

Office of the Independent Police Monitor

City of New Orleans

**2020 Annual Report: Complaints,
Commendations, and Disciplinary
Proceedings**



Independent Police Monitor

May 30, 2021

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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 did not have access to shared databases until summer of 2020. The impact of the Cyber-Attack is still an obstacle to our data work today since relevant data from 2019 and 2020 is still being entered into these systems. As a result, the OIPM accessed what data was available to include in this report but will note that our ability to provide the full data analysis, critique of our data partnerships with the NOPD, and assessment of NOPD's compliance with data tracking, is more limited than we hope it will be in 2021.

Despite this setback, the OIPM still looks forward to presenting this year's Annual Report. This was a unique year for our community and for our office. Due to the Covid19 pandemic, the OIPM was forced to work remotely for most of the year and adapt our services to better respond to the changing needs of the community through this public health and safety crisis. This meant expanding our recommendations to include how officers used summons in lieu of arrests, the use of checkpoints, and Personal Protective Equipment (PPE) when officers engaged with the public or were in the workspace.

On May 25, 2020, the whole country was shaken by the death of George Floyd at the hands of police officers in Minnesota. In the wake of George Floyd's murder, the New Orleans community came together to protest and collaborate on our policing goals for our city. One protest ended with the police utilizing tear gas for the first time during a First Amendment assembly or in a crowd. In the aftermath of that tactical decision, the OIPM has worked with NOPD leadership, community activists and leaders, and those affected to determine receive misconduct allegations, monitor the subsequent use of force investigations, and determine what role – if any – tear gas should have in the future of policing in New Orleans.

Additionally, in 2020 the city prepared for a record number of hurricanes, which resulted in the OIPM examining the NOPD's preparedness for storms and how to best serve the community during possible evacuations and emergencies.

Through all 2020, OIPM maintained a high volume of regular work. For the second year in a row, the OIPM received nearly one hundred (100) complaints of misconduct, monitored eleven (11) critical incidents, facilitated meetings for the community with the NOPD, advised on multiple policies, reviewed and



monitored over sixty-four (64) disciplinary proceedings, facilitated ninety-eight (98) mediation referrals, and conducted over thirty-five (35) outreach activities. The OIPM looks forward to sharing this work from 2020 with the community, the NOPD and the Ethics Review Board.

I also want to personally note that in 2020 the city was forced to implement extensive budgetary cuts and as a result, employees, like mine in the OIPM, were forced to take furlough days and the OIPM had limited access to necessary contract services. Despite these challenges, the OIPM has remained open and dedicated to the public we seek to serve. This has not been an easy year for the team, but I am impressed by their passion and work ethic that drives this office each day. Now, as we consider the possibility that these budgetary concerns may continue into 2021, I want to assure the people of New Orleans that we will continue to serve them – to raise their voice, hear their complaints of misconduct and accounts of positive policing, to remain on call for critical incidents, and to ensure that we can provide the accountability and oversight to the NOPD that help navigate this department out of the Federal Consent Decree. We will continue to work effectively with our community and the NOPD no matter the challenges that come.

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 2021.

Finally, I would like to acknowledge and thank Susan Hutson for her leadership over the last eleven (11) years. Susan Hutson recently took a step back from her position as the Independent Police Monitor to run for Sheriff of New Orleans. Ms. Hutson oversaw this office through its initial creation and spearheaded valuable reform efforts within the NOPD. Ms. Hutson came to New Orleans in the shadow of Hurricane Katrina, the Danziger Bridge, and the Henry Glover shootings. When Ms. Hutson first arrived here, the city's trust in the NOPD was shaken. Shortly after her start, the city came under a Federal Consent Decree, and Ms. Hutson played a vital role in the resulting progress NOPD made to reduce uses of force, conduct thorough misconduct investigations and investigations into critical incidents, hold officers accountable, create the community-officer mediation program, and improve public transparency and community engagement around policing. Ms. Hutson became a national leader in police oversight. Though Ms. Hutson has taken a step back, her vision for police oversight remains.

Stella Cziment
Acting Independent Police Monitor



Complaints, Commendations, Discipline and the OIPM

Complaints of officer misconduct and accounts of exemplary policing from both the community and those within the police district are valuable and can be the catalyst for important progress within the police department. Each complaint and commendation is an opportunity for the NOPD to learn more about themselves and to adapt to the changing needs of the community, and when properly handled brings the NOPD one step closer to being in full compliance with the Federal Consent Decree. The Office of the Independent Police Monitor receives commendations and complaints, monitors and reviews misconduct complaint investigations and disciplinary proceedings, and keeps data on relevant trends and patterns to communicate back to the NOPD through policy and practice recommendations.

This year in particular, the Office of the Independent Police Monitor (OIPM) and the NOPD faced new challenges, including the Covid19 pandemic and new national and local attention on police misconduct and resulting community protests, that changed the way the police interacted with the public. The OIPM sought to provide immediate support to the community and responsive oversight to the NOPD in order to better respond to the unique challenges of 2020.

In 2020, the Office of the Independent Police Monitor is pleased to report a continued high volume of complaints. The Office of the Independent Police Monitor appreciates the trust placed in the office by both the community and those civilian and ranked officers working within the NOPD to come to the OIPM to bring their concerns and file allegations of misconduct. For the second year in the row, the Complaints Department processed nearly one hundred (100) complaints. In 2019, the Office of the Independent Police Monitor received one hundred (100) complaints and in 2020, the Office of the Independent Police Monitor submitted ninety-seven (97) complaints. These complaints ranged from how the police responded to community protests to policing practices utilized during the Covid19 quarantine efforts to police behavior towards the public and their loved ones during calls for assistance. In 2020, the OIPM also received a small influx of complaints generated internally by civilians and ranked officers employed by the NOPD. The Office of the Independent Police Monitor received both named and anonymous complaints from these officers and civilians working within the NOPD. Some of the complaints were from officers who were speaking up regarding disparities in treatment from supervisors based on racial bias or preference to employees sharing concerns over supervisory issues and management tactics to accounts of sexual harassment. Some anonymous complaints brought the OIPM's attention to possible supervisory concerns regarding relationships between supervisors and subordinates and other allegations of neglect.

The impact of our complaint system is huge. One anonymous complaint from a member of our community resulted in the arrest of an officer for allegedly engaging in a sexual relationship with a child he met during a call for service. Each complaint received in 2020 was an opportunity for the Office of the Independent Police Monitor to make these individuals feel heard and to work alongside the NOPD to ensure there was accountability.

This section of the Annual Report will dive into the work the OIPM has completed during 2020 regarding misconduct complaints, police commendations, and disciplinary proceedings. This report will both analyze the OIPM role in the complaint, commendation, and disciplinary process and will explain how this work ensures NOPD compliance with the Federal Consent Decree.



Ordinarily, this section of the Annual Report would analyze NOPD produced data regarding the misconduct complaints and commendations which were received by the NOPD directly over the previous year. The OIPM would highlight relevant trends and patterns from this yearly data. However, on December 13, 2019, the City of New Orleans experienced a cyber-attack and is still in the process of recovering lost data, restoring shared databases, and updating internal records. As a result, the NOPD is backlogged on entering disciplinary and misconduct data into shared databases from both 2019 and 2020. This obstacle will be discussed in more detail below.

Finally, the OIPM will provide an update on previous and outstanding recommendations made to the PIB regarding misconduct complaints, commendations, and disciplinary proceedings and put forth new recommendations for the coming year.

Responsibility of the OIPM: Misconduct Complaints, Disciplinary Proceedings, Commendations

Since first opening its doors in August 2009, the Office of the Independent Police Monitor has been responsible for representing the community of New Orleans, providing accountability and oversight to the NOPD, and assisting in the reforms required under the Federal Consent Decree. The Office of the Independent Police Monitor is an independent, civilian police oversight agency created by voters in a 2008 charter referendum. The OIPM operates through a Memorandum of Understanding (MOU) with the City of New Orleans and the New Orleans Police Department. It is protected and required by City Charter and Ordinance. This means this office was created by the people of New Orleans to represent all people interacting with the New Orleans Police Department in order to improve the way our community is policed.

The OIPM is responsible for these core responsibilities regarding misconduct complaints, discipline and commendations:

- **Complaint Intake, Investigation, and Disciplinary Review** – the OIPM ensures complaints of police misconduct are classified and investigated or mediated appropriately. If investigated, the OIPM monitors to ensure the investigations are conducted fairly, timely, and thoroughly handled. If the account of misconduct is considered for disciplinary penalties, the OIPM reviews the disciplinary investigation and proceeding to ensure the discipline is fair, consistent, timely, and appropriate for the allegations. The OIPM makes sure this process is transparent and understandable to those outside of and within the system.
- **Commendation Collection and the Promotion of Effective Policing Techniques** – the OIPM is responsible for receiving and referring requests for officer commendations from civilians, fellow officers, and community partners and organizations. Based on the commendations received, the OIPM can provide feedback to the NOPD regarding what the community believes is good and responsive policing.
- **Share Data and Trends to Improve the NOPD** – the OIPM reviews and aggregates data from complaints, investigations, and disciplinary proceedings and then provides feedback to the NOPD and information to the public through recommendations for NOPD training, practice and policy.
- **Community Outreach** – the OIPM conducts community outreach to receive accounts from the community of policing, listen and respond to broader community concerns, and prepare the community for engagement in NOPD policy and practice.



