

# NOPD CONSENT DECREE MONITOR NEW ORLEANS, LOUISIANA



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File Number: 37PA-191555

Deputy Superintendent Danny Murphy  
Compliance Bureau, New Orleans Police Department  
714 Broad Street  
New Orleans, LA 70119

Dear Superintendent Murphy:

This letter constitutes confirmation that the Office of Consent Decree Monitor ("OCDM") has reviewed and provided comments on the revised Chapter 13.35, Commendations and Awards. The OCDM has no objection to the policy as revised.

We believe that the revised Chapter 13.35, Commendations and Awards, incorporates all requirements of the Consent Decree and sets forth clear and appropriate rules to guide officer conduct. Our approval is also based on the representation by the Department of Justice that this policy complies with 8 U.S.C. §1373.

We will continue to assess the adequacy of this policy following its implementation. If we identify any concerns following implementation, we will present those concerns to you and the Department of Justice. Additionally, we note that, pursuant to the Consent Decree, NOPD has agreed to review and revise policies and procedures as necessary upon notice of a significant policy deficiency. We also note NOPD's obligation to review this policy after a year of implementation to ensure it "provides effective direction to NOPD personnel and remains consistent with the Agreement, best practices, and current law." Consent Decree at ¶ 8.

We appreciate your team's effort, cooperation, and responsiveness throughout this process.

Very truly yours,

David L. Douglass  
For SHEPPARD MULLIN RICHTER & HAMPTON LLP\*  
2099 PENNSYLVANIA AVE., N.W., SUITE 100  
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CC: HONORABLE SUSIE MORGAN (VIA ELECTRONIC MAIL)  
EMILY GUNSTON, DEPARTMENT OF JUSTICE (VIA ELECTRONIC MAIL)



# NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

## CHAPTER: 13.35

### TITLE: COMMENDATIONS AND AWARDS

**EFFECTIVE:**

**REVISED:**

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#### **PURPOSE:**

The Department has established a system to recognize members of the NOPD, members of other law enforcement agencies working with the NOPD and members of the public who exceed the level of performance expected of responsible members of the Department and the community.

#### **POLICY:**

1. Members of the NOPD and commissioned members of other law enforcement agencies working with the NOPD will be recognized for their awards and achievements in public ceremonies.
2. Members of the public who are being recognized for their assistance to the NOPD and who have gone above and beyond the level expected of responsible members of the community will be recognized in public ceremonies.
3. Recognition of achievements and awards for members of law enforcement and non-law enforcement members of the community is vital to the overall mission of the NOPD and serves as a critical component to good police-community relations.

#### **DEFINITIONS**

Definitions related to this Chapter include:

**Member** - an individual who is employed, either full-time, part-time, under contract or who volunteers for the NOPD. This includes civilian volunteers and Reserve Officers while "on-duty" and performing functions under the auspices of the NOPD.

**Nomination** – the written recommendation or acknowledgement by any person of action(s) by a member of the Department, a commissioned member of another law enforcement agency working with the NOPD or a member of the public that merits recognition and a Departmental award.

**Person** - a natural or born individual as opposed to a "legal" entity.

**AWARDS NOMINATION**

4. Any member of the Department, another law enforcement agency or the community may recommend any member of the Department, a member of another law enforcement agency working with the NOPD or a member of the public for a departmental award.
5. The INSIGHT System Awards and Commendation Application shall be used to nominate department members or other individuals for a department award and shall contain:
  - a.) The person/member's name, bureau and assignment at the date and time of the commendation.
  - b.) A brief account of the commendable action with a copy of the police report number(s), as appropriate.
  - c.) When applicable, a copy of any related police report(s).
  - d.) Any other supporting documentation.
  - e.) The signature of the nominating supervisor indicating he/she is in agreement with the facts as stated, and an indication that he/she concurs with the approved investigative police report.
6. An INSIGHT System Awards and Commendation Application shall be filled out by a supervisor for each person being nominated.
7. The INSIGHT System Awards and Commendation Application filled out or submitted by a supervisor shall be completed within thirty days of the date of the incident or within thirty days of the conclusion of the investigation related to the incident.
8. The INSIGHT System Awards and Commendation Application submitted by or for members of the public shall be reviewed by the Public Affairs Division, who will contact the appropriate department members, if needed, to verify information submitted.
9. Communications (oral or written) from members of the community or other law enforcement agencies that indicate a desire to recognize an NOPD member's actions shall be entered into the INSIGHT System Awards and Commendation Application by a supervisor. The entering supervisor will be responsible for gathering the documentation necessary and completing the Awards and Commendation Application for documentation of a Letter of Recognition or submission to the Awards Committee.

