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July 11, 2023

RE: OIPM Response to CTN2022-0513-R; Assessment of the NOPD Executive Protection Team

Dear Chief Woodfork:

The Office of the Independent Police Monitor is issuing a formal letter in response to the recent reports and conclusions drawn by the New Orleans Police Department, the Office of the Consent Decree Monitor, and the Office of the Inspector General (OIG) regarding the investigation conducted under Case Tracking Number 2022-0513-R and / or the New Orleans Police Department Executive Protection Team.

The Office of the Independent Police Monitor (OIPM) is an independent branch of the city government. The OIPM is responsible for providing local oversight to the NOPD focusing on misconduct, force, supervision, and community engagement. The OIPM fulfills these responsibilities through complaint intake, monitoring misconduct and use of force investigations, conducting reviews of misconduct and force investigations, and providing recommendations regarding the supervision, training, policies, and practices of the NOPD. The OIPM conducts this work in accordance with La. R.S. § 40:2531 Chapter 25, Municipal Code of Ordinances, Part II, Chapter 2, Article XII Section 2-1121, and the November 10, 2010 Memorandum of Understanding between the New Orleans Police Department (NOPD) and the Office of the Independent Police Monitor (OIPM).

In November 2021, news outlets started reporting allegations of possible impropriety regarding the Mayor's use of the Upper Pontalba Apartments, the mayor's appointment of Officer Jeffrey Vappie, a member of her Executive Protection team, to the Housing Authority of New Orleans (HANO) Board, and role of the NOPD's Executive Protection team. This situation created novel questions regarding:

- Potential conflicts in misconduct investigations,
- Supervision of the NOPD's Executive Protection team and
- Policy and practice regarding the Executive Protection team.

The OIPM reviewed the final investigation report of Officer Vappie's conduct completed by the Public Integrity Bureau and the assessments and recommendations made by partner agencies like OCDM and OIG regarding both the investigation and the Executive Protection team. Additionally, the OIPM reviewed the NOPD's response to the federal monitors' assessment of the Vappie investigation. The observations, assessments, and recommendations developed from our partner agencies are important and address open questions shared by the OIPM regarding CTN 2022-0513-R and the surrounding practice regarding the Executive Protection team.

In this letter, the OIPM critiques the investigation conducted by the Public Integrity Bureau and adopts and endorses recommendations from partner agencies along with highlighting concerns and questions the OIPM still has regarding CTN 2022-0513-R and the interpretation / application of NOPD policy. The OIPM tried to focus our assessments on areas that have not been previously addressed by others.

Background

In November 2021, news outlets, specifically Fox8, reported on the Mayor's use of the Upper Pontalba Apartments. These stories included footage of the Mayor using the apartment as a personal residence. In the footage, the Mayor's Executive Protection team, specifically and often only, Officer Vappie, was recorded entering and leaving the apartment at different points during the day and night while wearing different clothes. During this media coverage, it was reported that Officer Vappie was appointed by the Mayor to serve on the board of the Housing Authority New Orleans (HANO) and the media raised questions of whether these meetings

occurred during work hours. As a result, a Formal Disciplinary Investigation was cut against Officer Vappie under Case Tracking Number 2022-0513-R on November 9, 2022.

On November 10, 2022, two members of City Council requested that the Office of the Consent Decree Monitors (OCDM) work with the OIPM to conduct the investigation instead of the Public Integrity Bureau due to perceived and real conflicts. The federal monitors formally responded to the City Council members stating that they did not have investigatory power to conduct the investigation and the OIPM did not have the capacity to investigate; but both offices would closely monitor the Public Integrity Bureau investigation.

The OIPM would like to clarify misinformation regarding this request. The OIPM has limited investigatory power granted under La. R.S. § 33:2339. This power extends only to the secondary employment system which is currently operated out of the Office of Police Secondary Employment and applies to only NOPD employees. The OIPM does not have investigatory power over elected officials. The OIPM was never able to investigate or initiate an investigation of the Mayor, the improper use of city property, or other areas of misconduct within the NOPD. Here, this matter did not touch on the secondary employment system. Further, under the statute, the OIPM may have limited investigatory power; however, the OIPM does not currently have any disciplinary power over the employees of the NOPD. Therefore, the position of the OIPM is that this matter would not fall under any statutory OIPM investigative power nor does OIPM have necessary disciplinary power over NOPD employees at this time to make an investigation relevant or meaningful.

