



Consent Decree Status Update

Office of the Consent Decree Monitor
Public Meeting
Loyola University School of Law
October 28, 2024

Why Are We Here Today?

On 9/27/24, the Parties filed a Joint Motion to enter the Sustainment Period and a proposed "Sustainment Plan"



The same day, the Court announced how it would evaluate the Joint Motion



The Monitor held public meetings on Oct. 8 and Oct. 22



Today is the next step in the public comment process



Purpose of Public Meeting

We are here to share information and facts to better inform the community in advance of the forthcoming District Court Fairness Hearing. It is not our purpose to argue for or against the Joint Motion. The Joint Motion will be evaluated and ruled on by Judge Morgan alone.

Agenda

- Introduction
- How we monitor and measure
- Consent Decree status
- Steps to ensure sustained compliance
- Conclusion



Introduction

What is The Role Of The Monitor?

- Assess and report on implementation of the CD
- Assist NOPD and the City in developing a plan to implement reforms and address barriers to implementation
- Evaluate whether the reforms mandated by the CD are working and, if not, to recommend changes
- Engage communities and stakeholders in the reform process
- Assist the NOPD, the City, and the DOJ in resolving any differences that might arise over the particulars of implementing the CD

We also serve as the eyes and ears of, and the advisor to, the Federal Court.

What Is The Purpose Of The Consent Decree?

- To promote the development of new policies, training, and practices throughout the Department
- To fundamentally change the way NOPD polices throughout the New Orleans Community.
- To ensure “that police services are delivered to the people of New Orleans in a manner that complies with the Constitution and laws of the United States.”

Summary of Key Events





How We Monitor And Measure

Our Team



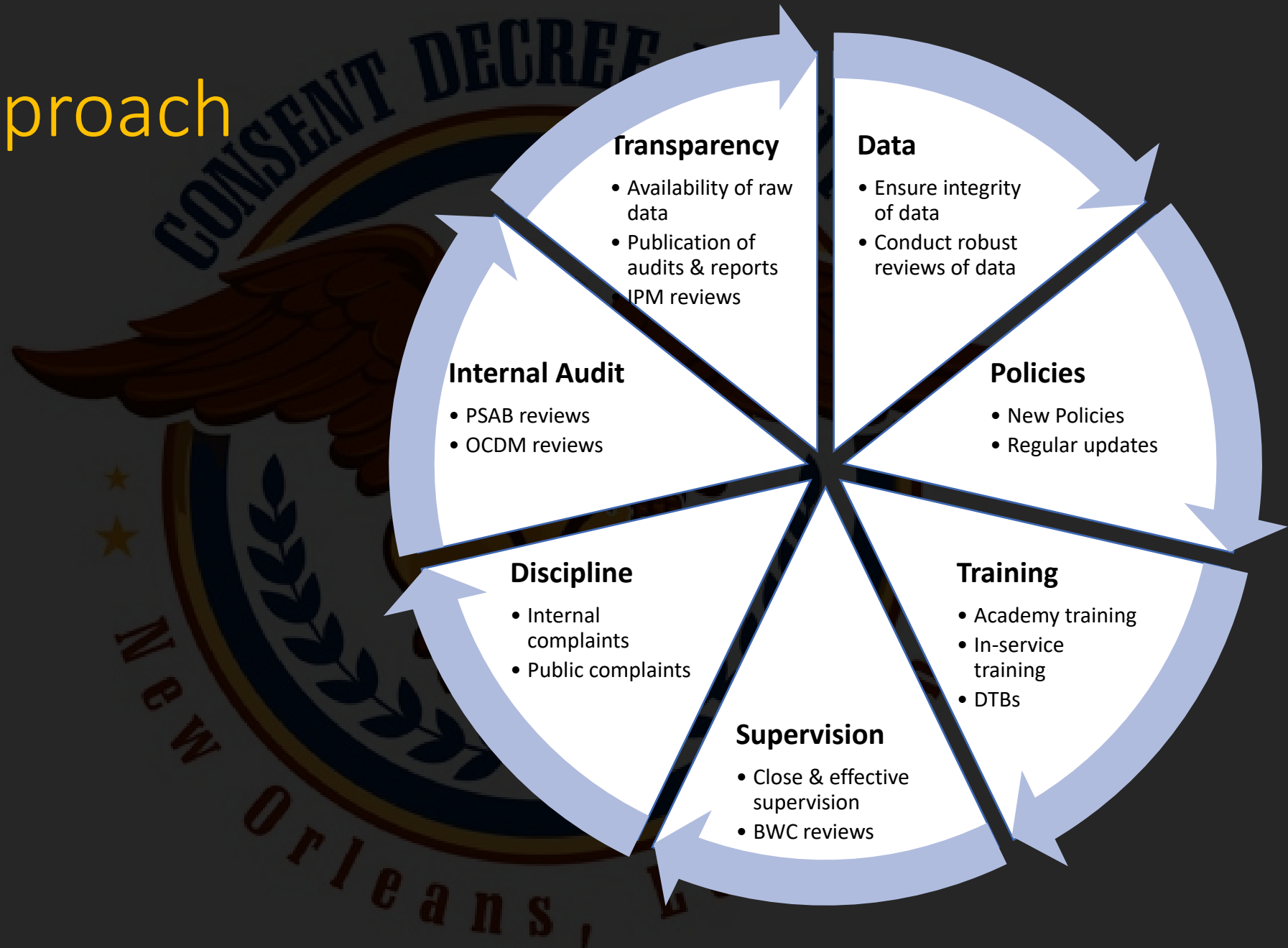
Lead Monitors
Jonathan Aronie & David Douglass



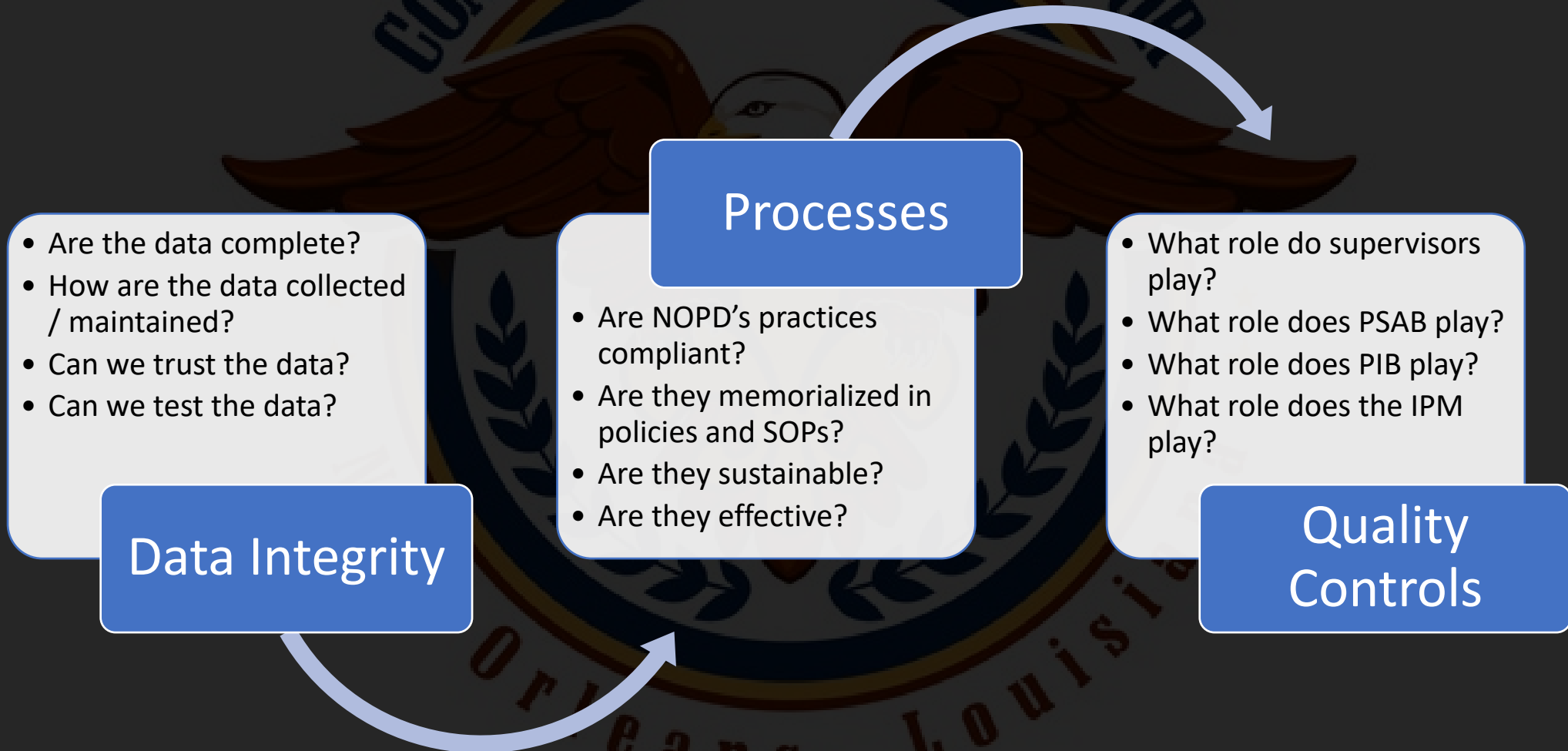
Monitoring Team

Chiefs Bowman, Viverette, Brown, McNeilly, Epperson; DC Murphy; Dr. Geoff Alpert; Dr. Ashley Burns

