



THE OFFICE OF THE INDEPENDENT POLICE MONITOR

MONTHLY REPORT

SEPTEMBER 2022

Community Letter

Dear New Orleans Community,

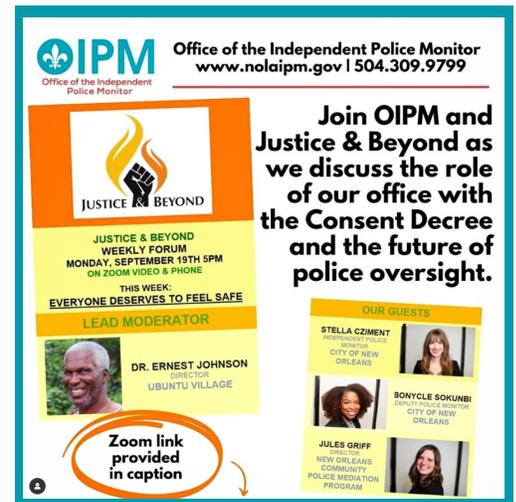
September was a fulfilling, hard, and humbling month. I want to start this letter with owning a misstep that I made with the community of New Orleans. At the beginning of the month, the OIPM planned to host a public forum regarding facial recognition software and the NOPD. The panel would be an opportunity for the public to speak with the different agencies operating the software, the NOPD (who would use the software), the agency operating the cameras in the French Quarter, and hear from the ACLU, who is against the use of this technology. The intent was for this to be a chance for the community to ask the questions they wanted to ask and to voice their concerns and opinions about the software. As the event drew closer, the OIPM realized that there were other community organizations in this space who were not included in this event - and their voice was too valuable to be missing. The OIPM heard from members of the community concerns about this event was messaged, confusion about our role, and suspicion that the OIPM was using this event as a way to endorse facial recognition software. I want to be clear - that was not our intent or our position. Our office is meant to facilitate dialog and information sharing around policing and provide oversight to the tactics and strategies used. We heard you and we thank you for making our office more connected to the public we seek to serve.

There were two public forums that the OIPM participated in around the Consent Decree this month. These public forums were the start of a monthly series that will be held by the federal monitors and the OIPM to get community feedback and hear concerns around the consent decree. Much was shared during these forums, and every month the OIPM will report out the information gained during these public forums to the public, the ERB, and all our partners. Please see the next page to learn more about the consent decree public forums.

During the month of September, the OIPM had the opportunity to go to the National Association for Civilian Oversight over Law Enforcement (NACOLE) conference and training in Fort Worth, TX. This opportunity to learn and connect to others in the field of oversight and hone our craft is extremely valuable to the OIPM. We share more about the NACOLE conference and training at the end of this report.

Finally, on **October 21, 2022**, the OIPM will join with **Families Overcoming Injustice (FOI)** to host the **National Day Against Police Brutality**. The OIPM hopes all will attend this day of remembrance and action.

Thank you,



Above are some pictures from social media posts the OIPM produced regarding the the different community events the OIPM organized or participated in during the month of September.

Consent Decree Public Forums

We want to include in our monthly report some of the feedback that our office received during the September public forums that were held on the Consent Decree. These public forums are an opportunity for the community to ask questions about the Consent Decree, voice concerns, and give feedback on the performance of the NOPD. Here are some of the key points that the community reported to the federal and local monitor offices:

- The majority of the attendees were concerned and alarmed by the recent calls to end the consent decree and did not believe that the Consent Decree should be lifted in any capacity.
- The community reported feeling terrorized by the police. An individual noted this fear may be the result of intergenerational trauma caused by racist or violent policing that occurred in the past, and a few years of reform wasn't going to repair that damage or ensure policing culture changes last. Some brought up examples of police corruption or the police engaging in criminal activity or encouraging crime.
- Gordon Plaza residents shared that the police were weaponized against them during a meeting with City Council in City Hall.
- The community demanded answers on the assignment, suspension status, pay status, and criminal prosecution of Officer Gerry Paul who is accused of sexual assault against a civilian NOPD employee.
- The community expressed frustration with the Police Community Advisory Boards (PCABs). Specifically, PCABs have "no teeth" and no power to discipline officers, change practices, or influence policy.
- The community reported wanting more civilian oversight over the police. This ranged from:
 - Complete community control over to the police;
 - Advisory boards that had employment and disciplinary power over the police department;
 - Wanting the preexisting monitors to have more power.
- Logistically, there was feedback on the time, location, and structure of the public forums. It was requested:
 - The monitors report their notes back to the forums to ensure that the monitors were properly recording feedback received;
 - Public forums be held at a variety of times and locations to ensure accessibility for the community;
 - Dates, locations, and times of the public forums be clearly and consistently communicated in advance;
 - Minutes of the public forums are taken so the feedback could be accurately recorded;
 - Any notes or minutes from the public forums be shared with the community so the public be informed of differing feedback received; and
 - Prior to the start of public forums the monitors report out high level notes to the attendees so they are aware of what was shared before.
- The community requested direct contact with Judge Morgan. There was frustration regarding motions and materials provided to the court not being considered or known by the federal monitors.
- There was frustration that some of the community felt cut out of the consent decree monitoring and oversight process.
- One individual highlighted that he felt that the police were doing a good job but felt burnt out by the requirements of the consent decree. There was debate about the intention of officers to comply with the consent decree.
- Overall, there was a call for more information, more reporting, more forums, and more transparency in the monitoring process. The federal monitors committed to more transparency and releasing more reports.