The OIPM understands the concerns expressed in the letter from the two City Council members regarding the potential for conflicts; however, the OIPM asserts the appropriate mechanism for conflicts influencing misconduct investigations is for the NOPD to utilize the Memorandum of Understanding with the OIG. The Memorandum of Understanding with the OIG was created to address potential conflicts or investigations of leadership within the NOPD.

Here, the OIPM had a specific role and jurisdiction. The OIPM is responsible for the intake of complaints regarding the matter and referring the complaints to the Public Integrity Bureau for investigation in accordance with policy then to monitor and review any subsequent investigation. In CTN 2022-0513-R, the OIPM was responsible for: monitoring the misconduct investigation conducted by the Public Integrity Bureau, reviewing investigatory actions as determined appropriate, and providing recommendations in a timely manner to ensure the comprehensiveness of the investigation (this could be considered “technical assistance” or “real time recommendations”). The OIPM achieved these responsibilities.

The OIPM submitted two formal complaint referrals regarding this matter under OIPM Case Tracking numbers: CC2022-0114 (dated 12/12/2022) and CC2023-0031 (dated 3/17/2023).

The OIPM monitored the subsequent investigation, CTN 2022-0513-R. The OIPM monitored witness statements, reviewed then discussed investigatory tactics and protocol, and provided technical assistance and recommendations to PIB leadership and the investigators.

During the investigation, the OIPM grew concerned with the possibility or appearance of legal conflicts and the OIPM sent a letter to the City Attorney and the President of City Council. The OIPM asserted that Mayor Cantrell, along with possibly the Superintendent of Police – both current and former – could be material witnesses to the allegation of misconduct. However, Mayor Cantrell, the current Superintendent of Police, and the Public Integrity Bureau conducting investigation of misconduct all share the same lawyer: the Office of the City Attorney, which the OIPM anticipated could be problematic for several reasons.

Additionally, towards the end of the investigation, the OIPM was alerted by a confidential source that all recorded interviews with witnesses within the investigation have been released to members of the public and the media without redaction. The OIPM sent a formal letter to the NOPD, President of City Council, the Federal Monitor, Judge Morgan, and the Department of Justice regarding this security and confidentiality concern.

The OIPM renews the concerns outlined in the letters referenced above and requests that policy and practice be reconsidered to address these challenges moving forward.

Now that the investigation is complete, the OIPM has reviewed the investigation and prepared this formal letter with questions, assessments, and recommendations.

OIPM Assessments regarding CTN 2022-0513-R

Upon reviewing the final investigation report for CTN 2022-0513-R, the OIPM identified the following open questions and offers the following assessments regarding the investigation and the conflicting interpretation of NOPD policy in the investigation.

A. NOPD's Decision to Not Review Officer Vappie's Personal Cell Phone under NOPD Chapter 41.3.4

During the investigation, the **OIPM expressed confusion with the NOPD's reluctance to review Officer Vappie's personal cellphone as is policy under NOPD Chapter 41.3.4: Personal Communication Devices.** It was learned during the investigation that the Mayor was possibly reaching out to her executive protection team via text messages. When Officer Vappie's work phone did not include any text messages, that multiple witnesses corroborated were sent, the OIPM along with the federal monitors inquired if the investigators would be requesting Officer Vappie's personal phone. The NOPD response was to not review Officer Vappie's personal cell phone; however, the OIPM asserts the NOPD failed to reference or consider utilizing their own policy under NOPD Chapter 41.3.4: Personal Communication Devices. Under Chapter 41.3.4, the language reads:

The use of any computer, Internet service, telephone service or other wireless service, including member-owned devices and services, to send or receive information that may be related to departmental or public business may be subject to review or disclosure.

