

THE OFFICE OF THE INDEPENDENT POLICE MONITOR



MONTHLY REPORT

JUNE 2020

SUSAN HUTSON
INDEPENDENT POLICE MONITOR

Community Letter

Dear New Orleans Community,

In the month of May, New Orleans and the country started calling for police reform and changes in the way the police engage in the community. The Office of the Independent Police Monitor not only monitored the community protests occurring in New Orleans but engaged with the community to learn more about what meaningful changes they were seeking from their police department. The protests and calls for change in May have turned into real reform in June – both locally and nationally. The Office of the Independent Police Monitor continues to spearhead this work by presenting to and working with City Council on resolutions and ordinances, amplifying the voices of the community, and providing the oversight and accountability necessary to grow a better police department for the city.

The Office of the Independent Police Monitor received a record number of complaints this month from the community – submitting twenty-six (26) complaint referrals to the Public Integrity Bureau. The majority of the complaints we received focused on how the NOPD used tear gas and rubber projectiles to respond to community led protests on June 3, 2020 on the Crescent City Bridge. Though OIPM supports and appreciates the NOPD's attempts at transparency and public education to explain that tactical decision, the OIPM has expressed concerns regarding the apparent lack of policy around those tactics, the initial misinformation released about the tactics used that night, and the affect that decision had on public trust in the NOPD. In response to those concerns, the OIPM wrote a public letter to Chief Ferguson highlighting key points shared in the complaints and stating our intent to collaborate with the NOPD to develop necessary policy and improve training and practice to ensure such tactics are not utilized by the police again. The OIPM also started drafting policy and training recommendations regarding policing during protests and hopes to showcase this work this summer through resources for the community and formal recommendations to the NOPD.

Since June 3, 2020, the OIPM's Use of Force Department has spoken with protesters affected by the tear gas, received footage and photographs, and monitored the NOPD's investigation into the use of force that night, including monitoring statements taken from those injured. The OIPM will continue to provide such oversight to all investigations regarding June 3, 2020 until they are complete.

During the month of June, the OIPM continued our work in discipline monitoring by attending forty-four (44) predisposition conferences and disciplinary hearings. The OIPM provided feedback to the NOPD regarding strip searches, retaliation, secondary employment, and a NOPD officer turning work interactions into personal relationships that originated with calls to service and will work with leadership to develop new policy.

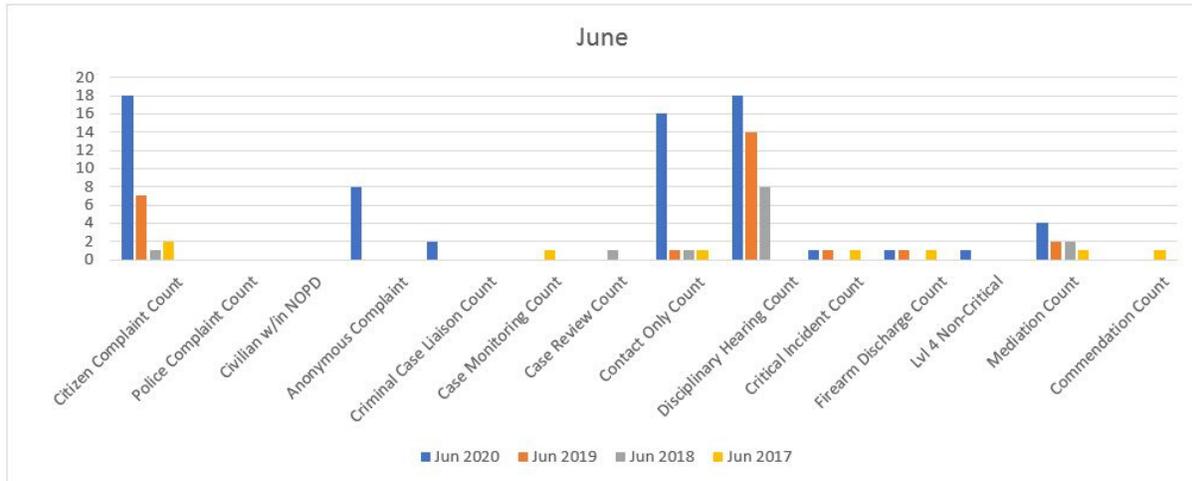
In June, OIPM responded to the fifth (5th) officer involved shooting of the year. The OIPM stayed on site monitoring the investigation and will continue to monitor this investigation along with all the other Force Investigation Team investigations being conducted.

This month the city started taking some real steps to change policing and the OIPM will continue to work with elected officials, the NOPD leadership, and our community to ensure the needs of the community are heard, understood, and realized.