Year to Date Overview



Office of the Independent Police Monitor Year to Date Comparison

	2022	2021	2020	2019	2018	2017	Avg 2017-2021
Civilian Complaint Count	47	49	51	66	22	30	43.6
Police Complaint Count	1	4	5	2	5	2	3.6
Civilian w/in NOPD	0	1	1	0	0	0	0.4
Anonymous Complaint	24	19	25	0	0	0	8.8
Criminal Case Liaison Count	12	20	33	15	3	6	15.4
Case Monitoring Count	7	4	9	0	9	8	6
Case Review Count	4	4	2	4	8	0	3.6
Contact Only Count	27	17	28	14	2	4	13
Disciplinary Hearing Count	47	20	54	39	53	23	37.8
Critical Incident Count	7	7	9	8	5	7	7.2
Firearm Discharge Count	5	6	8	7	3	4	5.6
Lvl 4 Non-Critical	17	6	8	0	0	0	2.8
Mediation Count	17	16	27	26	19	24	22.4
Commendation Count	0	8	1	4	1	2	3.2
Grand Total	215	181	261	185	130	110	173.4



Office of the Independent Police Monitor Monthly Comparison

	Sep-22	Sep-21	Sep-20	Sep-19	Sep-18	Sep-17	2017-2021 Average
Citizen Complaint Count	7	2	3	11	5	3	4.8
Police Complaint Count	0	0	3	1	1	0	1
Civilian w/in NOPD	0	0	1				0.5
Anonymous Complaint	1	0	2				1
Criminal Case Liaison Count	1	1	4	0			1.67
Case Monitoring Count	0	0	0	0	0	0	0
Case Review Count	0	0	0	0	0	0	0
Contact Only Count	2	3	1	0	0	0	0.8
Disciplinary Hearing Count	5	0	12	1	0	2	3
Critical Incident Count	0	0	0	0	0	1	0.2
Firearm Discharge Count	0	0	0	0	0	1	0.2
Lvl 4 Non-Critical	1	0	0				0
Mediation Count	3	3	2	1	3	3	2.4
Commendation Count	0	2	0	0	1	0	0.6
Grand Total	20	11	28	14	10	10	14.6

September Overview

Civilian Complaints Received in September

CC2022-0076	According to the complainant, he was staying at a hotel when 6-7 NOPD officers including one captain arrived and told the complainant he needed to leave. The officers handcuffed the complainant and led him down to their vehicles. The NOPD Captain told the complainant he would not take him to jail, and that the complainant could stay at a shelter that NOPD had contacted and secured a room in. The complainant was dropped off at the shelter by the NOPD Captain and another officer and learned that a room had not been booked for him. The complainant was also issued a summons upon leaving the NOPD vehicle.
CC2022-0077	According to the complainant, a Senior Police Officer would not review the documents the complainant needed an officer to sign, and told the complainant that no Officer in the 6th District Station would be willing to do so. The SPO made the complainant wait for a different officer, who then assisted the complainant.
CC2022-0078	According to the complainant, NOPD officers have been biased towards the aggravating party during a series of incidents involving the complainant's family, due allegedly to the aggravating party being employed by the Mayor's Office.
CC2022-0084	The complainant alleged that NOPD 8th district officers were violating the newly introduced facial recognition policy when they did not submit a formal request to utilize such technology during an investigation.
CC2022-0085	According to the complainant, a detective with NOPD did not have the complainant sign any forms relating to the return of their stolen property. The complainant also alleged that the same detective stole their recovered stolen property for himself after recovering it.
CC2022-0087	According to the complainant, NOPD officers have neglected to respond to multiple calls for service, officers have lied when they said someone had already responded, officers are failing to investigate her alleged burglary, and an officer showed up to her apartment at 10:30PM.
CC2022-0088	The complainant alleged that NOPD officers have not responded to multiple calls for service, and were unprofessional while on the phone.