Further, the Louisiana Public Records Act provides that use of personal devices to conduct public business would make information contained on personal devices subject to public disclosure. *See Brumfield v. Village of Tangipahoa*, 340 So. 2d 221 (La. App. 1 Cir. 2021).

Based on this policy language and Louisiana law, the OIPM asserts there is a known expectation that an officer's personal phone may be reviewed if the personal phone is used for departmental purposes. Here, it was established that text messages were utilized to coordinate NOPD's protection of the Mayor; but when the texts were not found on Officer Vappie's departmental phone, a review of his personal device would have been warranted under NOPD's policy.

Ultimately, the NOPD decided not to utilize this policy, but this decision created a rift between existing NOPD policy and NOPD practice. If the practice of the NOPD is not to review the personal devices of employees, even when used for departmental business, then the position of the OIPM is that this policy should be reviewed and revised to accurately reflect practice. The investigatory actions taken by misconduct investigators should be compliant with existing NOPD policy and deviations from policy need to be explained. If the policy no longer matches the established practice of PIB, then the policy should be revised immediately to be consistent with the expected practice.

B. NOPD's Assessment that Payroll Fraud was Not Included in CTN 2022-0513-R

The **OIPM is concerned with the NOPD's assessment that payroll fraud was not included in the investigation CTN 2022-0513-R.** The OIPM is concerned because this position directly contradicts the position previously taken by the Public Integrity Bureau.

The OIPM transmitted a complaint referral under OIPM CC2022-0114 on December 12, 2022. In the complaint referral, the complainant alleged that Officer Vappie may have committed payroll fraud in violation of La. R.S. § 14:138 by submitting timecards with what was identified as impossible work schedules including working 40 hours with a 1-hour break, working a work week of over 100 hours, and working 38 hours with only a 3-hour break. When the OIPM submitted this referral with allegations of payroll fraud, the Public Integrity Bureau issued a response that this complaint was encompassed / included under the investigation being conducted within CTN 2022-0513-R.

From: [Mark R. Mulla](#)
To: [Bonycle Sokunbi](#); [Kendrick C. Allen](#)
Cc: [Christian Jamal](#)
Subject: RE: OIPM Referral: CC2022-0114 - Gallagher + Attachments
Date: Tuesday, December 13, 2022 8:50:09 AM
Attachments: [image001.png](#)

Correction---

All officers will be investigated under 2022-0513-P

However, now, in NOPD filings and sworn affidavits the NOPD is stating that payroll fraud was never investigated under CTN2022-0513-R. If it was investigated, the OIPM would expect to see a disposition and finding; however, that did not occur here. Therefore, this has created a direct contradiction. The OIPM concludes from this contraction that either the NOPD provided false information in the email to the OIPM or provided false information in the filings entered into the record.

C. The Investigating Officers Failed to Include Submitted Evidence in the Investigation

As stated above, the OIPM submitted two referral letters regarding allegations of wrongdoing to the Public Integrity Bureau which outlined possible payroll fraud under La. R.S. § 14:138 and possible violations of Municipal Ordinance § 2-780: Forfeiture of Board Membership, and § 9-106: Prohibited Activities of Board Members.

The Lieutenant responsible for intake and classification responded to the OIPM and copied the lead investigator, Captain Allen, stating CC2022-0114 would be included in CTN 2022-0513-R; however, neither of the referrals appear to have any role in the investigation. The complainants were not interviewed, the referral letters were not entered into the investigation as exhibits nor where they referenced in the investigation or analysis of the investigation. Again, the OIPM concludes from this omission that these referral letters and their included allegations were not considered in the investigation of CTN 2022-0513-R.