The OIPM and the Federal Consent Decree

The OIPM plays a unique role with the implementation of the Federal Consent Decree, which both overlaps and is separate from the role of the Office of the Consent Decree Monitors (OCDM) and is relevant to understand the work the OIPM conducts in misconduct complaints and disciplinary oversight.

The OIPM is a locally based staff and office who examines the NOPD in a broad approach. Our approach considers the Federal Consent Decree, along with NOPD policy, city, state, and federal law, national practices put forth by the National Association for Civilian Oversight of Law Enforcement and the needs of the community. As a complaint intake site, the OIPM is able to directly interact with the community and advocacy organizations regarding their concerns, accounts of police progress, and facilitate communication with the NOPD. These accounts from the community, such as complaints of officer misconduct, and the subsequent NOPD response to learning of these incidents, are opportunities for OIPM to ensure the NOPD is complying with the Federal Consent Decree Section XVII: Misconduct Complaint Intake, Investigation, and Adjudication.

Now, as the NOPD nears compliance with the Federal Consent Decree, the OIPM has turned its focus towards the areas where the NOPD is categorized as “Significant Progress” and “Nearing Full and Effective Compliance.”

Due to the cyber-attack on December 13, 2019, and the need for the NOPD to recover that lost data and enter data from two years into shared databases, the ability to determine compliance with the Federal Consent Decree was limited. According to the reports released by the OCDM and the NOPD in 2020, relevant departments of the NOPD are in the category of “Full and Effective” include: (1) academy; (2) recruitment; and (3) misconduct investigations. Relevant departments of the NOPD in the category of “Nearing Full and Effective Compliance” include: (1) supervision and performance evaluations; (2) promotions; (3) stops, searches, and arrests; and (4) bias free policing.

Now the City of New Orleans is closer than ever before to full compliance with the Federal Consent Decree and the OIPM and the OCDM will continue to assess NOPD progress towards full compliance. As the city transitions from the monitoring required by OCDM under the Federal Consent Decree to being monitored entirely by the OIPM, the OIPM will continue to audit the NOPD and provide feedback to improve practices and policies so the NOPD can stay in compliance. When OCDM departs, the OIPM will continue to engage with the community and the NOPD to ensure the NOPD stays in full compliance of the Federal Consent Decree and that the NOPD continues to progress and change to the needs of the community.

In 2021, the OIPM will continue its efforts to update and implement internal policies and practices, and build tracking mechanisms, to ensure the Consent Decree is captured in all work product related to misconduct complaints and disciplinary proceedings. The OIPM will include relevant data and updates regarding the Consent Decree in public reports to the Ethics Review Board and in other relevant reports and work product available to the public on the OIPM website.

The OIPM will continue to include the community in its assessment of NOPD’s compliance with the Consent Decree so the public can remain engaged in the progress of NOPD. Keeping these goals and principles in mind, the OIPM takes on the following work in complaints of misconduct and oversight of disciplinary proceedings.



Summary of OIPM Activities: Misconduct Complaints

The city of New Orleans, the NOPD, and the OIPM envisioned an additional impartial and independent accountability body for Public Integrity Bureau (PIB) complaints and subsequent investigations. According to the MOU, the OIPM was envisioned as an alternate complaint intake site for those civilians and officers that would prefer not to complain directly to the NOPD regarding police misconduct. The OIPM provides a complaint process that is independent, impartial, transparent, fact-based, timely, and communicates in an understandable manner to all those involved. The OIPM maintains that misconduct investigation must be comprehensive, and the complaint process must be accessible, fair, thorough, and transparent.

The OIPM strives to provide this through:

- assessing and analyzing the number of and type of complaints, assessing the quality and timeliness of NOPD investigations;
- reviewing PIB policy and practice regarding the investigation and their findings;
- reviewing operations and effectiveness of the early warning system through connecting officers and complaints to determine if those officers should have triggered further supervisory review or response;
- monitoring issues related to supervision, training and discipline of officers.

At the OIPM, any individual can file a complaint, whether it be the person who had the police encounter, an individual that witnessed a police encounter, or another officer or employee of NOPD. The OIPM accepts complaints filed by the person affected by the misconduct, a third party not directly involved in the complaint, witnesses of the alleged misconduct, or anonymously. Additionally, the OIPM accepts complaints from individuals with pending criminal proceedings. Complaints may be filed with the OIPM by telephone, in writing, by mail, e-mail, the OIPM website, in person at the OIPM office, at a designated OIPM trained/sponsored organization location, or at a designated OIPM outreach event.

Once the OIPM receives a complaint, the OIPM prepares the complainant's account into a narrative. The OIPM does not verify the statements made during complaint intake or agree with the statements provided by the complainant. The OIPM strives to accurately capture the words, emotions, goals and narrative shared by the complainant and selects the policy, practice, or rule that each allegation of behavior / incident could have violated if determined to be true. As part of the letter preparation process, OIPM personnel reviews information in NOPD systems regarding the interaction complained of, including body worn camera video, electronic police reports (EPR) and field interview cards (FIC). The OIPM may include information obtained from NOPD information systems in the complaint referral to PIB to ensure that PIB can fully investigate the complainant's concerns.

Within the complaint referral letter, the OIPM assesses what possible NOPD chapters, administrative policy, statute, state ordinance, state or federal law, or constitutional provision the NOPD employee may have violated and provides allegation recommendations. OIPM reviews and includes relevant officer disciplinary history from the last five (5) years within the letter and highlights any potential misconduct patterns in the officer's history. This portion of the process was the most limited during the response to the cyber-attack as the shared database required to review officer disciplinary histories was not restored during the summer of 2020 and even after being restored, experienced immense technological challenges that influenced both the NOPD and OIPM's ability to connect to the database and pull relevant disciplinary histories.



Finally, the OIPM classifies the complaint, makes recommendations on reassignments, managing retaliation, and any other corrective measures. The OIPM may also comment on the general policies or training if there is a risk that those policies, practices, or training may not provide enough guidance to officers in similar situations and there is an opportunity for a systemic improvement.

During complaint intake, the Complaint Intake Specialist may inquire whether the complainant may be interested in OIPM's Community Police Mediation program provided the complaint is eligible for mediation. The complaints eligible for mediation typically are allegations of professionalism, discourtesy, and neglect of duty. If a complaint is eligible for mediation and the complainant is a willing participant, the Complaint Intake Specialist will recommend that PIB refer the complaint to mediation during its "classification process."

When the referral letter is complete, the OIPM provides the referral to PIB and provides a copy along with a Complainant Letter to the complainant. The complainant letter includes information about the complaint referral process and lets the complainant know what to expect next.

PIB receives the complaint referral and then PIB includes the complaint in the complaint management system, IAPro, and then determines the classification of the complaint and possible investigator assignment. Though the OIPM does not classify complaints, the OIPM may make recommendations to the PIB regarding complaint classification. In accordance with the Federal Consent Decree Section XVII, Subsection F: Complaint Intake, Classification, Assignment, and Tracking, PIB conducts three classifications. PIB is to first determine whether the alleged misconduct is:

- a public complaint,
- an internally generated complaint (rank initiated);
- a minor violation/infraction resolved through counseling or training; or
- a complaint that qualifies as an No Formal Investigation Merited (NFIM).

If the complaint is classified as a public complaint or an internally generated complaint, then the PIB classifies whether the complaint is:

- Criminal;
- Administrative; or
- Use of Force (these are types of Administrative or Criminal investigations).

Finally, if administrative, there are subcategories. The third classification occurs within the Administrative subcategories:

- serious misconduct (non-criminal in nature);
- other (non-serious) misconduct;
- allegations eligible for Negotiated Settlement; and
- allegations eligible for Community-Police Mediation.

The complaint process is based on the allegation, not the possible outcome. The classification matters because it determines the Bureau where the complaint will be assigned for investigation. Upon being notified by the NOPD of the complaint, the OIPM may review the classification of internal investigations to ensure it is compliant with the Federal Consent Decree Section XVII and where appropriate, may recommend the NOPD reclassify the internal investigations.

Beyond the intake and classification process, the OIPM acts as a facilitator between the complainant and the NOPD complaint process and the PIB. Often, the OIPM is the first place the complainant goes with questions regarding PIB investigations and findings. The OIPM strives to assist the community as it interacts with the NOPD misconduct complaint process.

Contact Outside of Complaints: Contact Only, Case Monitoring, Criminal Liaison

Outside of the complaint intake process, there are other interactions that the OIPM has with potential complainants, officers, and members of the public. This contact can be categorized as:

- Contact Only
- Case Monitoring
- Criminal Liaison

The OIPM uses the classification: “Contact Only” if the individual contacts OIPM to request assistance or to ask questions about the NOPD or some other law enforcement agency or organization, which can include filing a complaint or receiving assistance with the criminal liaison assistance, but then does not complete the process. Some potential complainants decide not to pursue misconduct complaints or request information or ask questions and then decide they are not interested, choose not to follow through, or the situation is resolved.

The classification of “Case Monitoring” is utilized when a complainant requests or when the OIPM determines the situation warrants real time monitoring of a NOPD process. This could include observing witness statements or attending court hearings to observe NOPD testimony. Some case monitoring may result in a case review and some case monitoring is limited to the particular activity observed.