Our Approach



Our Approach (continued)





Section Highlights

Policies & Training



DOJ Findings Letter

- “The deficiencies in the way NOPD polices the City are not simply individual, but structural as well. For too long, the Department has been largely indifferent to widespread violations of law and policy by its officers. NOPD does not have in place the basic systems known to improve public safety, ensure constitutional practices, and promote public confidence. We found that the deficiencies that lead to constitutional violations span the operation of the entire Department, from how officers are recruited, trained, supervised, and held accountable, to the operation of Paid Details.”

Consent Decree

- “NOPD agrees that its policies and procedures shall reflect and express the Department’s core values and priorities, and provide clear direction to ensure that officers and civilian employees enforce the law effectively and constitutionally. NOPD and the City agree to ensure that all NOPD officers and employees are trained to understand and be able to fulfill their duties and responsibilities pursuant to NOPD policies and procedures. . . .”

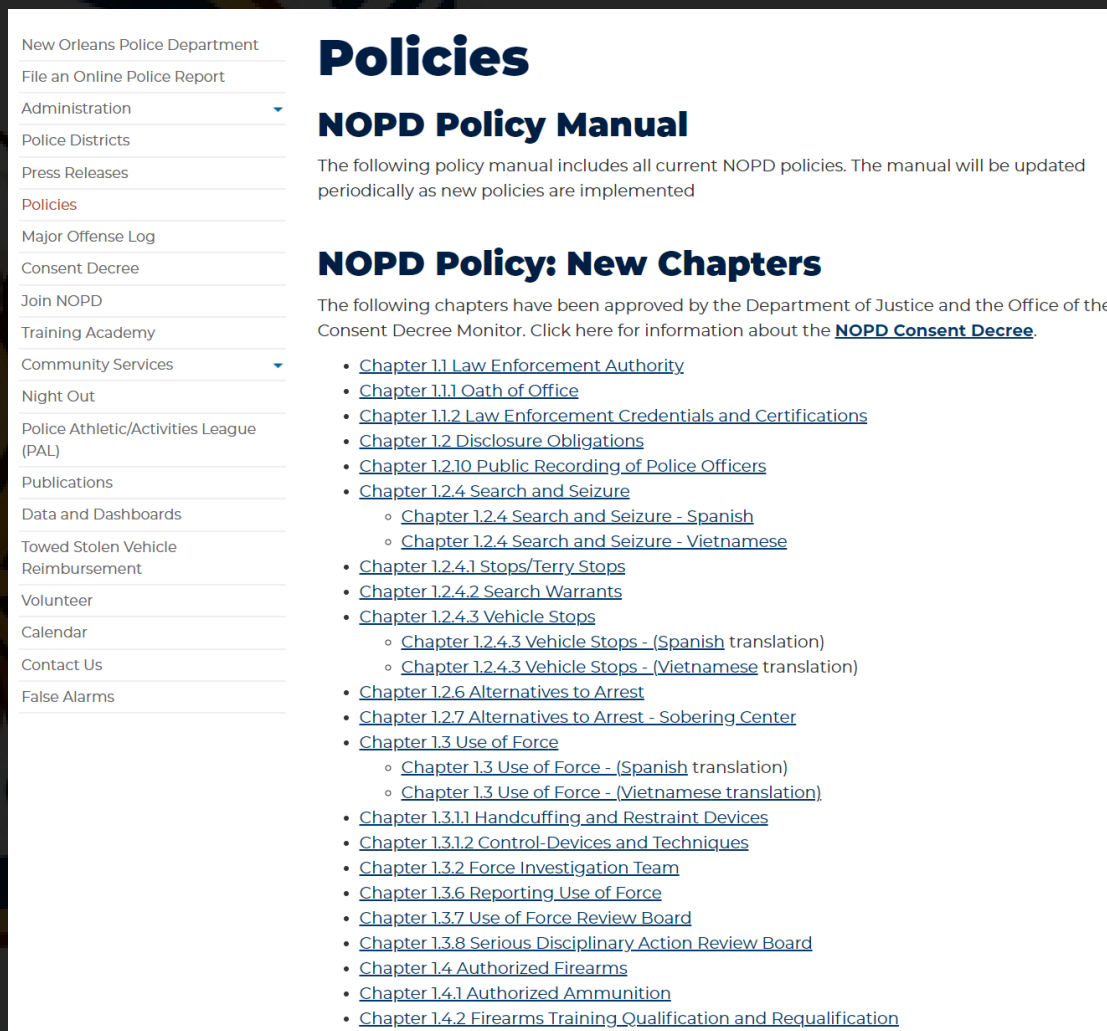
Policies & Training

Observations

- All required policies and training in place
- New drafting/review process in place
- Process provides for regular policy and training updates
- Some policies and training require additional modification based on lessons learned

OCDM and DOJ Policy Reviews/Approvals

- Over 140 policy documents and SOPs
- All policies publicly available on NOPD's website:
 - <https://nola.gov/nopd/policies/>



New Orleans Police Department

File an Online Police Report

Administration

Police Districts

Press Releases

Policies

Major Offense Log

Consent Decree

Join NOPD

Training Academy

Community Services

Night Out

Police Athletic/Activities League (PAL)

Publications

Data and Dashboards

Towed Stolen Vehicle Reimbursement

Volunteer

Calendar

Contact Us

False Alarms

Policies

NOPD Policy Manual

The following policy manual includes all current NOPD policies. The manual will be updated periodically as new policies are implemented

NOPD Policy: New Chapters

The following chapters have been approved by the Department of Justice and the Office of the Consent Decree Monitor. Click here for information about the [NOPD Consent Decree](#).

- [Chapter 1.1 Law Enforcement Authority](#)
- [Chapter 1.1.1 Oath of Office](#)
- [Chapter 1.1.2 Law Enforcement Credentials and Certifications](#)
- [Chapter 1.2 Disclosure Obligations](#)
- [Chapter 1.2.10 Public Recording of Police Officers](#)
- [Chapter 1.2.4 Search and Seizure](#)
 - [Chapter 1.2.4 Search and Seizure - Spanish](#)
 - [Chapter 1.2.4 Search and Seizure - Vietnamese](#)
- [Chapter 1.2.4.1 Stops/Terry Stops](#)
- [Chapter 1.2.4.2 Search Warrants](#)
- [Chapter 1.2.4.3 Vehicle Stops](#)
 - [Chapter 1.2.4.3 Vehicle Stops - \(Spanish translation\)](#)
 - [Chapter 1.2.4.3 Vehicle Stops - \(Vietnamese translation\)](#)
- [Chapter 1.2.6 Alternatives to Arrest](#)
- [Chapter 1.2.7 Alternatives to Arrest - Sobering Center](#)
- [Chapter 1.3 Use of Force](#)
 - [Chapter 1.3 Use of Force - \(Spanish translation\)](#)
 - [Chapter 1.3 Use of Force - \(Vietnamese translation\)](#)
- [Chapter 1.3.1.1 Handcuffing and Restraint Devices](#)
- [Chapter 1.3.1.2 Control-Devices and Techniques](#)
- [Chapter 1.3.2 Force Investigation Team](#)
- [Chapter 1.3.6 Reporting Use of Force](#)
- [Chapter 1.3.7 Use of Force Review Board](#)
- [Chapter 1.3.8 Serious Disciplinary Action Review Board](#)
- [Chapter 1.4 Authorized Firearms](#)
- [Chapter 1.4.1 Authorized Ammunition](#)
- [Chapter 1.4.2 Firearms Training Qualification and Requalification](#)

