THE OFFICE OF THE INDEPENDENT POLICE MONITOR

MONTHLY REPORT

SEPTEMBER 2020

SUSAN HUTSON
INDEPENDENT POLICE MONITOR

Community Letter

Dear New Orleans Community,

This month has brought OIPM to the frontlines – whether it was supporting the city's efforts in Hurricane Sally preparedness or it was testifying at the Capitol regarding policing in Louisiana – OIPM took up the call to ensure the needs of the community were heard and represented.

September started with the OIPM providing expert testimony to the Community Relations and Internal Operations Subcommittee at the Louisiana State Capitol. I provided testimony to legislators regarding community complaints, the Law Enforcement Bill of Rights, and the enforcement of the law while officers are under investigation for misconduct. This was an appreciated opportunity for OIPM to share our model of police oversight with the state government so other Louisiana parishes can learn about the role of civilian and independent governmental oversight of law enforcement.

On September 14, as the City of New Orleans prepared for the possibility of Hurricane Sally, the OIPM management team worked out of the Emergency Operations Command center and the Public Integrity Bureau to monitor the NOPD hurricane response plan in action. OIPM observed and dialogued with NOPD leadership to ensure that the police fulfilled their responsibility to effectively police if an evacuation was required and that leadership was ready to immediately respond and report any alleged misconduct that occurs during this potential natural disaster. OIPM will continue to work with leadership moving forward to ensure the police are prepared to serve the community during any future declared emergencies.

The OIPM commends the community for speaking out this month about the police response to protests on June 3, 2020 and its use of tear gas and the city for listening. During September, the city council passed an ordinance banning the use of tear gas. OIPM was integral in providing the relevant groups involved in this process insight into NOPD practices and policies regarding tear gas, use of force, and misconduct and disciplinary procedures. Moving forward, the OIPM looks forward to working with NOPD leadership to ensure this city ordinance is reflected in all internal policies and training.

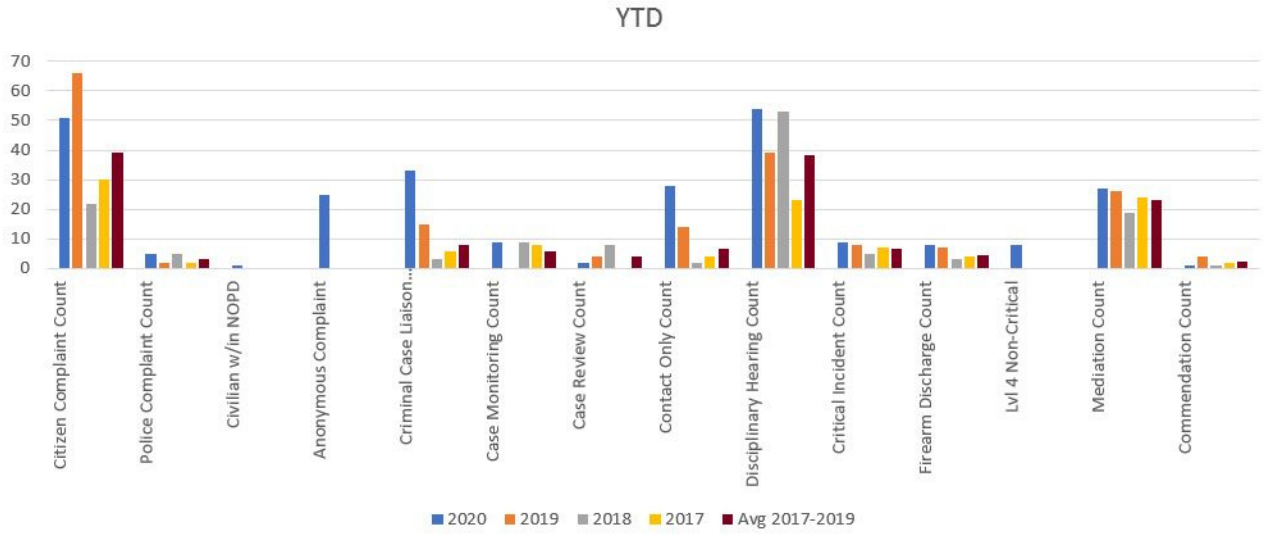
The OIPM played an important role in a recent arrest of a NOPD officer for his alleged inappropriate relationship with a teenager. OIPM received an anonymous complaint regarding the possibility of this misconduct and immediately took action. The OIPM worked all of the involved persons to ensure there was a swift and sensitive response and investigation of the allegations. While OIPM is always sad to learn of such allegations of misconduct in our community, we appreciate the trust the people of New Orleans have to disclose this information to us and the NOPD's partnership to provide the necessary immediate accountability required.