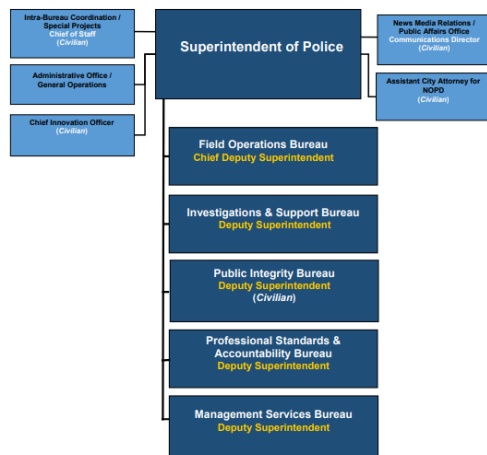
D. Chain of Command

In CTN 2022-0513-R and the NOPD's response to the reports of the federal monitors, the NOPD officers state that the Mayor, not NOPD rank, is the "boss" over the Executive Protection team (as stated by officer witnesses in the signed investigation). When other members of the Executive Protection team became concerned about Officer Vappie's conduct, there was no supervisor for these officers to turn to and instead they tried to address the matter internally. There appeared to be confusion over the supervision of the Executive Protection team and where / if the Mayor is part of that supervision structure. In the investigation, there appears to be an acceptance of the Mayor as the person who directs the personnel assignments, duties, hours, and responsibilities of the Executive Protection team even though this is not memorialized in NOPD policy and even contradicts the policy that already exists about the chain of command.

While the OIPM understands the Mayor may issue written commands to the Superintendent, the OIPM is concerned by the suggestion that the Mayor is the direct supervisor over NOPD officers assigned to Executive Protection team.

New Orleans Police Department

Office of the Superintendent



As stated in NOPD's policy Chapter 11:0: Organizational Command Responsibility, "The Superintendent exercises command over all personnel in the Department." In the organizational chart under NOPD Chapter 11.1: Organizational Structure, the Superintendent is represented as the head of the NOPD and ultimately responsible for NOPD employees. The Mayor is not included in these policy documents nor is there any exception that would allow the Mayor to have specific supervision over an individual NOPD employee.

Under the Home Rule Charter § 4-501, the "Department of Police, headed by a Superintendent of Police, shall" be responsible for numerated responsibilities. Paragraph 9 of this section allows for the Mayor to assign additional responsibilities in writing ("assigned in writing by the Mayor."). The OIPM reads this language as allowing for the Mayor to assign additional tasks to the head of the police, the Superintendent, but does not read that language as permitting the Mayor to be interjected into the chain of command of NOPD employees.

Ultimately, OIPM asserts the Mayor is the protectee, and the protectee cannot also be the direct supervisor and boss of an officer / NOPD employee. This creates a host of legal concerns and contradicts the organizational structure and chain of command that the NOPD has created and adhered to in all other departmental operations.

In the next section, the OIPM adopts the recommendations put forth by partner agencies to address the chain of command over the Executive Protection team which removes the protectee from any supervisory role over the officers assigned to the Executive Protection team.

E. Additional Evidence Collected to Overturn a Disposition ("Cover Lettered") in CTN 2022-0513-R

The OIPM is concerned about the use of additional evidence in the overturning of the disposition in CTN 2022-0513-R which was collected after the timelines imposed by Revised Statute Chapter 25: Rights of Law Enforcement Officers While Under Investigation §2531 (otherwise known as "the Officers' Bill of Rights").

There are strict timelines enforced under the Officers' Bill of Rights stating that investigation is to cease after those dates pass. In CTN 2022-0513-R, the Formal Disciplinary Investigation Transmittal Form (Exhibit A of CTN 2022-0513-R), identifies the date of cognizance of allegation as 11/8/2022 and the 150 days from that date is 4/22/2023.

The completed investigation found that Officer Vappie violated Rule 4: Performance of Duty; Paragraph 2: Instructions from an Authoritative Source; to wit NOPD Chapter 22.08: Police Secondary Employment; Paragraph 32. However, in the Cover Letter, submitted on May 30, 2023, Captain Banks of PIB overturns this finding and exonerates Officer Vappie on the allegation. In Captain Banks's reasoning, she refers to a new piece of evidence not previously collected (and therefore not considered in the underlying investigation). The new piece of evidence is an email that was sent by Deputy Chief Noel permitting the officers to work overtime.

