

Office of the Independent Police Monitor

City of New Orleans

2019 Annual Report: Year in Review



Susan Hutson

Independent Police Monitor

May 30, 2020

INDEPENDENT POLICE MONITOR

MISSION AND RESPONSIBILITIES

The Office of the Independent Police Monitor (OIPM) is an independent, civilian police oversight agency created by the voters in a 2008 charter referendum and which opened its doors for the first time in August of 2009. Its mission is to improve police service to the community, civilian trust in the NOPD, and officer safety and working conditions. The OIPM has six broad responsibilities:

- 1) To ensure that all complaints regarding police misconduct are classified and investigated or mediated at the appropriate level and that those investigations are fairly, timely and thoroughly handled; to ensure that discipline is fair, timely, appropriate and upheld upon appellate scrutiny. To make information about this review process available to the public.
- 2) To monitor NOPD investigations into use of force to identify violations of civil rights, concerns of officer tactics and safety, risks to life, liberty and property, and adherence to law and policy.
- 3) To review and analyze aggregate data from complaints, investigations, community concerns and public policy in crafting recommendations aimed toward improving the quality of services by the NOPD.
- 4) To reach out to inform the community about the OIPM, to listen and respond to broader community concerns, and prepare the community for engagement in NOPD policy and practice.
- 5) To mend police/community relationships by fostering effective police/community partnerships.
- 6) To collect police commendations, review and monitor police training and supervision issues and support a healthy and safe working environment for NOPD employees.

The OIPM is responsible for monitoring the New Orleans Police Department and only the New Orleans Police Department. Although OIPM works with other criminal justice system actors, it is not responsible for oversight of any other agency. However, OIPM is mindful of the impact of these other criminal justice actors upon the operations of NOPD and will attempt to analyze that impact in future reports. OIPM accomplishes its mission by focusing on three main activities: complaint and disciplinary system monitoring and review; use of force monitoring and review; and subject-specific analyses or audits. Our recommendations to improve NOPD's accountability systems originate from these activities.



A NOTE FROM THE INDEPENDENT POLICE MONITOR

The Independent Police Monitor is required to issue at least one public report each year, by May 30, to the ethics review board and New Orleans City Council detailing its monitoring and review activities and the appropriate statistical information from the internal investigations office, and other divisions of the New Orleans Police Department (NOPD). The Independent Police Monitor shall be required to report upon problems it has identified, recommendations made and recommendations adopted by the New Orleans Police Department. The report shall also identify commendable performance by the New Orleans Police Department and improvements made by the department to enhance the department's professionalism, accountability, and transparency.

Ordinarily the Office of the Independent Police Monitor uses this report as an opportunity to provide the community, the NOPD, and the Ethics Review Board with relevant policing data from the year. This data review utilizes data inputted by the NOPD but analyzed by the OIPM. In this data analysis, the OIPM identifies potential patterns and trends within misconduct complaints, disciplinary proceedings, use of force and critical incidents and puts forth recommendations. The OIPM Annual Report is an opportunity for both the OIPM and the NOPD to reflect on the year of policing through this data work and create a plan for the coming year on how to better work together to change problematic trends and continue positive ones. However; due to the Cyber-Attack on the City of New Orleans in December 2019, the NOPD and the OIPM has been unable to access necessary shared databases that stored the data necessary to complete this work. This Cyber-Attack is still an obstacle to our data work today and for that reason, there will not be a data analysis section in our different sections of the 2019 Annual Report. The OIPM is working with the NOPD leadership and the City of New Orleans to restore those necessary databases and once restored, will determine how to proceed with our data analysis for the 2019 year.

Despite this setback, the OIPM still looks forward to presenting this year's Annual Report with a focus on our internal work because 2019 has been a busy year. In 2019, the NOPD neared full compliance with the Federal Consent Decree and took many strides to complete federal monitoring and to transition to oversight conducted entirely by OIPM. In 2019, the OIPM saw an increase in our complaints and we received a record number of complaints from the community. This year there was also an unfortunate increase in critical incidents which resulted in the OIPM monitoring and reviewing critical incident investigations for officer involved shootings every month. In 2019, the OIPM increased the number of outreach events conducted for the community and increased our impact in the community by participating in more television, radio and print media interviews. OIPM also celebrated ten (10) years of existence in New



Orleans and marked the occasion with a community event including panels and speakers from the community and NOPD. Now, the OIPM looks forward to sharing our work from 2019 with the community, the NOPD and the Ethics Review Board.