September Overview

Anonymous Complaints Received in September

AC2022-0086	According to the anonymous complainant, an officer committed payroll fraud in both 2020 and 2021 by exceeding the 16:35 limit, working details while out sick, exceeded the weekly detail limit, and worked an unreasonable amount of days in a row without any days off.
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Criminal Liaison Received in September

CL2022-0012	A complainant filed multiple complaints with the OIPM anonymously, and requested updates and complaint tracking numbers for their complaints. OIPM contacted PIB and then updated the complainant with complaint tracking numbers.
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Contact Only Received in September

CO2022-0024	A member of the public reached out to OIPM requesting that OIPM send all signed investigations and documentation regarding multiple PIB investigations, as well as requesting the OIPM's review of specific investigations. OIPM informed the member of the public that OIPM cannot release PIB files, and that OIPM no longer performs the investigation reviews in the format the member of the public requested.
CO2022-0025	A member of the public reached out to OIPM with concerns over an officer not providing her with a copy of NOPD operations manual policies. OIPM reviewed NOPD policy and found no policy stating NOPD was barred from disclosing policy information to the public, but also nothing obligating NOPD to print out any policy to members of the public. OIPM provided this information to the member of the public.

Level 4 Noncritical Incidents in September

UF2022-0017	Officers responded to the location to remove an individual that was threatening patrons armed with a gun. The individual fought with officers. Two officers deployed their tasers and the subject was struck a total of 3 cycles.
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September Overview

Disciplinary Proceedings Received in September

DH2022-0043 CTN2021-0288-R	An officer is accused of neglect of duty for using force against a person in handcuffs when he struck the person between the legs while trying to reposition them in his car. The officer also did not report the use of force.
DH2022-0044 CTN2021-0354-R	Multiple officers are accused of neglect of duty for engaging in a vehicle pursuit and pursuing while driving against traffic on two separate occasions during the same pursuit.
DH2022-0045 CTN2021-0551-R	Two officers are accused of neglect of duty for failing to comply with instructions from an authoritative source when they released an individual into the custody of a bounty hunter whose identity they never made attempts to confirm.
DH2022-0046 CTN2021-0066-R	Two officers are accused of neglect of duty for failing to deliver their discharged CEW to the academy within 72 hours after deploying it.
DH2022-0047 CTN2021-0476-R	An SPO is accused of engaging in restricted activities through their associations after they loaned their personal car to a friend, a convicted felon, who then committed an alleged domestic aggravated battery while using the personal vehicle.

Complaints

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.

Once the OIPM receives a complaint, the OIPM prepares the complainant's account into a narrative. 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.

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.

7 CIVILIAN COMPLAINTS

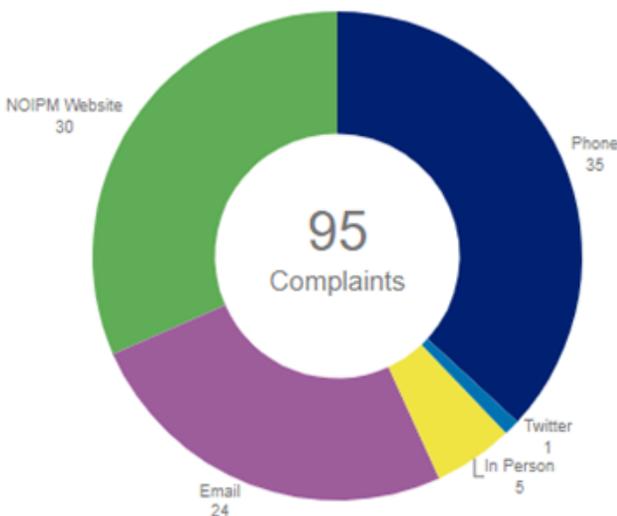
1 ANONYMOUS COMPLAINTS



Christian Jamal
Misconduct and Force Analyst

Christian Jamal joined the Office of the Independent Police Monitor as the Misconduct and Force Specialist in July 2022. Christian obtained his Bachelor's Degree from Tulane University, double majoring in Communication and Political Science. Christian attended Tulane University Law School where he obtained his Juris Doctor degree. While at Tulane Law School, Christian performed pro-bono work for the New Orleans Entertainment Law Legal Assistance Project and also participated in current City Councilmember Lesli Harris's Trademark Lab, providing assistance to local businesses and artists in their applications for Trademarks. During his 3L year, Christian began work with the Office of the Independent Police Monitor as a student extern. Christian has been an advocate for criminal justice reform and has worked at various criminal justice focused organizations since he arrived in New Orleans in 2015.

