

NOPD CONSENT DECREE MONITOR NEW ORLEANS, LOUISIANA



January 15, 2019

202.747.1904 direct

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 Chapter 31.1 Recruitment. The OCDM has no objection to the policy as written.

We believe that Chapter 31.1 Recruitment, 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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NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

CHAPTER: 31.1

TITLE: RECRUITMENT

EFFECTIVE:

REVISED: Replaces Policy (1000)

PURPOSE

The purpose of this Chapter is to set forth NOPD's policy of implementing a comprehensive recruitment program that successfully attracts and hires a diverse group of highly qualified and ethical individuals to be New Orleans Police Department police officers.

POLICY STATEMENT

1. NOPD and Civil Service shall work together to ensure the recruit program assesses each applicant in a manner that is valid, reliable, fair, and legal.
2. The recruitment program will be conducted in a manner that is consistent with **CAO Policy Memorandum No. 54(R)**. The City of New Orleans does not discriminate on the basis of race, color, religion, national origin, gender, age, physical or mental disability, sexual orientation, creed, culture, or ancestry.
3. The major recruiting activities for all classified City of New Orleans employees are vested with and under the direction of the New Orleans Civil Service Department. However, both the New Orleans Police and the New Orleans Civil Service Departments realize there are many aspects of the recruiting process which require the active involvement of both Departments to achieve the maximum benefit.
4. The Superintendent of Police shall promulgate sets of Minimum Qualifications to Apply for all police recruits, reinstatements, laterals from other law enforcement agencies, and new reserve police officer applicants. The criteria shall outline causes for automatic rejection and causes for possible rejection. These criteria may be modified from time to time by the Superintendent and will apply up to the tentative offer of employment or termination of the hiring process.

RECRUITMENT SECTION STAFFING, SELECTION, AND TRAINING

5. The Recruitment and Applicant Investigation Section ("Section") shall be sufficiently staffed to permit the unit to fulfill its responsibilities as set in NOPD policy and applicable law. NOPD shall publicly identify members of the Section staff.
6. When a position in the Section is available for potential transfer of an NOPD member, the Commander of the Recruitment and Applicant Investigation Section will send a

Knowledge, Skills and Abilities (KSA) email to all department members announcing an opening in the Section. The KSA protocol will include specific criteria for assignment of officers to the Recruitment and Applicant Investigation Section, including officers' work history, disciplinary history, length of employment at NOPD and demonstrated commitment to community-oriented policing.

7. The Section Commander shall empanel a Recruit Application Interview Panel pursuant to standardized qualifications and guidance developed jointly by NOPD, the City, and New Orleans Civil Service. Eligibility for serving on Panel shall include a review of the officer's internal disciplinary file and personnel file.
8. The Section shall maintain:
 - (a) The criteria used to assess member candidates for the Recruit Application Interview Panel; and
 - (b) The review of any member candidates for a minimum of two years from the review of the panel member candidate whether selected or not.
9. Recruitment and Applicant Investigation Section and other NOPD members and all officials who interview potential NOPD recruits shall receive specialized training in the goals of NOPD recruitment and hiring, including emphasis on integrity, community policing, and non-discriminatory policing.
10. All current and new staff assigned to the Recruitment and Applicant Investigation Section will be trained on recruiting a qualified and diverse workforce, including training on employment law. The training will cover the following topics:
 - (a) The department's recruitment needs and commitments;
 - (b) The department's career opportunities, salaries, benefits, and training;
 - (c) Equal Employment Opportunity and Civil Service compliance guidelines;
 - (d) The community and its needs;
 - (e) Cultural awareness for different ethnic groups;
 - (f) Techniques of record keeping and systems for candidate tracking;
 - (g) The different components of the screening and selection process (such as background investigation, Computerized Voice Stress Analyzer (CVSA), and psychological tests); and
 - (h) Hiring criteria which may disqualify candidates.
11. The Section Commander shall develop and apply performance criteria to evaluate the effectiveness of each member of the Section staff in hiring increasing numbers of high quality recruits.

RECRUITMENT PLAN

12. The Section, in coordination with the New Orleans Civil Service Department, shall develop a written, strategic recruitment plan that includes clear goals, objectives, and action steps for attracting high-quality applicants.
13. The strategic recruitment plan shall clearly identify the duties and goals of the Section.
14. The strategic recruitment plan shall include specific strategies for attracting applicants with strategic thinking and problem-solving skills, interpersonal skills, emotional maturity, capacity to use technology, fluency in Spanish and Vietnamese (because these languages are spoken by significant segments of the New Orleans community), and the ability to collaborate with a diverse cross section of the community.
15. The Section Commander shall assess the effectiveness and efficiency of the strategic

recruitment plan on an ongoing basis and shall report to the Superintendent or his/her designee regarding needed improvements and any accountability concerns. The Superintendent or his/her designee shall consider the information provided by the Section Commander and respond as necessary to ensure that NOPD's strategic recruitment plan is effective.