This “Year in Review” is part of that annual report.

Herein the OIPM will provide some information about noteworthy 2019 activities for the NOPD and OIPM.

Finally, the OIPM would like to acknowledge the invaluable assistance of the Public Integrity Bureau (PIB) of NOPD for helping OIPM to meet its statutory obligations. On behalf of the OIPM, I thank PIB for their efforts in strengthening this report and look forward to achieving these goals together in 2020.

Susan Hutson
Independent Police Monitor



NOTABLE NOPD ACCOMPLISHMENTS

The following notable accomplishments were reported by the NOPD as a part of the budgeting process in 2019.¹

Accomplishments of the Last Year

- **Accomplishment 1:** Year over year reductions in several crime categories:
 - 30% reduction in homicide, compared to 47 year low in 2018
 - 27% reduction in armed robberies
 - 15% reduction in simple robberies
- **Accomplishment 2:** Increased efficiency
 - Expanded the use of data analytics as an investigative tool
 - Revamping A.D.D. process, getting more officer back to work, sooner
- **Accomplishment 3:** Improved Community Engagement
 - Re-launch of the New Orleans PALS program, focused on youth
 - Creation of Language Access Coordinator position, to facilitate engagement with limited-English speaking residents and guests
 - Creation of LGBTQ Liaison positions

During their budget presentation process, the NOPD also listed its Budget Priorities for 2020. OIPM will report on the implementation of these priorities as a part of our 2020 Annual Report.

Announcement of Budget Priorities for 2020

- Budget Priority 1: Build our own outdoor firing range, to end reliance on outside agencies
- Budget Priority 2: Replenish aging fleet of public vehicles
- Budget Priority 3: Expanding our analytics unit, to embed analysts in each District and investigative unit budget
- Priority 4: Grow the size and ability of our Recruitment Unit

THE OFFICE OF THE CONSENT DECREE MONITOR (OCDM)

The Office of the Consent Decree Monitor (OCDM) is required to conduct a comprehensive assessment measuring the current outcomes under the Consent Decree.

¹ <https://nola.gov/getattachment/Mayor/Budget/2020-Proposed-Budget-Book.pdf?lang=en-US>



OCDM did not publish this assessment in January of 2020. However, OCDM noted in a public hearing about NOPD's progress under the consent decree that:

"... most sections of the Consent Decree had moved into Full and Effective Compliance. Four areas, including the Academy, were "nearing Full and Effective Compliance," and a handful of areas were still in the "Significant Progress" category. While today's hearing is focused on the Academy, and, as you will hear, we are recommending Section 12 of the Consent Decree move into Full and Effective Compliance, ..." "NOPD does not have a long way to go to achieve Full and Effective Compliance with the Consent Decree. In fact, if the Department continues on its current pace, several additional areas will be moved into Full and Effective Compliance in the near future, including PIB, Community Policing, and Recruitment. The accomplishments in these areas over the past few months have allowed the NOPD, the DOJ, and the Monitoring Team to focus our efforts on the three most significant areas requiring our attention: Stops/ Searches/ Arrests, Bias Free Policing, and Supervision."²

The Consent Decree Monitoring Team also published a *Special Report of the Consent Decree Monitor Reporting the Results of the Third Biennial Community Survey*.³ "The findings outlined in this Special Report flow from surveys completed in late 2018 and data analysis in 2019. Paragraph 230 of the Consent Decree requires the completion of a biennial survey of members of the New Orleans community "regarding their experiences with and perceptions of the New Orleans Police Department ("NOPD" or "Department") and of public safety."⁴

OCDM noted that "...the 2014, 2016, and 2018 biennial surveys collectively demonstrate that officers, detainees, and the community continue to perceive NOPD as moving in the right direction. The Consent Decree was crafted by the NOPD, the City, and the DOJ to transform the NOPD and to secure the benefits of a constitutional police department for all. These protections include clear policies that give officers meaningful guidance; officers who have respect for all members of the community; robust training that incorporates procedural justice and constitutional standards; thorough and competent investigations into police use of force and allegations of misconduct; and strong

²<http://nopdconsent.azurewebsites.net/Media/Default/Documents/Reports/OCDM%20JSAronec%20Opening%20for%20Academy%20Hearing%202019-12-17.pdf>

³ <http://nopdconsent.azurewebsites.net/Media/Default/Documents/Reports/581-1%203rd%20Biennial%20Special%20Report.pdf>

