



THE OFFICE OF THE INDEPENDENT POLICE MONITOR

MONTHLY REPORT

OCTOBER 2022

Community Letter



Above are some pictures from the vigil held at the steps of City Hall for the National Day Against Police Brutality.

Dear New Orleans Community,

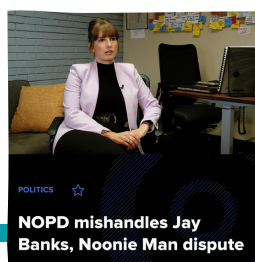
The month of October was spent amplifying the voice of the community to support police reform. From Night Out Against Crime to critical case reviews to moments of solemn reflection for members of our community that lost their lives to police violence, OIPM spent the month being grounded in the both our history and our future of policing.

This month the OIPM joined with Families Overcoming Injustice, an organization made up of families who lost loved ones to police violence, to commemorate the National Day Against Police Brutality. This year, we co-hosted two events around this important day. First, on Thursday night we hosted dinner with partner organizations so families could be connected to resources and services. We were honored that A’Niya Robinson from the ACLU gave a keynote speech, and family members shared their experiences with those in attendance. The next day we held a peaceful vigil on the steps of City Hall. NOPD, Promise for Justice, and Councilmember Thomas joined in the event. This vigil was an opportunity to reflect on lives of those lost, say their name and make space, and join as one and collectively demand accountability and reforms to end police violence.

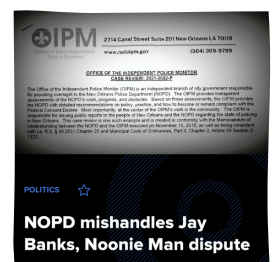
It was a beautiful two day event that ended with a balloon release and a shared commitment to keep working together to ensure that everyone is safe during police interactions. The OIPM always leaves the National Day Against Police Brutality feeling renewed in a sense of purpose and direction. We thank all the families, participants, and partners in this work for coming to these events. We commit to remembering those who have died and keeping their memory alive in our work.

The OIPM was featured in local news this month after the release of a case review report analyzing the misconduct investigation that occurred after a police response to an incident between Belden Batiste, a civilian, and a then-Councilmember. The case review report was the fifth report released by the OIPM this year. This case review report was a two-tiered review during which the OIPM asks critical questions about the strength of the investigation, assess if there were any violations of the officer bill of rights, local, state, and federal law, evaluate risk management, supervision, and propose recommendations on policy, training, and investigatory practice. In this matter, the OIPM disagreed with some of the NOPD’s findings and proposed two policy recommendations. First, for the NOPD to consider nonverbal intimidation within their policy and second, for the OIPM to be notified to monitor police responses to governmental officials and civilians to ensure there is no influence or pressure to alter a fair and full police investigation. The OIPM will report out to the public as progress is made on the proposals included in the report. The OIPM appreciated the attention and consideration that both this report received from the public and city council and that the recommendations received from the NOPD.

Thank you,



These pictures capture some of the media attention received by the OIPM case review report released this month.



Historical Comparison

Year to Date Comparison

	2022	2021	2020	2019	2018	2017	Avg 2017- 2021
Citizen Complaint Count	56	55	56	74	27	35	49.4
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	26	0	0	0	9
Criminal Case Liaison Count	12	20	36	17	6	6	17
Case Monitoring Count	7	4	10	0	9	8	6.2
Case Review Count	4	5	3	4	8	0	4
Contact Only Count	28	17	29	14	2	8	14
Disciplinary Hearing Count	59	60	61	41	56	27	49
Critical Incident Count	7	7	10	9	7	7	8
Firearm Discharge Count	5	6	9	8	4	4	6.2
Lvl 4 Non-Critical*	17	8	9	0	0	0	3.4
Mediation Count	20	18	33	30	21	26	25.6
Commendation Count	0	8	1	5	1	2	3.4
Grand Total	240	232	289	204	146	125	199.20

