

NOPD CONSENT DECREE MONITOR  
NEW ORLEANS, LOUISIANA



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May 4, 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 revised Chapter 33.1.1 - Training Advisory Committee. The OCDM has no objection to the policy as revised.

We believe that the revised Chapter 33.1.1 - Training Advisory Committee, 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: 33.1.1

### TITLE: TRAINING ADVISORY COMMITTEE

**EFFECTIVE:****REVISED: Replaces Policy 207**

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**PURPOSE**

This Chapter establishes the Training Advisory Committee. Included within this Chapter are the guidelines and the standards to be utilized by the Training Advisory Committee for evaluating the Department's training needs and developing its training programs.

**POLICY STATEMENT**

1. The Training Advisory Committee will provide feedback on an annual training needs assessment of the entire Department, which is developed by the Commander of the Education & Training Division. The training needs assessment, along with input from the Training Advisory Committee, will form the basis for the Department's Master Training Plan for the upcoming year.
2. Ongoing review will serve to develop the most current training methods and enhance the knowledge and professional skills of the members of the Department.

**DEFINITIONS**

Definitions relevant to the Chapter include:

**Curriculum Director**—The member of the Education & Training Division responsible for establishing and overseeing the training curriculum development and assessment process consistent with the Master Training Plan. The Curriculum Director shall ensure that curricula and related lesson plans are based on learning objectives that are directly linked to validated job tasks. The Curriculum Director shall also ensure that all curricula, lesson plans, instructor's qualifications, and testing materials are reviewed by the Training Advisory Committee.

**Master Training Plan**—A written training plan for the oversight of all training conducted by and for the NOPD. It will include, at a minimum the NOPD's recruit academy, field, and in-service training, to ensure that recruits, officers, and civilian personnel are trained to effectively and lawfully carry out their duties in accordance with the Constitution and laws of the United States. The plan shall comport with best practices and shall:

- (a) define responsibilities and authority of personnel involved in managing, supervising, and implementing training;
- (b) identify training priorities and broad training goals;

- (c) delineate an industry-recognized, systematic approach to training development that includes the following concepts: analysis, design, development, implementation, and evaluation. This approach should enable NOPD to identify and validate job tasks in sufficient detail to derive learning objectives, which, in turn, should drive the selection of instructional strategies and assessments;
- (d) develop instructional strategies that incorporate active learning methods such as problem-solving and scenario-based activities, based on current theories of learning;
- (e) address program administration policies, classroom/facility use, and instructor training and development; and
- (f) establish the frequency and subject areas for recruit and in-service training.

**Police-Community Advisory Board**—A joint NOPD-community representative group that facilitates regular communication and cooperation among the Department, the City and community leaders to work collaboratively to develop and implement public safety strategies that respect and reflect the community’s public safety priorities and concerns about particular police tactics. The Board seeks recommendations from the community in the areas of:

- (a) Community policing strategies;
- (b) Accountability for professional/ethical behavior by individual police officers;
- (c) Special task forces that meet high priority community need;
- (d) Central policy changes, where applicable, that improve quality of life for the community;
- (e) Resource allocations to meet high priority, difficult issues;
- (f) Strategies for recruiting and maintaining a qualified and diverse workforce;
- (g) Providing information to the community and conveying feedback from the community to NOPD; and
- (h) Ways to provide data and information, including information about NOPD’s compliance with the Consent Decree, to the public in a transparent and public-friendly format, to the greatest extent allowable by law.

**Training Liaison**—The member of the Education & Training Division responsible for overseeing, coordinating and documenting training with the individual District, Division or specialized unit training coordinators.

**Training Coordinator**—A member of a District, Division or specialized unit assigned by the commander, whose responsibility, in consultation with the training liaison, is to ensure that all members of that unit complete training as required and that documentation of all training is provided to the Education & Training Division training liaison. For specialized units, the training coordinator may also be the unit’s **training officer**.

**Unit level training officer**—For all specialized units, the member of that unit who is most appropriate to conduct all unit level training, training for new members of the unit and perform the functions of a “training officer” for new members. The training officer is responsible for establishing a written training program/plan for new members of the unit, lesson plans for all unit specific, in-house training, record keeping of training and coordination with the Education & Training Division if he/she is the training coordinator for the unit. The unit level training officer is selected by the unit commander based on experience, skills, certifications and ability as an effective instructor.

### **TRAINING ADVISORY COMMITTEE MEMBER COMPOSITION**

3. The Training Advisory Committee’s members (12) shall include:

- (a) One staff member from the Education and Training Division, either the Commander or his/her designee;

- (b) Two training coordinators from NOPD field personnel, selected by the Deputy Chief of Field Operations Bureau (FOB);
- (c) One NOPD Deputy Superintendent, selected by the Superintendent;
- (d) One community representative from the Police-Community Advisory Board, selected by the Mayor's Office of Neighborhood Engagement;
- (e) Two representatives from area colleges and universities, selected by the Superintendent from a list provided by the college or university President;
- (f) One outside police professional with expertise in model training practices, selected by the Superintendent;
- (g) One representative from the FBI selected by the FBI's local office;
- (h) One representative from the Orleans Parish district attorney's office selected by the Orleans Parish district attorney's office;
- (i) One representative from the U.S. attorney's office selected by the U.S. Attorney for the Eastern District of Louisiana; and
- (j) One representative from the city attorney's office selected by the City Attorney.

Additional members of the E&TD leadership staff may attend TAC meetings as requested by the Director of the E&TD but are not considered Committee members and do not cast votes.