NOPD Policy Update Calendar

- NOPD regularly reviews and updates its policies
- The Policy Review Schedule is available on NOPD's website:
 - <https://nola.gov/nopd/policies/>

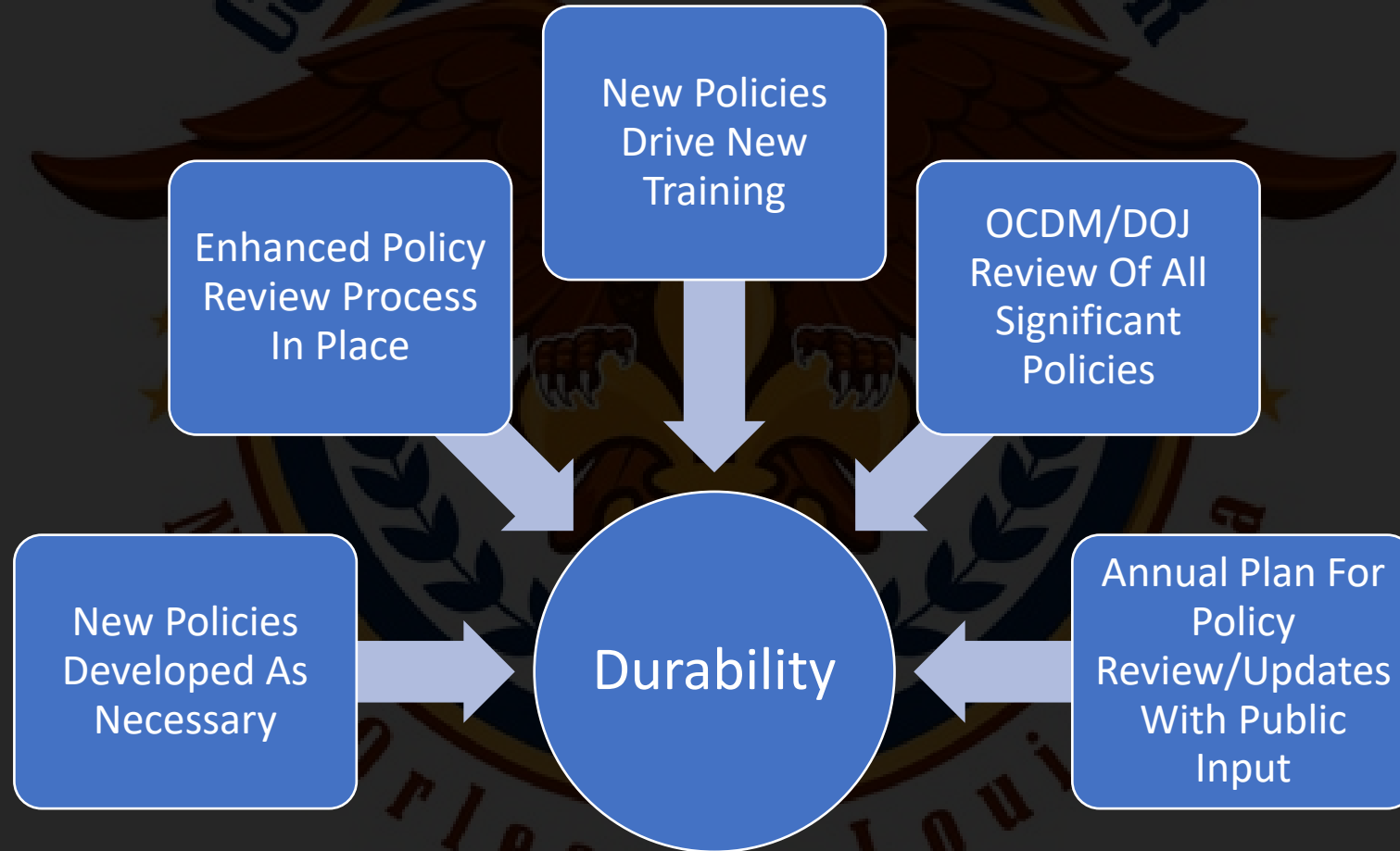
Policies for Public Review

The NOPD welcomes ~~Public comment on current and draft~~ public comment on current and draft policies. Find a list of policies up for review on a monthly basis here: [Annual Policy Review Schedule](#)

There are Currently No Draft Policies for public review:

Please email any comments or concerns to policyandplanning@nola.gov

Driving Sustainment



Stops, Searches & Arrests

DOJ Findings Letter

- “NOPD’s policies and training on warrantless searches and seizures are highly inadequate, leaving officers with little guidance regarding the Fourth Amendment’s limitations on their authority to detain, search, and arrest. . . . NOPD’s failure to train officers or otherwise provide guidance on the limits and requirements of the Fourth Amendment contributes directly to the pattern of unconstitutional stops, searches, and arrests we observed. Additionally, the Department’s organizational focus on arrests encourages stops without reasonable suspicion, illegal pat downs, and arrests without probable cause. . . .”

Consent Decree

- “NOPD agrees to ensure that all NOPD investigatory stops, searches, and arrests are conducted in accordance with the rights secured or protected by the Constitution and laws of the United States. NOPD agrees to ensure that investigatory stops, searches, and arrests are part of an effective overall crime prevention strategy; are consistent with community priorities for enforcement; and are carried out with fairness and respect. . . .”

Stops, Searches & Arrests

Observations

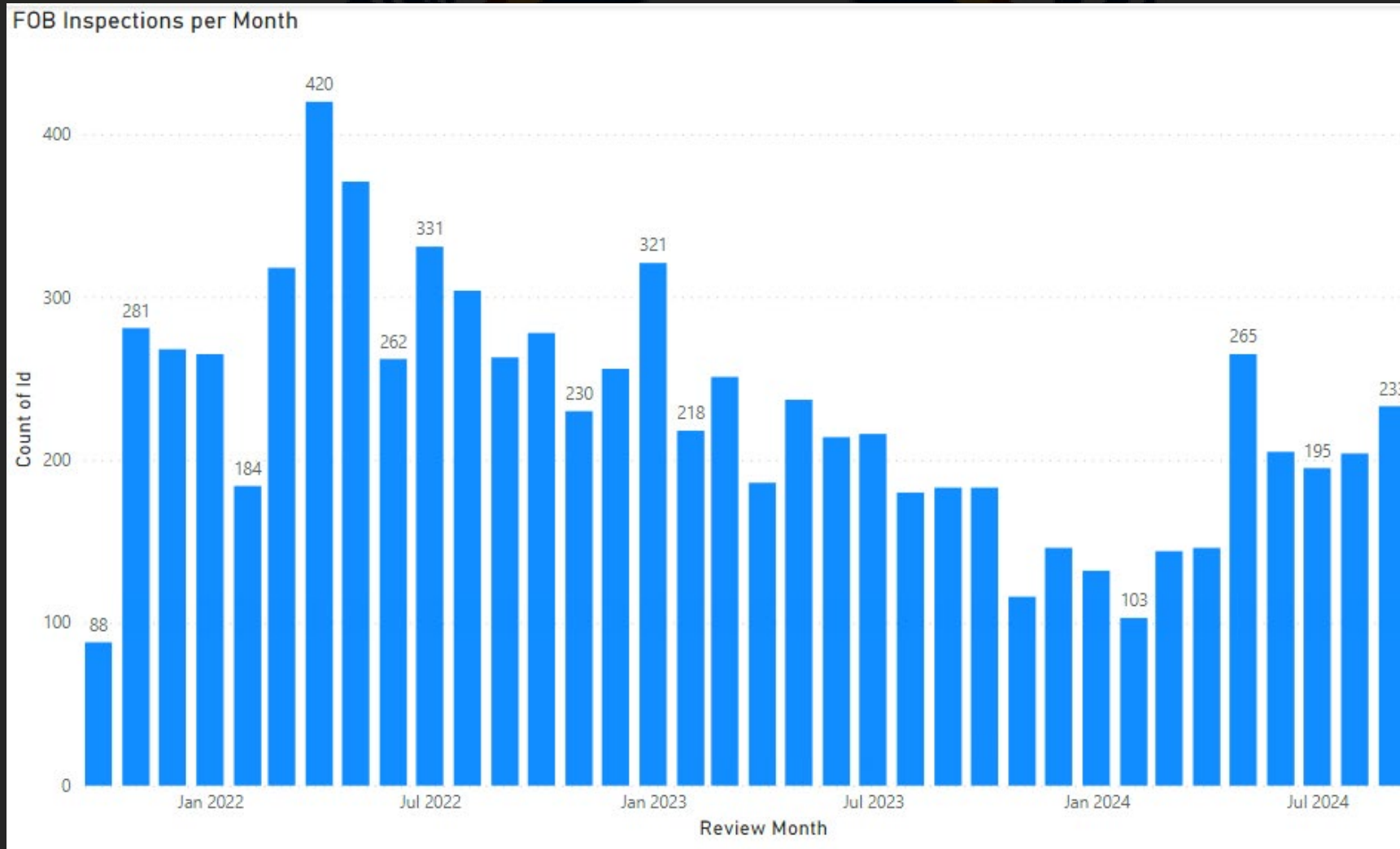
- FOB inspection process in place
- Robust audit tool developed
- Recent audits show significant improvement and room to improve further