October Yearly Comparison

	Oct-22	Oct-21	Oct-20	Oct-19	Oct-18	Oct-17	Avg 2017- 2021
Citizen Complaint Count	9	6	5	8	5	5	5.80
Police Complaint Count	0	0	0	0	0	0	0.00
Civilian w/in NOPD*	0	0	0				0.00
Anonymous Complaint*	0	0	1				0.50
Criminal Case Liaison Count	0	0	3	2	3	0	1.60
Case Monitoring Count	0	0	1	0	0	0	0.20
Case Review Count	0	1	1	0	0	0	0.40
Contact Only Count	1	0	1	0	0	4	1.00
Disciplinary Hearing Count	12	40	7	2	3	4	11.20
Critical Incident Count	0	0	1	1	2	0	0.80
Firearm Discharge Count	0	0	1	1	1	0	0.60
Lvl 4 Non-Critical*	0	2	1				1.50
Mediation Count	3	2	6	4	2	2	3.20
Commendation Count	0	0	0	1	0	0	0.20
Grand Total	18	10	69	26	13	8	25.2

October Overview

Civilian Complaints Received in October

CC2022-0089	The complainant alleged that NOPD 8th, 6th, and 1st district officers were summoned to City Hall during a City Council Meeting for no apparent reason, and alleged that such a large number of officers arriving to City Hall triggered previous trauma brought about by NOPD.
CC2022-0091	The complainant alleged that an NOPD officer witnessed an assault take place and did not act or investigate the assault after it occurred.
CC2022-0092	The complainant alleged that a Sgt. with FOB graffitied his car after an earlier dispute.
CC2022-0093	The complainant alleged that two SPOs in FOB failed to properly investigate a custody dispute between the complainant and his wife and lied about not receiving evidence, resulting in the complainant being arrested.
CC2022-0094	CONFIDENTIAL - Sensitive Protocol
CC2022-0095	The complainant alleged that NOPD 8th district officers conspired to not report a use of force, that an officer participated in his detainment while on emergency suspension, that NOPD officers previously violated his human rights and were spying on him.
CC2022-0096	The complainant alleged that several homicide detectives performed a faulty investigation into her husband's murder, failed to collect evidence, and failed to respond to her calls and messages.
CC2022-0097	The complainant alleged that an EPR incident report should have been written when police responded to an incident at City Hall.
CC2022-0098	According to the complainant, an investigator with PIB spoke to her rudely and without trauma informed training, and also waited until the investigator's deadline to reach out to the complainant.

October Overview

Criminal Liaison Received in October

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 October

C02022-0026	A member of the public contacted OIPM regarding a possible crime being committed by her neighbor in Gretna. OIPM forwarded the full online complaint submission to the Jefferson Parish Sheriff's Office.
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October Overview

Disciplinary Proceedings Received in October

DH2022-0048	One officer is accused of an adherence to law violation (Domestic Abuse Battery) after the officer pulled his partner's hair during a dispute and pled guilty to domestic abuse battery in court.
DH2022-0049	One officer is accused of neglect of duty for ceasing their BWC recording several times during a call for service and for failing to ensure their In-Car-Camera was functional as required by NOPD policy.
DH2022-0050	A sergeant is accused of an adherence to law violation (simple battery) and a professionalism violation after the sergeant struck a fellow NOPD officer after an argument in the wake of Hurricane Ida.
DH2022-0051	One detective and one lieutenant are accused of neglect of duty for failing to report a level one use of force to their supervisor, and for neglecting their supervisory duty to report the use of force after witnessing it. The use of force was a hand/arm hold executed to gain compliance.
DH2022-0052	One officer is accused of neglect of duty for failing to report a use of force after the officer pushed an individual away who was interrupting the officer in his duties.
DH2022-0053	One officer is accused of neglect of duty after using his CEW on a fleeing suspect when there was no risk of harm to any officer and the officer did not have probable cause for a serious offense being committed.
DH2022-0054	One officer is accused of unauthorized force two times for using force against a person in handcuffs and using a neck hold after an individual spit on the officer and the officer pushed the handcuffed individual away while using a neck hold.
DH2022-0055	One officer is accused of neglect of duty for drawing their firearm, using deadly force, using firearms to stop an animal, not carrying a police baton, and failing to wear body armor after the officer shot a dog while performing a call for service.
DH2022-0056	One officer is accused of unauthorized force and neglect of duty for failing to activate their BWC during a call for service after the officer struck an individual in the head while attempting to restrain the individual.
DH2022-0057	One officer is accused of using unauthorized force and neglect of duty for failing to report that force after the officer placed an individual in a neck and head hold while the individual was not actively resisting.
DH2022-0058	Multiple officers are accused of Neglect of Duty for not obtaining a warrant prior to conducting a search and seizure of two individuals.
DH2022-0059	One officer is accused of Neglect of Duty for failing to report a use of force after the officer pointed his firearm at a suspect.

