

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 amended Chapter 82.4 - Complaint Signals—Changing of Item Signals and Dispositions. The OCDM has no objection to the policy as amended.

We believe that the amended Chapter 82.4 - Complaint Signals—Changing of Item Signals and Dispositions, incorporates all requirements of the Consent Decree and sets forth clear and appropriate rules to guide officer conduct. 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

Very truly yours,

David L. Douglass
For SHEPPARD MULLIN RICHTER & HAMPTON LLP*
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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: 82.4

TITLE: COMPLAINT SIGNALS—CHANGING OF ITEM SIGNALS AND DISPOSITIONS

EFFECTIVE:

REVISED:

PURPOSE

The purpose of this Chapter is to establish standards for changing the signal or disposition of an item number when it is closed, i.e. marked up, by the primary unit.

POLICY STATEMENT

1. Calls for service are communicated thru the Orleans Parish Communications District (OPCD) Public Safety Access Point. The calls can come in via the "911" emergency number or the 504-821-2222 non-emergency number. The call-takers classify the nature of the complaint or request for service based on the information and answers to questions provided by the caller and the Call-for-Service (CFS) is relayed to the appropriate geographic police District or unit for handling. This process takes place outside the purview and control of the NOPD. In many cases, the classification of the CFS made by OPCD-PSAP may be changed by the officer(s) actually handling the CFS based on updated information.
2. The accurate, final disposition of calls for service is critical to ensure that complainants and victims receive the appropriate police response and to maintain accurate data for assessment and analysis of the Department's response. Changing item signals and dispositions shall only be permitted under limited circumstances as outlined in this Chapter.

DEFINITIONS

Definitions relevant to this Chapter include:

Disposition—A valid identifier added to an item when it is closed, such as, but not limited to:

- Necessary action taken (NAT)
- Report to follow (RTF)
- Unfounded (UNF)
- Gone on arrival (GOA)

District/division commander—Under normal circumstances, the commissioned Department employee responsible for and in command of the unit who generally holds the position of Police Commander.

Primary unit—The police unit as indicated in the PSAP Computer Aided Dispatch (CAD) system as the unit responsible for handling the call for service; this unit is also responsible for relaying the appropriate disposition.

Signal—The alphanumeric identifier given a particular call for service that was in place at the time the item was given a final disposition.

INSTRUCTIONS

3. All calls for service generated through the Computer Aided Dispatch System of the PSAP shall have a unique alphanumeric identifier referred to as the item number.
4. The primary unit shall have the responsibility for providing an appropriate disposition for each item thus causing the item to be closed.
5. Dispatching calls for service, giving dispositions, or changing unit status shall not be conducted over the telephone. They must be broadcast over the primary dispatch talk group or over the Mobile Data Terminal (MDT).
6. Should special circumstances require that a dispatcher be contacted by telephone, such calls should be through the Communication Services – NOPD Liaison.
7. If the dispatched signal needs to be changed to correctly identify the actual circumstances of the call for service, the officer handling the call for service may do so, **unless**:
 - (a) The incident originated as a sexual assault related signal (see **Chapter 42.2 – Sexual Assault**); or
 - (b) The incident originated as a child abuse related signal (see **Chapter 42.19 – Child Abuse**); or
 - (c) The signal was a call of Domestic Violence (see **Chapter 42.4 - Domestic Violence**); or
 - (d) The signal is changed from a UCR report crime to a Non-UCR report crime.
8. An assignment originating as a domestic violence signal (see (c) above) can only be changed with approval of a supervisor. The assigned officer will contact a supervisor and include an explanation in the narrative of the item report the reason for the change.
9. An assignment originating as a UCR crime can only be changed to a non-UCR crime or offense with the approval of a supervisor. The reason for the change in signal must be explained in the narrative of the item report.

In any other assignment, if the dispatched signal needs to be changed to correctly identify the actual circumstances of the call for service, the officer handling the call for service may do so.
10. If it becomes necessary to change either the signal or disposition of an item after the item has been closed, the following shall occur:
 - (a) Platoon supervisors are authorized to change or correct the item number, signal, disposition, and location, within the limitations outlined in this Chapter, of any incidents or events within 24 hours of the item being closed (i.e. given a disposition or “marked up”);

- (b) After 24 hours of the item being closed, a **Change of Signal or Disposition Form** (Form 226) shall be completed as indicated below:
1. Form 226 shall be completed by the platoon commander or, in his/her absence, the platoon supervisor on duty at the time the item was handled.
 2. Form 226 shall be completed in its entirety with a complete explanation of the reason for the change. If the item number (incident) has an associated police report (EPR), then a supplemental report (SUPP) shall be written containing details that document the circumstances associated with the need for a signal or disposition change.
- (c) The completed Form 226 shall be forwarded to the district/division commander for review. Substitute endorsement by individuals other than the district/division commander or the acting district/division commander (in the event of a prolonged absence) are not authorized.
- (d) Upon approval by the district/division commander, the original Form 226 shall be forwarded to the **Record and Identifications/Support Service Section** for update. One copy of the Form 226 shall be forwarded to the **Communications Services Liaison** (OPCD) and one copy shall be forwarded to the **Information Systems Section**. Distribution of the original Form 226 and all required copies shall be made by the district/division requesting correction.
- (e) A copy of the submitted form shall be maintained at the district/division level.

AUDIT AND REVIEW

11. The Audit and Review Unit of the Compliance Bureau shall review and report on signal and/or disposition changes for appropriateness and compliance with Departmental guidelines at least annually.