

NOPD CONSENT DECREE MONITOR  
NEW ORLEANS, LOUISIANA



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October 12, 2017

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 16.5 – Volunteers. The OCDM has no objection to the policy as amended.

We believe that the amended Chapter 16.5 – Volunteers, 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: 16.5

### TITLE: VOLUNTEERS

**EFFECTIVE:**

**REVISED:**

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#### PURPOSE

This Chapter establishes this department's position on the utility and management of its volunteer program and provides guidance on its management and administration.

#### POLICY STATEMENT

1. Volunteers can be an important part of any organization and have proven to be a valuable asset to law enforcement agencies. Volunteers help to increase department responsiveness, improve delivery of services, expand information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Department and prompt new enthusiasm.
2. It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community.
3. Volunteers are intended to supplement and support, rather than supplant, commissioned officers and civilian personnel.

#### DEFINITIONS:

Definitions relevant to this Chapter include:

**Volunteer**—A non-paid individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. NOPD Reserve police officers are volunteers but covered under **Chapter 16.3 – Police Reserve Officer Program**.

#### VOLUNTEER ELIGIBILITY

4. Requirements for participation as a New Orleans Police Department volunteer include:
  - (a) Residency in the metropolitan area.
  - (b) At least 18 years of age for all positions other than Police Explorer.
  - (c) No conviction of:
    - A felony,
    - Any crime of a sexual nature,
    - Any crime of violence,
    - Any crime related to moral turpitude,

- Any crime related to impersonating a peace officer, or
  - A misdemeanor crime within the past 10 years, excluding minor traffic offenses (Title 32 or Municipal equivalents).
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- (d) No condition of mental illness or chemical dependency that may adversely affect the person's ability to serve in the position.
- (e) A personal background history and character suitable for a person representing the Department, as validated by a background investigation.
5. The Superintendent of Police may apply exceptions for eligibility based on the Department's organizational needs and the unique qualifications of the individual. Such exceptions shall be granted in writing.

## **VOLUNTEER MANAGEMENT**

### **VOLUNTEER COORDINATOR**

6. The Department Volunteer Coordinator shall be appointed by the Deputy Chief of the Management Services Bureau and report to the Personnel Director.
7. The function of the Volunteer Coordinator is to provide a central coordinating point for effective volunteer management within the Department and to direct and assist staff and volunteer efforts to jointly provide more productive services.
8. The duties of the Volunteer Coordinator or the authorized designee shall include:
- (a) Maintaining records for each volunteer.
  - (b) Completion and dissemination, as appropriate, of all necessary paperwork and information.
  - (c) Maintaining liaison with other community volunteer programs and assisting in community-wide efforts to recognize and promote volunteering.

### **RECRUITMENT**

9. Volunteers should be recruited on a continuous and ongoing basis in accordance with department policy on equal opportunity, nondiscriminatory employment.
10. A primary qualification for participation in the volunteer application process should be an interest in, and an ability to assist, the Department in serving the public.
11. Requests for volunteers should be submitted in writing by interested staff to the Volunteer Coordinator through the chain of command.
12. A complete position description and a requested time frame should be included in the request.
13. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments.
14. The Volunteer Coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

### **SCREENING**

15. All prospective volunteers should complete the volunteer application form. The Volunteer Coordinator or his/her authorized designee should conduct a face-to-face

interview with the applicant.

16. A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:
  - (a) Traffic and criminal history record check;
  - (b) Employment history; and
  - (c) References.
17. A truth verification exam (CVSA) may be required of each applicant depending on the nature and type of assignment.
18. A volunteer whose assignment requires the use of, access to or places him/her in the vicinity of criminal histories, investigative files or information portals shall require submission of fingerprints and proper clearance through the State and the FBI.

### **SELECTION AND PLACEMENT**

19. Service as a volunteer shall begin with an official notice of acceptance or appointment to a volunteer position.
20. Notice may only be given by the Volunteer Coordinator.
21. No volunteer shall begin performance of any position until he/she has been officially accepted for that position and completed all necessary screening and documentation.
22. Volunteers shall only be placed in assignments or programs that are consistent with their knowledge, skills, abilities and with the needs of the Department.