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.

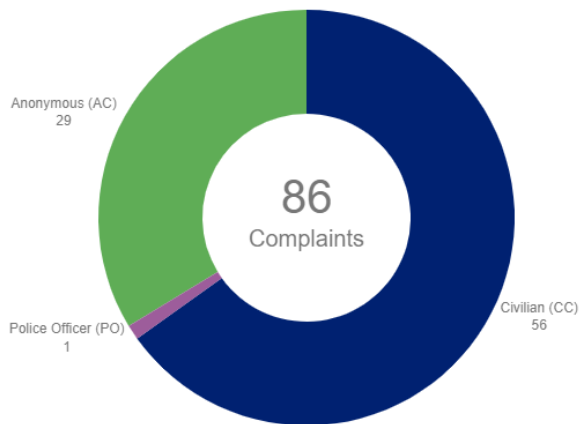
9 CIVILIAN COMPLAINTS

0 ANONYMOUS COMPLAINTS



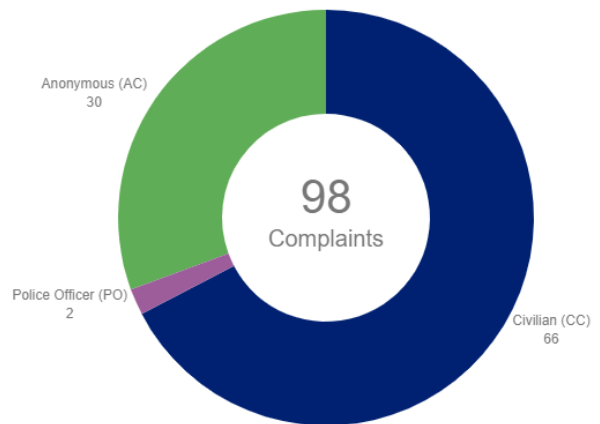
Complainant Type

Year-to-Date



Complainant Type

Past 12 Months



Discipline

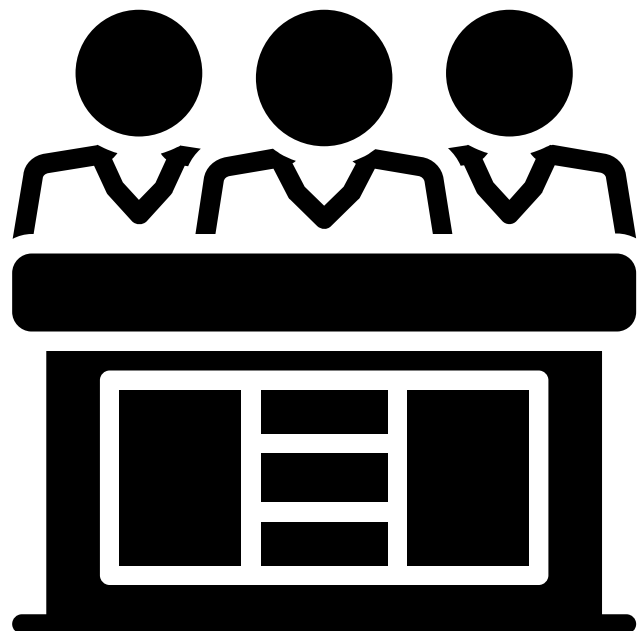
The OIPM is responsible for monitoring whether NOPD action taken during disciplinary proceedings are compliant with state and federal law, NOPD policy, the Consent Decree, and the Memorandum of Understanding between the NOPD and the OIPM executed on November 10, 2010. The OIPM will review such proceedings 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.

12 DISCIPLINARY PROCEEDINGS

5 SUPERINTENDENT COMMITTEE HEARINGS

7 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.