Sincerely,

Susan Hutson

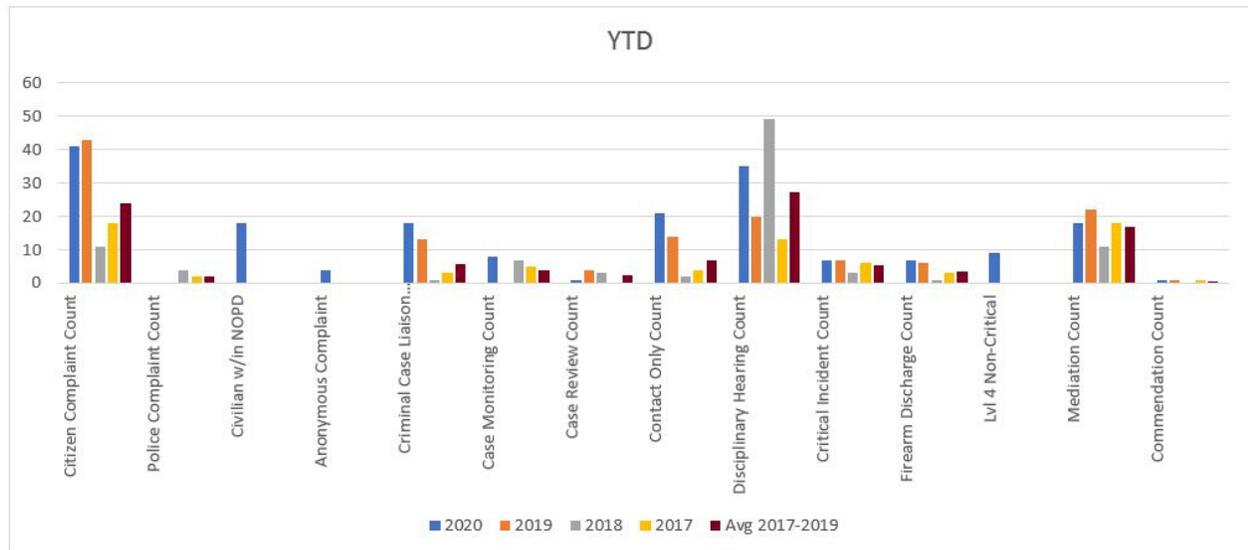
June Overview



	Jun 2020	Jun 2019	Jun 2018	Jun 2017	Avg 2017-2019
Citizen Complaint Count	18	7	1	2	3.33
Police Complaint Count	0	0	0	0	0.00
Civilian w/in NOPD*	0	-	-	-	-
Anonymous Complaint*	8	-	-	-	-
Criminal Case Liaison Count	2	0	-	-	-
Case Monitoring Count	0	0	0	1	0.33
Case Review Count	0	0	1	0	0.33
Contact Only Count	16	1	1	1	1.00
Disciplinary Hearing Count	18	14	8	0	7.33
Critical Incident Count	2	1	0	1	0.67
Firearm Discharge Count	1	1	0	1	0.67
Lvl 4 Non-Critical*	0	-	-	-	-
Mediation Count	4	2	2	1	1.67
Commendation Count	0	0	0	1	0.50
Grand Total	69	26	13	8	14.33

*indicates a new category

Year to Date Overview



	2020	2019	2018	2017	Avg 2017-2019
Citizen Complaint Count	41	43	11	18	24.00
Police Complaint Count	0	0	4	2	2.00
Civilian w/in NOPD*	18	-	-	-	-
Anonymous Complaint*	4	-	-	-	-
Criminal Case Liaison Count	18	13	1	3	5.67
Case Monitoring Count	8	0	7	5	4.00
Case Review Count	1	4	3	0	2.33
Contact Only Count	21	14	2	4	6.67
Disciplinary Hearing Count	35	20	49	13	27.33
Critical Incident Count	8	7	3	6	5.33
Firearm Discharge Count	7	6	1	3	3.33
Lvl 4 Non-Critical*	8	-	-	-	-
Mediation Count	18	22	11	18	17.00
Commendation Count	1	1	0	1	0.67
Grand Total	188	130	92	73	98.33