First, it is concerning that the investigators failed to include email from NOPD leadership issued at the command of the Superintendent that "overturns" the relevant established NOPD policy in this investigation. Second, this email was not referenced by the accused officer or any of the interviewed witnesses; suggesting that this permission was not a factor in any decision making that occurred. However, in Captain Banks's Cover Letter, this email entered the investigation after the imposed timelines have passed and was used to exonerate the accused officer. This email is a material piece of evidence which was overlooked and unconsidered by investigators, possibly unknown and not a part of any decision making of the accused officer and collected and entered the investigation after the legally mandated timelines passed.

Second, this email was sent to one member of the Captain's Panel prior to the hearing. The OIPM is unclear as to whether the information was verified, how it was analyzed (weighed) or utilized by the panel in their decision

making, since the defense did not formally submit it as evidence nor was Officer Vappie questioned about the email during the hearing nor did the investigators include this information in their investigation (all of which are the ordinary mechanisms to allow this email to be included in the deliberations for the hearing).

OIPM Formally Adopts and Endorse Recommendations Submitted by Partner Agencies

The OIPM provided extensive recommendations to the Public Integrity Bureau verbally and in writing during the investigation for their consideration and worked closely with the federal monitors on their recommendations. Additionally, the Office of the Inspector General (OIG) conducted their own review of the NOPD's Executive Protection team. From these thoughtful and analytical reviews, both the federal monitors and OIG put forth a series of recommendations to the NOPD. Below are the recommendations put forth by partner agencies that the OIPM adopts and endorses.

The OIPM formally adopts the following recommendations from the report issued by the federal monitors on February 17, 2023 titled: "**Interim Recommendations Based on Vappie Investigation.**" The following is a summary of the recommendations the OIPM is adopting:

Adopted Recommendation 1: Ensure there is "close and effective" supervision of the Executive Protection team through the assignment of a supervisor and the clear understanding of the chain of command.

The OIPM notes that the OIG recommendation regarding supervision is more comprehensive and agrees with the assessment that the protectee should not be part of the chain of command.

Adopted Recommendation 2: The creation and implementation of policy regarding the operation of the Executive Protection team.

Adopted Recommendation 3: Create and implement the performance evaluations for the Executive Protection team.

Adopted Recommendation 4: Identify more efficient use of time for the Executive Protection team when the Mayor is out of town.

Adopted Recommendation 5: Assess whether the NOPD should utilize outside counsel to advise PIB when the City Attorney's representation of the City, Mayor, or PIB could create the appearance of or real conflicts of interest.

*The OIPM is still concerned regarding the **potential conflict that exists between the interests of the city and the interests that exist for the NOPD in legal representation.** In this matter, the appearance of that conflict was apparent in the city attorney representing both the mayor, a material witness, and the NOPD who sought to conduct the investigation into the matter.*

Adopted Recommendation 6: Revise policy regarding reassignments while under misconduct investigations.

Adopted Recommendation 7: When there is a pending misconduct investigation being conducted by a member of the PIB, consider reviewing NOPD Chapter 16.1: Detailing, Transfers, Filling Vacancies, Selection Process for Specialized Units in order to determine if those officers should be exempt from transfer until the investigation is complete or whether officers should be detailed back to PIB (if transferred) when necessary to complete significant or pending investigations.

Adopted Recommendation 8: Reviewing and revising initial investigation letters to provide a more comprehensive scope of the pending investigation.

The OIPM reviewed the assessment completed and submitted by the Office of the Inspector General (OIG) to the NOPD on April 5, 2023. **The OIPM formally adopts the OIG recommendations numbered 1 – 7 in the OIG letter to Chief Woodfork regarding the operations and policy for the NOPD's Executive Protection team.**

Additionally, the **OIPM recommends broadening the language of the current MOU with the OIG** to include, "and other matters as determined appropriate by the Deputy Chief of the Public Integrity Bureau." This catchall language would enable the Public Integrity Bureau to consider the referral of misconduct investigations when

there are concerns about the Bureau's ability to complete the investigation without the existence or appearance of conflict.