The OIPM utilizes the classification of “Criminal Liaison” for whenever the OIPM assists a civilian with navigating an NOPD interaction about a criminal investigation. Typically, this activity is reserved for when a civilian has an interest in an open criminal matter and would like the OIPM to facilitate communication with the officer assigned to investigate the criminal matter, such as a mother wanting to speak with the homicide detective assigned to her child’s murder investigation. These requests result in meetings coordinated by the OIPM between the NOPD or the District Attorney’s Office and the civilian.

Below is a breakdown of OIPM interactions, not including complaints, for 2020:

Figure 1: Type of Contact

Type of Contact	
29	Contact Only
3	Commendations
12	Cases Monitored
43	Criminal Case Liaisons

The Impact of OIPM Criminal Liaison Work

As noted above, the OIPM utilizes the classification of “Criminal Liaison” for whenever the OIPM assists a civilian with navigating an NOPD interaction about a criminal investigation but sometimes this involves facilitating communication with the Public Integrity Bureau or a police district regarding an ongoing

misconduct investigation. These requests result in meetings coordinated by the OIPM between the NOPD, the District Attorney's Office, other agencies as appropriate, and the civilian.

In 2020, the OIPM set up multiple of these calls and meetings to get individuals answers on investigations regarding burglaries, thefts, car thefts, sexual assault investigations, incarceration questions and care in jail, and traffic accident reports. One important example came from a call from a member of the community informing the OIPM of a possible sexual assault of a child by a NOPD officer. The OIPM worked swiftly with the leadership at the Public Integrity Bureau to facilitate the start of the criminal investigation which subsequently led to the officer's arrest. This was an extremely sensitive and difficult liaison effort and the OIPM appreciated the trust the community has in OIPM to bring this issue to the office's attention and the strong partnership OIPM has with the Public Integrity Bureau. The Public Integrity Bureau team took over the required next steps and executed them in an impressive and swift manner to ensure this officer was investigated quickly and arrested.

Another example includes the OIPM helping an individual receive information and closure regarding a twenty-year old sexual assault investigation. Of our work for that individual, she wrote us and stated, "I can't thank both of you enough for traveling through this part of my journey. You're the best!"

The final example of the power of this work is from an individual who believed their dog was stolen and could not reach the police to file a report and the individual grew concerned that the dog will be sold online. The OIPM worked with the Captain of the Public Integrity Bureau to reach a lieutenant at the relevant district to get a report filed within an hour of learning of this problem.

As a result of these efforts, the public has received vital updates, corrections, and information regarding criminal investigations. Investigations have been opened, furthered, or closed as the result of the OIPM's continued partnership with the NOPD and the District Attorney's Office. In the coming year, the OIPM looks forward to continuing this impactful work for the community.

Commendations

Highlighting noteworthy and excellent policing may improve the performance of police districts, strengthens community trust in police, and provides examples for the NOPD to internally model. Therefore, the OIPM seeks and collects commendation information from the community. It is required that representatives of the OIPM are prepared to receive and refer commendations from the public, organizations, businesses, and fellow officers in accordance with the November 10, 2010 Memorandum of Understanding (MOU).

Pursuant to the MOU, Para. 7, the OIPM will compile data and identify officers, units and precincts that have been commended by the public for completing exceptional work. These reports may note patterns, other relevant data, and related practices and initiatives to recommend republication in the NOPD.

OIPM acts as an alternative site to receive requests for commendations to PIB and the Districts. The OIPM receives the commendation request in any of the following formats: verbal, email, online submission, or through social media platforms. The OIPM will receive commendations for police behavior that occurred during the officer's secondary employment or during volunteer efforts.



Upon receiving the request, the OIPM prepare the request into a commendation referral letter. The commendation referral letter will include: the officer's information, the requester's information, the date, time, and location of the recommended behavior, and a summary of the police conduct.

In accordance with NOPD Policy Chapter 13.35: Commendations and Awards, the OIPM will accept any additional information or supporting documentation for the commendation including but not limited to: the accompanying police report, pictures, and video.

The OIPM will track requested commendations, note patterns in commendations, and identify practices and initiatives that should be emulated throughout the department. The OIPM will evaluate the commendation trends and annual statistical summary compiled and produced by the PIB and posted annually on the NOPD website. The OIPM will work with the NOPD to ensure compliance with Section XVIII: Transparency and Oversight, Subsection A: Data Collection and Public Reporting.

In 2020, OIPM collected three (3) commendations for twenty-three (23) officers. Details about the commendations OIPM processed are included below:

- A member of the community requested a commendation for the Captain of the 1st District and fifteen (15) officers who participated in a community cycling awareness event to help better understand and address the community's concerns. This reflects NOPD's commitment to further improve its community relations and its impact on police reform.
- OIPM requested a commendation for the Captain of the Public Integrity Bureau and two Sergeants for their swift, professional, and effective handling of an allegation of an officer's sexual misconduct.
- A member of the community and witness requested a commendation for the Captain of the Public Integrity Bureau and three Sergeants for their impressive response and investigation of the shooting at Royal and St. Philip in October 2020.

The OIPM reflected on this low count of commendations received in 2020 and does believe that the Covid19 pandemic and our and the NOPD's ability to conduct in person community events impacted this number. The OIPM hopes that in 2021, as there are more opportunities for in person engagement, that the community will have more positive opportunities to see the NOPD in action interacting with their neighborhoods and communities and will report these events to our office for acknowledgement. Additionally, in 2021, OIPM is going to renew our effort to ensure the community and other NOPD employees can access our office and know about this valuable opportunity to provide positive feedback so we can continue to receive more commendation requests in the future.

Misconduct Complaints in 2020

In 2020, the OIPM continued received a record number of complaints, created new internal complaint categories, created new data tracking methods with "tags" within our internal database: Complaint Manager, and started work on an external facing dashboard that will provide daily updates regarding the misconduct and complaint intake work being conducted by OIPM.

This last year, similar to 2019, the OIPM continued to see an increase in the number of complaints received from the community. The OIPM credits the influx in complaints to another year of increased media and outreach work. In 2020, the OIPM joined community advocacy networks and coalitions which enabled the office to expand its reach. Additionally, the OIPM participated in 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 OIPM also participated in webinars and provided expert testimony at City Council meetings during which there was wide public viewing.

In 2020, the OIPM received a hundred and one (101) complaints but only ended up submitting ninety-seven (97) of those complaints to the PIB for investigation. This gap in four (4) complaints is because the complaints received were either:

- Resolved by the OIPM through working with the complainant and NOPD to address the concern through facilitated communication, providing information about the NOPD and their policies which satisfied the complainant, or other OIPM services. Two (2) complaint was resolved through this criminal liaison work with the NOPD and other OIPM services.
- The complainant stopped communicating with the OIPM and the OIPM was unable to complete the referral. One (1) complaint was archived for this reason.
- One complaint was archived because the named officer was not a NOPD employee but a Jefferson Parish detective. The complainant was referred to the Jefferson Parish Sheriff's Office.

The OIPM still tracked this contact and was able to close out those complaints without submitting them to NOPD through a process implemented the previous year called: "archiving." This system enables the OIPM to move a case within our internal tracking system, Complaint Manager, so the case is still available if needed but is "closed out." The benefit of this process is it enables the OIPM to still document and track these interactions while enabling a complaint to resolve or stop where appropriate without being submitted to the NOPD.

Additionally, in the previous year, the OIPM introduced a new data tracking strategy within our Complaint Manager to create more internal data and to track relevant patterns and trends important to the community. This process is called "tagging." Tagging enables the OIPM to put a "label" on a complaint within Complaint Manager, such as: "interaction with a musician" or "use of force" or "recording the police" or "professionalism."

In 2020, the OIPM implemented this tagging system and further developed the process to ensure that relevant trends and concerns were captured. The tagging system enabled the OIPM to internally track concerns around topical or novel issues facing the community in real time so as there were changes in the way the NOPD polices, the OIPM could capture how those changes influenced misconduct complaints (if at all). Further, the tagging system enabled OIPM to ensure consistency between similar complaints, to learn from the complaints quickly, and to draw out patterns and trends that could be consolidated into policy recommendations to the NOPD. Further below in this report is a section on "Complaint Trends and Patterns from Internally Generated Data" which includes some early data regarding tagging. In the coming years, the OIPM intends to further develop the data around tagging to consider district and location patterns along with overlapping tags. In time, the OIPM will be able to compare all the complaints with the same labels to assess if there are patterns or trends within those claims of misconduct. This tagging process will also enable the OIPM to externally report these patterns and trends to the community, the NOPD, and the Ethics Review Board. This type of analysis creates new opportunities for the OIPM to provide meaningful feedback to the NOPD on the concerns most pressing to the community.

Civilian within NOPD and the Anonymous Complainant Classifications



At the end of 2019, the OIPM created new classifications for complainants and implemented these two new classifications in 2020. The classifications are: “Anonymous Complainant (AC)” and “Civilian within NOPD (CN).” These two classifications enable the OIPM to be more specific in the tracking of the type of complainants the office receives and the specific concerns that may exist within these complainant populations.

Prior to these new classifications, both civilians and ranked officers were counted in complaints under the classification: “Police Officer (PO).” However, this was not an accurate depiction of that complainant population since civilians and officers have different employment experiences and concerns from one another. Further, the OIPM wants to capture if OIPM services are reaching these two sets of employees. This new classification ensures that OIPM data is accurately representing who is filing the complainant and enables the OIPM to have more specific recommendations and assessments based on the different employment experiences of these employees.