Intake Source
Past 12 Months



Discipline

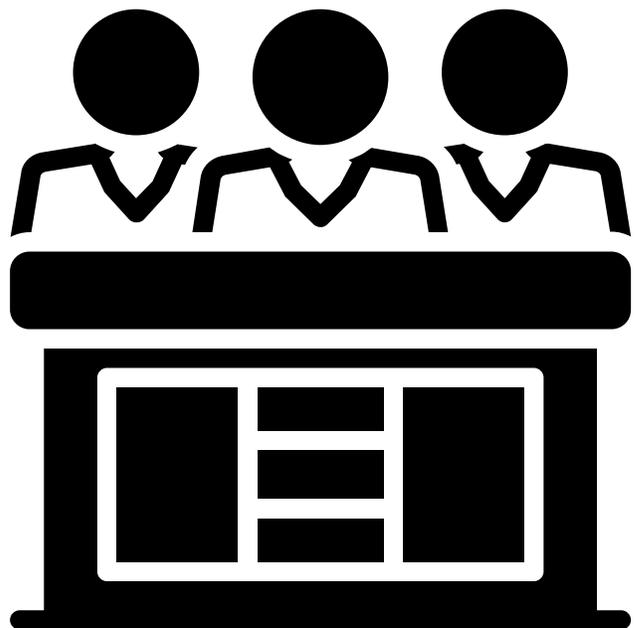
The OIPM is responsible for monitoring whether NOPD action taken during disciplinary proceedings are compliant with state and federal law, NOPD policy, the Consent Decree, and the Memorandum of Understanding between the NOPD and the OIPM executed on November 10, 2010. The OIPM will review such proceedings to ensure the NOPD is compliant with Federal Consent Decree Section XVII: Misconduct Complaint Intake, Investigation, and Adjudication.

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.

5 DISCIPLINARY PROCEEDINGS

0 SUPERINTENDENT COMMITTEE HEARINGS

5 CAPTAIN PANEL PREDISPOSITION AND PENALTY HEARINGS



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.

12 MEDIATIONS REFERRED

2 MEDIATIONS SCHEDULED FOR OCTOBER

3 MEDIATIONS HELD

5 MEDIATIONS PENDING

This is a photo of our Mediation Director, Jules Griff, who co-presented at the Association for Conflict Resolution annual conference alongside panels from across the country. Panelists shared knowledge and experience on community-police mediation programs in Baltimore, Miami, and New Orleans.



Use of Force

The OIPM is required by City Code 2-1121 to monitor the quality and timeliness of NOPD's investigations into use of force and in-custody deaths. If a critical incident occurs, the OIPM is notified and a member of the incident and will report immediately to the scene. The OIPM will stay engaged from the occurrence of the incident, through investigation, and Use of Force Review Board (UFRB) hearings.

The UFRB serves as a quality control mechanism to ensure timely reviews of all serious use of force investigations to determine the appropriateness of the investigative findings, and to quickly appraise use of force incidents from a tactics, training, policy, and agency improvement perspective. The voting members of the UFRB are the Deputy Superintendents of Field Operations Bureau, Public Integrity Bureau, and Investigations and Support Bureau. Other NOPD deputy chiefs serve as non-voting members, and outside groups like OIPM and the Office of the Consent Decree Monitor are present to observe, listen, and participate in discussion.

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CRITICAL INCIDENTS

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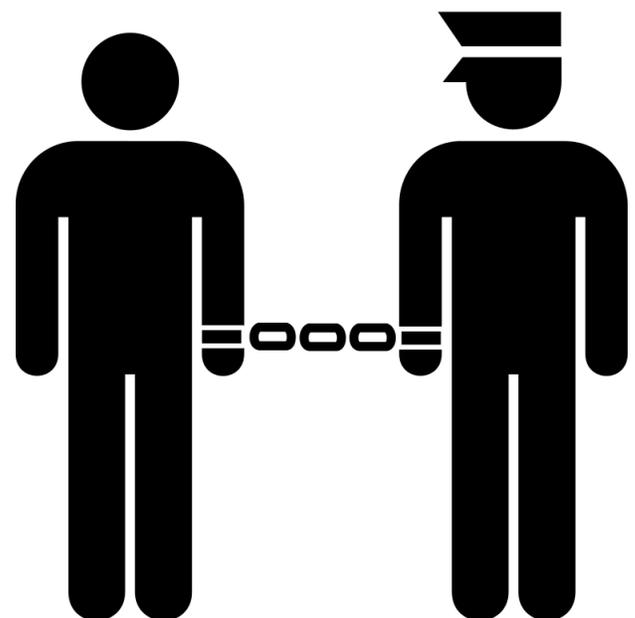
FIREARM DISCHARGE

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LEVEL 4 NON-CRITICAL INCIDENT

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CASES HEARD AT USE OF FORCE REVIEW BOARD



Community Outreach

11

COMMUNITY OUTREACH EVENTS

OIPM leads and participates in community outreach to inform the public of our services, to increase public engagement with policing, raise awareness of local or relevant police practice, and monitor how the NOPD interacts with our community.