⁴ *Id.*

partnerships with the community. The results of the most recent biennial survey indicate the goals of the Consent Decree are being realized.”⁵

OIPM IN 2019

Anniversary

2019 was a year of remembrance and growth. In October, the OIPM celebrated ten years of police oversight in New Orleans. The OIPM marked the occasion by hosting a community event with panel and facilitated discussions. These discussions were an opportunity to learn from local leaders in police oversight, our complaint and mediation departments, and facilitate discussions with NOPD leadership regarding use of force reduction and the future of policing in our community. This event was a great opportunity for the community and officers alike to gather and have productive and reflective conversations. The OIPM reflected on how far oversight has come over the last ten years and what the next ten years will hold for OIPM, the NOPD, and the city of New Orleans.



Each year the OIPM gains more knowledge, capacity and support and hopes that it has reached the original vision that the voters of New Orleans intended over a decade ago.

⁵ *Id.* at 11-12.

Quality Assurance Review (QAR)

In 2019, the work product and reports generated by the OIPM in the previous two (2) years (2017 and 2018) were reviewed by a Quality Assurance Review Advisory Committee (QARAC) comprised of appointments from the Ethics Review Board, the Mayor, and City Council. This two-year review was an in-depth assessment of the quality and quantity of work completed by the different sections within the OIPM. The QAR report stated: “The OIPM is a small, productive, hard-working staff that regularly produces detailed, insightful, and thorough reports on various aspects of the New Orleans Police Department (“NOPD”).” The QARAC praised the consistent quantity and quality of the work produced by the OIPM, stating the OIPM “responsibly and judiciously” used our budget. The QARAC provided recommendations on how the OIPM could expand impact and work product “in the spirit of making this valuable organization even better.” The QARAC further suggested the City “may need to increase the budget, resources, and staff of OIPM to ensure its continued growth in its important role in our community and the smooth transition from oversight through the Consent Decree.” In 2019, the OIPM implemented many of the recommendations made by the Advisory Committee and looks forward to reporting the progress made to the QARAC in the 2019 review.

Hiring

In 2019, the OIPM employed eight (8) full-time employees which is the largest number of full time employees in the history of the office. The OIPM hired Ms. Daphne Cross as an office and outreach assistant. Ms. Cross is also responsible for the OIPM’s collection, analysis and reporting of NOPD lawsuits and claims.

NOPD Lawsuits and Claims for Damages

In 2019, for the first time in many years, the OIPM collected, analyzed, and will report on NOPD’s Lawsuits and Claims for Damages. Additionally, this work allowed the OIPM to follow through on the recommendations from its Quality Assurance Review Committee’s recommendations to report on lawsuits and claims. In its July 19, 2019 *Quality Assurance Review Advisory Committee Report for the Office of the Independent Police Monitor* wrote: “Municipal Ordinance Sec. 2-1121 (22) sets out as one of the duties of OIPM to monitor civil suits involving NOPD. No reports on civil suits were produced in 2018. The QAC recommends that OIPM consider keeping in one place a database on individual officers, coordinating information from use of force, complaints, discipline,



and civil suits so that it can make recommendations as to particular officers.”⁶ The OIPM will release its first report regarding its findings in the next few months.

Community Relations and Complaint Intake Nexus

Also, for the first time in many years, the OIPM had a full-time Executive Director of Community Relations for the entire year. In 2019, the OIPM received a record number of complaints, created new internal complaint categories, and created new data tracking methods through the use of “tags” within our internal database: Complaint Manager. The OIPM saw an increase in the amount of complaints received from the community. The OIPM credits the influx in complaints to our increased media and outreach work.

In 2019, the OIPM was able to implement an outreach and external relations plan created by the Executive Director of Community Relations, the Independent Police Monitor, and management team. Through this effort, the OIPM participated in more radio, television and print media interviews about our services and the role we play in monitoring NOPD investigations involving misconduct and use of force. The Executive Director of Community Relations also conducted over thirty-five (35) trainings called Learn Your Rights in the Community (LYRIC).

We believe these two strategies increased our visibility and helped members of the community not previously aware of our office, learn how we are available to assist them with their concerns and that are a site to safely provide feedback about NOPD performance. As a result, the OIPM saw an increase in both our complaint and commendation numbers over the year. Please see the 2019 Annual Report: Complaints, Commendations, and Disciplinary Proceedings on our website for more information.