Similarly, with the creation of the “Anonymous Complainant (AC)” category, the OIPM is now able to more specifically capture the complainant population and protect the identity of complainants who file complaints. Prior to this new designation, the OIPM categorized complaints as “Civilian Complaint (CC)” or “Police Officer (PO)” complaint when the complainant was anonymous. This meant that the OIPM was already releasing information about the complainant just through the classification process. Further, the OIPM was unable to measure how many complainants were anonymously filed since those complainants were being classified under different categories. Now the OIPM can more accurately measure the number of anonymous complainants received and protect the identity of the complainant by no longer releasing whether the complainant is a civilian or an employee of the NOPD.

Since implementing these new categories in 2020, the OIPM now has more accurate data of complaints and tracking of complainant types.

Misconduct Complaints during the Covid19 Pandemic

In 2020, the New Orleans community and world faced a unique set of challenges from the Covid19 pandemic and the resulting public health and public safety measures that were implemented by state and city governments to contain contamination. Many of these initiatives put the police on the forefront and sometimes in direct opposition with the community they seek serve, as the ability for the public to move, gather, and work was limited sometimes by police enforcement.

As these policing initiatives were developed, the OIPM worked with the community as the public and the government responded to and weighed the Covid19 pandemic concerns. The OIPM expanded and tailored and work to incorporate this constantly changing environment and this meant adapting our misconduct complaint process to these health and safety concerns.

First, the OIPM moved to remote work in March. Initially, the OIPM was concerned that this change would influence the ability for the office to be available to the public for complaint submissions, but through a series of outreach posts on social media and collaboration with OIPM partners, the public received word that the OIPM was still prepared and ready for all complaints. The OIPM went from receiving one (1) complaint in March to receiving eleven (11) complaints during April. The OIPM set up complaint submissions to be conducted via our website, email, social media, video conferencing (using Zoom), US mail, and phone. As a



result, the OIPM was able to consistently receive a high volume of complaints during the remote work process.

Second, the OIPM partnered with community organizations to form the NOPD Accountability Network and a second network: Prison and Covid19, to learn of relevant concerns regarding arrest rates, policing, and other law enforcement interactions during Covid19. Through these networks, OIPM was able to join in open letters to city officials and NOPD leadership regarding policing initiatives pursued during Covid19 and OIPM also facilitated meetings with NOPD leadership on these concerns.

Third, the OIPM engaged the public with outreach materials regarding their rights during the relevant policing activities and informing them how to provide feedback to our office, OIPM co-wrote an OpEd with the Law Enforcement Action Partnership (LEAP) regarding how to keep the community and officers safe during Covid19 and worked with NOPD leadership to address the expressed concerns. The OIPM focused on three core concerns: (1) use of summons in lieu of arrests; (2) NOPD checkpoints; and (3) the use of PPE for officers. The OIPM encouraged the NOPD to expand its summons policy and worked with the NOPD Accountability Network to recommend policy and practice changes that enable more individuals to receive summons instead of being arrested and released with no bond, but potentially exposing them and the officers to Covid19 in the process. The OIPM also worked with networks and coalitions to monitor and gather feedback regarding the NOPD checkpoints that were implemented around the city during the months of April and May. Ultimately, through these efforts, the checkpoints were discontinued. Finally, the OIPM worked with NOPD leadership to ensure that officers were required to wear PPE when engaging with the public. This resulted in the Chief's Special Order 12-2020 requiring officers to wear masks in public and in the workspace. The OIPM sought community feedback on whether officers were actually wearing the required PPE and conducted audits of Body Worn Camera (BWC) footage to ensure that officers were wearing the PPE during every encounter.

Fourth, the OIPM utilized the internal "tagging" process to track all misconduct complaints the office received related to Covid19, checkpoints, and summons issues all present during this pandemic.

Through these efforts, the OIPM ensured that the office would stay responsive and available to the needs of the community and to the NOPD during the Covid19 pandemic. Though the OIPM hopes in the coming year these efforts will be less necessary, the office is prepared to take the lessons learned and the systems implemented into 2021 to continue to be responsive as this pandemic continues.

Misconduct Complaints during the Community Protests Against the Police

On May 25, 2020, George Floyd was killed during an interaction with Minneapolis Police Officer and the world reacted. Locally, the New Orleans community rallied behind a cry of increased accountability for the police and increased community feedback into policing. Community organizations planned and staged a series of protests and during the majority of these protests, all participating were safe and the interactions with the NOPD remained peaceful. On June 3, 2020, during one protest, the protestors tried to cross the Crescent City Connection Bridge which resulted in a clash with the NOPD. For the first time in ten (10) years, the NOPD utilized tear gas against the protestors. In the months that have followed both the death of George Floyd and the June 3rd protest on the Crescent City Connection, the OIPM has responded to the needs of the community to monitor protests, collect public feedback and misconduct complaints regarding police encounters at the protests, and to work with the NOPD leadership to learn from the night of June 3rd and improve NOPD policy and practice regarding protests.



The OIPM efforts have been focused on three main activities regarding these protests. First, monitoring community protests and staying available to the public and receiving complaint submissions regarding their misconduct concerns during the protests and other First Amendment activities. Second, monitoring and engaging in the resulting misconduct and use of force investigations being conducted by the NOPD on the June 3rd police response. Third, engaging with NOPD leadership and city officials to change NOPD policy regarding the use of tear gas.

In this section of the Annual Report, the most important component of OIPM work to highlight is our work around complaint submissions regarding the protest and the role OIPM is playing in the subsequent misconduct investigation.

In response to the protests and the clashes that occurred with the NOPD, the OIPM received twenty-six (26) complaints during the month of June alone. The OIPM monitored protests and tried to expand our outreach through the press and social media sites in order to ensure that the public knew they could bring allegations of misconduct to the OIPM regarding what was experienced or witnessed at the protests. The OIPM tagged all complaints with relevant tags in order to track the complaints and any patterns. Further, the OIPM continued to monitor the NOPD's subsequent investigation into the misconduct allegations regarding the June 3rd protest response and work with NOPD leadership on the development of policy to address tactical missteps made that night.

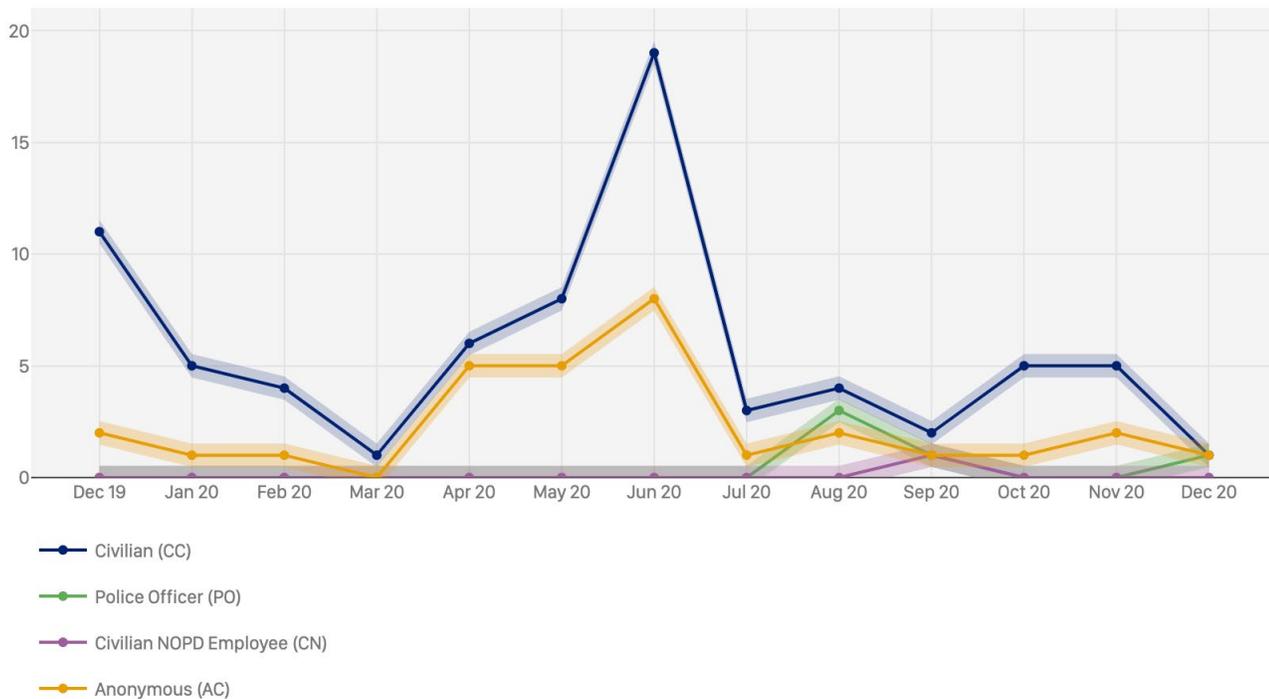
Complaint Trends and Patterns from Internally Generated Data

This dashboard showcases data visualizations regarding the complaint process and complaints the Office of the Independent Police Monitor received directly. The following tables contains data visualizations regarding our complaint process and the complaints the Office of the Independent Police Monitor received. The charts and graphs capture different aspects of our internal process regarding complaint intake or information about the complaints or the complainant themselves. The data in this section only captures the accounts of officer misconduct submitted directly to the Office of the Independent Police Monitor. This data is taken directly from our internally designed database: Complaint Manager. As information is entered into Complaint Manager by our staff and complaint referrals are submitted to the Public Integrity Bureau, the data updates.