**AWARDS CONSIDERATION PROCESS**

10. The nominating supervisor and nominee will be notified by email when the Awards and Commendation Application is submitted and when approved by the Committee.
11. Members receiving notification that an Awards and Commendation Application is submitted for them, may check his/her Personnel Jacket for the status of the prospective award at any time.
12. After each Awards Committee meeting, the Public Affairs Division will notify the nominee's Commander of the Committee's action on each Departmental member's nomination.
13. The nominee's Commander shall be responsible for notifying the nominee of the final decision by the Committee.

14. An appeal for reconsideration of a disapproved Awards and Commendation Application or a rehearing of a decision of the Awards Committee may be made by the respective nominating member, the nominee, or the nominee's Commander. The appeal must:
  - a.) Be submitted in writing on an NOPD Interoffice Correspondence (**Form 105**) to the nominee's Commander if the Awards and Commendation Application was disapproved by a supervisor in the nominee's chain-of-command.
  - b.) Be submitted in writing on an NOPD Interoffice Correspondence (**Form 105**) to the Superintendent of Police if the Awards and Commendation Application was disapproved or changed by the Awards Committee.
  - c.) Specify the reason for the disagreement with the supervisor's disapproval or the Award Committee's recommendation and supported by new or additional information not part of the original Awards and Commendation Application.
  - d.) Be submitted within thirty days from the date of notification of the committee's action.
15. If the nominee's Commander disagrees with the disapproval of the Awards and Commendation Application by a supervisor in the nominee's chain-of-command the following actions shall take place:
  - a.) The decision of the Commander to overrule the disapproval shall be communicated, in writing to the disapproving supervisor.
  - b.) The Commander's written communication shall specifically direct the supervisor to Change the action on the award to "approved".
  - c.) The Commander's written communication, the documentation for appeal from the nominee, the Awards and Commendation Application along with the written instructions to the supervisor to change the action to "approved" will be included in the Application and proceed to the Committee for final resolution.
16. If the Awards Committee changes their decision after appeal, they will include the appeal documentation and the change of decision, in writing, in the Awards and Commendation Application.

#### **COMMENDABLE OR MERITORIOUS ACTS BY MEMBERS OF THE COMMUNITY**

17. A commendable or meritorious act by a community member who is not a member of the NOPD may include, but is not limited to:
  - a.) Assistance to the Department and community that goes above and beyond the level expected of responsible members of the community.
  - b.) Assistance to the Department worthy of special notice or merit.
  - c.) Assistance that substantially contributes to enhanced police-community relations.
18. Written recommendations for a community member's meritorious acts may be made by any Department member or any member of the public but can only be entered on the Awards and Commendation Application by a supervisor.

#### **DOCUMENTATION OF MERITORIOUS ACTS BY CITIZENS**

19. Meritorious acts performed by members of the community and documented by members of this department in police incident reports (EPR) or other written communications should be documented on the INSIGHT System Awards and Commendation Application using the same process utilized for Department members.
20. Areas for inapplicable information should be left blank and adequate information to identify the persons performing the meritorious act(s) should be included in the narrative portion of the Application. It is important that the person's name, address and a contact phone number be noted in the narrative portion first.

21. Any documentation, in any form, from the public that identifies meritorious conduct of a community member should be accepted by any Department member and forwarded to the receiving member's Deputy Superintendent through the member's chain of command.
22. Attempts to obtain detailed information regarding the incident or action, the person performing the meritorious act and the person submitting the documentation should be made by the receiving member, with any additional details documented as appropriate. This will include any BWC recording of the conversation with the person(s) involved.

### **AWARDS COMMITTEE COMPOSITION**

23. The Awards Committee shall be chaired by the Field Operations Bureau Deputy Superintendent and consist of a Command Level (Captain, Major, Police Commander, Deputy Chief) representative selected by the respective Bureau Deputy Superintendent of the:
  1. Public Integrity Bureau,
  2. Management Services Bureau,
  3. Compliance Bureau,
  4. Investigative and Support Bureau,
  5. Special Operations Division,
  6. One of the eight police districts on a rotating basis, and
  7. Public Affairs Division (selected by the Superintendent's Chief of Staff).