PUBLIC JOB ANNOUNCEMENTS

16. Posting job announcements for sworn entry-level positions within the New Orleans Police Department is the responsibility of the City of New Orleans Civil Service Department. Procedures for the creation and posting of these announcements are listed in the City of New Orleans Rules of the Civil Service Commission.
17. The Director of the New Orleans Civil Service Department shall give public notice of the job announcements and examination dates deemed necessary to secure the needed number of qualified applicants for employment.
18. The job announcements will include statements on the following items:
 - (a) Class title for which applications are being solicited;
 - (b) Pay of the class;
 - (c) Duties, responsibilities and minimum qualifications requirements of the class;
 - (d) Identification of the parts of the examination to be used to measure qualification; and
 - (e) Period during which applications will be filed with the New Orleans Civil Service Department.
19. The Recruitment and Applicant Investigation Section will work with the City and Civil Service to ensure that dates and times of the officer recruit application period and testing are advertised widely.
20. Recruit and lateral job vacancies shall be advertised through the mass media. Notice of the City's need for applicants will be posted at Civil Service and on the City's website and published in local newspaper of general circulation.
21. All New Orleans Police Department's employment applications and recruitment announcements will contain the phrase Equal Opportunity Employer.
22. If an official application deadline is listed, it will be boldly indicated on all employment announcements and recruitment advertisements.
23. The New Orleans Police Department will seek recruitment assistance and referrals from community organizations and key leaders. The Department also recognizes the positive value of such information and solicits this input on a continuing basis.
24. The flow of information may be facilitated by both formal and informal contact with community organizations in which Departmental personnel are actively involved. The New Orleans Police Department's Office of Media Relations/Public Affairs will maintain a list of all organizations that Departmental personnel are actively involved with, as well as all other organizations which may be able to provide recruitment assistance.
25. The New Orleans Civil Service Department, working with the New Orleans Police Department, shall make job announcements available for all positions of the New Orleans Police Department to community service organizations, which may be in contact with individuals who are likely subjects for recruitment. Additionally, the Department will achieve broader dissemination and greater exposure of recruitment information by

developing and maintaining relationships with such organizations.

26. The Recruitment and Applicant Investigation Section shall conduct affirmative outreach to a broad group of community members (e.g., college and university initiatives, military outreach, the Police-Community Advisory Board (PCAB), and community meetings in each district) and shall create and foster relationships with community organizations to enhance recruitment efforts.

POTENTIAL APPLICANTS

27. Once an applicant is identified through job fairs, community meetings, etc., the Recruitment and Applicant Investigation Section will be responsible for ensuring that contact is maintained throughout the process. Civil Service will contact the applicants by letter and provide information about the application, testing, and selection process. Coordination of all applicant contacts will be shared with the City of New Orleans Civil Service Department. Generally the contacts will include the following:
 - (a) Acknowledged receipt of all employment applications;
 - (b) Periodically informing applicants of the status of their applications; and
 - (c) Documentation and logging of all applicant contacts.

APPLICATION ERRORS

28. Applications for positions within the New Orleans Police Department may not be rejected because of omissions or errors that can be corrected or rectified to the Department's satisfaction prior to the testing or interview process.

APPLICANT SELECTION

29. At the direction of the Section Commander, Section staff shall apply the current Minimum Qualifications to Apply, including published minimum requirements and disqualifications.
30. The Section and/or Civil Service will administer the following selection steps, which applicants must satisfactorily complete to be eligible for selection:
 - (a) Submission and completion of the application with the necessary supporting documents;
 - (b) Physical agility test;
 - (c) Administration of a written examination;
 - (d) Polygraph examination;
 - (e) Interview panel;
 - (f) Completion of local background investigation;
 - (g) Psychological examination including administration of the Minnesota Multi-Phasic Personality Inventory Test; and
 - (h) Medical assessment and drug screen.
31. The Section, along with Civil Service, will coordinate the psychological screening and assessment of all recruit candidates, and set criteria to ensure that only individuals suitable for policing are accepted into NOPD.
32. The Recruit Application Interview Panel shall apply a standardized scoring system—developed jointly by NOPD, the City, and New Orleans Civil Service—to interview potential applicants. The Recruit Application Interview Panel shall use this scoring system immediately following the applicant's interview.

REPORTING REQUIREMENTS

33. The Recruitment and Applicant Investigation Section will annually report its recruiting activities and outcomes, including the number of applicants, interviewees, and selectees, and the extent to which the Recruitment and Applicant Investigation Section has been able to recruit applicants with needed skills, such as problem-solving abilities or fluency in Spanish or Vietnamese, and a discussion of any challenges to recruiting highly qualified applicants.

CANDIDATE FILE RETENTION

34. The Section shall maintain the applicant records, including the Recruit Application Interview Panel assessment forms, for non-hires Applications in accordance with the Department's Records Retention Schedule on file with the Louisiana Secretary of State, Division of Archives, Records Management and History.
35. Once hired by the Department/City, an applicant's records will follow the retention guidelines in accordance with the Department's Records Retention Schedule on file with the Louisiana Secretary of State, Division of Archives, Records Management and History.