Critical Incident Monitoring

In 2019, there were ten (10) Critical Incidents which are the most serious uses of force by the NOPD. Of the ten (10) Critical Incidents, 70% were OIS and 40% resulted in fatality. By contrast, NOPD was not involved in a single OIS or fatalities in 2018. While this sudden and stark increase is of concern to OIPM, it is important to note that in each OIS that resulted in a fatality, the NOPD was not first to initiate gunfire. Please see the OIPM’s 2019 Annual Report: OIPM Use of Force Monitoring and Review Activities on our website for more information.

⁶ www.nolaipm.gov/reports



Mediation

The OIPM also saw an increase in the number of community-police mediations that took place. In 2019, the Community-Police Mediation Program held forty-two (42) mediations involving forty-two (42) civilians and fifty-four (54) officers. A total of one hundred and thirty-six (136) cases were referred to the mediation program from the New Orleans Police Department's Public Integrity Bureau (PIB). Participants in the mediations reflected the demographics of the city and mediations took place in more than twenty (20) community venues. In 2019, the OIPM held the most mediations that it has ever held in the existence of the program. Please see the 2019 Annual Report: Community-Police Mediation Program on our website for more information.

OIPM Recognition and Outreach

As the nation has taken notice of the reform taking place in the NOPD, oversight agencies are aware of the work the OIPM has done as well. OIPM has been recognized as a leader in police reform and presented nationwide and internationally on the subject matter. In 2019, our Mediation and Use of Force sections both led presentations and panels for oversight agencies across the country at the National Association for Civilian Oversight of Law Enforcement (NACOLE) conference in Detroit, Michigan. One panel included the Deputy Chief of the Public Integrity Bureau and the Lieutenant of the Force Investigation Team of the NOPD. At that same conference, the Independent Police Monitor, was elected as the President of NACOLE and will lead their work in creating national standards for law enforcement oversight. Additionally, through the development and implementation of best practices, the OIPM's Community Mediation Program quickly became a national model assisting in the development of programs in other cities.

OIPM has remained committed to the community. Whether it is through our Community-Police Mediation Program, or outreach efforts, the OIPM is increasing its presence in the New Orleans Community. Appendix A comprises the OIPM's outreach efforts in 2019.

Conclusion

In 2019, the OIPM had a busy and productive year increasing our work-product and community impact. In the coming year, we look forward to building on the progress made in 2019 and continuing to contribute to progressive change in our community and within the NOPD.



Appendix A - 2019 OIPM Outreach Events

DATE	EVENT	LOCATION	DISTRICT
January	LYRIC	District C	C
January	Citizen's Police Academy	NOPD Training Academy	D
January	FOI Meeting	OIPM	B
January	LYRIC	Liberty's Kitchen	B
January	NOPD Training Advisory Committee Meeting	NOPD Training Academy	D
January	PCAB Introductory Meeting	OIPM Office	B
January	Real Time Crime Camera Center for Community Groups	RTCCC	B
January	Tulane Law Public Interest Panel	Tulane University	A
January	LYRIC	Day Reporting Center	B
January	NOPD Training Advisory Committee Meeting	NOPD Training Academy	D
February	FOP Meeting	Coffee Science	B
February	NONPACC	3rd District	D
February	LYRIC	Day Reporting Center	B
February	LYRIC	Liberty Kitchen	B
February	NONPACC	1st District	B
February	NONPACC	2nd District	A
February	NONPACC	4th District	C
February	NONPACC	4th District	C
February	NONPACC	5th District	D
February	NONPACC	7th District	E
February	Real Time Crime Camera Center for Community Groups	RTCCC	B
February	Mediation Presentations - Presented at roll call meetings on Community-Police Mediation Program	NOPD District Stations	All
March	Community Meeting with State Legislators	Historic St. James AME Church	C
March	Informational forums on the Real Time Crime Center	Various locations	Various



Appendix A - 2019 OIPM Outreach Events

March	LYRIC	Day Reporting Center	B
March	LYRIC	Liberty Kitchen	B
March	RTCC Community Forum	2240 St. Claude Avenue	C
March	RTCC Community Forum	New Hope Baptist Church	B
March	Women's History Month Community Awards	Historic St. James AME Church	C
March	Women's History Month Prayer Summit	Historic St. James AME Church	C
March	Mediation Presentations - Presented at roll call meetings on Community-Police Mediation Program	NOPD District Stations	All
April	LYRIC	Day Reporting Center	B
April	LYRIC	Liberty Kitchen	B
April	Mediation Presentations - Presented at roll call meetings on Community-Police Mediation Program	NOPD District Stations	All
May	LYRIC	Day Reporting Center	B
May	LYRIC	Liberty Kitchen	B
May	PCAB	1st District	B
May	PCAB	3rd District	D
May	PCAB	4th District	C
May	PCAB	8th District	B
May	PCAB Introductory Meeting	5th District	D
May	Mediation Presentations - Presented at roll call meetings on Community-Police Mediation Program	NOPD District Stations	All
April	LYRIC	Day Reporting Center	B
April	LYRIC	Liberty Kitchen	B
April	Mediation Presentations - Presented at roll call meetings on Community-Police Mediation Program	NOPD District Stations	All