DOJ Memorandum In Support Of Joint Motion

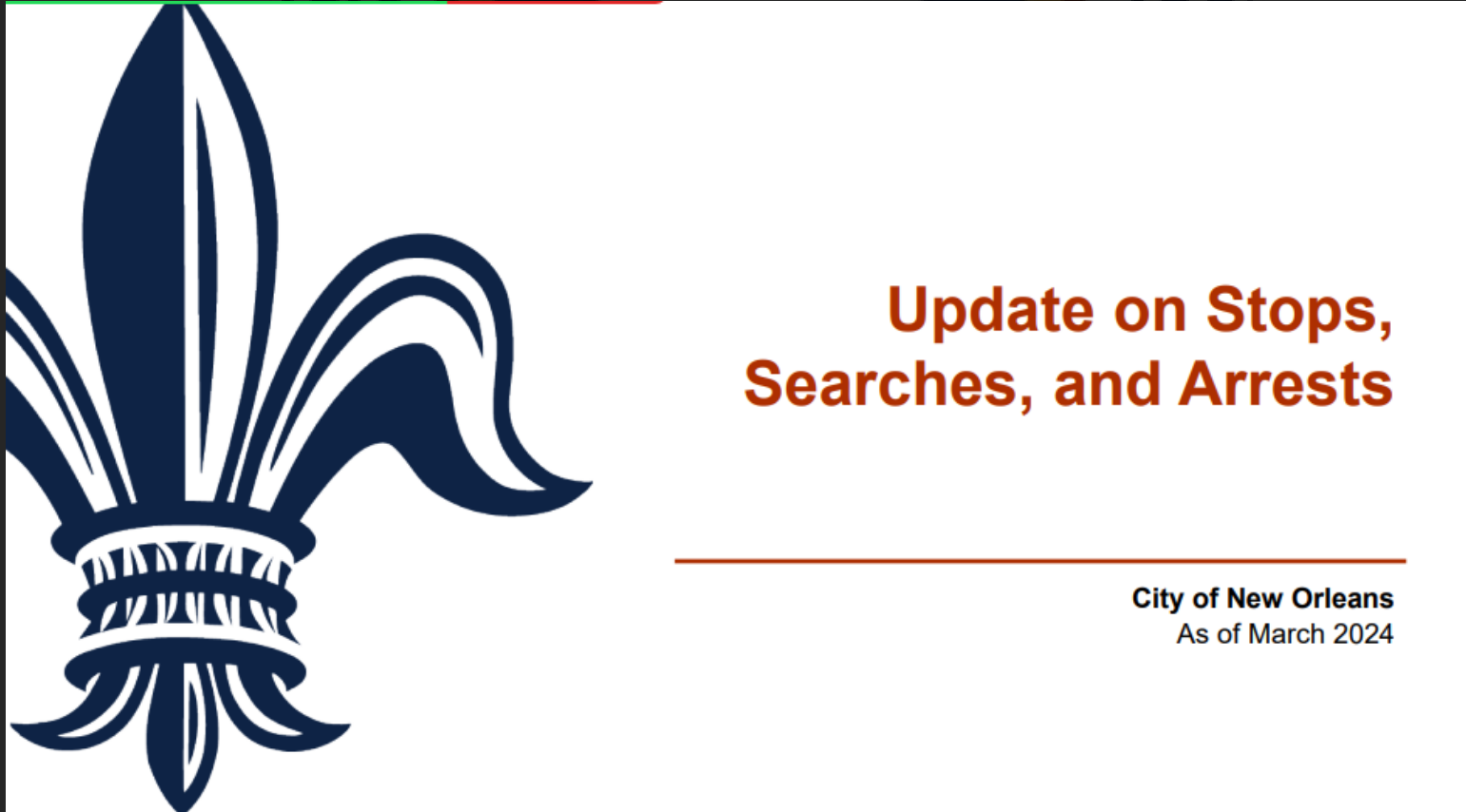
- “Recent audits of SSA practices illustrate overall improvements. For instance, NOPD’s 2023 SSA audit—which used a comprehensive protocol approved by the Monitor and DOJ—showed substantial improvement with the Decree’s SSA provisions and found an overall 95.4% rate of compliance with the SSA section of the Decree. More specifically, the audit showed that 93% of pat-downs were justified, Miranda warnings were properly given in 97% of incidents reviewed, and officers documented the legal basis for their searches in 95% of incidents reviewed. The Monitor’s subsequent spot-check audit verified NOPD’s audit scores.”

<https://www.laed.uscourts.gov/sites/default/files/nopdconsent/MEMO.pdf>

FOB SSA Inspection Process



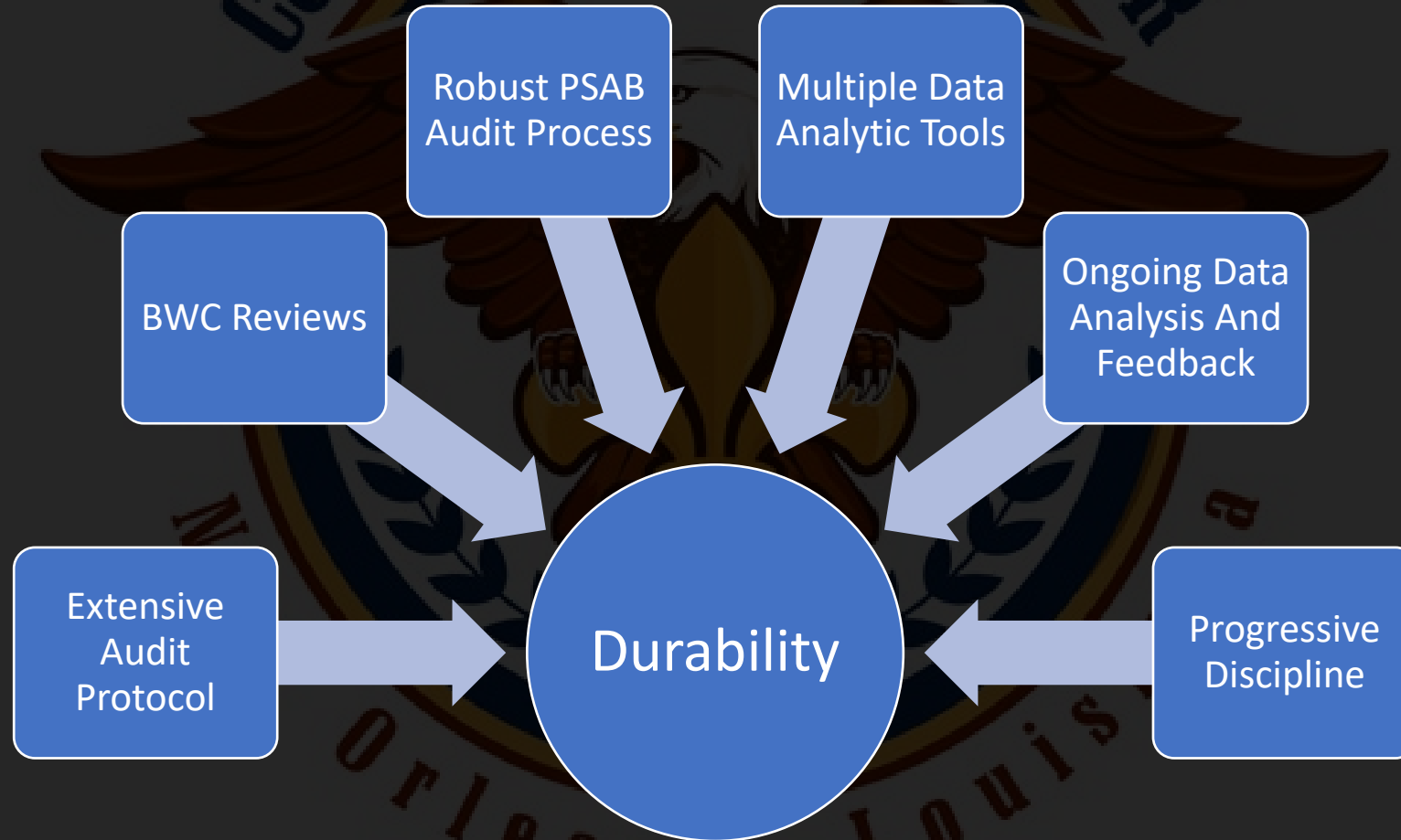
NOPD March 2024 52-Slide Court Presentation



