



**Public Hearing Prepared<sup>1</sup> Opening Statement of Jonathan S. Aronie,  
Consent Decree Monitor Over The New Orleans Police Department,  
Before The U.S. District Court For The Eastern District of Louisiana**

21 February 2024

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<sup>1</sup> Prepared remarks may not track precisely the actual remarks delivered in court.

## Opening Statement

I have had the privilege of standing before this Court and talking about NOPD's progress under the Consent Decree on countless occasions since we began this journey back in 2013. Most of those presentations were filled with great optimism – as it was in March 2021 when I said I felt the Sustainment Period was within NOPD's reach. Other presentations, like several in 2023, were far more pessimistic, with reports of stagnation and backsliding.

Today, I am back to the way I felt in 2021. I say that not because of a “feeling” I have, but because of my team's personal observations and the data we have before us. Several facts are driving my current optimism:

*First*, the Department has returned to the high level of cooperation that has marked most of our shared history under this Consent Decree. We speak with our NOPD counterparts regularly, indeed sometimes daily. We work together to solve problems. This new energy within the NOPD has allowed the Department to work toward meeting its remaining CD obligations more quickly and more effectively.

*Second*, as you heard today, the Department is taking its corrective action plans seriously.

*Third*, led by PSAB, the Department continues to do a good job conducting its own compliance audits. The fact that NOPD now routinely identifies its own problems at an early stage allows NOPD to solve them before they grow into larger problems.

*Fourth*, the Monitoring Team's audits show continued improvement by NOPD in many key areas of the Consent Decree. Over the next few months, the Monitoring Team, the NOPD, and the DOJ expect to be sharing a lot of data with the Court. I am confident that upon seeing these data the Court will feel the same way the Monitoring Team does.

*Fifth*, we continue to see examples of officers doing things that reflect a change in the culture within the police department. Not long ago, for example, there was a use of force by an NOPD officer. While I will not go into the details because it is part of an ongoing PIB investigation, suffice it to say that the NOPD officer lost his temper – to say the least – and a community member was being harmed. What happened next, however, highlights the cultural change we are seeing within the Department. Every other officer on the scene immediately intervened to protect the community member.

Another example, involved actions taken by a non-NOPD law enforcement agency operating in New Orleans. Again, I need to be careful not to share too many details because I suspect that agency will be investigating its officer. Suffice it to say, the non-NOPD officer did something seemingly intended to embarrass the subject of an arrest. The NOPD officer on the scene took immediately action to reduce the embarrassment and protect the community member.

These incidents illustrate the reality that no police department will be perfect all the time. Some officers will do the wrong thing. The important point, however, is, unlike the culture at NOPD that led to the Consent Decree, now we see NOPD officers intervening when another officer does something wrong. That illustrates the cultural transformation that has occurred within the NOPD as a result of the Consent Decree.

One of the greatest examples of this cultural change is the NOPD EPIC program, the active bystandership intervention program pioneered right here in New Orleans. You've heard me talk about EPIC before. Well these two incidents demonstrate the impact that the EPIC program has had and shows why EPIC has become a model for the nation.

I recognize anecdotes are not data. And as I just noted, I recognize one could share other examples of NOPD officer's behaving badly. Sadly, that will always be true. Across the country, there always will be those who should not be wearing a badge. I can say with great confidence, however, that the Monitoring Team comes upon far fewer of those individuals within the NOPD now than when we began our journey.

My renewed optimism, of course, does not mean that I blind myself to matters that require our ongoing attention. NOPD use of force, for example, is significantly less than when the Consent Decree began; and NOPD use of serious force is also significantly less and continues to trend downward. But it also fluctuates due to any number of factors. NOPD's most recent report shows an upward trend in terms of uses of force / arrest. While this does not necessarily indicate a failure of compliance, it is something the Monitoring Team and the NOPD will be looking into. And, of course, the Monitoring Team will continue looking closely at the Department's implementation of its various corrective action and remedial measure plans in all areas.

There is one more reason that my characteristic optimism is returning. As NOPD explained in its presentation, the NOPD, the DOJ, and the Monitoring Team are aligned on what work remains to be done under the Consent Decree. This alignment makes it much easier to dedicate the resources and time necessary to bring the few remaining items "into the green."

Finally, before I hand the lectern to the DOJ, I would like to make one additional point. There are some outside this Courtroom who recently have publicly criticized the NOPD as being in disarray. I want to take issue with that criticism. While the NOPD still has work to do to meet its obligations under the Consent Decree, the organization is most definitely NOT in disarray. It has best-in-class policies, meaningful training, detailed Standard Operating Procedures, modern systems and controls, and caring, thoughtful leaders. And it has proven over the past decade that a police department can respect the constitutional rights of its community AND fight crime. Are there challenges facing the Department, absolutely. But NOPD's hard work over the past 10 years has put it in a strong position to meet those challenges. Suggesting otherwise is a disservice to the hard working men and women of the NOPD who have brought the Department this far.

Thank you for giving me this time to present Your Honor. And, again, it is wonderful to be here in person.