5

MEDIATIONS REFERRED

2

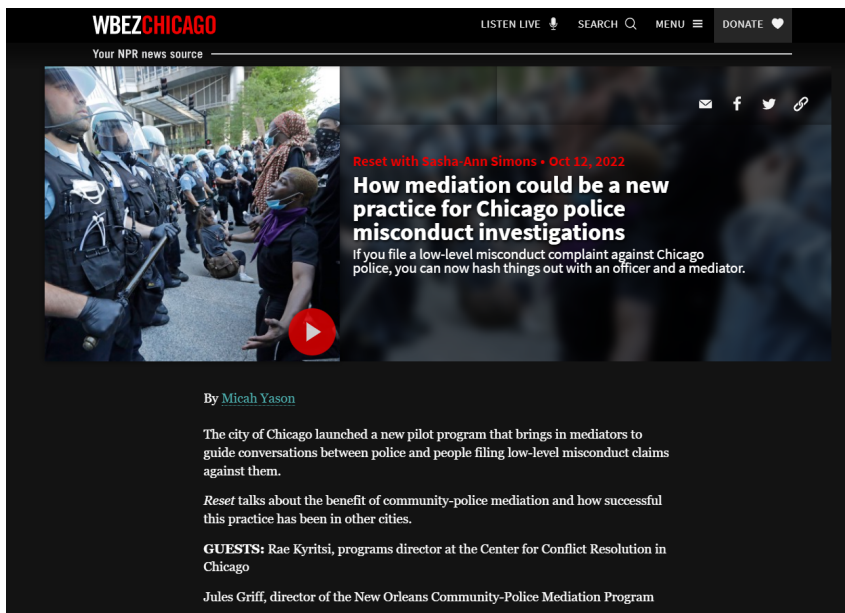
MEDIATIONS SCHEDULED FOR OCTOBER

3

MEDIATIONS HELD

2

MEDIATIONS PENDING



The screenshot shows a news article on the WBEZ Chicago website. The article is titled "How mediation could be a new practice for Chicago police misconduct investigations" and is dated October 12, 2022. The author is Micah Yason. The article discusses a pilot program in Chicago that brings mediators to guide conversations between police and people filing low-level misconduct claims. It also mentions that if you file a low-level misconduct complaint against Chicago police, you can now hash things out with an officer and a mediator. The article lists two guests: Rae Kyrtsi, programs director at the Center for Conflict Resolution in Chicago, and Jules Griff, director of the New Orleans Community-Police Mediation Program. The article includes a video player with a play button icon.



Mediation Director, Jules Griff, was a guest on WBEZ Chicago to discuss our Community-Police Mediation program and the impact it has on our community and police officers.

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

1

FORCE MONITORING

0

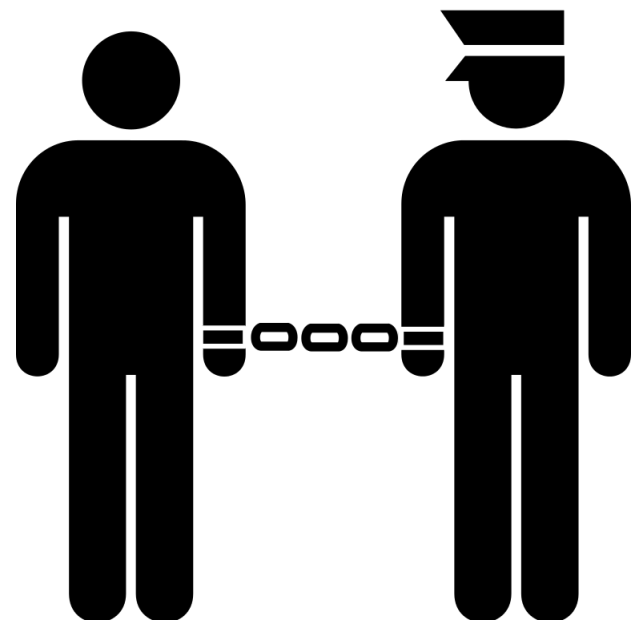
FIREARM DISCHARGE

0

LEVEL 4 NON-CRITICAL INCIDENT

3

CASES HEARD AT USE OF FORCE REVIEW BOARD



Community Outreach

13

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.