Available at

<https://nopdconsent.azurewebsites.net/Media/Default/NOPD%20Documents/Update%20on%20Stops,%20Searches,%20and%20Arrests%203.20.2024.pdf>

Driving Sustainment



Bias Free Policing

DOJ Findings Letter

- “We find reasonable cause to believe that NOPD engages in a pattern or practice of discriminatory policing in violation of constitutional and statutory law.
- NOPD has failed to take sufficient steps to detect, prevent, or address bias-based profiling and other forms of discriminatory policing on the basis of race, ethnicity, or LGBT status, despite widespread concern and troubling racial disparities in arrest rates and other data.
- [T]he Department fails to adequately investigate violence against women, including sexual assaults and domestic violence. Additionally, we find that the Department fails to provide critical policing services to New Orleans residents with limited English proficiency.
- [M]any members of the community—particularly African Americans, ethnic minorities, and members of the lesbian, gay, bisexual, and transgender (“LGBT”) community—reported that the Department subjects them to harassment and disrespectful treatment, and unfairly targets them for stops, searches, and arrests. Many members of NOPD echoed these concerns.”

Consent Decree

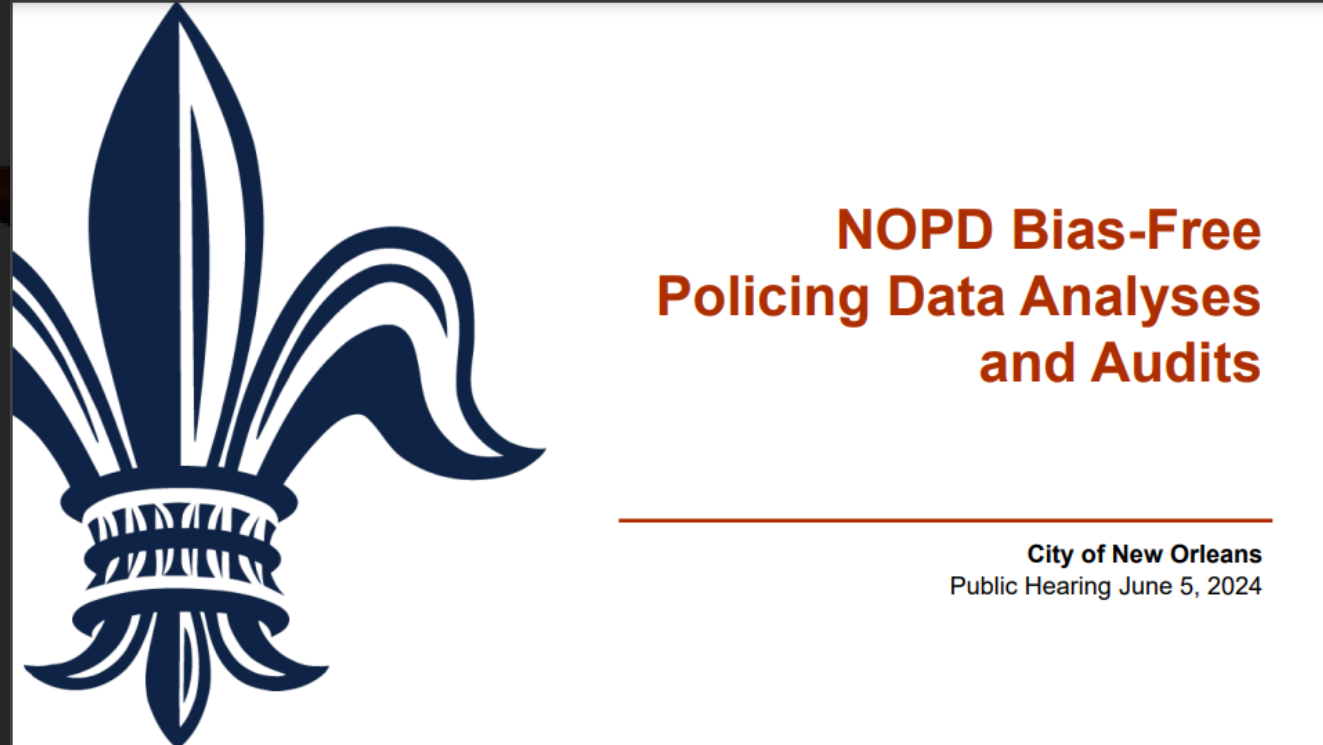
- “NOPD agrees to deliver police services that are equitable, respectful, and bias-free, in a manner that promotes broad community engagement and confidence in the Department. In conducting its activities, NOPD agrees to ensure that members of the public receive equal protection of the law, without bias based on race, color, ethnicity, national origin, religion, gender, disability, sexual orientation, or gender identity, and in accordance with the rights secured or protected by the Constitution and laws of the United States. . . .”

Bias Free

Observations

- New policies, procedures, and training implemented
- New audit tool developed with DOJ expert
- NOPD has progressed substantially toward compliance
- Two court hearings with extensive data focused on bias free policing (May and June 2024)