PANEL PRESENTATION AT NATIONAL ASSOCIATION FOR CONFLICT RESOLUTION CONFERENCE, "DEVELOPING MEDIATION PROGRAMS TO CULTIVATE CREATIVE COLLABORATE CONVERSATIONS TO TRANSFORM & DEMOCRATIZE POLICING."

MEDIATOR COMMUNITY MEET AND GREET IN-PERSON IN GENTILLY

OUTREACH MEETING WITH NOCOP ORGANIZATION

2-HOUR MEDIATION TRAINING ON ZOOM

INTERVIEW AND FEATURED IN THE TIMES-PICAYUNE ARTICLE: "10 YEARS INTO CONSENT DECREE, FINISH LINE CONTINUES TO ELUDE NOPD."

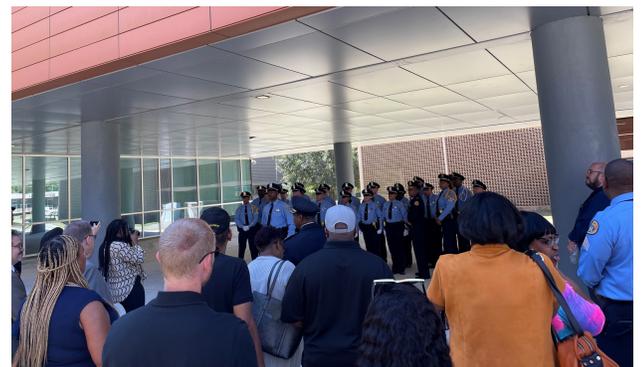
VIRTUAL PANEL AND FORUM FOR JUSTICE AND BEYOND

CONSENT DECREE PUBLIC HEARING AT
FEDERAL COURT

CONSENT DECREE NIGHT PUBLIC FORUM WITH
OCDM AT THE ASHE CULTURAL CENTER
THEATER

CONSENT DECREE DAY PUBLIC FORUM WITH
OCDM AT THE ASHE CULTURAL CENTER
THEATER

NOPD ACADEMY CLASS #195 GRADUATE AT
SUNO



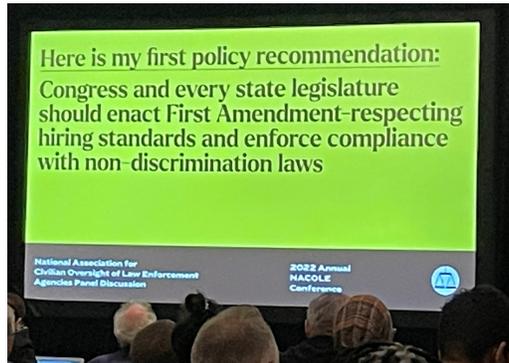
Above, the recruit class of #195 stand outside of the graduation ceremony, surrounded by their family and friends. The OIPM attended the graduation ceremony.

NACOLE Training

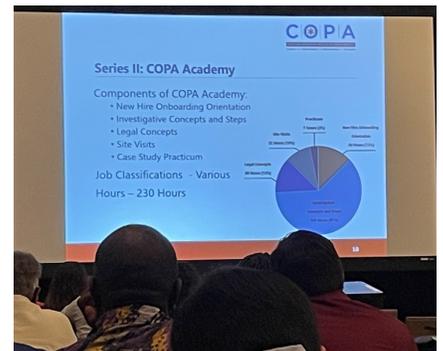
During the month of September, the OIPM participated in a national conference and training through the National Association for Civilian Oversight of Law Enforcement (NACOLE). At the conference, the OIPM staff connected with civilian oversight offices in the south and all over the country, shared information and ideas, and gained new insight on how to better structure our office, hone our work, and make oversight more accessible, relevant, and effective to all. We attended sessions on a variety of topics and look forward to sharing our gained knowledge with the community, our partners, and the NOPD.



NACOLE is an opportunity to speak with other practitioners in the oversight field. Above Bonycle is talking to George Perezvelez regarding use of force work. Below, Bonycle and Stella are with Mummi Ibrahim, the new Independent Police Monitor of Arlington, VA.