Further, during 2020, a large goal of the OIPM was to create the ability to share this data with the community regularly through our website. The OIPM worked with our partners, Invisible Institute and Thoughtworks, to create an external facing dashboard that automatically updates once daily. This dashboard, along with explanatory text, is now also available on the OIPM website: <http://complaints.nolaipm.gov/data>. This data will be more up-to-date than the data included below which only captures the 2020 year.

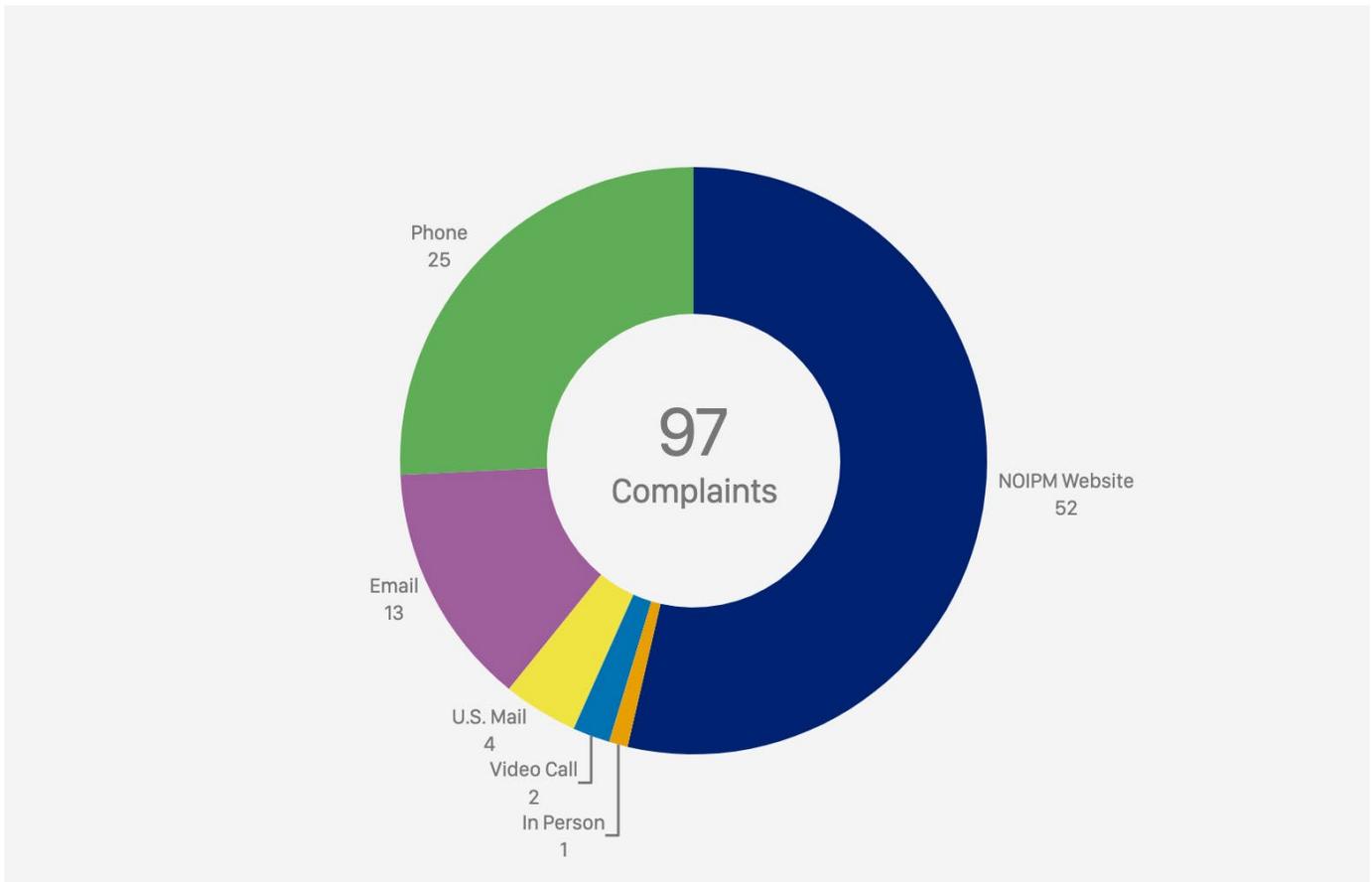


Table 1: Complainant Type over Past 12 Months



With this chart, the OIPM seeks to capture if there are any patterns around complainants and complaint types during the year. This table tracks the type of complainant who filed a complaint referral with the OIPM over the course of the last twelve months. As the year progresses, the table will show the last twelve (12) months from the current month (this is a rolling twelve month table). With this chart, the OIPM seeks to capture if there are any patterns around complainants and complaint types during the year. For example, there was a peak of complaints from the community – Civilian Complaints – in June during the interactions that occurred around the protests of police misconduct and the protest on the Crescent City Connection bridge. OIPM tracks to see if there are other concentrations of complainants or complaint types during other points of the year including festival season, Mardi Gras, Essence, Voodoo Festival, hurricane season, sporting events, and the holidays.

Table 2: Complaints by Intake source

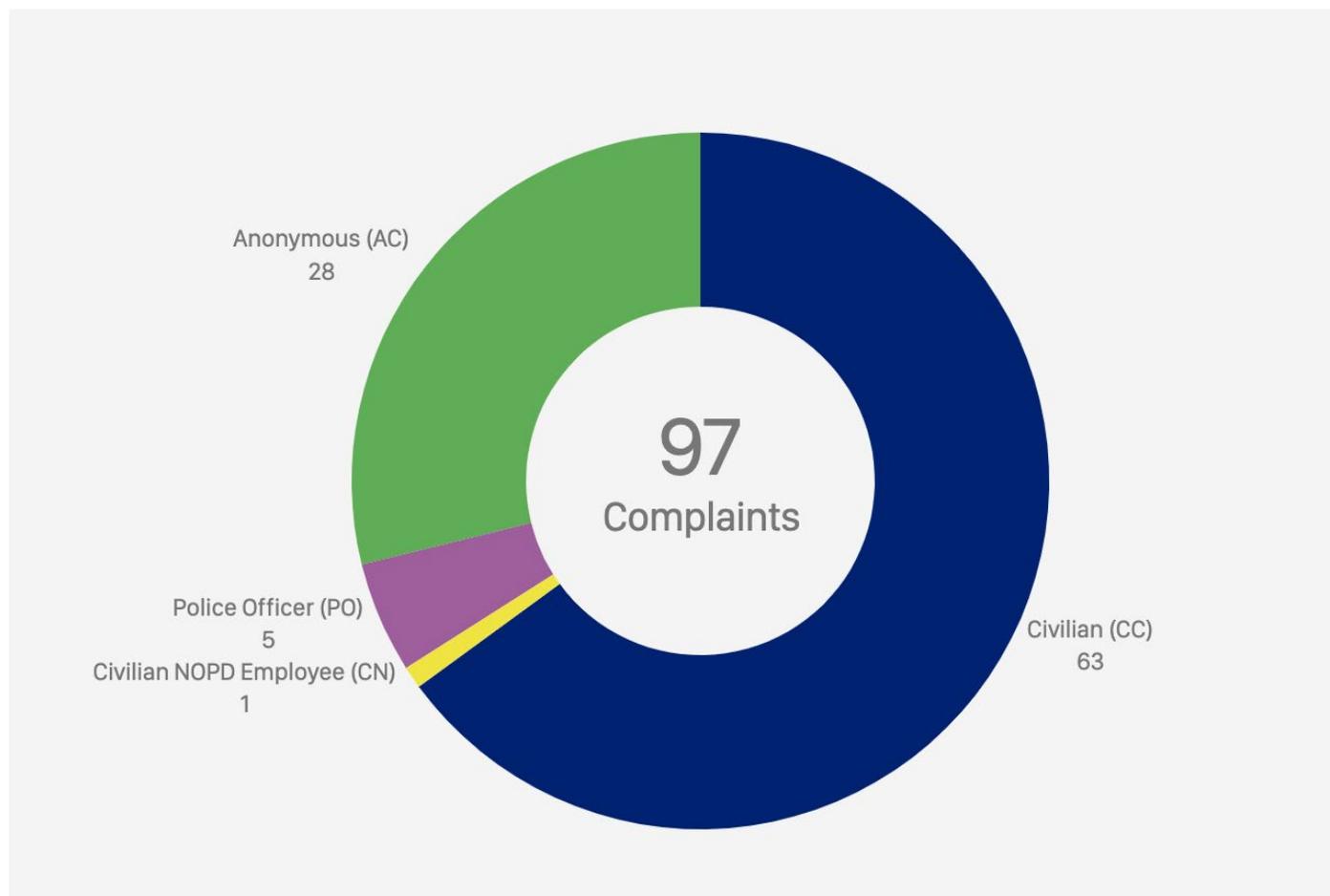


The above table shows what method the OIPM received the complaints submitted year-to-date in 2020.