4. The Chairperson for the Training Advisory Committee shall be selected by the Superintendent of Police from the membership of the Committee. All members shall be voting members. Eight members is the minimum number for a quorum; the Chairperson must be present. In the event of a tie, the Chairperson's vote will serve as a tiebreaker.

#### **COMMITTEE RESPONSIBILITIES**

5. The Committee member who is appointed to represent the E&TD shall function as the secretary for the Board and is responsible for scheduling, drafting and circulating an agenda, and maintaining the minutes of all Committee meetings.
6. Training Advisory Committee meetings will be held at least quarterly. The Commander of the Education & Training Division will send the schedule notices after consultation with the Training Advisory Committee Chairperson.
7. The Training Advisory Committee, after review, consideration, and revision, shall approve an annual Master Training Plan compiled by the Curriculum Director. The plan shall be provided to the TAC no later than the end of the third quarter of each calendar year and shall include written training plans for NOPD's:
  - (a) Basic Recruit Training Program;
  - (b) The Lateral Officer Training Program;
  - (c) The Field Training Program; and
  - (d) The In-Service Training Program for both police officers and supervisors.

The E&TD shall request feedback from the TAC 30 days after receipt of the Master Training Plan and shall seek approval by the time of the final TAC meeting of the calendar year preceding the year for which the Master Training Plan will go into effect.

8. The Master Training Plan approved by the Training Advisory Committee shall comport with best practices and shall ensure that recruits, officers, and civilian personnel are trained to effectively and lawfully carry out their duties in accordance with the Constitution and laws of the United States. Specifically, the Master Training Plan shall:

- (a) Define responsibilities and authority of personnel involved in managing, supervising, and implementing training;
  - (b) Identify training priorities and broad training goals;
  - (c) Delineate an industry-recognized, systematic approach to training development that includes the following concepts: analysis, design, development, implementation, and evaluation. This approach should enable NOPD to identify and validate job tasks in sufficient detail to derive learning objectives, which, in turn, should drive the selection of instructional strategies and assessments;
  - (d) Develop instructional strategies that incorporate active learning methods such as problem-solving and scenario-based activities, based on current theories of adult learning;
  - (e) Address program administration policies, classroom/facility use;
  - (f) Address instructor training and development; and
  - (g) Establish the frequency and subject areas for recruit and in-service training.
9. The Training Advisory Committee shall annually review and assist in updating NOPD's Master Training Plan. To perform this update, the Training Advisory Committee shall review a training needs assessment, conducted by the E&TD, taking into consideration:
- (a) Trends in misconduct complaints;
  - (b) Problematic uses of force;
  - (c) Analysis of officer safety issues;
  - (d) Input from members at all levels of NOPD;
  - (e) Input from members of the community, including community concerns as expressed through the PCAB representative;
  - (f) Jurisdictional court decisions;
  - (g) Research reflecting the latest in law enforcement trends;
  - (h) Individual District/Division needs; and
  - (i) Changes to Louisiana law, federal law, POST requirements, or NOPD regulations.
10. The Training Advisory Committee shall receive materials under review, including curricula, lesson plans, instructors' qualifications and testing materials submitted by the Curriculum Director, at least 30 days prior to the scheduled meeting.

### **COMMITTEE RECORDS AND RECOMMENDATIONS**

11. Members of the New Orleans Police Department may forward suggestions, revisions, and comments to be considered by the Training Advisory Committee at their next scheduled meeting. The submissions shall be forwarded via NOPD form 105, through the members' chain of command to their respective Bureau Chief, to the Commander of the Education & Training Division. Members will also have the option of providing such feedback anonymously to the Chairman of the TAC.
12. Meeting minutes shall be kept by the Commander of the Education & Training Division or his/her designee. These minutes shall be forwarded to the members of the TAC, the NOPD command staff and the Consent Decree Implementation Unit along with any additional recommendations by the Director of the Education & Training Division no later than seven days following the Training Advisory Committee meeting.
13. Upon review of training curricula, lesson plans, testing materials and instructors' qualifications, any Training Advisory Committee recommendations for revisions shall be submitted to the Curriculum Director and may be utilized after approval by the Director of the Education & Training Division. If the Director of the E&TD does not accept or

implement any of the TAC suggested recommendations, the Director shall provide a written explanation to the TAC and the Superintendent prior to the next scheduled TAC meeting. The TAC may submit written reasons for their proposals or concerns to the Superintendent for his consideration. In the event the Commander of the E&TD and the TAC cannot reach a mutual resolution on any disagreements, the Superintendent shall resolve the dispute.

14. All recommended changes that affect specialized units (Special Operations Division, Traffic, Homicide, Sex Crimes, etc.) shall be communicated in writing to the commander(s) responsible for those units for incorporation into their revised training curricula, lesson plans, and testing materials. All recommended changes shall be incorporated into existing materials unless the commander of the specialized unit submits, within 30 days of receipt of the recommended changes, written reasons why the recommended changes should not be incorporated to the Director of the E&TD and the specialized unit commander's Bureau Chief.
15. If the Commander of the Education & Training Division and the specialized unit commander cannot reach a mutually agreeable resolution to the proposed changes, they will each communicate the issues concerning the recommended changes, in writing, to his/her respective Bureau Chiefs. The Bureau Chiefs involved will then communicate to reach a mutually agreed resolution and communicate the resolution to their respective subordinates. If, for any reason, the Bureau Chiefs cannot resolve the disagreement, they each will present their issues to the Superintendent, in writing, for final resolution. The final resolution, in all cases, will be communicated to all of the involved parties.