ATTENDED NIGHT OUT AGAINST CRIME AT SAM BONART PLAYGROUND

NATIONAL DAY AGAINST POLICE BRUTALITY VIGIL WITH FAMILIES OVERCOMING INJUSTICE ON 10/21/22

NATIONAL DAY AGAINST POLICE BRUTALITY COMMUNITY RESOURCE PANEL WITH FAMILIES OVERCOMING INJUSTICE ON 10/20/22

ATTENDED FAITH AND BLUE CHURCH SERVICE WITH NOPD AT FRANKLIN AVENUE BAPTIST CHURCH ON 10/23/22

COMMUNITY OFFICE HOURS AT CUT-OFF RECREATION CENTER ON 10/11/22 AND 10/24/22

COMMUNITY HOUR AT SANCHEZ MULTI-PURPOSE CENTER ON 10/13/22 AND 10/27/22

COMMUNITY OFFICE HOURS AT JOE W. BROWN PARK ON 10/31/22

INTERVIEW ABOUT COMMUNITY-POLICE MEDIATION WITH WBEZ CHICAGO ON 10/12/22

INTERVIEWED BY MISSY WILKERSON FOR NOLA.COM ON BELDEN BATISTE CASE REVIEW

INTERVIEWED BY MIKE PERLSTIEN FOR WWLTV ON BELDEN BATISTE CASE REVIEW

PRESENTED TO THE CITY COUNCIL CRIMINAL JUSTICE COMMITTEE ON BELDEN BATISTE CASE REVIEW



Budget

OIPM Budget Description	Amount
Personnel	\$732,488.00
Operating	\$308,926.00
2022 Total OIPM Budget	\$1,041,414.00
2022 Total OIPM Budget	\$1,041,414.00
Amounts Spent to Date:	(\$677,536.00)
Unexpended funds	\$363,878.00

Budget Goals

In the final quarter, the OIPM is intending to:

- 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 October 2022:

Worked on the **first draft of a report detailing the systemic changes and reforms on the secondary employment system** put in place in the year since the misconduct regarding secondary employment was first discovered.

Met with **House of Tulip to discuss potential future collaborations and projects** to ensure that the transgender community can report officer misconduct safely.

Worked on the **Family Bill of Rights** with the Professional Standards and Accountability Bureau with the goal of completing this project by the end of the year.

Submitted an updated draft of the Remote Intake Site materials including intake form, manual, and training presentation to the Public Integrity Bureau for comment and feedback.

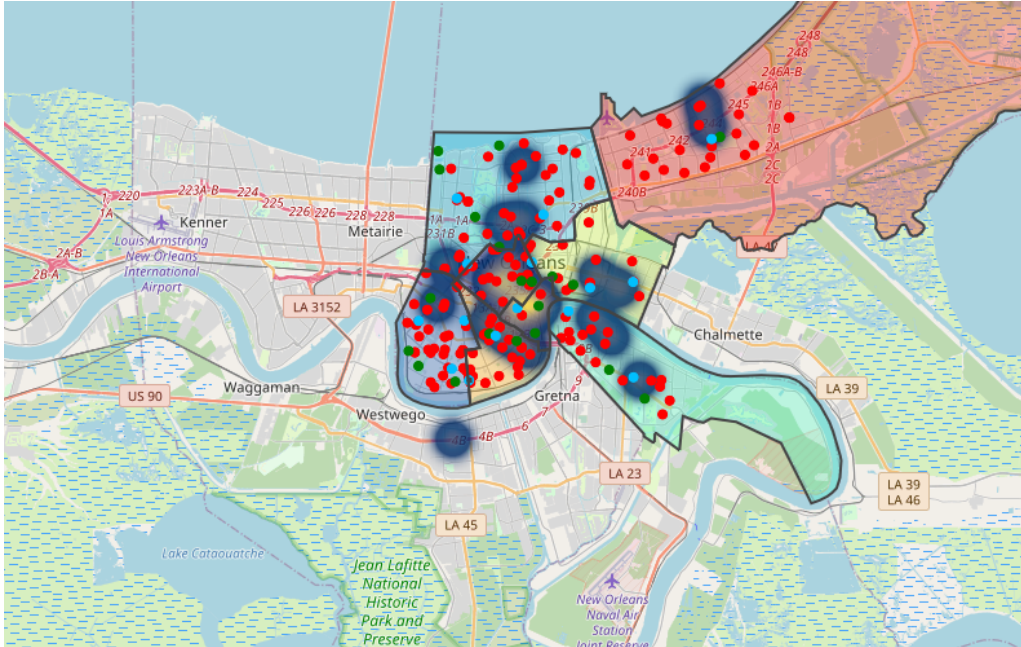
Consent Decree Compliance

- **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 the special prosecutor assigned to Puerto Rico overseeing the Consent Decree.
- 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.