OIPM works to provide as many methods for communication and intake as possible. This shows the intake source for complaints submitted year-to-date in 2020. The Office of the Independent Police Monitor tracks complaints and our internal operations to ensure that the OIPM is providing as many opportunities as possible for the public to report alleged misconduct and to help hold officers accountable. Tracking complaints by intake source is one example of how the OIPM tracks the complaints received. Intake source refers to the method of communication through which the complaint was communicated to the OIPM. Currently, complaints can be filed with the OIPM through:

- Website
- Email
- Phone
- In-person
- Outreach events
- US mail
- Social media
- Video call

Table 3: OIPM Complaints by Complainant Type



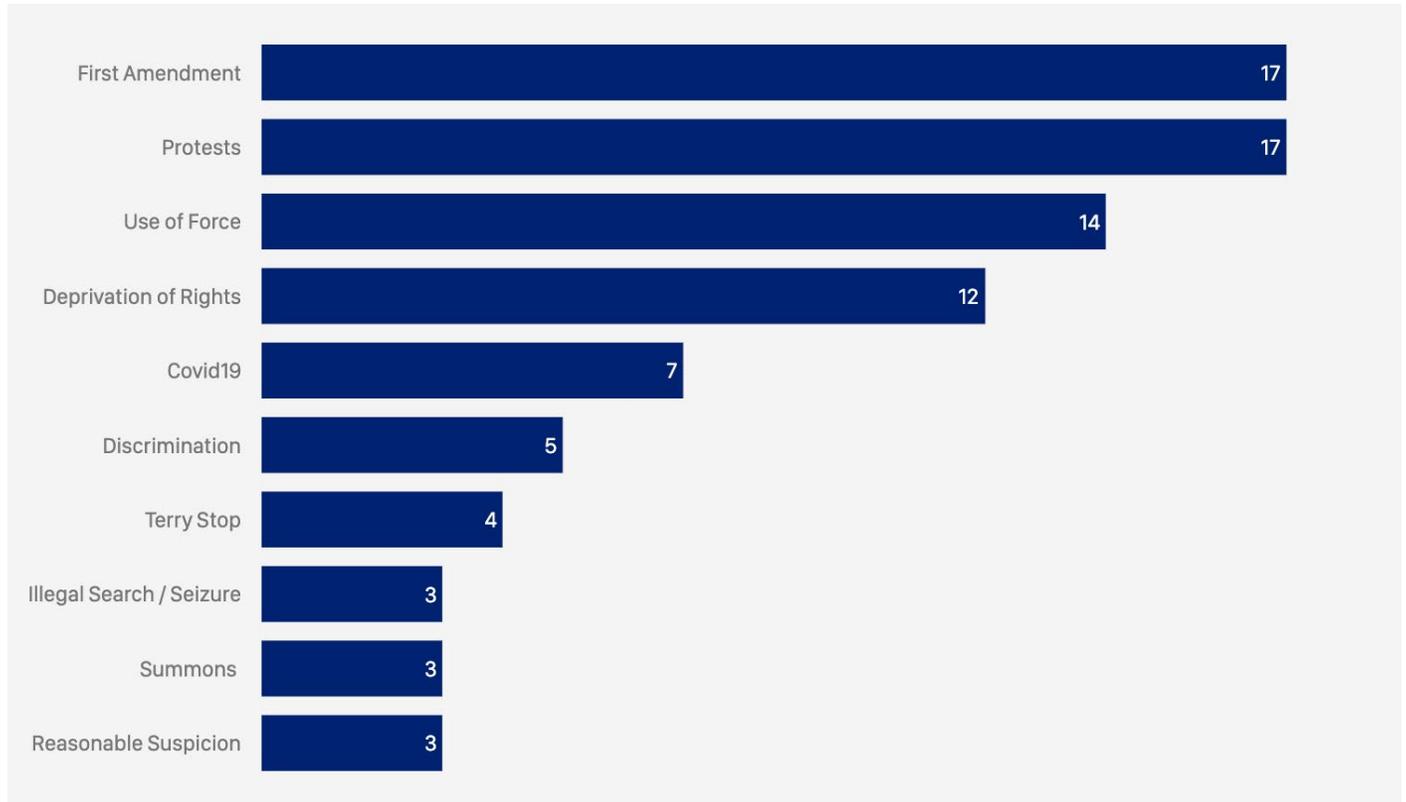
The OIPM tracked the complainant type to determine if we are reaching the full population with our services.

The different complainant types include:

- Anonymous Complainant (AC) – this means that the individual who filed the complaint either did not disclose his / her name or the complainant did disclose his / her name to OIPM but has asked for his / her name to be removed in the complaint referral to PIB. In both situations, OIPM counts this complainant as “anonymous.” This category does not differentiate between individuals who are members of the public or individuals that are employed by the NOPD.
- Civilian Complainant (CC) – this category applies to any member of the public who files a complaint. This individual may reside in New Orleans or may not. In these referrals, the individual’s name does appear on the complaint referral to PIB.
- Police Officer Complainant (PO) – Police Officer complainants applies to any sworn officer who files a complaint of misconduct to our office. In these referrals, OIPM is concerned about the possibility of retaliation that may occur within the police department. In these referrals, the officer’s name does appear on the complaint referral to PIB.

- Civilian within NOPD Complainant (CN) – this category applies to any civilian who is employed by the NOPD. In these complaint referrals, OIPM is concerned about the possibility of retaliation that may occur to a civilian by officers within the police department. In these referrals, the employee’s name does appear on the complaint referral to PIB.

Table 4: Tags and Complaint Subject Matter Themes



The Office of the Independent Police Monitor labels and categorizes groups of complaints based on subject matter or theme through tags. Not every OIPM case has a tag or associated theme. Below, is a tag glossary with more information regarding the tags utilized in this table.

Tags is a term created within the Office of the Independent Police Monitor and it references a way of labeling and categorizing a group of complaints based on subject matter or a theme. Some tags were created in response to patterns or situations that naturally arise, such as Covid19, Checkpoints or Protests. Those three tags were created in the spring and summer to track complaints that came during the police’s response to the pandemic or during the public protests of police shootings. Other tags capture complaints around basic policing tactics or strategies, such Arrest Warrant which is utilized when there are complaints around how arrest warrants were executed, or Failure to Investigate which is utilized when there are complaints concerning investigatory shortcomings. Finally, some tags were created in response to partnerships with other community organizations to track a shared concerned, such as complaints of misconduct that may result from landlord and tenant issues or misconduct resulting from homelessness and housing insecurity. In those situations, the OIPM wants to ensure those complainants are also connected with advocacy groups that

can assist with services. As future patterns, concerns, or service opportunities arise, the OIPM will continue to develop and implement new tags. This chart captures tag use on a rolling twelve-month basis.

Disciplinary Proceedings

The OIPM is responsible for monitoring whether all NOPD action taken during disciplinary proceedings are compliant with state and federal law, NOPD policy, the Consent Decree, and the Memorandum of Understanding between the NOPD and the OIPM executed on November 10, 2010. The OIPM monitors and assesses the efforts of NOPD to ensure all disciplinary investigations and proceedings are conducted in a manner that is non-retaliatory, impartial, fair, consistent, and truthful in accordance with NOPD policies. The OIPM reviews the disciplinary investigations and proceedings executed by NOPD to ensure they are executed in a timely manner that is consistent with all requirements under law.

When the OIPM monitors the NOPD administration of discipline, the OIPM reviews to ensure the discipline is not retaliatory, discriminatory, or biased against or towards any NOPD employee on the basis of race, creed, national origin, ancestry, gender, sexual orientation, age, religion, political affiliation, disability, or any other basis protected by federal or state law or city ordinance.

The NOPD is responsible for notifying the OIPM of disciplinary proceedings against NOPD employees. Disciplinary proceedings against NOPD employees will occur when a misconduct investigation results in a preliminary recommendation of sustained. The OIPM will review such proceedings to ensure the NOPD is compliant with Federal Consent Decree Section XVII: Misconduct Complaint Intake, Investigation, and Adjudication.

Adjudication of misconduct is handled internally by the PIB or the officer or employee's Bureau. The OIPM may monitor the process conducted by the PIB or by the Bureau; however, under the MOU, there are detailed directions regarding how the OIPM is notified of investigations by the PIB and similar protocol does not currently exist for Bureaus. For that reason, the OIPM tends to be more involved with investigations and disciplinary proceedings conducted by the PIB.

The procedure for adjudication of misconduct has slight deviations when it is executed by the Bureau or the PIB. If an investigation is conducted by the PIB, first, an investigation into the alleged misconduct occurs. Second, the investigation is reviewed by the PIB. In the case of serious misconduct, once the investigation is reviewed by the PIB, then the OIPM is notified if a hearing or predisposition conference is required. Third, if any of the allegations are sustained, PIB conducts a predisposition conference. At the predisposition conference, the hearing officer will render a finding of sustained, not sustained, unfounded, exonerated. Fourth, if any allegation is sustained, then the officer proceeds to a Commander's pre-disciplinary hearing. Only the alleged allegations that the Hearing Officer sustains proceeds to a pre-disciplinary hearing. The Commander will recommend a penalty based upon the Disciplinary Matrix for Superintendent's approval.

