

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 revised Chapter 33.2 - Training Types and Availability. The OCDM has no objection to the policy as revised.

We believe that the revised Chapter 33.2 - Training Types and Availability, 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: 33.2

TITLE: TRAINING TYPES AND AVAILABILITY

EFFECTIVE:

REVISED:

PURPOSE

The NOPD is committed to ensuring that all members have access to training to provide continuing education and training for the professional growth and progressive development of its personnel. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the public.

DEFINITIONS

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.

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**.

Training liaison—A member of the Education & Training Division responsible for overseeing,

coordinating and documenting training with the individual District, Division or specialized unit training coordinators.

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 COURSE/SESSION CATEGORIES

1. There are generally three types of training classes or sessions:
 - (a) **Open training**—An instructional, informational or training class available to any member of the Department;
 - (b) **Specialized training**—An instructional, informational or training class available to members with a particular job/duty related need; and
 - (c) **Mandatory training**—An instructional, informational or training class that is required for a member by law, regulation or to maintain job related certification.

2. Some instructional or training courses are “open” to any Department member who has permission from his or her commander to participate or attend. For “open” training courses:
 - (a) The Education and Training Division will notify training coordinators by e-mail of the training course offering, dates, times and any associated requirements for members wishing to attend;
 - (b) The training coordinator is responsible for scheduling all unit members for training in PowerDMS and communicating the scheduled training to the member(s);
 - (c) Once the training class has been booked to capacity it will be removed from PowerDMS by the Education & Training Division; and
 - (d) Any registered member who is unable to attend shall notify the training coordinator immediately of his/her change in circumstances so the training slot may be reassigned if still posted in PowerDMS. If the class has been removed, only the E&TD may assign a replacement, not the member or their unit training coordinator.

3. Those instructional or training courses that are not “open” to all members are specialized to identifiable units or members based on need. The Education and Training Division may apportion or designate a specific number of positions in a dedicated training class to individual Department units. For dedicated training classes:
 - (a) The unit training coordinator shall ensure that all allotted positions for his/her unit in each class or session are filled in PowerDMS;
 - (b) The unit training coordinator may change the member or swap members attending for his/her unit until the class/course is booked and removed.

4. All members assigned to attend training shall attend as scheduled unless excused by their unit commander, the change has been made in PowerDMS and that excusal is communicated to the E&TD.

5. When a member is unable to attend mandatory training, that member shall:
 - (a) Notify his/her immediate supervisor and their unit training coordinator by Departmental e-mail as soon as possible but, no later than one hour prior to the start of training; and
 - (b) Make arrangements through the unit training coordinator to reschedule the required training on an alternate date in PowerDMS.

DAILY TRAINING BULLETINS

6. Daily training bulletins (DTBs) are created by the Department and recorded in a Web-accessed system (**PowerDMS**). Regular, ongoing training on the New Orleans Police Department regulations (policies, procedures, chapters and rules) and other important topics is made available at the beginning of the month. The number of DTBs may be increased based on changes to Departmental regulations, case law or other Departmental needs.
7. Members assigned to participate in DTBs shall use only the login credentials assigned to them by Policy and Review. Members shall not share their password with anyone and should change their password to protect the security of the system at least quarterly. After each DTB session, members shall log off the system to prevent unauthorized access. The content of the DTBs are restricted material and shall not be shared outside of the Department without written authorization of the Superintendent of Police or his/her designee.
8. Members who are required to participate in the DTB program shall complete each DTB during their shift as directed by their supervisor. Employees should not allow uncompleted DTBs to accrue. Members are required to complete DTBs missed during any extended absences (e.g., vacation, medical leave) as soon as possible upon returning to duty. Although the DTB system can be accessed from any Internet active computer, members should only take DTBs as part of their on-duty assignment, unless approved by a supervisor.
9. Supervisors shall be responsible for monitoring the progress of personnel under their command to ensure timely compliance with this Chapter. A list of members who have been delinquent in completing each previous month's DTBs shall be published by E&TD in the first week of each month. Supervisors shall document and take appropriate corrective action, including discipline, for members who have not completed DTBs in a timely manner.

E&TD COMMANDER'S RESPONSIBILITIES

10. The Commander of the Education & Training Division is responsible for updating all mandatory training requirements for each class of police officer, sergeant or lieutenant in **the Master Training Plan**.
11. The Commander of the Education & Training Division is responsible for updating all mandatory training requirements for the Department annually and including the updated requirements in the **Master Training Plan**.
12. The Commander of the Education & Training Division, through the training liaison, is responsible for ensuring all commissioned members of the Department have been trained as required by the **Master Training Plan**.

REIMBURSEMENT FOR TRAINING COSTS

13. All costs associated with authorized training conducted for Department members will be paid from the Department or City's training budget when funding is available. Included in these costs are:
 - (a) registration or training class fees;
 - (b) travel or mileage;
 - (c) per diem(s) for meals and housing; and
 - (d) books, materials and other associated expenditures, in accordance with City guidelines (**City of New Orleans Policy Memo #9R – Travel and Business Expenses**).