NOPD June 2024 82-Slide Court Presentation



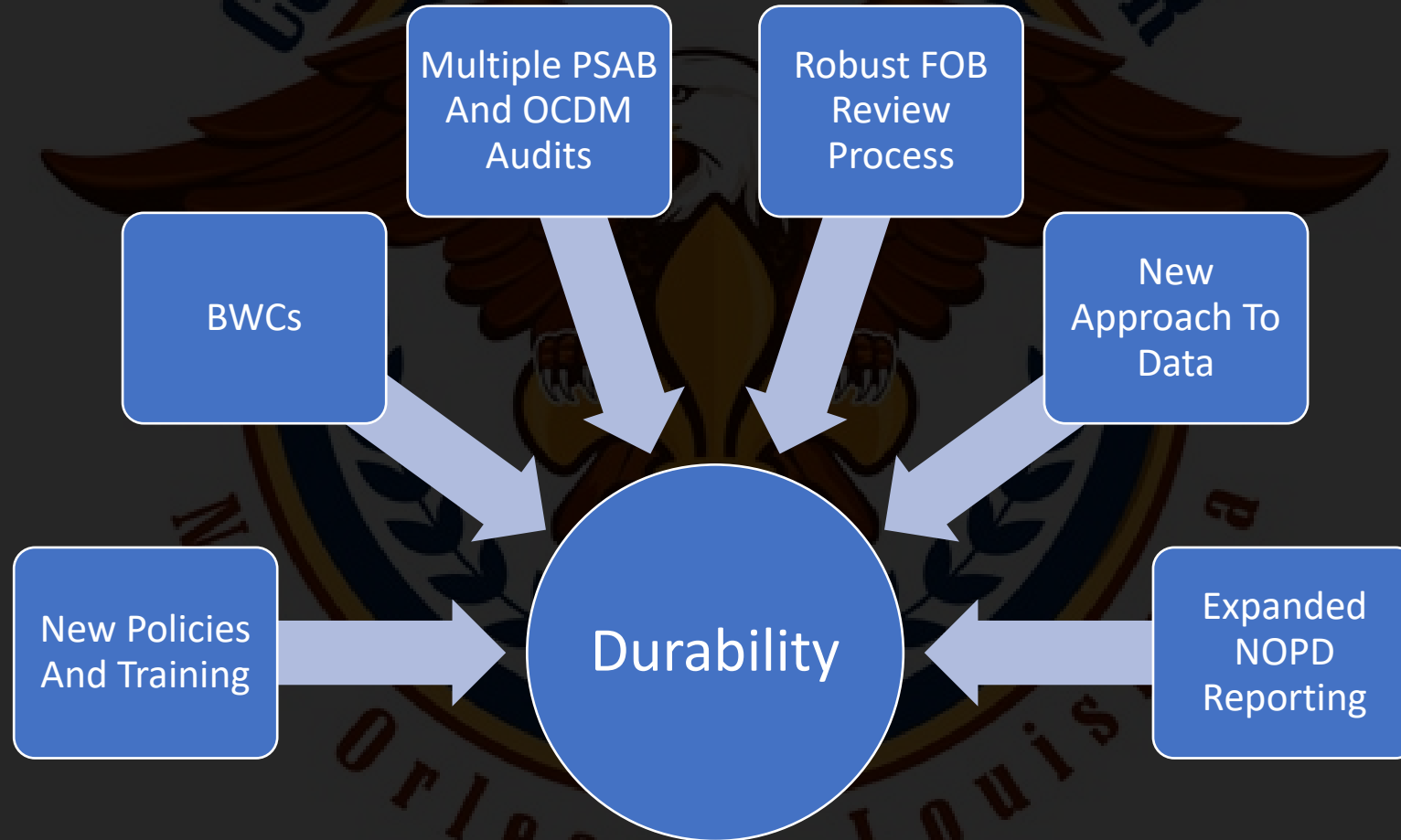
The slide features the NOPD logo on the left, which is a blue fleur-de-lis with a decorative base. To the right of the logo, the title "NOPD Bias-Free Policing Data Analyses and Audits" is written in a bold, dark red font. Below the title, a thin horizontal line separates it from the text "City of New Orleans" and "Public Hearing June 5, 2024", which are in a smaller, black font.

**NOPD Bias-Free
Policing Data Analyses
and Audits**

City of New Orleans
Public Hearing June 5, 2024

Available at <https://www.laed.uscourts.gov/case-information/mdl-mass-class-action/nopdconsent>

Driving Sustainment



Policing Free of Gender Bias

DOJ Findings Letter

- “We find that NOPD has systematically misclassified large numbers of possible sexual assaults, resulting in a sweeping failure to properly investigate many potential cases of rape, attempted rape, and other sex crimes.
- [W]e find that in situations where the Department pursues sexual assault complaints, the investigations are seriously deficient, marked by poor victim interviewing skills, missing or inadequate documentation, and minimal efforts to contact witnesses or interrogate suspects.
- The documentation we reviewed was replete with stereotypical assumptions and judgments about sex crimes and victims of sex crimes, including misguided commentary about the victims’ perceived credibility, sexual history, or delay in contacting the police.”

Consent Decree

- “NOPD agrees to respond to and investigate reports of sexual assault and domestic violence professionally, effectively, and in a manner free of gender-based bias, in accordance with the rights secured or protected by the Constitution and laws of the United States. NOPD agrees to appropriately classify and investigate reports of sexual assault and domestic violence, collaborate closely with the DA and community partners, including the NOFIC, and apply a victim-centered approach at every stage of its response. . . .”

Policing Free of Gender Bias

Observations

- OCDM reviews continue to show high levels of compliance in SA/DV investigations
- OCDM and NOPD recognize need for further improvements in certain areas
- The need for additional personnel continues to be a key factor

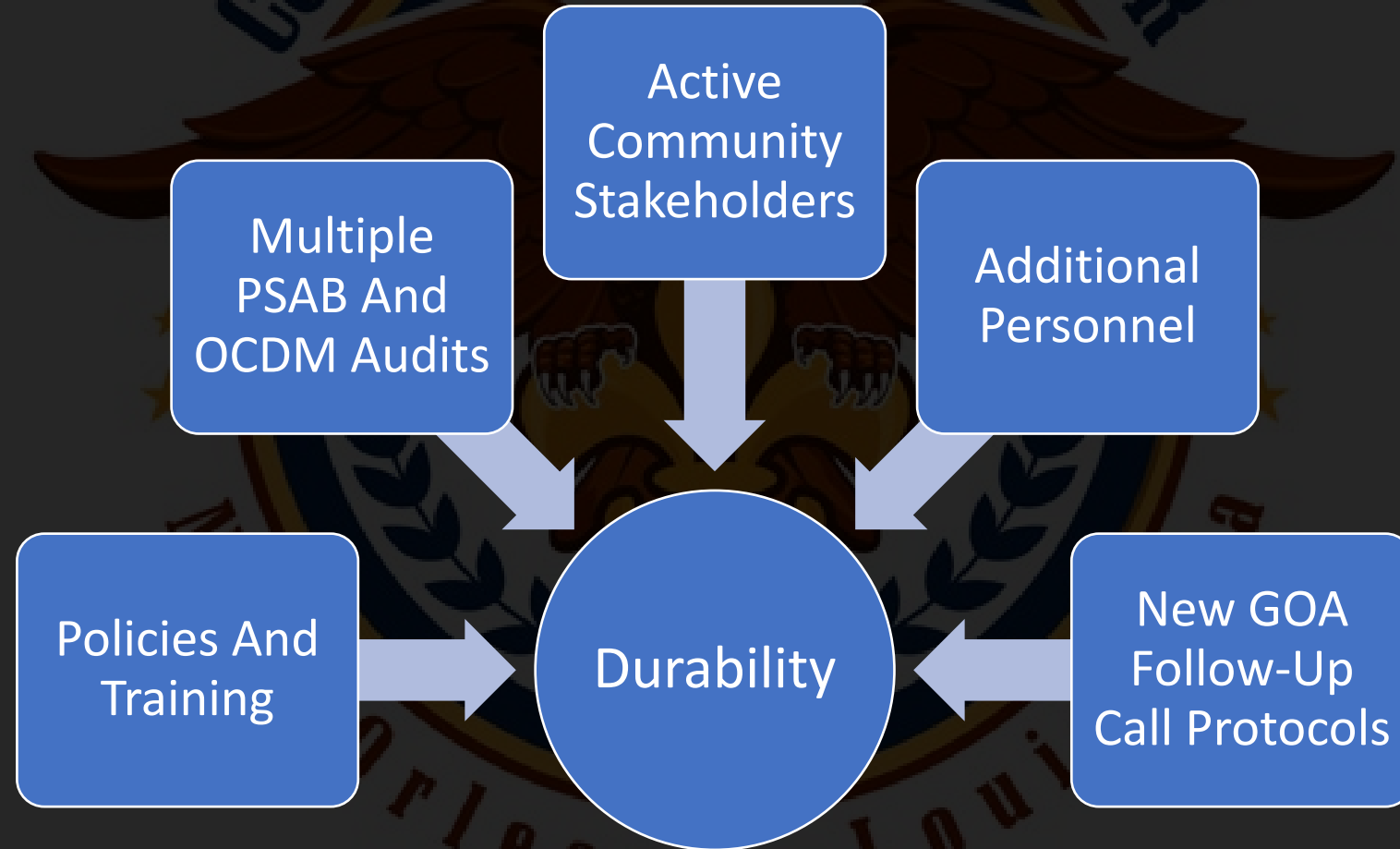
A Number Of Recent Reports Have Focused On Gender Bias Issues

- Monitoring Team
 - OCDM 7/7/2023 Special Report
 - OCDM 10/27/23 Special Report
 - OCDM 3/19/24 Annual Report
- NOPD
 - NOPD 2/24 Domestic Violence Unit Audit Report
 - NOPD 4/24 DV Patrol Audit Report
 - NOPD 5/24 Sex Crimes Audit Report
 - NOPD 7/24 Domestic Violence Unit Audit Report

SA/DV Staffing

- Sex Crimes Manpower
 - 2 Sergeants (down 1 sergeant)
 - 6 Detectives (down 4 detectives)
- Child Abuse Manpower
 - 3 Sergeants
 - 8 Detectives (down 4 detectives)
- Domestic Violence Manpower
 - 1 Sergeant
 - 1 Detective (down 3 detectives)
- Civilian Investigators/Trainees
 - 16 of 25 Hired
- Social Workers
 - 1 Social Worker Supervisor
 - 9 Social Workers/Advocates
 - Loss of three social workers within the past two years to other units/jobs

Driving Sustainment



Community Engagement

DOJ Findings Letter

- “NOPD has also failed to implement policies, training, and accountability measures to truly integrate and embed community- and problem-oriented policing principles into each aspect of its management, structure, and use of resources. Consequently, few in the Department believe they bear any responsibility for implementing community policing strategies, or even have a clear sense of what specific strategies would look like. Further, officers consistently reported that pressure to conduct stops and arrests diverts attention and resources from quality arrests, community engagement, and more considered problem-solving.”