Appendix A - 2019 OIPM Outreach Events

May	LYRIC	Day Reporting Center	B
May	LYRIC	Liberty Kitchen	B
May	PCAB	1st District	B
May	PCAB	3rd District	D
May	PCAB	4th District	C
May	PCAB	8th District	B
May	PCAB Introductory Meeting	5th District	D
May	Mediation Presentations - Presented at roll call meetings on Community-Police Mediation Program	NOPD District Stations	All
June	Citizen's Academy Presentation	13400 Old Gentilly Road	D
June	City Council Presentation	Port Allen, Louisiana	N/A
June	Dillard/Martinet Middle School Camp	Dillard University	D
June	Justice System Community Roundtable	Pythian Market	B
June	LYRIC	Day Reporting Center	B
June	LYRIC	Liberty Kitchen	B
June	PCAB	2nd District	A
June	PCAB	5th District	D
June	PCAB	6th District	B
June	PCAB	7th District	E
June	Mediation Presentations - Presented at roll call meetings on Community-Police Mediation Program	NOPD District Stations	All
July	6th District PCAB	New Hope Baptist Church	B
July	FOP Meeting	Coffee Science	B
July	LYRIC	Day Reporting Center	B
July	LYRIC	Liberty Kitchen	B
July	Port Allen City Government Officials Meeting	N/A	
July	StudioBe and Office of Criminal Justice Coordination Summer Camp	Studio Be - 2941 Royal Street	C
July	Mediation Presentations - Presented at roll call meetings on Community-Police Mediation Program	NOPD District Stations	All



Appendix A - 2019 OIPM Outreach Events

August	Community Meeting for Police Oversight in Port Allen, Louisiana	Port Allen, Louisiana	N/A
August	LYRIC	Day Reporting Center	B
August	LYRIC	Liberty Kitchen	B
August	MaCCNO and Street Performers Meeting	OIPM	B
August	NOPD and Second Line Parades Meeting	OIPM	B
August	OIPM participation	NOPD Training Advisory Committee Meeting	D
September	LYRIC	Day Reporting Center	B
September	LYRIC	Liberty Kitchen	B
September	New Orleans Police Department Graduation - Class 186	McDonough 35	D
September	Sanford Sandy Krasnoff Criminal Justice Council Community Feedback Forum	Dillard University	D
September	NACOLE Annual Conference	Detroit, MI	N/A
October	36th Annual National Night Out Against Crime	1st District	B
October	36th Annual National Night Out Against Crime	5th District	D
October	Ethics Review Board Meeting	City Council Chambers	B
October	LYRIC	Son of a Saint	A
October	LYRIC	Day Reporting Center	B
October	OIPM 10 Year Anniversary Party and Panel Discussions	Southern Rep Theater	B
October	Tulane Radio Show segment	Tulane University	A
October	WBOK Radio-Early Bird Show with Oliver Thomas	WBOK	D
October	Webinar on Police Oversight	SCCE Webinar	N/A
November	COURTWATCHNOLA Awards Event	Uptown	A
November	New Orleans Citizen Diplomacy Council Presentation To Mexican Delegation	Lower Garden District	B



Appendix A - 2019 OIPM Outreach Events

November	OIPM Presentation At City Council Budget Hearings	City Council Chambers	B
November	OIPM Presentation At National Oversight Conference In Puebla, Mexico	N/A	N/A
November	Ubuntu Village Outreach Event	Carver Theatre	C
November	Mediation & Active Listening Class - Taught 4 hour class on mediation, active listening, and conflict resolution	NOPD Training Academy	D
December	Ethics Review Board Awards Luncheon	Hyatt Regency	B
December	Ethics Review Board Meeting	City Council Chambers	B
December	NOPD Recruit Class #187 Graduation	Walker-Landry High School	C
December	Orleans Parish Communications Meeting And Tour	OPCD	A

