

NOPD CONSENT DECREE MONITOR
NEW ORLEANS, LOUISIANA



202.747.1904 direct
ddouglass@sheppardmullin.com

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 44.4.2 – Alternative Police Response (APR). The OCDM has no objection to the policy as revised.

We believe that the revised Chapter 44.4.2 – Alternative Police Response (APR), 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
WASHINGTON, DC 20006

CC: HONORABLE SUSIE MORGAN (VIA ELECTRONIC MAIL)
EMILY GUNSTON, DEPARTMENT OF JUSTICE (VIA ELECTRONIC MAIL)



NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

CHAPTER: 41.4.2

TITLE: ALTERNATIVE POLICE RESPONSE

EFFECTIVE:
REVISED:

PURPOSE

This Chapter governs the use of an Alternative Police Response (APR) to address certain calls for service. APR is intended to allow district officers to remain in the areas to which they are assigned to work with the community and engage in proactive policing activities while maintaining procedures for reporting and addressing law enforcement issues that do not require a physical response to the scene.

APR will enhance the level of emergency police services available in the community by handling low priority calls via telephone or other means not requiring the physical presence of an officer, without lessening the quality of law enforcement services provided by the New Orleans Police Department.

POLICY STATEMENT

1. It is the policy of the New Orleans Police Department to:
 - (a) Provide an immediate response to calls for service involving a threat to life, serious bodily harm or major property damage/loss.
 - (b) Dispatch a police officer to the scene of a call for service only if the incident warrants.

DEFINITIONS

Definitions relevant to this Chapter include:

Alternative Police Response—A strategic response to low-priority calls for service (such as a “Code 0” complaint) that do not require an immediate response to the scene.

Complainant—For purposes of this Chapter only, a complainant is any person, including a community member, a nonresident, or a sworn or civilian member of NOPD, who calls the PSAP or “911” to request police assistance or services.

CAD—Computer-aided dispatch.

Public Safety Answering Point (PSAP)—Official name for the “911 Call Center,” the Orleans Parish Communications District, which includes both emergency and non-emergency call requests for Police, Fire, and EMS.

APR UNIT ORGANIZATION AND STAFFING

2. The APR unit shall be a part of the Field Operations Bureau. The APR unit may be staffed as necessary under the direction of the Deputy Superintendent of the Field Operations Bureau. The unit may include commissioned members or civilians.
3. When no APR officers are working, PSAP shall direct APR calls to the District of occurrence for intervention and shall be assigned to the on-duty District Desk Officer when available or dispatched as a call for service if the District Desk Officer is not available.
4. APR officers shall report directly to the designated APR supervisor. The APR supervisor shall coordinate day-to-day operations of the unit, including reviewing reports and conducting satisfaction surveys.
5. The APR supervisor shall ensure that personnel assigned to the APR unit have been properly trained in the use of APR applications prior to being assigned as an APR officer.

CLASSIFICATION OF CALLS FOR SERVICE

6. The Deputy Superintendent for Field Operations Bureau shall be responsible for initiating internal policies for classifying incoming complaint calls.
7. Calls for service signals identified in the attached Appendix (Appendix "A") shall be serviced by APR when APR is working. If APR is not working, these CFS shall be sent to the District for handling.
8. In addition to the call signals identified in Appendix A, the APR supervisor and/or the District supervisor may direct a CFS to APR if a police response to the scene is not required. This may include calls that are not in progress and not currently endangering life or property. However, a CFS listed in Appendix A should not be handled by APR where suspects are known or the preservation of evidence is required. These CFS shall be redirected to the District for a response by the call taker, dispatcher, APR member or an APR or District supervisor.
10. Calls that may be eligible for APR include, but are not limited to:
 - (a) Nuisance complaints;
 - (b) Thefts, including bicycles, shoplifting and fuel drive-off;
 - (c) Property loss reports (e.g., credit cards, license plates, cell phones); and
 - (d) Civil matters (e.g., business/customer disputes, contract disputes).
11. Calls that APR **shall not** service include, but are not limited to:
 - (a) Calls in which life or property are in danger;
 - (b) Calls involving domestic violence or sexual assault;
 - (c) Calls warranting an immediate in-person response;
 - (d) Calls involving injured persons;
 - (e) Calls involving NOPD personnel; and
 - (f) Calls involving Orleans Parish or other government property.