### **TRAINING**

23. Volunteers shall be provided with an orientation to acquaint them with their role as a volunteer, department personnel, and policies and procedures that have a direct impact on their work assignment.
24. Volunteers shall receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position and should receive periodic, ongoing training as deemed appropriate by their supervisor or the Volunteer Coordinator.
25. Depending on the assignment, training shall include the following:
  - (a) The role of the volunteer,
  - (b) Department policies including discrimination and harassment, and/or
  - (c) Training specific to the Operations Manual for the volunteer position.
26. Training should reinforce to volunteers that they should not intentionally represent, or by omission infer, that they are commissioned officers or other full-time members of the Department. They shall always represent themselves as volunteers.
27. All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department.
28. Whenever a rule, regulation or guideline in the Operations Manual refers to a commissioned officer, it shall also apply to a volunteer, unless by its nature it is inapplicable.

**FITNESS FOR DUTY**

29. No volunteer shall report to work or be on-duty when his/her judgment or physical condition has been impaired by alcohol, medication, other substances, illness or injury.
30. Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:
  - (a) Driver's license status,
  - (b) Medical condition,
  - (c) Arrests,
  - (d) Criminal investigations, or
  - (e) All law enforcement contacts.
31. All volunteers shall adhere to the guidelines set forth by this department regarding drug and alcohol use.

**DRESS CODE**

32. As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.
33. Volunteers shall conform to approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by licensed officers. No volunteer shall wear his/her uniform or identifiable parts of that uniform while off-duty.
34. Volunteers shall be required to return any issued uniform or department property at the termination of service.

**SUPERVISION OF VOLUNTEERS**

35. Each volunteer who is accepted to a position with the Department must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.
36. A volunteer may be assigned as, and act as, a supervisor of other volunteers, provided the supervising volunteer is under the direct supervision of a paid member.
37. Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned.
38. Considerations to keep in mind while supervising volunteers:
  - (a) Take the time to introduce volunteers to employees on all levels.
  - (b) Ensure volunteers have work space and the necessary office supplies.
  - (c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will utilize their experiences, training and resources.

**CONFIDENTIALITY**

39. Within Federal and State law, with appropriate security clearance, volunteers may have access to private and confidential information, such as criminal histories or investigative files.
40. Unless otherwise directed by a supervisor, the duties of the position or department

policy, all information shall be considered confidential.

41. Only that information specifically identified and approved by authorized personnel shall be released.
42. Confidential information shall be given only to persons who have a need and a right to know as determined by department policy and supervisory personnel.
43. Each volunteer will be required to sign a nondisclosure agreement before being given an assignment with the Department. The Volunteer Coordinator shall obtain and store the signed agreement.
44. Subsequent unauthorized disclosure of any private or confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.
45. Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without prior written permission from the Superintendent of Police or his/her designee.

#### **PROPERTY AND EQUIPMENT**

46. Volunteers will be issued an identification card that must be worn and visible at all times while on-duty.
47. Any fixed and portable equipment issued to a volunteer by the Department shall be for official and authorized use only.
48. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service or upon demand.

#### **DISCIPLINARY PROCEDURES/TERMINATION**

49. A volunteer may be removed from the volunteer program at the discretion of the Superintendent of Police or the Volunteer Coordinator.
50. Volunteers shall have no property interests in their continued appointment.
51. If a volunteer is removed for alleged misconduct, the volunteer, at the discretion of the Superintendent, may be afforded an opportunity to clear his/her name through a hearing.
52. If granted, the hearing shall be limited to a single appearance before the Superintendent of Police or his/her authorized designee.
53. Volunteers may resign from volunteer service with this department at any time.
54. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

#### **EXIT INTERVIEWS**

55. Exit interviews, where possible, should be conducted with volunteers who are leaving

their positions.

56. The interview should ascertain why the volunteer is leaving the position and solicit the volunteer's suggestions on improving the position.
57. When appropriate, the interview should also include a discussion with the volunteer, on the possibility of involvement in some other capacity with the Department.

#### **EVALUATION**

58. An evaluation of the overall volunteer program will be conducted on an annual basis by the Volunteer Coordinator.
59. Regular evaluations, on a quarterly basis, should be conducted by the Volunteer Coordinator with volunteers to ensure the best use of human resources, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum job satisfaction on the part of volunteers.

#### **EMERGENCY CALL-OUT FOR VOLUNTEER PERSONNEL**

60. The Volunteer Coordinator shall develop a plan outlining an emergency call-out procedure for volunteer personnel in the event the Superintendent of Police deems it necessary.