*indicates a new category

June Overview

Disciplinary Hearings			
Case No.	Narrative	Case No.	Narrative
DH2020-0018	An officer is accused of using unauthorized force and exhibiting a lack of professionalism during a traffic stop when he pulled an individual from her car instead of deescalating the situation.	DH2020-0027	A member of the public alleged that during a negative encounter with an officer, the two ranked officers failed to come to the scene to assist in a timely manner and later failed to report the alleged misconduct to PIB.
DH2020-0019	Officer is accused of failing to properly store a rifle confiscated at a scene and a Sergeant on the same matter is accused of failing to conduct a thorough and timely use of force investigation.	DH2020-0028	Officer is accused of taking inappropriate photos of himself while on duty and in uniform and using and posting the photos on social media on duty.
DH2020-0020	A sergeant is accused of failing to timely report a use of force incident involving an officer allegedly biting an individual during an arrest.	DH2020-0029	Officer is accused of failing to properly restrain an arrested individual in handcuffs, resulting in the individual escaping the handcuffs and the squad car. The officer is also accused of deploying his conducted electrical weapon (CEW) without trying a different deescalated approach first with the individual.
DH2020-0021	Officer is accused of inappropriately posting on social media describing a negative encounter the officer had with a member of the community while volunteering at a school function (not in an official capacity).	DH2020-0030	NOPD employee is accused of committing a simple battery on a friend while off duty.
DH2020-0022	Officer is accused of deploying his conducted electrical weapon (CEW) on an individual during an arrest when the individual did not pose any threat to the officer. The Sergeant on the same matter is accused of failing to thoroughly and accurately document the use of force.	DH2020-0031	Officer is accused of participating in a military hearing as a character witness for another officer and failing to raise an allegation of misconduct based on the information learned at the hearing.
DH2020-0023	Officer is accused of driving while intoxicated out of state while also wearing a NOPD t-shirt.	DH2020-0032	Officer is accused of firing his service weapon at a moving vehicle in violation of NOPD policy.
DH2020-0024	Officer is accused of engaging in a sexual relationship with an individual the officer met while being dispatched in his official capacity and then later leaving his departmental weapon at the individual's home.	DH2020-0033	Three officers are accused of participating in secondary employment in a plain clothes capacity without receiving prior approval from the Office of Police Secondary Employment (OPSE).
DH2020-0025	Officer is accused of utilizing his conducted electrical weapon (CEW) on an individual initially accused of shoplifting when the individual did not pose a threat to the officer.	DH2020-0034	Lieutenant is accused of failing to supervise officers that conducted a warrantless search of a house.
DH2020-0026	Member of the public accused officer of inappropriately accessing a police report to assist a personal friend with a custody dispute.	DH2020-0035	A Captain and Lieutenant are accused of working a detail of secondary employment without receiving prior approval from the Office of Police Secondary Employment (OPSE)

Disciplinary Hearings: 18

Citizen Complaints			
Case No.	Narrative	Case No.	Narrative
CC2020-0038	The Complainant stated that peaceful protesters were tear gassed and threatened with projectiles then believed to be rubber bullets by the NOPD.	CC2020-0053	Complainant alleged that during the protests, the NOPD took pictures of protesters' license plates including her own.
CC2020-0043	Complainant stated she witnessed an NOPD officer illegally detain and search man and possibly sexually assault him while searching him.	CC2020-0054	Complainant was a protester on the Crescent City Connection Bridge on June 3rd and shared her account of the NOPD utilizing tear gas on protesters.
CC2020-0044	The Complainant stated that NOPD kettled the large group of peaceful protesters on the Crescent City Connection and tear gassed them.	CC2020-0055	Complainant was a protester on the Crescent City Connection Bridge on June 3rd and shared her account of the NOPD utilizing tear gas on protesters.
CC2020-0045	The Complainant stated that the NOPD fired tear gas into a peaceful protest with elders and children.	CC2020-0058	According to complainant, an individual was placed in handcuffs and the back of a squad car without probable cause because the individual was an alleged witness of a crime.
CC2020-0046	Complainant stated that the NOPD used tear gas and shot peaceful protesters with what was believed to be rubber bullets.	CC2020-0059	Complainant was a protester on June 3, 2020 on the Crescent City Bridge and alleges the NOPD used tear gas and rubber projectiles against protesters without cause.
CC2020-0047	Complainant stated that NOPD allowed some protesters to pass their blockade and then began to use tear gas on them and all other protesters without warning or provocation.	CC2020-0060	According to a member of the public, the NOPD SWAT team and other officers were insensitive during an arrest in a neighborhood and failed to wear required masks and PPE.
CC2020-0049	Complainant was a peaceful protester and states that the NOPD shot tear gas at them without warning or provocation.	CC2020-0062	The complainant alleged that he was racially profiled during a traffic stop.
CC2020-0050	Complainant alleges that there has been a lack of investigation in relation to his brother providing the complainant's name to NOPD officers when pulled over, which results in the officers issuing the ticket in the complainant's name.	CC2020-0063	Complainant alleges she was arrested for domestic violence when she was the victim and that two NOPD officers falsified a police report.
CC2020-0051	Complainant witnessed the NOPD use tear gas on peaceful protesters on the Crescent City Connection Bridge.	CC2020-0064	Complainant shared a complaint regarding the NOPD response to the protests at the Crescent City Connection Bridge on June 3, 2020.

