS

12 DISCIPLINARY PROCEEDINGS

0 POLICE INITIATED COMPLAINTS

5 ANONYMOUS COMPLAINTS

Community-Police Mediation

Mediation is an alternative to the traditional process of resolving complaints of police officer misconduct. Mediation is a process facilitated by two professionally-trained community mediators to create mutual understanding and allow the civilian and officer to be fully heard and understood in a non-judgmental way.

10
MEDIATIONS REFERRED

3
MEDIATIONS HELD

4
MEDIATIONS PENDING

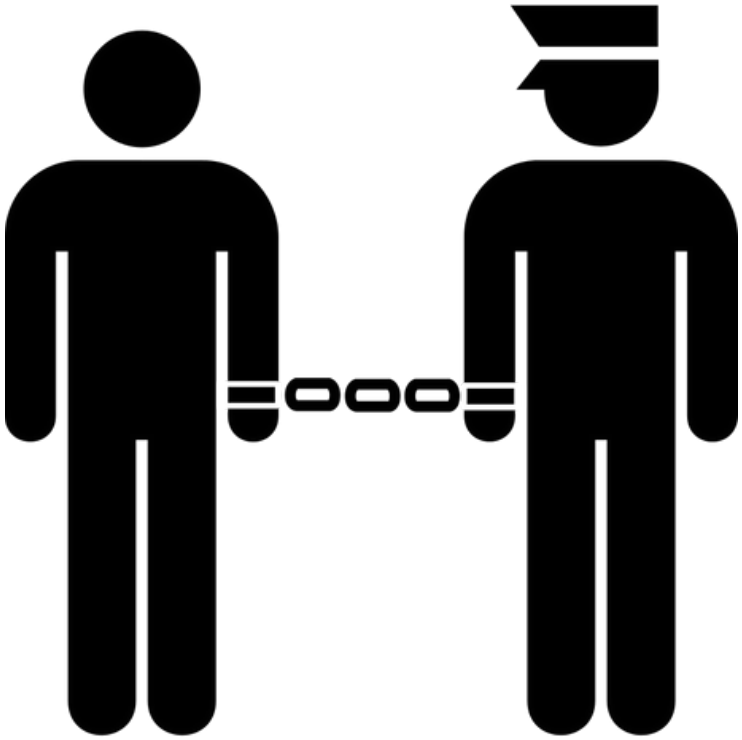
I liked the chance to talk and that the mediators were good listeners. The process turned out good."
- Officer Participant

" This was a good opportunity to express my concerns of how things were handled with the officer. I learned not to categorize the entire department because of one officer's mistake. The officer learned to take time to listen before acting. This program should continue. Please don't stop!"
-Civilian Participant

Use of Force

The OIPM is required by City Code 2-1121 to monitor the quality and timeliness of NOPD's investigations into use of force and in-custody deaths. If an incident occurs, the OIPM is notified and a member of the incident and will report immediately to the scene. The OIPM will stay engaged from the occurrence of the incident, through investigation, and Use of Force Review Board hearings.

0 CRITICAL INCIDENTS

0 FIREARM DISCHARGES

2 LEVEL 4 NON-CRITICAL INCIDENT