Consent Decree

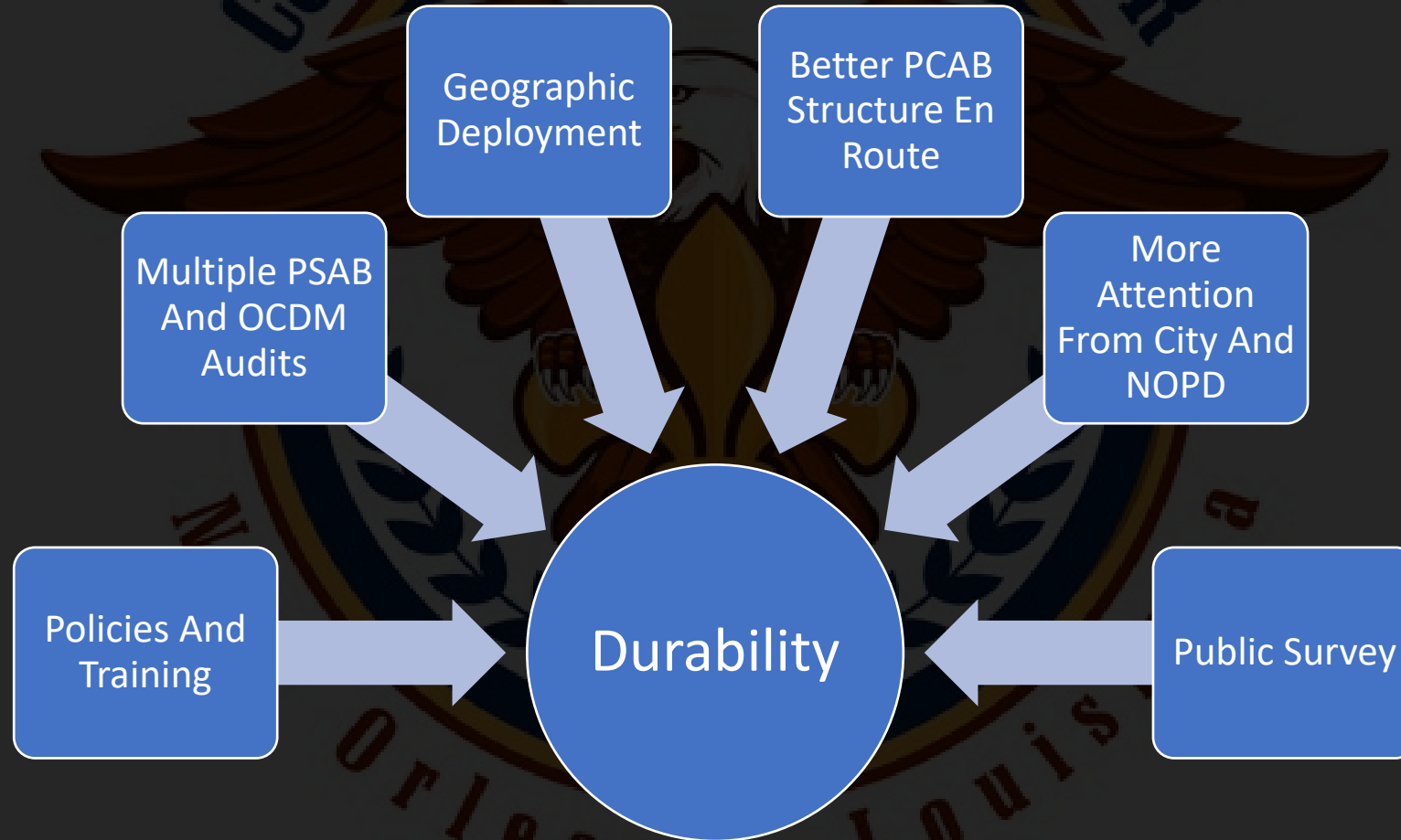
- “NOPD agrees to promote and strengthen partnerships within the community, and to engage constructively with the community, to ensure collaborative problem-solving and ethical and bias-free policing, and to increase community confidence in the Department. . . .”

Community Engagement

Observations

- New community policing signal usage, forms, and plans
- Community liaison officer
- Geo-deployment
- New PCAB structure in process
- Lack of NOPD personnel continues to impact community engagement

Driving Sustainment



Academy and In-Service Training

DOJ Findings Letter

- “The training NOPD has provided to its officers during the last several years is severely deficient in nearly every respect. NOPD’s failure to train compromises officer and public safety, effective crime reduction, and the credibility and reputation of the Department as a whole. Shortcomings at the recruit, field, and in-service stages of training have left NOPD officers ill-equipped to perform their duties in a safe, constitutional, and effective manner. We found systemic problems in training of every type, including tactical, operational, legal, and ethical. Officers receive an insufficient amount of training—there has been almost no in-service training for the past five years—and the instruction officers do receive is often out-of date, conflicts with NOPD policies or current legal requirements, or fails to address officers’ most pressing training needs.”

Consent Decree

- “NOPD is committed to ensuring that all officers and employees receive adequate training to understand the law and NOPD policy and how to police effectively. NOPD training shall reflect and instill agency expectations that officers police diligently, have an understanding of and commitment to the constitutional rights of the individuals they encounter, and employ strategies to build community partnerships to more effectively increase public trust and safety.”

Academy & In-Service

Current Status

- Professional staff
- Professional facilities
- Adult-teaching techniques
- Internal evaluations require further improvement
- Record keeping requires further improvement
- Loss of Academic Director

Annual NOPD Training Plan



NEW ORLEANS POLICE DEPARTMENT
EDUCATION AND TRAINING DIVISION

"2024 ANNUAL MASTER TRAINING PLAN"

