

NOPD CONSENT DECREE MONITOR  
NEW ORLEANS, LOUISIANA



December 8, 2020

202.747.1904 direct

File Number: 37PA-191555

Deputy Superintendent Otha Sandifer  
Compliance Bureau, New Orleans Police Department  
714 Broad Street  
New Orleans, LA 70119

Dear Deputy Superintendent Sandifer:

This letter constitutes confirmation that the Office of Consent Decree Monitor ("OCDM") has reviewed and provided comments on Chapter 41.29-Ride-Along Program Civilian Observer. The OCDM has no objection to the policy as written.

We believe that Chapter 41.29-Ride-Along Program Civilian Observer, 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\*  
2099 PENNSYLVANIA AVE., N.W., SUITE 100  
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CC: HONORABLE SUSIE MORGAN (VIA ELECTRONIC MAIL)  
JUDE VOLEK, DEPARTMENT OF JUSTICE (VIA ELECTRONIC MAIL)  
SUNNI LEBEOUF, CITY ATTORNEY (VIA ELECTRONIC MAIL)

SMRH:4816-6540-9429.7



# NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

## CHAPTER: 41.29

### TITLE: RIDE-ALONG PROGRAM / CIVILIAN OBSERVER

EFFECTIVE: 10/22/2017

REVISED: Replaces Policy 410

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#### PURPOSE

This Chapter sets guidelines for the application and authorization of civilian ride along observers or to further the interest of the Department.

*NOTE: Nothing in this policy shall be construed as negating the City of New Orleans' policy on the use of city vehicles under CAO Policy Memorandum No. 5(R).*

#### ELIGIBILITY FOR RIDE-ALONG AND CIVILIAN OBSERVERS

1. The NOPD ride-along/civilian observer program is offered to residents, students, news media representatives and those employed within the City.
2. Reasonable efforts should be made to accommodate any qualifying interested persons.
3. Participants must complete a NOPD **Request to Ride-Along Form (Form 352)** in order to participate in the Ride-Along/Civilian Observe program.
4. Any applicant may be disqualified from participating in the program. This program will be administered without discrimination on the basis of race, color, ethnicity, national origin, religion, gender, disability, sexual orientation, or gender identity. Factors that may be considered in disqualifying an applicant include, but are not limited to:
  - (a) Prior criminal history.
  - (b) Pending criminal action.
  - (c) Pending lawsuit against the Department or City.
  - (d) Denial by the Superintendent of Police, the City Attorney's Office or any police supervisor before or during a ride-along.

#### PROCEDURE TO REQUEST A RIDE-ALONG

5. Ride-along requests will be scheduled by the Office of the Superintendent through the Public Affairs Office.
6. Individual requests for a ride along for special circumstances shall be submitted to the

Office of the Superintendent by the requesting individual at least thirty (30) days prior to the proposed date stating the special circumstance. Written requests shall be approved by the Superintendent of Police and the City Attorney's Office as deemed acceptable.

7. Authorization for this activity cannot be granted by any other authorities.
8. After obtaining written permission from the Superintendent of Police and the City Attorney's Office, the ride-along participant shall deliver the written permission to the Public Affairs Office.
9. The Public Affairs Office shall notify the division or District Captain of the date and time the participant will arrive to participate in the ride along.
10. The participant shall complete and sign the **Indemnity, Defense, and Hold-Harmless Agreement (Form #279)** prior to the start of the ride along. If the participant is under 18 years of age, a parent/guardian must be present to complete the form.
11. The participant must deliver the completed form to the Platoon Commander where he/she is directed to report. The original shall be filed in the Public Affairs Office, with a copy to be filed by the Platoon Commander where the individual participates as in the ride-along.
12. If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

#### **PROGRAM REQUIREMENTS**

13. Once approved, participants will be allowed to ride no more than once every six months. An exception would apply to the following:
  - (a) NOPD Police Explorers,
  - (b) Community volunteers working with the NOPD,
  - (c) Police Chaplains,
  - (d) Police Reserves,
  - (e) Police Auxiliary, and
  - (f) Police Recruit or civilian applicants with approval of the Superintendent of Police.
14. An effort will be made to ensure that no more than one person will participate in a ride-along with an individual officer during any given time period. Normally, no more than one participant will be allowed in the officer's vehicle at a given time.

#### **SUITABLE ATTIRE**

15. Any person approved to ride-along is required to be suitably dressed in a collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted.
16. Hats and ball caps will not be worn in the police vehicle.
17. The Platoon Commander or field supervisor may refuse a ride-along to anyone not properly dressed.

#### **PEACE OFFICER RIDE-ALONGS**

18. Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the express consent of the Platoon

Commander.

19. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent him/herself as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

#### **RIDE-ALONG CRIMINAL HISTORY CHECK**

20. All ride-along applicants are subject to a criminal history check. The criminal history check may include a local, Louisiana Computerized Criminal History (LACCH) and National Crime Information Center (NCIC) criminal history check prior to approval as a ride-along participant (provided that the participant is not already a member of the NOPD).

#### **OFFICER'S RESPONSIBILITIES**

21. The officer shall advise the OPCD dispatcher that a ride-along participant is present in the vehicle before going into service. Officers shall consider the safety of the participant at all times.
22. Officers should use sound discretion when encountering a potentially dangerous situation, such as gunfire or a high-speed pursuit. If practicable, the participant should be let out of the vehicle in a safe, well-lit place. The dispatcher will be advised of the situation and the location the participant is let out and as soon as practicable have another police unit respond to pick up the participant at that location. The ride along may be continued or terminated at this time.
23. Conduct by a person participating in a ride along that results in termination of the ride or is otherwise inappropriate should be immediately reported in writing, documented in an inter-office correspondence, to the Superintendent of Police through the chain of command and forwarded to the City Attorney's Office and the Public Affairs Office.
24. The Public Affairs Office is responsible for maintaining and scheduling ride alongs.

#### **CONTROL OF RIDE-ALONG**

25. The officer shall maintain control over the participant at all times and instruct him/her in the conditions that necessarily limit participation. These instructions should include the following:
  - (a) The participant will follow the directions of the officer.
  - (b) The participant shall not be armed with any type of weapon.
  - (c) The participant will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment.
  - (d) The participant may terminate the ride at any time and the officer may return the observer to his/her home, the place of the ride origin or to the station if the participant interferes with the performance of the officer's duties.
  - (e) Ride-along participants may be allowed to continue riding during the transportation and booking process, provided this does not jeopardize his/her safety.
  - (f) Officers will not allow any participant to be present in any residence or situation that would jeopardize his/her safety or cause undue stress or embarrassment to a victim or any other person.
  - (g) A civilian participant shall not be permitted to enter a private residence with an officer without the express consent of the resident or other authorized person.

**NEWS MEDIA**

26. Requests received from the news media for ride-alongs to gather information concerning the department or its employees shall follow the requirements of this policy. Upon approval, these requests shall be coordinated with the Public Affairs Office.
27. All requests for information or interviews received by a member from a media representative shall be routed to the Public Affairs Office for processing and approval.