In 2020, the NOPD implemented a change to the disciplinary procedure that the OIPM would like to highlight and commend. In 2020, the Public Integrity Bureau started conducting panel hearings for predisposition conferences in conjunction with the Disciplinary Hearing conducted with the Captain of the relevant district. This panel format only applies when the investigation has been conducted by an in-department PIB investigator. This new format enables collaboration and synergy between the districts and the public integrity bureau. This ensures that the captain of the district understands the disposition of the PIB

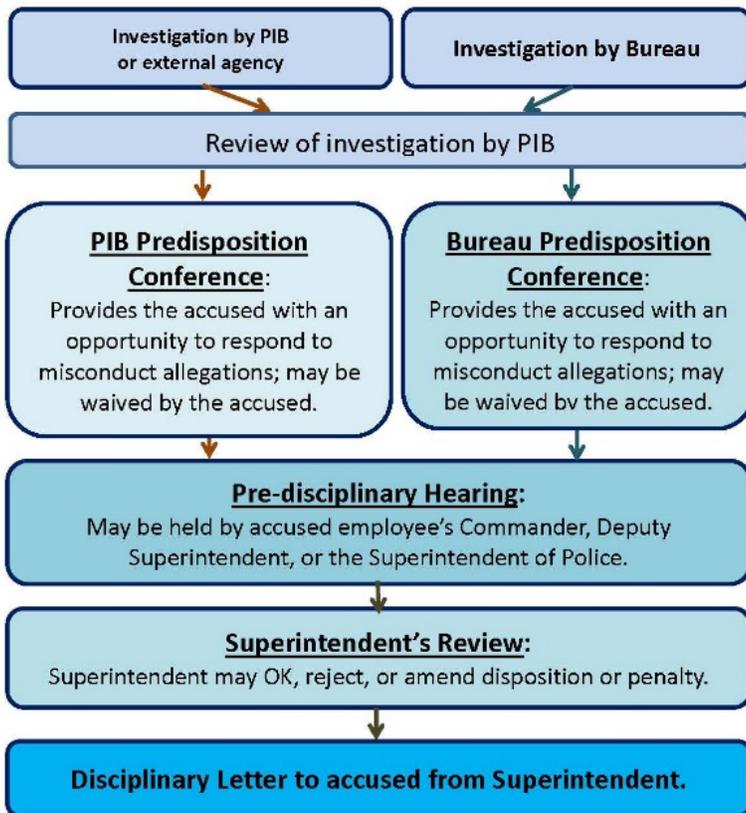


and can take that reasoning into account along with mitigating and aggravating factors may be presented during the predisposition conference. Additionally, this sends a cohesive message to the officer in the disciplinary proceeding that PIB and the District agree on the matter. Along with being more effective, this new model is more efficient, eliminating any previous delays between the predisposition conference and the disciplinary hearing. Further, PIB decided to include the Department of Professional Standards and Accountability in this new format, including that department Captain in the predisposition conference. This holistic collaboration ensures that any policy concerns can be considered on the spot and result in timely policy recommendations in order to clarify confusion or enhance current policy.

If the penalty for alleged violation results in a lengthy suspension penalty or possible dismissal, a Superintendent’s Committee Disciplinary Panel hearing will take place. The Committee would then recommend a disposition and penalty for the Superintendent’s approval. Ultimately, the Superintendent either rejects, accepts, or amends the disposition and/or the recommended penalty.

Differently, if the investigation is conducted by the Bureau, then once the investigation is reviewed, the Bureau will conduct the predisposition conference. During the predisposition conference, the hearing officer will render a finding of sustained, not sustained, unfounded, exonerated. If any allegation is sustained, then the hearing officer will immediately consider mitigating and aggravating factors present and will issue a penalty to the officer. The recommended penalty will be based upon the Disciplinary Matrix for Superintendent’s approval.

Below is a table with the flow chart of disciplinary proceedings:



Once the Superintendent reviews the disciplinary proceeding, the NOPD employee will receive a disciplinary letter with the final outcome.

Prior to the predisposition conference, the OIPM reviews the misconduct investigation from the PIB and completes: (1) the first half of the OIPM-created matrix; and (2) a preliminary memorandum to the PIB with initial findings and recommendations. The matrix remains within the OIPM electronic file. The preliminary memorandum to the PIB is disseminated to the PIB prior to the predisposition hearing for their review.

As required, in the preliminary memorandum to the PIB, the OIPM will, as appropriate, make determinations as to whether

departmental rules or policies have been violated, make recommendations regarding appropriate discipline,

and review the appropriateness of disciplinary sanctions as authorized by the Ordinance, the MOU, and the Federal Consent Decree Section XVII: Misconduct Complaint Intake, Investigation, and Adjudication. These determinations, recommendations, and findings shall be submitted to the NOPD in writing.

At the predisposition conference or the pre-disciplinary hearing, the OIPM representative does not speak on the record but does speak prior to the start of the hearing, during deliberation on the allegations and the determination of penalties, where appropriate, and upon the conclusion of the hearing. During this time, the OIPM representative may provide training, practice, and policy recommendations for the individual officer or employee and / or the district along with feedback on the thoroughness of the investigation.

In accordance with the MOU, the OIPM identifies possible trends and makes recommendations to the NOPD regarding the investigation and disciplinary proceeding. The OIPM shall: (1) access the quality and timeliness of the PIB complaint processing, including investigation and determinations stemming from complaints, whether civilian or internally generated; (2) review the adequacy of the PIB's data collection and analysis; (3) review the PIB's policies and procedures; (4) review the PIB's resource needs; and (5) review how relevant disciplinary policies and practices conform with the Federal Consent Decree Section XVII: Misconduct Complaint Intake, Investigation, and Adjudication. Based on those assessments, the OIPM will make recommendations to the Superintendent to improve the PIB data collection and analysis, and resources. The OIPM analyzes aggregate data to track trends in relation to types and sources of civilian and internally generated complaints, processing and investigation, and determinations stemming from complaints, discipline imposed by type of complaint, use of any early warning system to intervene with a department member in need of additional training, supervision or other issues of concern that arise during a review by the OIPM.

The OIPM shall make recommendations to the Superintendent to improve NOPD policies and practices based on national best practices. The OIPM shall review specific issues regarding supervision, training, discipline, and other issues to identify problems, mitigate risk, and make recommendations for improvement.

The annual report is one such opportunity for the OIPM to provide feedback to the Superintendent, the NOPD, and the community regarding the OIPM's findings from the disciplinary adjudication process. For the most part, the following data is from the NOPD and was prepared by the NOPD but analyzed by the OIPM to identify and highlight patterns, trends, and outliers of note.

In 2020, the OIPM received and reviewed sixty-four (64) disciplinary proceedings. The OIPM reviewed investigations set for both predisposition conferences and for Superintendent Committee Hearings.

During every disciplinary proceeding, the OIPM remains in the room for deliberation with the NOPD leadership and is asked by the hearing officers to provide our feedback. This process is how the OIPM provides and highlights our recommendations and feedback regarding the strength of the investigation, liability and risk management concerns, and areas where the policy required clarification or was being applied inconsistently. Though OIPM provides this feedback in memorandums to the NOPD prior to the hearing, these discussions during the deliberation process enable the NOPD to discuss and digest our points before any final decision was made on the matter. These discussions are an opportunity for the OIPM to provide and receive insight into the NOPD investigation and often these comments lead to meaningful discussion with not just the hearing officers, but the assigned investigator on the case, since it was an opportunity for that investigator to explain investigatory decisions and to answer questions. These deliberations between NOPD leadership and the OIPM are lively collaborative discussions – during which



the OIPM may shift perspectives to voice concerns of the community to input the OIPM has received from other NOPD officers and employees. The NOPD leadership and hearing officers are extremely receptive and responsive to the OIPM feedback. The NOPD and PIB leadership has worked to create a non-defensive space where NOPD and OIPM can both candidly discuss misconduct investigations or how policies and practices can improve. The OIPM seeks to continue our work disciplinary proceedings and moving forward, look for more opportunities to appropriately share the collaboration and discussion that results from these deliberations with the community.

In 2020, the OIPM also continued the “Community Facing Two Pager” document to inform the community of the work the OIPM is completing around disciplinary proceedings. The Community Facing Two Pager is a concise document, located on the OIPM’s website, that clearly explains the role of the OIPM in disciplinary proceedings, summarizes the alleged misconduct and explains the disciplinary response the NOPD took, and the recommendations made by the OIPM.

Internal Goals for 2021

In 2021, the OIPM intends to continue to expand on the important complaint, commendation, and disciplinary work being conducted and to improve our community engagement and participation in our mission.

In 2019 and 2020, the OIPM set the following two priorities as internal goals. These identified goals were intended to improve the internal operation of the OIPM and increase the impact of our preexisting work: first, to develop and implement updated policies; and second, to create more data tracking and sharing.

First, in 2020, the OIPM approved and implemented updated policies regarding: case monitoring, commendations, criminal liaison, case review, contact only complainant interactions, building security, complaint intake, and disciplinary proceedings. The goal with creating such documents was to update our internal process and procedures to ensure the office was running as effectively as possible and to ensure the Federal Consent Decree and NOPD policy expectations were incorporated into our internal operations and reviews. These policies improve the consistency and thoroughness of our work, creating better synergy between the OIPM departments and, eventually, the NOPD. These policies are internal guiding documents but are available to the NOPD and the public upon request.

Second, over the last year the OIPM has started the process to create more data tracking and sharing and these efforts are mentioned earlier in this report. Internally, the OIPM worked with partners, Invisible Institute and Thoughtworks, to populate a complaint tracking database called: Complaint Manager. Complaint Manager captures relevant complaint data, including involved officers and units / districts, allegations, locations of alleged misconduct, along with a new method for subject-matter tracking called “tags” (which was described in more detail previously in this report). From Complaint Manager, the OIPM created an external dashboard that will provide updated and daily data regarding the complaint work being conducted and the complaint referrals submitted to PIB. This publicly accessible dashboard will be released to the public at the start of 2021 and will enable the OIPM to track more data and share that data with the community and the NOPD.