Citizen Complaints: 18

June Overview

Anonymous Complaints	
AC2020-0039	The Complainant stated that NOPD Officers fired tear gas canisters and potentially rubber bullets into a crowd of unarmed civilians, proceeding to beat protesters with batons while they were blinded. In addition, the complainant stated he saw protesters collapsed and bleeding.
AC2020-0040	Complainant states that NOPD said they could pass the police blockade on the Crescent City Connection Bridge then tear gassed the crowd and shot them with potentially rubber bullets as they passed.
AC2020-0041	Complainant stated that the NOPD used tear gas on peaceful protesters without warning or provocation.
AC2020-0042	The Complainant stated that an NOPD officer did not wear a mask in a federal building when everyone else around him was wearing one.
AC2020-0048	Complainant stated that the NOPD used tear gas against a crowd of peaceful protesters.
AC2020-0052	Complainant stated they witnessed NOPD officers illegally detain and take away two peaceful protesters out of their cars and forcibly place them in police vehicles.
AC2020-0056	Complainant was a protester on the Crescent City Connection Bridge on June 3rd and shared her account of the NOPD utilizing tear gas on protesters.
AC2020-0057	Complainant alleges that NOPD officers used unnecessary force to arrest a man and lied about what happened in the police report to increase charges against the man. The complainant provided a video link to corroborate their allegations.
Anonymous Complaints: 8	

Critical Incident	
CI2020-0007	During a community led protest on June 3, 2020, a crowd of several hundred individuals proceeded on foot toward the Westbank. NOPD officers formed a line to prevent the crowd from entering traffic on the main lanes of travel of the Crescent City Connection Bridge. There was dialogue between the officers and the protesters. NOPD officers deployed CS gas in at least two forms, one by hand and the other via a launching device. NOPD officers also fired rubber projectiles into the crowd. One individual was struck in the head and required medical treatment.
CI2020-0008	NOPD 4th District officers responded to calls of shots fired at Jackson's Landing Apartments. While conducting an investigation, the individual began firing his weapon at NOPD officers. A vehicle pursuit ensued and gunfire was exchanged between the individual and NOPD. The pursuit ended at Westbank Expressway & Central Avenue in Westwego, LA. The perpetrator crashed, fled on foot, and was apprehended by JPSO after the JPSO vehicle allegedly struck the individual.
Critical Incident: 2	

June Overview

Contact Only			
Case No.	Narrative	Case No.	Narrative
CO2020-0014	Individual reached out to OIPM to file a complaint but OIPM learned the officer was terminated from NOPD.	CO2020-0022	Individual reached out to share video from the police response to the protests on Crescent City Connection Bridge on June 3, 2020.
CO2020-0015	Individual shared footage from the detention of an individual that occurred during the protests in Duncan Plaza on June 11, 2020.	CO2020-0023	Individual reached out to OIPM to share her account of what happened on the Crescent City Connection Bridge on June 3, 2020.
CO2020-0016	Individual reached out to share photos from the police response to the protests on Crescent City Connection Bridge on June 3, 2020.	CO2020-0024	Individual reached out to OIPM to learn more about volunteer opportunities in the police monitoring field or with our office.
CO2020-0017	Individual reached out to our office and members of City Council to request that the Office of the Independent Police Monitor receives subpoena power.	CO2020-0025	Individual is in communication with OIPM regarding a police encounter she had after a car accident and is considering filing a complaint.
CO2020-0018	Individual reached out to OIPM asking about our use of police scanners. The OIPM answered the individual's question.	CO2020-0026	Individual reached out to OIPM to respond positively to a radio interview regarding body cameras.
CO2020-0019	Individual is in communication with OIPM regarding a police encounter she had after a car accident and is considering filing a complaint.	CO2020-0027	Individual reached out to OIPM to share social media photos regarding the police response to the protest on June 3, 2020.
CO2020-0020	Individual reached out to share video from the police response to the protests on Crescent City Connection Bridge on June 3, 2020.	CO2020-0028	Individual anonymously reached out to share feedback regarding the police response to the protest on June 3, 2020.
CO2020-0021	Individual reached out to share video from the police response to the protests on Crescent City Connection Bridge on June 3, 2020.	CO2020-0029	Individual anonymously reached out to share feedback regarding the police response to the protest on June 3, 2020.