In Closing

Pursuant to the Memorandum of Understanding between the NOPD and the OIPM, the NOPD has thirty days of comment to discuss the content of this letter or respond. Any response provided by the NOPD would be attached to this letter when released.

Thank you for your attention and consideration of these assessments, concerns, and recommendations. The OIPM welcomes dialog, questions, or responses to this letter and looks forward to working with you on these matters moving forward.

Thank you,

A handwritten signature in black ink that reads "Stella Cziment". The signature is written in a cursive, flowing style.

Stella Cziment
Independent Police Monitor



LaToya Cantrell
MAYOR

CITY OF NEW ORLEANS

DEPARTMENT OF POLICE

*715 South Broad Street
New Orleans, LA 70119*

“to protect and to serve”



Michelle M. Woodfork
SUPERINTENDENT

“an equal opportunity employer”

August 11, 2023

Re: Response to OIPM Report on CTN 2022-0513-R The Officer Jeffery Vappie Administrative Investigation

The Officer Jeffery Vappie administrative investigation, although generally routine, has been historical for the City of New Orleans and the New Orleans Police Department. It is the first administrative investigation to garner such public attention from the New Orleans City Council, the Office of the Consent Decree Monitor (OCDM), the Office of the Independent Police Monitor (OIPM), the Office of the Inspector General (OIG), and the media. There has never been an administrative investigation conducted by the New Orleans Police Department that allowed weekly participation and input from OCDM and OIPM discussing substantive matters relative to an ongoing investigation.

The highly public nature of the complaint and the subsequent investigation has been fruitful in four primary ways. First, it provides an opportunity for citizens, observers, and leaders to learn of the high quality that the men and women of the New Orleans Police Department possess. The expertise and level of professionalism that members of NOPD exhibit while performing their jobs is second-to-none. This intense oversight has served to showcase the precise investigative skills of the investigators and the thoroughness of the Public Integrity Bureau.

Pursuant to the consent decree and the Memorandum of Understanding with the OIPM, OCDM and OIPM participated in weekly meetings discussing the investigation with the Deputy Superintendent of PIB and the investigators, Captain Kendrick Allen and Lieutenant Lawrence Jones. Throughout the investigation, OCDM and OIPM were afforded a vantage of the investigation, in real-time, like no other group outside of the New Orleans Police Department. Subsequently, any fair review of the efforts deployed by the Public Integrity Bureau and its investigators in the Officer Jeffery Vappie administrative investigation should reasonably echo the sentiment of the Consent Decree Monitor.

In its report, The Monitoring Team Review of Vappie Investigation Report, published on April 7, 2023, the Monitoring Team provides noteworthy applause for the investigators and the Public Integrity Bureau for its handling of the Officer Vappie investigation by stating:¹

“The Vappie Investigation was a stressful one for PIB. The City Council made clear it would be reviewing the matter closely. The media made clear they would be reviewing the matter closely. Notwithstanding the stress likely caused by so much oversight, PIB undertook its investigation professionally and with integrity.... Overall, we find that PIB did a good job with the underlying investigation.... We commend

¹ Monitoring Team Review of Vappie Investigation Report, April 7, 2023.

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PIB for its investigative work.”² “We are satisfied that PIB’s investigation into the actions and inactions of Officer Vappie met the requirements of the Consent Decree.”³

When describing the performance of Captain Allen and Lieutenant Jones, the Monitoring Team further stated:

“Investigators Allen and Jones took the matter seriously, comported themselves professionally and showed no signs of being influenced by outside pressure.”⁴
“Captain Allen and Lieutenant Jones took their jobs seriously and pursued the Investigation with diligence and integrity. The Monitoring Team reviewed all witness and subject interviews conducted by PIB and can confirm the seriousness of the questions asked by the investigators, their lack of bias, and the appropriate scope of the questions. We did not see any evidence of “pulling punches” in the interviews. The questions were well thought out, relevant, and meaningful.”⁵