### **AWARDS COMMITTEE ACTIONS**

24. The Public Affairs Division shall be responsible for all administrative duties of the Awards Committee and prepare submission packets on each nominee for the Committee one week prior to the scheduled Committee meeting date.
25. The Awards Committee shall meet at least quarterly to consider award nominations submitted for consideration since the last Committee meeting.
26. The Awards Committee shall recommend a disposition or award appropriate to the incident for which the member has been nominated.
27. Awards Committee attendance is mandatory for all committee members.
28. In those emergency situations where a Committee member cannot attend, he/she shall have the responsibility of reviewing the submitted packet(s), and forwarding the notation of vote for each nomination to the Committee Chairman in writing prior to the scheduled meeting.
29. The Awards Committee recommendation shall be by majority vote of all committee members present, and by written recommendation after review for those members absent.
30. Each nominee can receive only one award for any single incident or investigation, with the exception of the **Purple Heart**.
31. Awards shall be presented at scheduled public ceremonies at least twice yearly.
32. All awards shall be made part of the Department member's Personnel Jacket and may be viewed by the member at any time.

**COMMENDABLE OR MERITORIOUS ACTS**

33. A commendable or meritorious act may include, but is not limited to:
- a.) Superior handling of a difficult situation.
  - b.) Conspicuous bravery or outstanding performance.
  - c.) Any action or performance of duty that is above and beyond the expected duties of members of the department.

**AWARDS FROM OUTSIDE THE DEPARTMENT**

34. Department members shall notify the Superintendent or the Superintendent's designee and request approval prior to accepting any award from an outside agency or organization for actions taken or performed on duty or on behalf of the Department.

**DEPARTMENTAL AWARDS**

35. The following are the Awards that may be bestowed upon department members, members of other law enforcement agencies working with the NOPD and community members:
- a.) **MEDAL OF VALOR** - This medal is awarded for an act considered extremely hazardous and above the call of duty, under conditions where the likelihood of the member(s) escaping death is remote. A posthumous award shall be made where the department member lost his/her life under conditions and circumstances consistent with appropriate police practices.
  - b.) **MEDAL OF MERIT** - This medal is awarded when a member is exposed to great bodily harm while carrying out an act of bravery beyond the call of duty under conditions and circumstances consistent with appropriate police practices.
  - c.) **DISTINGUISHED SERVICE AWARD** - This award is given to a member who brings credit to the New Orleans Police Department through an outstanding accomplishment beyond the course of his/her regular duties that result in enhanced community relations, improved administration or operations, or the implementation of innovative practices. This may include, but not be limited to: implementing a new technique to increase efficiency in an administrative or tactical procedure; or employing an effective new managerial or operational strategy.
  - d.) **MEDAL OF COMMENDATION** - This medal is awarded for an act beyond the course of duty wherein a department member takes exceptional enforcement action. This may include, but not be limited to: preventing a major crime where such action protects life and property; or apprehending a dangerous criminal following the commission of a felony and under unusual circumstances.
  - e.) **MEDAL OF ACHIEVEMENT** - This medal is awarded when a member has rendered a service beyond the course of his/her duty and/or through his/her diligence, tenacity, and perseverance, or acts brings credit to the New Orleans Police Department and supports the goals of the organization.
  - f.) **LIFESAVING MEDAL** - This medal is awarded when a member saves another's life while placing his/her own life in extreme danger.
  - g.) **PURPLE HEART MEDAL** - This medal is awarded when a member, during the performance of his/her duty, has been seriously injured by the hostile actions of a criminal offender. An injury, for which this award is given, must have occurred in the performance of duty, and must have required protracted hospitalization and medical treatment. The incident must be a matter of official record (i.e., police incident report).
  - h.) (If the performance of the member also fits the criteria for the **Medal of Valor, Merit, Commendation, Achievement, or Lifesaving**, one of these medals may also be awarded.)