The pictures above are from an important session on how to identify and address extremism and white supremacy within law enforcement.



To the left, NACOLE honored New Orleans's Professor Andrea Armstrong for her work around prison oversight and reform.

Every session was an opportunity to learn new ways to engage with the public, how to make law enforcement safer, and how to address misconduct and uses of force. The OIPM is appreciative of the opportunity to connect and learn from leaders across the country.

Budget

OIPM Budget Description	Amount
Personnel	\$732,488
Operating	\$308,926
2022 Total OIPM Budget	\$1,041,414
2022 Total OIPM Budget	\$1,041,414
Amounts Spent to Date:	\$598,082
Unexpended funds	\$443,332

Budget Goals

In the final quarter, the OIPM is intending to:

- Send two employees to the Los Angeles Police Department "Audit School" training at the LAPD Academy in Los Angeles, CA
- Hire an employee to conduct audit and data work
- Enter into a contract with a community outreach and engagement consultant
- Enter into a contract with a data contractor
- Select a vendor for the RFP to design and operate a 24 hour hotline and call center for police complaints in English, Spanish, and Vietnamese.

2022 Goal Progress

To ensure accountability and transparency with the ERB and the community, the OIPM is reporting out progress on the 2022 OIPM Work Plan. These benchmarks and goals were achieved in July 2022.

Attended national conference and training through the National Association for Civilian Oversight over Law Enforcement in Fort Worth, Texas.

Closed the **RFP for the 24 Hour Hotline and submitted a memo to start the selection process** through the City's Budget Department.

Wrote **first draft of the Rotation Recommendation Draft**. Submitted data requests to NOPD for PIB staffing information.

Released **case reviews from CTN 2020-0637-P; CTN 2019-0259-P; CTN 2019-0708-P; and CTN 2021-0092-P** to the public after receiving formal comment from the NOPD.

- The OIPM also included multiple policy and practice recommendations in these case reviews, including the recommendation that the OIPM is notified of any police response between a civilian and an elected official or judge to ensure the appropriate police response free from any intimidation.

Consent Decree Compliance

- **Continued writing the OIPM Sustainment Strategy** and continued working with the federal monitors, NOPD, and the city on the proposed sustainment plan. Discussed the strategy with OCDM partners along with the Seattle OIG office to get differing perspectives.
- Attended the meeting with Judge Morgan, the NOPD, the City, and the Federal Monitors along with the public court hearing on the status of the Consent Decree.
- Attended two public forums with the OCDM and fielded questions, comments, and concerns from the community about the status of the consent decree and policing.

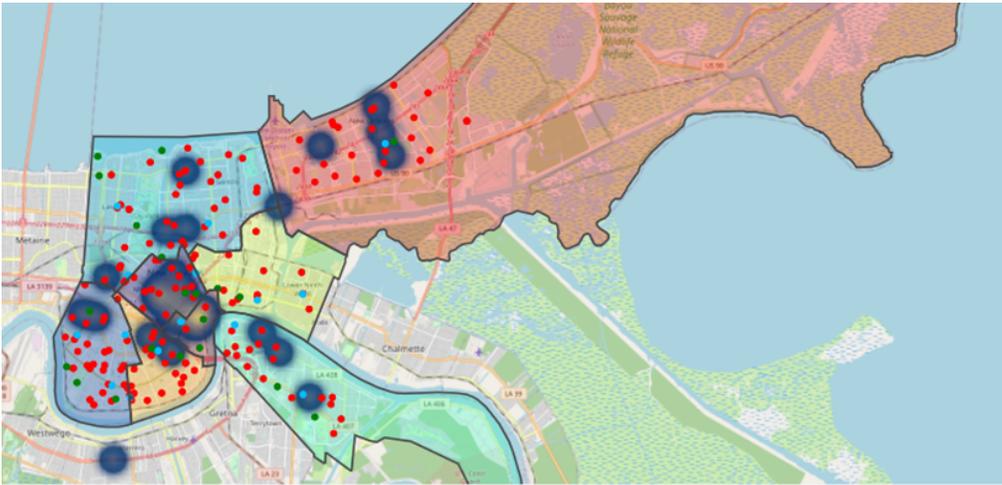
Conducted community outreach, engagement, and monitoring to receive public input on the operations and impact of the OIPM:

- **Engaged with the community and media.**
 - Interviewed for The Times-Picayune article: "10 Years into Consent Decree, Finish Line Continues to Elude NOPD."
- **Presented to the Justice and Beyond public forum.**
- **Met with NOCOP to discuss concerns with NOPD and oversight.**

Met with CAO Gilbert Montano to discuss budgetary projections and hiring for the OIPM in the 2023 budgetary year.