The overall mission of the New Orleans Police Department’s Public Integrity Bureau is consistent with the express language of the Amended and Restated Consent Decree which requires that “all allegations of officer misconduct are received and are fully and fairly investigated”.⁶ Despite the uncanny amount of attention that this investigation drew, the Public Integrity Bureau has not wavered from its mission, goals, and objectives of fairness and completeness. The administrative investigation of Officer Jeffery Vappie proceeded in a manner consistent with the protocol and process of previous administrative investigations conducted by the Public Integrity Bureau. I proudly stand in agreement with the Monitoring Team and declare that the investigators and PIB did a good job with the Officer Vappie investigation.

Secondly, the intense observation grants NOPD the occasion to educate and clarify the role of the Public Integrity Bureau. The PIB is critical to the overall success of the New Orleans Police Department. It is important to clarify that PIB is not a prosecutorial body nor is PIB a disciplinary agency. The critical distinction is that PIB is solely a fact-finding bureau. Although the governing standard for administrative investigations is a preponderance of the evidence, PIB does not approach investigations with an intention to make the facts fit. PIB investigates the allegations by following the lead of the facts wherever they lead and when the trail of the facts ends, it begins the conclusion of the investigation.

Thirdly, the public observation allows the NOPD an opportunity to educate observers on the governing policies and procedures within the Public Integrity Bureau. While we appreciate OIPMs

² Monitoring Team Review of Vappie Investigation Report, April 7, 2023, page 20.

³ Monitoring Team Review of Vappie Investigation Report, April 7, 2023, page 6.

⁴ Monitoring Team Review of Vappie Investigation Report, April 7, 2023, page 20.

⁵ Monitoring Team Review of Vappie Investigation Report, April 7, 2023, pages 6 -7.

⁶ Amended and Restated Consent Decree the NOPD, paragraph 374.

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suggestion that the investigators should have obtained Officer Vappie's personal cell phone for further research and investigation. However, we find no legal, fair, or reasonable basis for doing so. We hold constitutional policing as an ongoing and unwavering standard. As we understand it, the Fourth Amendment prohibits warrantless searches of places or seizures of persons or objects where there is a reasonable expectation of privacy. The courts apply a test that weighs and balances the public interest against the intrusion of privacy.

Here, the initial complaint alleged that the officer may have violated the 16.35-hour rule which led appropriately to an administrative investigation. Applying the balance test under the facts of the Officer Vappie administrative investigation, to take his personal cellphone reeks of a constitutional violation making this issue ripe for an appeal. Additionally, the ramifications of taking an officer's personal cellphone as part of an administrative investigation would deplete and flatten the morale of the entire NOPD. This type of rogue and violative action is not the direction in which I am leading and intend to lead the New Orleans Police Department.

It is also important to note that the complaint of Officer Jeffery Vappie was not a public complaint, but a rank-initiated complaint. A rank-initiated complaint simply means that a ranking member of the New Orleans Police Department determined based on allegations that a complaint should be initiated, and an investigation would be proper. An email alleging specifically that Officer Vappie may have violated the 16.35-hour rule was sent to the City of New Orleans in early November. The email was circulated approximately seven days later to the Deputy Superintendent of the Public Integrity Bureau. Upon the Deputy Superintendent's review, CTN 2022-0513-R was immediately created as a rank-initiated complaint based on the express allegation of misconduct in the email.

Lastly, the examination presents opportunities for the New Orleans Police Department to consider ways to improve and make appropriate adjustments. We recognize that NOPD must create new policies and procedures to ensure that our employees' behavior reflects the professional and accountability standards of the NOPD. We are working to upgrade the protocols within the Executive Protection team. We are establishing procedures that incorporate this specialized unit within a clearly defined and delineated chain of command for supervision and accountability. Through this process we have also recognized the need to adjust our current documents and forms to reflect our improved operating procedures.

The entire New Orleans Police Department echoes the sentiments of the Monitoring Team and commend PIB and its investigators for a fair, thorough, and complete investigation.