Contact Only: 16

Criminal Liasion	
CL2020-0024	Individual reached out to the OIPM requesting assistance with a carjacking case. The OIPM coordinated a meeting with the individual and NOPD officers.
CL2020-0025	Individual reached out to OIPM requesting assistance with a possible car burglary that is being investigated by another law agency.

Criminal Liasion: 2

Mediation
Mediation cases are confidential.

Mediations Held: 4

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.

- 18** CITIZEN COMPLAINTS
- 18** DISCIPLINARY PROCEEDINGS
- 0** POLICE INITIATED COMPLAINTS
- 8** 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.

5

**MEDIATIONS
REFERRED**

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



4

**MEDIATIONS
HELD**

“ 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

3

**MEDIATIONS
PENDING**

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.

2

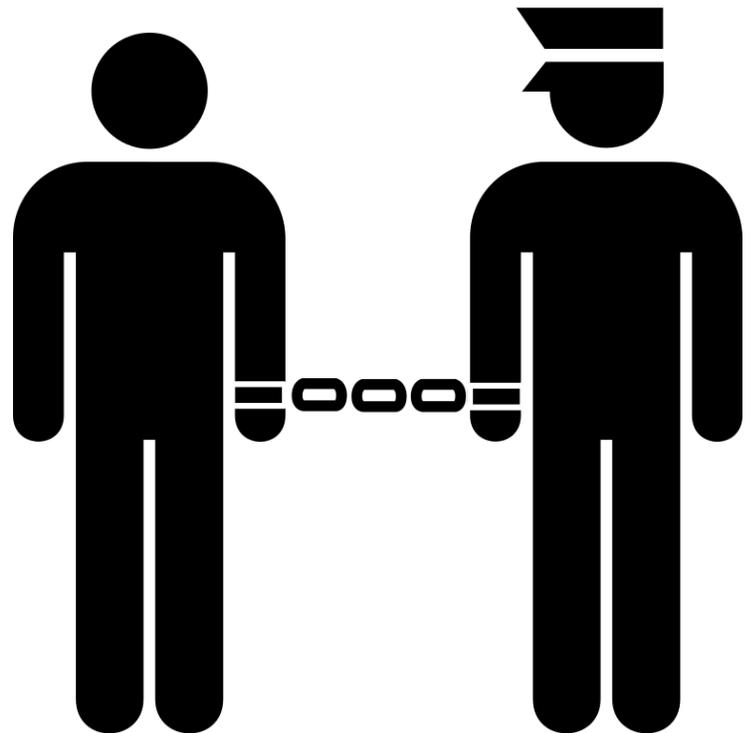
CRITICAL INCIDENTS

1

FIREARM DISCHARGES

0

**LEVEL 4
NON-CRITICAL INCIDENT**

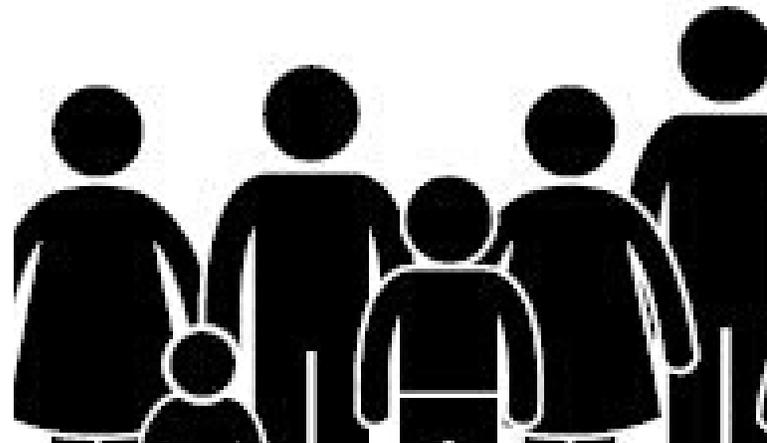


Community Relations

OIPM participates in community events to help extend the message of the OIPM and participates in activities to impact the nature of the relationships the community has with police officers. OIPM is committed to being present in the community, but also presenting helpful information to the public.

Events:

- Peace with the Police Walk
- Monitoring: Police Brutality Protests
 - June 1, 2020
 - June 2, 2020
 - June 4, 2020
 - June 5, 2020



Media

- June 15, 2020 - WWL Radio Interview
- June 11, 2020 - Public Integrity
- June 16, 2020 - Nola.com

Presentations

- June 11, 2020 - Criminal Justice Committee
- June 18, 2020 - City Council Meeting
- June 29, 2020 - Justice and Beyond Panel Discussion