In 2021, the Complaints, Commendations, and Disciplinary Proceeding Department intends to keep expanding and achieving more. The following are goals that the OIPM seeks to achieve over the 2021 year:



OIPM Goal: External Facing Dashboard

First, as mentioned above, the OIPM seeks to complete and release the external facing dashboard with data regarding the complaint intake and complaint referral work being completed by the OIPM. This external facing dashboard will both improve data tracking and the ability for the OIPM to share our data with the community. The OIPM seeks to release this dashboard to the public in early 2021.

OIPM Goal: Build More Community Partnerships and Develop Remote Intake Sites

In 2020, OIPM started developing remote intake site materials. Remote Intake Sites are an opportunity for the OIPM to expand our reach into the community. Remote Intake Sites can include organizations equipped to serve populations in our community, like Vietnamese populations in New Orleans East, bike riders, or child advocacy groups, or geographic regions, like neighborhood centers. Our intention with this goal is to develop these partnerships so these groups are equipped to take complaints of police misconduct or accounts of positive policing in a safe and trusted environment with the community that the organization serves. In order to prepare these organizations to act as Remote Intake Sites, the OIPM developed a Remote Intake Site Manual with an appendix including all necessary forms, examples of how to complete the forms, and public signage that the organizations can post. In 2021, we intend to finalize this material, develop more training resources, start recruiting interested partner organizations and preparing those organizations to take complaints and commendations.

OIPM Goal: Complete the Children and Police Project

In 2020, the OIPM began a comprehensive project to examine policing concerns regarding children titled the Children and Police Project. This Children and Police project is an opportunity for critical reflection on the current dynamic between children and police and how children are policed in New Orleans. This project includes: data collection and analysis, roundtable discussions and feedback forums, information gathering from members of the community working in the field of criminal justice, children services, and education, and surveys and feedback opportunities regarding how this office can improve how we serve children, their families and the agencies and organizations working with children. At this time, our goals for this project include:

- (1) Present comprehensive data and data analysis regarding the arrest and policing of children;
- (2) Complete training, policy and practice recommendations to the NOPD;
- (3) Build relationships with the organizations, agencies and individuals working with children and families to ensure they can utilize our resources;
- (4) Write a report with our findings regarding the way the police interacts with children and how children are policed; and
- (5) Learn what strategies and work is being completed by potential partners in this field and determine how to best support or collaborate with that work.

OIPM Goal: Create More Commendation Opportunities in the Community

In the coming year, the OIPM intends to create more opportunities in the community for individuals to share positive stories of how the NOPD assisted them or provided excellent service. Our goal with this targeted outreach is to both build public trust in the NOPD and to increase our commendation intake.

Commendations are another avenue for reform since these examples of positive policing can be used to communicate to the NOPD what is working and why and through doing so, create changes in practice and policy that will benefit the community.



External Goals for 2020: Recommendations to NOPD

OIPM Recommendations from 2020

In 2020, OIPM made the following policy recommendations to the NOPD. Some recommendations were made through OIPM disciplinary proceeding memos and others were part of ongoing work and collaborations between the OIPM and NOPD departments: Public Integrity Bureau and the Office of Professional Standards and Accountability. As a result, of this collaboration many of these recommendations were already executed by the NOPD. There are a few recommendations still pending and the OIPM looks forward to working with the appropriate leadership and units to address these recommendations in 2021:

- **The OIPM recommends clarifying Chapter 13.38: Nepotism and Employment Conflicts to include personal relationships officers enter as the result of a call for service, particularly when related to mental health crises.** *Recommendation put forth regarding PIB #2019-0741-P*
 - OIPM notes with appreciation that this recommendation was formally heard by the Captain of the Public Integrity Bureau and the Captain of the Professional Standards and Accountability Bureau. OIPM was presented with drafts of proposed policy addressing this recommendation and provided an opportunity to comment. OIPM appreciates this partnership and looks forward to the completion and implementation of this policy.
 - *NOPD Response:*
 - Changes have been made to the Chapter to address the OIPM comments and suggestions. The Chapter was put into effect and posted on NOPD's website on January 31, 2021.

- **The OIPM recommends clarifying the definition of strip searches to eliminate policy confusion and clearly explain training expectations required for authorized strip searches in accordance with Chapter 1.2.4: Search and Seizure.** *Recommendation put forth regarding PIB #2019-0312-R*
 - OIPM notes with appreciation that this recommendation was formally heard by the Captain of the Public Integrity Bureau and the Captain of the Professional Standards and Accountability Bureau. OIPM was presented with drafts of proposed policy addressing this recommendation and provided an opportunity to comment. OIPM appreciates this partnership and looks forward to the completion and implementation of this policy.
 - *NOPD Response:*
 - Changes have been made to the Chapter to address the OIPM comments and suggestions. The revised Chapter is currently in the review process for comment and final approval by the OCDM and the Department of Justice (DOJ).

- **The OIPM recommends separating the sexual harassment, discrimination, and retaliation policies in order to make separate chapters that better clarify the different expectations of these actions.** *Recommendation put forth in the context of ongoing collaboration between the OIPM, PIB, and the Office of Professional Standards and Accountability.*
 - The OIPM notes with appreciation that this recommendation was formally heard by the Captain of the Public Integrity Bureau and the Captain of the Professional Standards and Accountability Bureau. OIPM was presented with drafts of proposed policy addressing this recommendation and provided an opportunity to comment.

Specifically, the NOPD did separate the chapters, creating the following chapters that have clear and specific language and requirements unique to the topics:

- Chapter 26.3.1: Workplace Sexual Harassment Policy
- Chapter 26.3.2: Workplace Discrimination Policy
- Chapter 26.3.3: Retaliation Policy
- *NOPD Response:*
 - Changes have been made to the Chapter to address the OIPM comments and suggestions. The revised Chapter is currently in the review process for comment and final approval by the OCDM and DOJ.
- **The OIPM recommends that the requirements of the retaliation policy be applicable in a broader context than just discrimination and harassment allegations, but whenever employees or members of the public file misconduct allegations or act as witnesses in investigations.** *Recommendation put forth in the context of ongoing collaboration between the OIPM, PIB, and the Office of Professional Standards and Accountability.*
 - OIPM notes with appreciation that this recommendation was formally heard by the Captain of the Public Integrity Bureau and the Captain of the Professional Standards and Accountability Bureau. OIPM was presented with drafts of proposed policy addressing this recommendation and provided an opportunity to comment. Specifically, the NOPD created Chapter 26.3.3: Retaliation Policy which addresses the OIPM’s recommendations and concerns.
 - *NOPD Response:*
 - Changes have been made to the Chapter to address the OIPM comments and suggestions. The revised Chapter is currently in the review process for comment and final approval by the OCDM and DOJ.
- **The OIPM recommends that Chapter 26.2.1: Disciplinary Matrix / Penalty Schedule specifically 5(9): Criminal Proceedings Against Members be clarified regarding administrative and civil hearings that may be criminal in nature and the spirit of the policy, requiring disclosure as the priority, be clearly stated in the policy language.** *Recommendation put forth regarding PIB #2019-0197-R*
 - OIPM worked with the Public Integrity Bureau to draft model language regarding this policy and provided the proposed language to the Office of Professional Standards and Accountability Bureau. This policy is currently under review.
 - *NOPD Response:*
 - This policy suggestion resulted from a Bureau Chief disciplinary hearing. OIPM and PIB have made suggestions regarding the changes. This policy recommendation is still under revision.
- **The OIPM recommends that PIB clarify internal practices in their policy regarding: (1) consolidation of complaints within case tracking numbers; (2) the possibility of the cancellation of case tracking numbers for publicly generated complaints; and (3) the processing of misconduct allegations as grievances.** *Recommendation put forth in the context of ongoing collaboration between the OIPM and PIB.*
 - *NOPD Response:*
 - PIB appreciates the above recommendations and suggestions. We will take them under advisement and consult with the Professional Standards and Accountability

Bureau (PSAB) and DOJ to ensure any possible changes are in line with current policies, procedures, and the current approved PIB Standard Operating Procedures.

Conclusion

In this section of the annual report, the OIPM reviewed the vital role it plays in the intake and monitoring of misconduct complaints, the collection and referral of commendations, oversight of the NOPD disciplinary process, and the implementation and compliance of the Consent Decree.

The OIPM explained the process by which the OIPM receives and monitors complaints of misconduct and how and when the OIPM reviews disciplinary adjudication of allegations of misconduct. The OIPM explained how that role differs from the OCDM in both scope and content, and that the OIPM is responsible for engaging with and answering to the needs of the community.

The OIPM explained the adapted role and unique work completed during 2020 to respond to the Covid19 pandemic and the police protests after the death of George Floyd. The OIPM also demonstrated how internal data tracking through “tags” and the building of an external facing dashboard with complaint submission data will both enable the OIPM to be more transparent with the community and provide more insight to the NOPD regarding complaint trends on these areas of concern.

In this report, the OIPM provided a collection of recommendations made to the NOPD in over the previous year through OIPM Disciplinary Memos and reviewed the new recommendations that the OIPM made in 2020, some of which may require the OIPM to work with the NOPD to achieve over the 2021 year.

In the coming year, through the work conducted in complaints, commendations, and disciplinary proceedings, the OIPM looks forward to widening its impact, producing more data and reports, enforcing the Consent Decree, and working with the community and the NOPD to build public trust and engagement.