Started Coffee and Leadership Talk meetings with the staff to collect new ideas and feedback for the 2023 year on projects on goals and how to support individual performance goals.

Additional Internally Generated Data for City Council - October 1, 2022



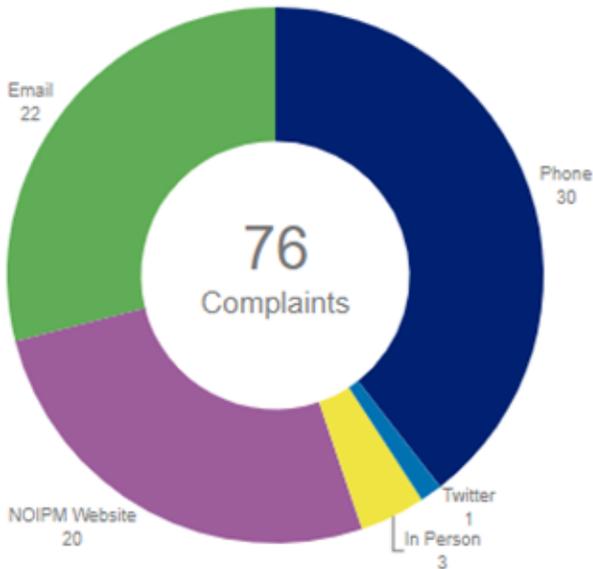
"Heat Mapping" Misconduct Complaints

This chart gives an overview of where there may be concentrations of allegations of misconduct occurring in the city. The map layer option enables the viewer to see the allegations of misconduct in context of police districts and where parks, schools, libraries are located.