Thank you,

Susan Hutson

Year to Date Overview

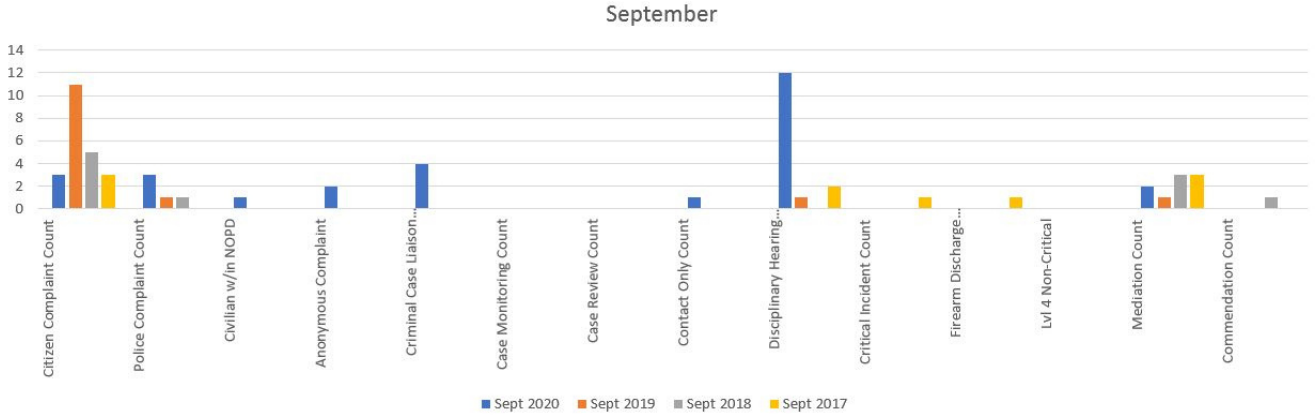
	2020	2019	2018	2017	Avg 2017-2019
Citizen Complaint Count	51	66	22	30	39.33
Police Complaint Count	5	2	5	2	3.00
Civilian w/in NOPD*	1	0	0	0	-
Anonymous Complaint*	25	0	0	0	-
Criminal Case Liaison Count	33	15	3	6	8.00
Case Monitoring Count	9	0	9	8	5.67
Case Review Count	2	4	8	0	4.00
Contact Only Count	28	14	2	4	6.67
Disciplinary Hearing Count	54	39	53	23	38.33
Critical Incident Count	9	8	5	7	6.67
Firearm Discharge Count	8	7	3	4	4.67
Lvl 4 Non-Critical*	8	0	0	0	-
Mediation Count	27	26	19	24	23.00
Commendation Count	1	4	1	2	2.33
Grand Total	261	185	130	110	141.67



*indicates a new category

September Overview

	Sept 2020	Sept 2019	Sept 2018	Sept 2017	Avg 2017-2019
Citizen Complaint Count	3	11	5	3	6.33
Police Complaint Count	3	1	1	0	0.67
Civilian w/in NOPD*	1	-	-	-	-
Anonymous Complaint*	2	-	-	-	-
Criminal Case Liaison Count	4	-	-	-	-
Case Monitoring Count	0	0	0	0	0.00
Case Review Count	0	0	0	0	0.00
Contact Only Count	1	0	0	0	0.00
Disciplinary Hearing Count	12	1	0	2	1.00
Critical Incident Count	0	0	0	1	0.33
Firearm Discharge Count	0	0	0	1	0.33
Lvl 4 Non-Critical*	0	-	-	-	-
Mediation Count	2	1	3	3	2.33
Commendation Count	0	0	1	0	0.33
Grand Total	28	14	10	10	14.33



*indicates a new category

September Overview

Police Complaints	
PO2020-0076	According to a Sergeant within the NOPD, her supervisor is targeting her by assigning additional work and treating her unfairly in response to her filing a complaint against another employee.
PO2020-0080	According to a Sergeant within the NOPD, the Deputy Chief and Captain of his department are making it difficult for him to act as a supervisor and fail to support him with management decisions.
PO2020-0081	An anonymous police officer working within NOPD mailed a letter to the OIPM regarding a supervisor pretending to perform a sexual gesture on another employee in the department.
Police Complaint Count: 3	