OUTSIDE TRAINING WITH ADEQUATE ADVANCE NOTICE

14. Whenever possible, advance funding for the anticipated costs of training provided by an outside vendor or agency shall be secured.
15. Department members desiring to attend or selected to attend authorized outside training with sufficient advance notice shall prepare the appropriate training and travel documents (**City of New Orleans Policy Memo #9R – Attachment**). These documents shall be submitted at least 30 days in advance of the expected training through the member's chain of command for approval and processing.
16. At the conclusion of the authorized training, and within the first week of return to regular duty from the training, the Department member shall provide the necessary documentation of training expenses in accordance with City guidelines. Unused advanced funds shall be returned, and/or additional authorized expenditures reimbursed at this time.

OUTSIDE TRAINING, INADEQUATE ADVANCE NOTICE

17. Department members may desire to attend or be selected to attend authorized outside training where there is insufficient notice (less than 30 days) for advanced funding of the anticipated costs.
18. The member may, if willing, attend the training at his or her own expense, without advance funding.
19. Department members desiring to attend or selected to attend authorized outside training with insufficient advance notice shall prepare the appropriate training and travel documents (**City of New Orleans Policy Memo #9R – Attachment**). These documents shall be submitted as soon as possible in advance of the expected training through the member's chain of command for approval and processing.
20. Specific mention shall be made in the Interoffice Correspondence requesting approval that the member is assuming all costs associated with the training, or, if not all costs, which costs he or she is assuming.
21. Specific request and approval through the member's chain of command shall be noted if the member is requesting to be carried "regular working" for payroll purposes or if he/she is requesting approval of "annual leave" for the training. The required forms and authorization for the annual leave request shall be attached to the travel/training paperwork, if necessary.

22. At the conclusion of the authorized training, and within the first week of return to regular duty from the training, the Department member shall provide the necessary documentation of training expenses in accordance with City guidelines and submit same for reimbursement.
23. In those instances with inadequate advance notice, requests for reimbursement of funds may be submitted but reimbursement cannot be guaranteed.

TRAINING RECORDS

24. The Education and Training Division Commander shall be responsible for maintaining current, accurate training records for all Department members and all training classes provided. All records of training shall be maintained in PowerDMS.
25. The unit training coordinator shall be responsible for maintaining current, accurate training records for all unit members and all training classes provided at the unit level and entering the training records into PowerDMS.
26. All training records should include, at a minimum:
 - (a) Member name and employee ID number;
 - (b) the type of training received;
 - (c) the date(s) of the training;
 - (d) the location of the training;
 - (e) the person/agency providing the training;
 - (f) a copy of any certificates or honors conferred; and
 - (g) any test scores (if applicable).
27. If the training is provided by the NOPD's Education and Training Division, the Education and Training Division Commander shall be responsible for ensuring that the member's training record reflects the training received and entering the training records into PowerDMS .
28. If the training is provided by another unit within the Department, the providing unit's training coordinator or training officer shall be responsible for supplying the Education and Training Division training liaison with the appropriate documentation of the training within one week of the conclusion of the training by departmental email (training documents as a scanned attachment) and entering the training records into PowerDMS.
29. If the training is provided by an outside vendor/entity/agency, the member receiving the training shall be responsible for providing his/her unit training coordinator with the appropriate documentation of the training within one week of return to duty from the training. The unit training coordinator is responsible for forwarding the appropriate documentation to the Education and Training Division training liaison by departmental email (training documents as a scanned attachment) and entering the record of the training into PowerDMS.
30. The Education and Training Division shall utilize a system (**PowerDMS**) that will electronically track, maintain, and report complete and accurate records of current curricula, lesson plan synopsis, training delivered, and other training materials in a centralized electronic file system. This system shall, at a minimum:
 - (a) Maintain training records for each recruit and commissioned member of the Department;
 - (b) Record the course description, duration, curriculum, date and location of training,

- name of instructor, and the personnel who completed the training; and
- (c) Document officers who did not complete required training and all corrective actions taken.
31. The Education and Training Division Commander shall develop and implement accountability measures, including notifying a member's Commander in a timely manner when disciplinary and non-disciplinary corrective action is required, to ensure that all members successfully complete all assigned or required training programs.
32. The Education and Training Division shall document all training provided to or received by all Department members, whether mandatory, specialized or open. Members shall sign an acknowledgment of attendance or digitally acknowledge completion of training (e.g. departmental e-mail or **PowerDMS**).
33. The Commander of the Education & Training Division shall report all training delivered and received in an annual report to the Superintendent of Police and the Training Advisory Committee on or before January 31st of each year for the previous year.

TRAINING RECORDS OF COURSES TAUGHT OUTSIDE E&TD

34. Departmental units, other than the Education and Training Division, that conduct training classes for any Department members shall prepare class records as indicated in this Chapter.
35. All training classes must be conducted using lesson plans approved, in advance, by the Commander of the Education & Training Division and/or the Curriculum Director.
36. The training coordinator or training officer of any unit conducting a training class for Department personnel shall ensure that a class record is provided, within 30 days of completion of the training, to the Education and Training Division training liaison.
37. The class record shall contain all information and documentation outlined in this Chapter and labeled and bound in a single binder or presented in its entirety as an electronic record.
38. An electronic receipt for the class training record will be sent by the Education & Training Division training liaison to the training coordinator or training officer of the unit conducting and/or providing the class training and the instructor(s) who conducted the class training.