APR MEMBER RESPONSIBILITIES

12. APR members shall complete all required incident reports (electronic police reports) per current Departmental policy and shall provide the complainant with the item number upon completion of the interview.

13. APR members shall complete a Daily Activity Report (Form #31) detailing each APR incident or call handled and its disposition.
14. APR members shall complete and submit all reports taken before the end of their authorized work shift. No reports shall be held over for the member's following shift and later shifts without the express approval of the APR supervisor.
15. APR members are also responsible for conducting callbacks within 24 hours of the disposition of the CFS for all UCR and domestic violence calls for service that have an initial disposition by District officers of gone on arrival (GOA). If contact is made, a District unit will be dispatched. If no contact is made, the attempt and result will be noted on the APR activity report.

REASSIGNMENT OF APR CALLS

16. For those APR-eligible incidents in which a caller insists on physical response by an officer, the APR member shall consult with his/her supervisor and determine whether it is appropriate to redirect the incident via CAD as a call for service.
17. If an APR member determines that the incident does not fit APR response guidelines, he/she shall reassign the call via CAD as a call for service and notify his/her supervisor in writing by notation in the call log.
18. Platoon officers are not authorized to request the PSAP or 911 Call Center to change a dispatched call for service to an APR response CFS. If they believe the call warrants an APR response, they shall contact their platoon supervisor to make the request.
19. Only Platoon Supervisors may direct dispatchers to forward pending calls for service for APR response provided the call meets the criteria for an APR response.

APR SUPERVISOR RESPONSIBILITIES

20. The APR supervisor shall be responsible for:
 - (a) Monitoring all APR calls that the District redirected for APR response,
 - (b) Verifying that all APR reports are recorded and approved by a supervisor in the authorized Department application (i.e., Electronic Police Reports).
21. The APR supervisor shall conduct satisfaction surveys on a cycle or frequency to be determined by the Deputy Chief of the Field Operations Bureau to ensure quality of service. The random surveys shall include:
 - (a) Random victim/complainant satisfaction "callbacks" on calls handled by officers assigned to the APR unit, and
 - (b) Random reviews of recorded telephone lines used by, or designated to, the APR unit.
22. The APR supervisor shall be responsible for maintaining data on the following:
 - (a) Names of officers assigned to the APR unit;
 - (b) Number of calls addressed;
 - (c) Number of reports completed;
 - (d) Number of calls redirected from APR to calls;
 - (e) Statistical results of random satisfaction surveys;
 - (f) A record of all callbacks for UCR and Domestic Violence calls for service with a gone on arrival disposition.

23. The APR supervisor shall be responsible for preparing a weekly MAX report for the APR unit.

ON-SCENE ASSISTANCE, DISTRICT STATION ASSISTANCE AND WALK-INS

24. Members of the public that call to report crimes should not be burdened or inconvenienced in doing so. Once an officer is on the scene the CFS and/or report shall be handled by the officer. Walk-in complaints to District Stations shall **not** be referred to an APR officer and shall be handled by the District desk officer unless the complaint requires an on-scene investigation, in which case a District officer shall be dispatched.

APPENDIX A—Eligible Calls for Service

The following **Eligible Calls for Service** should be dispatched to APR directly:

- All Priority 0 calls
- 21P – Lost Property
- 67 – Theft
- 67A – Auto Theft
- 67B – Bicycle Theft
- 67C – Theft from exterior of auto
- 67P – Pickpocket
- 67S – Theft by Shoplifting