- i.) **LETTER OF COMMENDATION** - This award is given to a member who has rendered a service reflecting credit upon the member and upon the Department. Such service may include, but shall not be limited to: outstanding criminal arrests; number of concealed weapons arrests; long term, sustained, high level of performance; or support activity.
- j.) **LETTER OF COMMUNITY SERVICE** - A letter of community service may be issued to any member who has made a significant difference in improving the quality of life for residents and the community. Such service may be evidenced by a single act or a series of acts and may include, but shall not be limited to: active participation in community events or services not directly associated with his/her regular duties; the development or management of a program that provides community members with a service not previously available; or consistent resolution of community conflicts or problems by an officer.
- k.) **LETTER FOR LIFESAVING** - A letter for lifesaving may be issued to any member who has saved the life of another person in circumstances where the member's own life was not in immediate danger.
- l.) **PURPLE HEART LETTER** - A Purple Heart Letter may be issued to any member for an injury to any part of the body sustained as the result of a hostile act of a criminal offender. A wound, for which this award is given, must have occurred in the performance of duty, and must have required medical treatment. The incident must be a matter of official record (i.e., police incident report).
- m.) **UNIT CITATION – MERITORIOUS** - The Meritorious Unit Citation is awarded to a NOPD unit that has displayed heroism or meritorious service as a result of a group effort under extremely difficult and hazardous conditions.
- n.) **UNIT CITATION – ACHIEVEMENT** - The Achievement Unit Citation is awarded to a NOPD unit that has displayed exceptional performance of outstanding services for at least three continuous months.

#### **SUPERINTENDENT'S COIN - SERVICE OF EXCELLENCE**

- 36. The Superintendent's Coin for Service of Excellence is awarded by the Superintendent of Police to a commissioned member, non-commissioned member or community member who has distinguished themselves in a manner of professional or personal excellence and brought credit to the New Orleans Police Department.

#### **SUPERINTENDENT'S COIN - SERVICE OF EXCELLENCE NOMINATION PROCEDURE**

- 37. The nomination process for the Superintendent's Coin - Service of Excellence, shall be as follows:
  - a.) Any member, commissioned and/or civilian, may recommend another member of the department for this award.
  - b.) The nomination shall be submitted on the INSIGHT System Awards and Commendation Application by the nominating member.
  - c.) A separate Application shall be completed for each commissioned, non-commissioned and/or civilian member nominated, but only one narrative is required.
  - d.) If applicable, a copy of the police report(s) documenting the performance shall also be attached.
- 38. Nominations shall be submitted through the INSIGHT System Awards and Commendation Application. Once a nomination is submitted, the Form must proceed through the entire process, even if disapproved by one or more supervisors in the chain of command.

**LETTER OF RECOGNITION**

39. There are occasions when a supervisor, another law enforcement agency/member, or a member of the public wishes to acknowledge what they felt to be noteworthy actions by a member that do not rise to the level of a Departmental Award. This acknowledgement may take the form of a letter, note or email expressing their thanks for the member's actions or an oral communication in person or by phone.
40. Any member of the Department who receives a communication of this nature is to ensure that a supervisor is immediately notified and:
  - a.) If the communication is in writing, the document, envelope and any attachments are turned over to the supervisor that was notified.
  - b.) If the communication was oral, the receiving member must obtain the name, address, phone number and all pertinent details of the action being commended and turn this written information over to the supervisor that was notified.
41. The supervisor who is notified of this type of communication shall complete the INSIGHT System Awards and Commendation Application and attach any documentation prior to the supervisor's End Tour of Duty. The supervisor shall select the "**Letter of Recognition**" as the type of award. This Application selection will only need the approval of the nominee's Commander and will not be reviewed by the Awards Committee.
41. The Letter of Recognition certificate will be available in the member's Personnel Jacket once approved by the member's Commander.

**REPLACEMENT OF LOST, DESTROYED OR STOLEN AWARDS**

42. Members, former members or family of deceased members who have received awards that have subsequently been lost, destroyed or stolen may submit a written request on an Interoffice Correspondence (105) to the Awards Committee for their replacement.
43. The Awards Committee will review the request, verify the circumstances of the loss and confirm the existence of the award by conducting a review of the member's Personnel Jacket.
44. Once approved for replacement by the Awards Committee, the requesting person will be advised of the cost (if any) and method of replacement in writing. It will be the responsibility of the member or requesting person to obtain the actual replacement award.
45. A copy of the requesting 105 and the response by the Awards Committee will be placed in the member's Personnel Jacket.