Mediation
Mediation cases are confidential.
Mediations Held: 2

Disciplinary Hearings	
DH2020-0043	Responding Lieutenant is accused of failing to conduct a thorough Use of Force inquiry and investigation, enabling him to miss a Level 4 Use of Force. An officer is accused of failing to disclose a Conducted Electrical Weapon (CEW) cycle used on a handcuffed individual.
DH2020-0044	Officer responding to a call for service regarding an individual with a gun in the French Quarter is accused of failing to take necessary and immediate police action.
DH2020-0045	Two officers are accused of entering a residence without consent or a warrant and conducting a search and arrest.
DH2020-0046	Officer is accused of being unprofessional towards a member of the public while being executing an Order of Protective Custody.
DH2020-0047	Sergeant is accused of having inappropriate material on his NOPD computer in violation of NOPD policy.
DH2020-0048	Sergeant and a Senior Police Officer are accused of failing to disclose possible criminal prosecution resulting from actions taken while in the military.
DH2020-0049	Sergeant is accused of failing to report an allegation of sexual assault and inappropriate conduct with a juvenile reported to him by an estranged family member.
DH2020-0050	Officer is accused of using unauthorized force by kneeling on an arrested individual's neck in violation of NOPD policy.

September Overview

Disciplinary Hearings Continued	
DH2020-0051	Officer is accused of firing his service weapon into a window of a house without having a visible target prior to firing the firearm in violation of NOPD policy.
DH2020-0052	Officer responding to a single-vehicle accident is accused of violating NOPD policy by destroying the ticket once it was written, failing to notify his supervisor to void the ticket, possibly including inaccurate information in the crash report and removing his Body Worn Camera (BWC) while speaking to the driver.
DH2020-0053	Officer is accused of pursuing a vehicle without requesting authorization from his supervisor. The supervising Sergeant is accused of being aware of the pursuit and failing to perform the required supervisory responsibilities regarding the pursuit.
DH2020-0054	Five officers are accused of mishandling a traffic stop by being discourteous, unprofessional, improperly putting the civilian in handcuffs, and using unauthorized force. The responding Sergeant is accused of failing to execute the required use of force investigation and reporting possible misconduct.
Disciplinary Hearings Count: 12	

Contact Only	
CO2020-0034	An anonymous individual reached out to OIPM regarding problematic relationships and dynamics within the NOPD's homicide department and its leadership.
Contact Only Count: 1	

Civilian within NOPD	
CN2020-0079	According to a civilian who works for the NOPD, the workplace within his department of the NOPD is toxic and this escalated into the employee's supervising Sergeant and Lieutenant inappropriately coming to his home and forcing the employee to go to PIB for a drug test.
Civilian within NOPD Count: 1	

Citizen Complaints	
CC2020-0077	Complainant alleges he was involved in a car accident on the interstate and the responding officer failed to conduct an investigation and wrongfully found him at fault. The complainant believes racial bias was a
CC2020-0078	Complainant believes the NOPD lost or took her AirPods during a police encounter.
CC2020-0083	According to the complainant, an NOPD officer, who is dating an ex-girlfriend of a family member, has been threatening the complainant and possibly abusing his position to influence the outcome of a custody issue between the complainant's family member and the ex-girlfriend.
Citizen Complaints Count: 3	

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.

3 CITIZEN COMPLAINTS

12 DISCIPLINARY PROCEEDINGS

3 POLICE INITIATED COMPLAINTS

2 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.

11

MEDIATIONS REFERRED

2

MEDIATIONS HELD

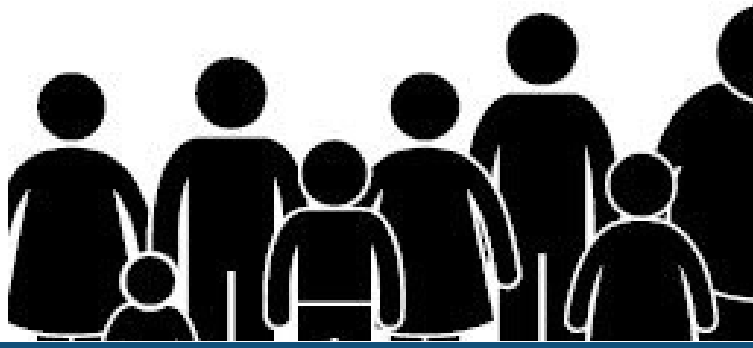
4

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

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.

September 18, 2020 - Learn Your Rights in the Community - Liberty's Kitchen
September 22, 2020 - STAND WITH KIDS Rally
September 29, 2020 - Criminal Law Seminar - Loyola Law School