

Parties Involved

Key Facts



Officer Lawrence Jones

NOPD First District, 3rd Platoon



Length of Service:

December 14, 2003



History:

No previous complaints of unauthorized use of force.



Use of Firearm:



Officer Bryan Bissell

NOPD First District, 3rd Platoon



Length of Service:

December 2, 2007



History:

No previous complaints of unauthorized use of force.



Use of Firearm:



- At approximately 6:15 AM two civilian NOPD employees arrived in the NOPD headquarters parking garage and observed an individual pulling on the entrance into headquarters, eating contents from a trash bag he was carrying, and that he also had a knife in his hand.
- The civilians notified Deputy Chief John Thomas about the situation and he notified the first district.
- Officer Jones relocated to the garage area and began looking for the individual.
- The individual relocated behind a NOPD vehicle, away from Officer Jones' vehicle.
- Officer Jones began giving the individual verbal commands via his loudspeaker for approximately 2 minutes. Two other officers were dispatched to the scene.
- Officer Jones exits his vehicle when Officer Bissell arrived.
- Officer Jones continued to give the individual instructions to drop the knife.
- Officer Jones encouraged the individual to get in his police vehicle so he could be taken to a counselor. The individual started walking toward Officer Jones' vehicle but retreated to his previous location.
- Once the subject returned to his location, Officer Jones deployed his C.E.W. It had no effect on Mr. Ballard. Officer Bissell then deployed his C.E.W, it also had no effect. Officer Bissell continued to hold the trigger of his taser for a total of 9 seconds.

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

1. Were the officers' tactics *safe and sound*?
2. Was the level of force *appropriate* for the crime/level of resistance?
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.

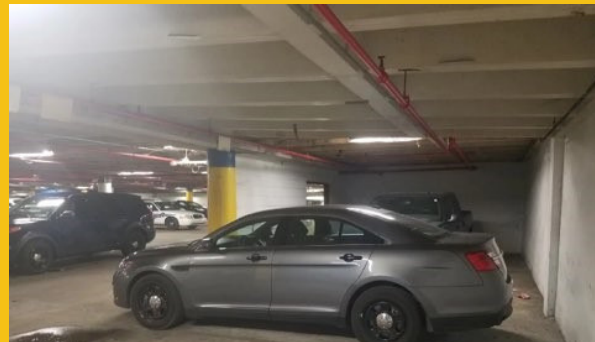
USE OF CEW POLICY

Officers shall use CEWs only when such force is necessary to protect the officer, the subject, or another party from physical harm, and other less intrusive means would be ineffective.



NOPD Policy Chapter 1.7.1(2)

LOCATION OF THE INCIDENT



PIB/FIT ANALYSIS

- **Use of Force**
 - PIB/FIT determined this use of force was justified. NOPD Training Academy also found the use of force consistent with current departmental training.
- **Training**
 - PIB/FIT recommended and gave verbal training to Officer Jones and Bissell regarding CEW usage and officer safety.
- **Equipment Use**
 - PIB/FIT identified equipment use problems with (1) how long Officer Bissell left his finger on the CEW trigger, (2) Officers Jones and Bissell left their CEW on the ground unattended, and (3) Officer Bissell failed to reload his CEW once there was not a completed cycle.
- **Tactics**
 - PIB/FIT felt that the officers did an excellent job with de-escalation and tactics.
 - Officer Jones used de-escalation techniques for over 10 minutes in an attempt to have the subject comply and drop the knife.



OIPM RECOMENDATIONS

- **Commendation of PIB/FIT Officers**
 - OIPM commends Officer Jones for his calm reactions to an individual in a potential mental health crisis.
 - OIPM also recognizes the decision of Officer Bissell to hold his firearm and respond with a taser.
- **Failure to Warn**
 - PIB/FIT did not address Officers Jones and Bissell's failure to warn the suspected person before deploying their CEWs.
 - OIPM recommends that Officer Jones receive additional training on NOPD's CEW policy (Ch. 1.7.1.), specifically, the section on Verbal and Visual Warnings, paragraphs 29-31.
- **Use of Force**
 - OIPM agrees with PIB/FIT that Officer Jones' CEW use was justified.
- **Equipment Use**
 - OIPM agrees that Officers Jones and Bissell failed to secure their CEWs.

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

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