Misconduct Complaints by Intake Source

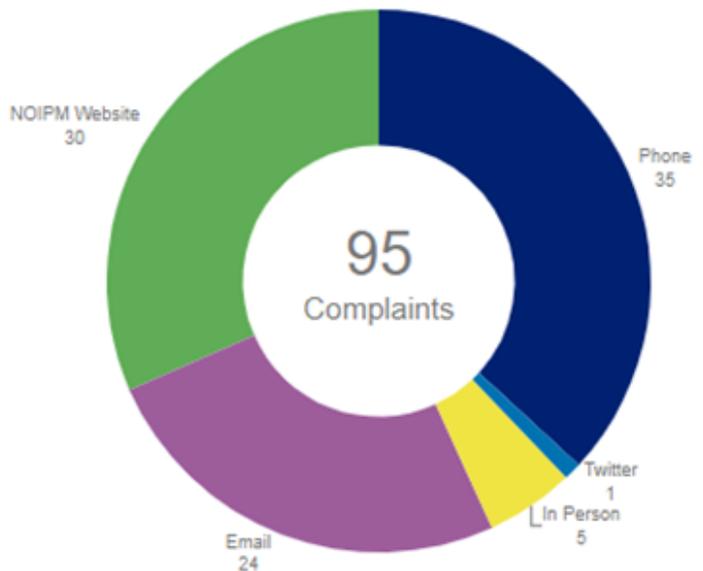
Intake Source

Year-to-Date



Intake Source

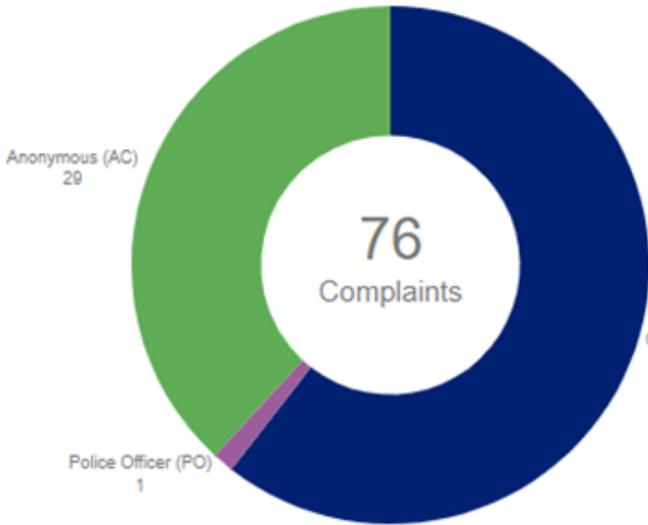
Past 12 Months



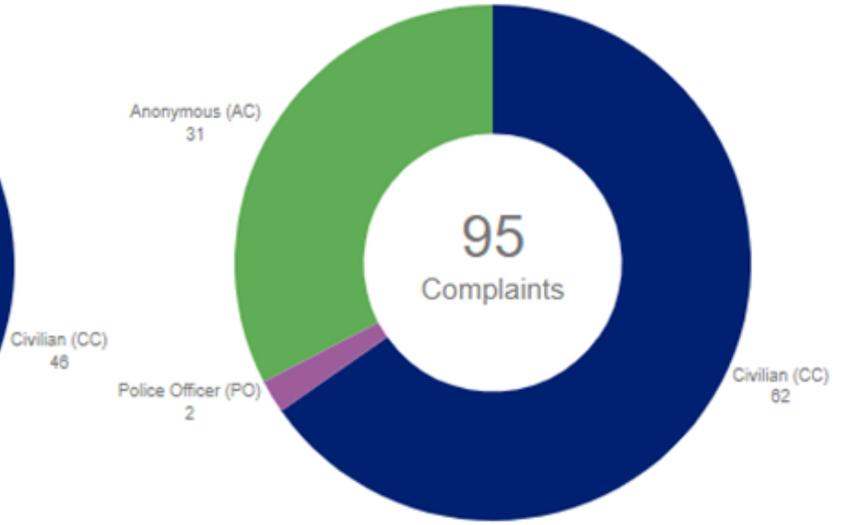
Additional Internally Generated Data for City Council - October 1, 2022

Misconduct Complaints by Complainant Type

Complainant Type
Year-to-Date



Complainant Type
Past 12 Months



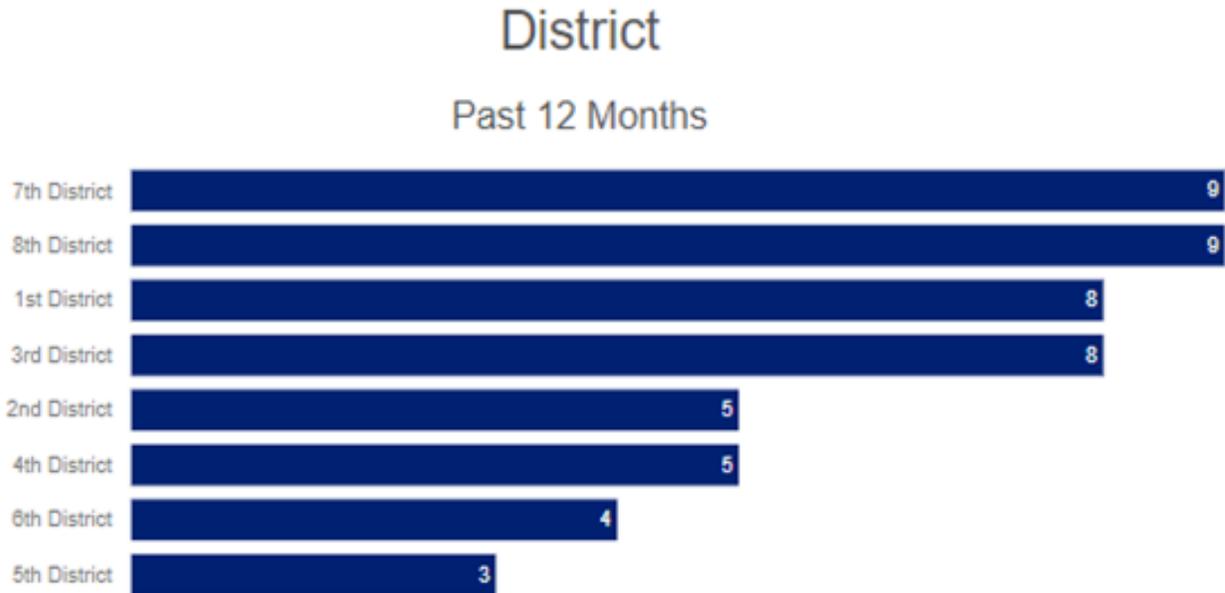
Complainant Type
Past 12 Months



Additional Internally Generated Data for City Council - October 1, 2022

Misconduct Complaints by District

This chart communicates where the alleged misconduct occurred by police district. This requires the misconduct to occur in a physical space (instead of an incident that occurs over the phone or internet for example). This is based on complainant disclosure and the OIPM tries to verify this information through electronic police reports, body worn camera footage, and field identification cards.



Top Allegations Proposed by OIPM

This chart captures the top allegations are proposed by the OIPM in the referral letters submitted to the Public Integrity Bureau. This chart is limited since it will only include the allegations that the OIPM entered into our database and has not yet been updated. The OIPM hopes to work on this issue with the NOPD in order to ensure accuracy in the proposed allegations.