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 by the Times-Picayune, WWL, and other media sources about the case review report released the NOPD response to an encounter between a civilian and a then-councilmember.
 - Attended Night Out Against Crime
- Started hosting the **Community Office Hours** in various locations across the city including the **Westbank, the Lower 9th Ward, and New Orleans East.**
- Presented to a case review to the **City Council Criminal Justice Committee** along with the complainant regarding the case review process, purpose, and impact.
- Hosted two community driven events regarding the **National Day Against Police Brutality** and connected affected families with resources and services from partner organizations.

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



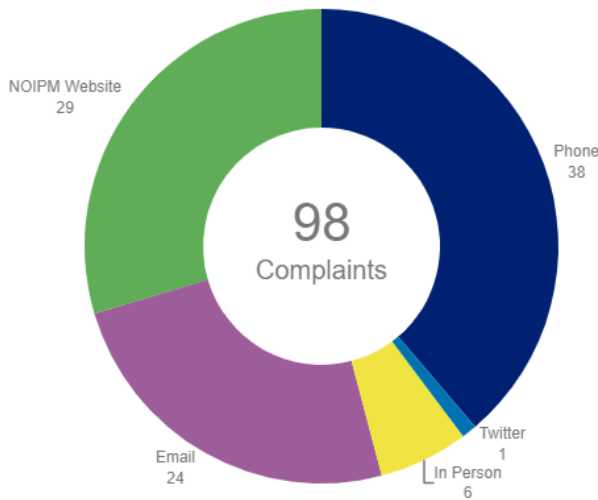
"Heat Mapping" Misconduct Complaints

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

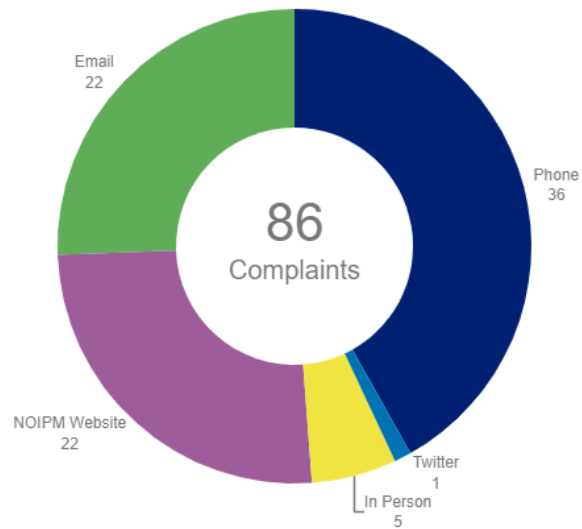
Intake Source

Past 12 Months



Intake Source

Year-to-Date

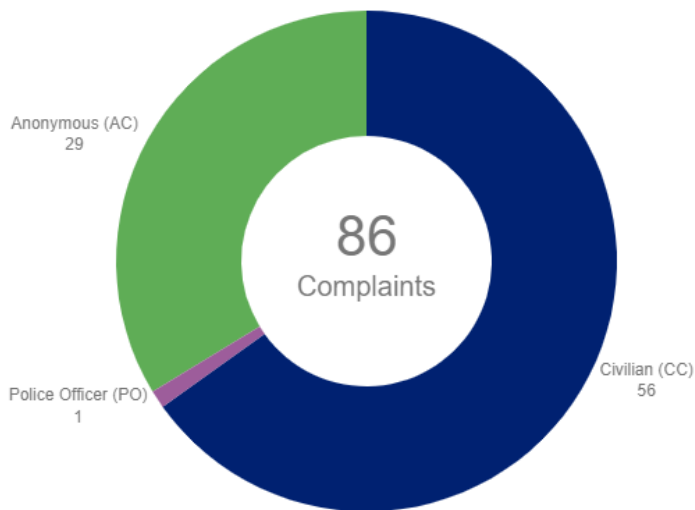


Additional Internally Generated Data for City Council - November 1, 2022

Misconduct Complaints by Complainant Type

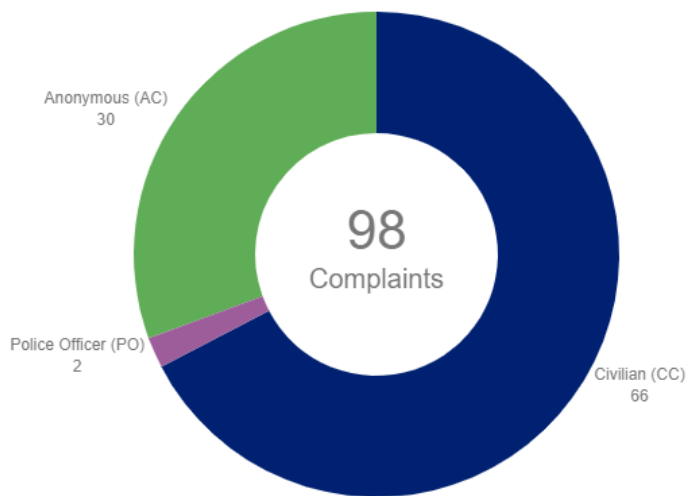
Complainant Type

Year-to-Date



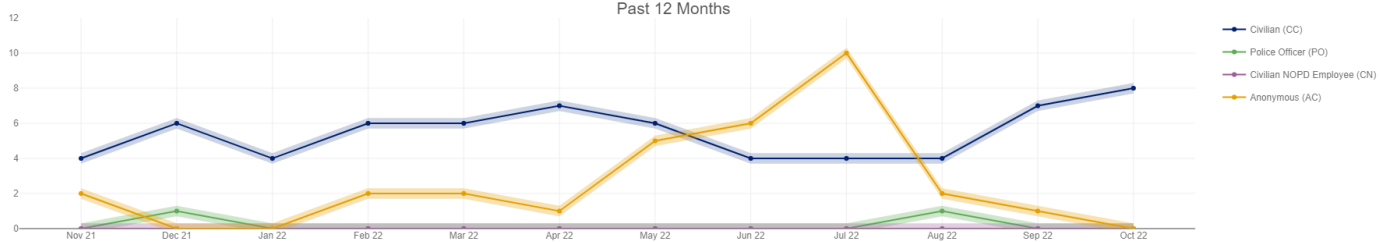
Complainant Type

Past 12 Months



Complainant Type

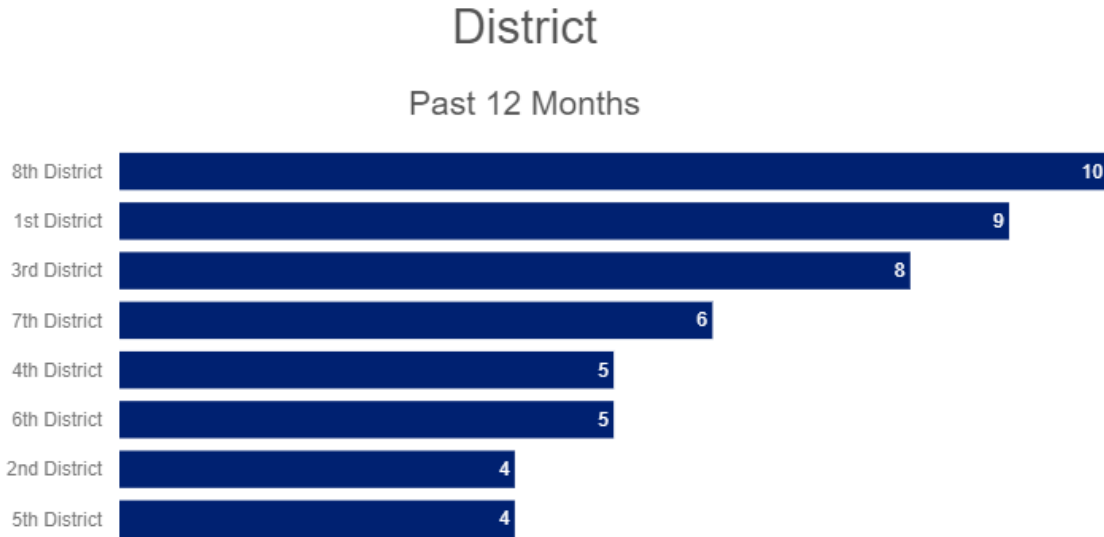
Past 12 Months



Additional Internally Generated Data for City Council - November 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.