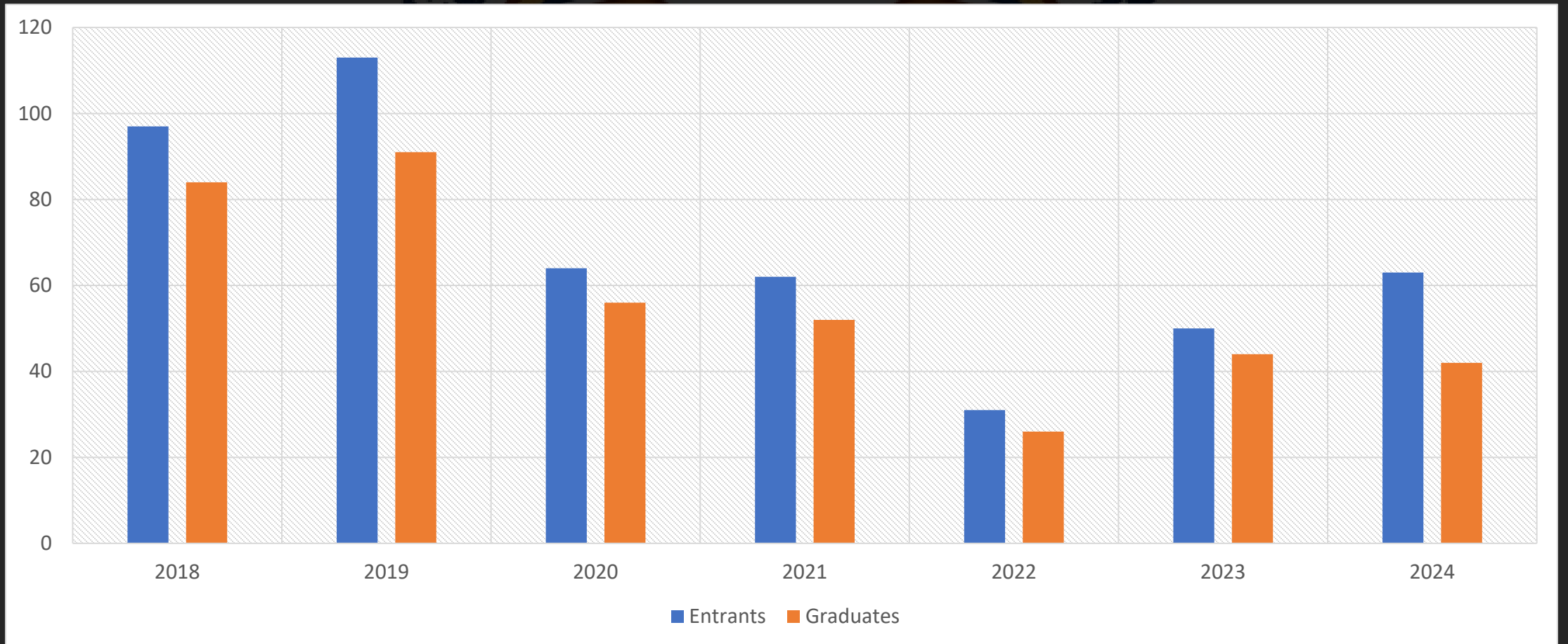
July 31, 2023

Approved:

Michelle M. Woodfork
Superintendent of Police

A handwritten signature in blue ink, appearing to read "Michelle M. Woodfork", is written over the printed name and title.

Academy Size Over Time



2023 Academy Audit Results

Executive Summary

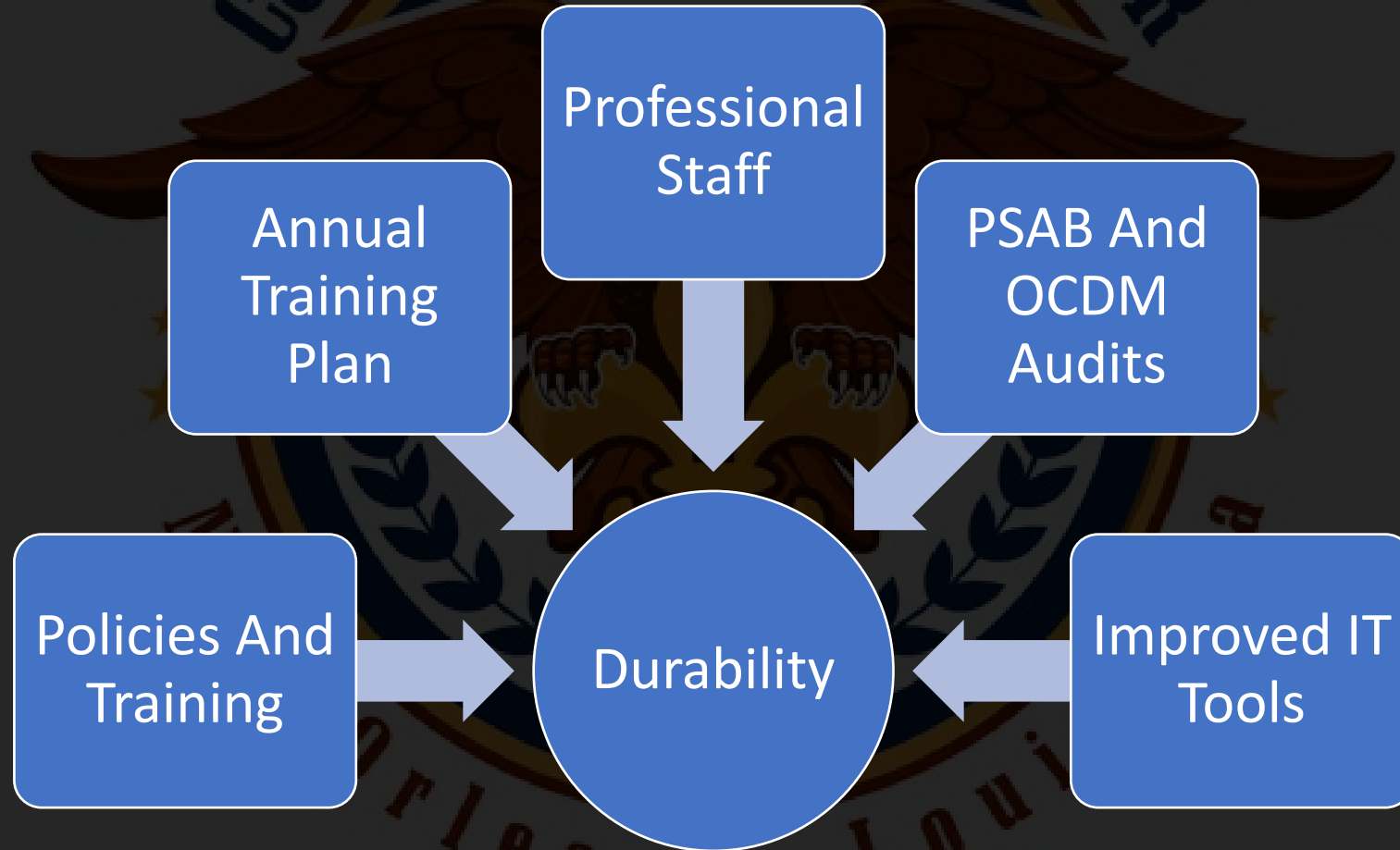
The Professional Standards and Accountability Bureau conducted an Academy and In-Service Audit in June 2023. The audit period covered from January 1, 2022, to December 31, 2022. The Academy & In-Service audit was performed to ensure that all training is conducted and executed consistently with NOPD policy covering Chapters 1.4.2, 1.4.3, 1.7.1, 33.1, 33.1.1, 33.2, 33.4.1, 33.4.2, 33.4.3 and the Federal Consent Decree (CD) paragraphs 245-288. All training courses are to be documented properly to ensure all officers and employees receive adequate training to understand the law and NOPD policy to police effectively.

The protocol from the Office of the Consent Decree Monitor (OCDM) was used to complete this 2023 audit. The audit consists of 28 sections, containing 140 sub sections. Data was collected from the Training Academy and analyzed for compliance. Scores of 95% and higher are deemed to be substantially compliant.

The overall compliance score for the Academy is **93%**. Below is the breakdown by audit section:

Sections	Audit Score	Outcome
1- Instructor Qualification Requirements	100%	Compliant
2-Academy Instructor: recruitment, interview, and selection	100%	Compliant
3- Instructor Professional Development	100%	Compliant
4- Instructor Evaluation	100%	Compliant
5- Recruit Evaluation	33%	Not Compliant
6- Louisiana POST Curriculum Requirements: Academy Recruits	100%	Compliant
7- Louisiana POST Curriculum Requirements: In-Service	100%	Compliant
8- Annual Master Training Plan	100%	Compliant
9- Lesson Plan Development	100%	Compliant
10- Lesson Plan Updates: general updates	100%	Compliant
11- Lesson Plan Updates: Changes to Chapters (policy)	100%	Compliant
12- Classroom preparation	100%	Compliant
13- Supervisory Evaluation of Instruction	100%	Compliant
14- Testing and Evaluation	100%	Compliant
15- Training Records Management	100%	Compliant
16- End-of-Year Training Report	100%	Compliant
17- Scheduling of Training	100%	Compliant
18- Recruit Program Guidelines	100%	Compliant
19- Academy Safety Manual	50%	Not Compliant
20- Academy Recruit Manual	50%	Not Compliant
21- Training Advisory Committee (TAC)	100%	Compliant
22- Training Video Approval Committee	0/0	Compliant
23- Field Training Officer (FTO) Program Guidelines	100%	Compliant
24- Recruit Field Training	100%	Compliant
25- Recommend Termination of Recruit in FTO Program	0/0	Compliant
26- Release of Trainee from FTO Program	100%	Compliant
27- Academy Procurement	100%	Compliant
28- Academy Equipment	100%	Compliant

Driving Sustainment



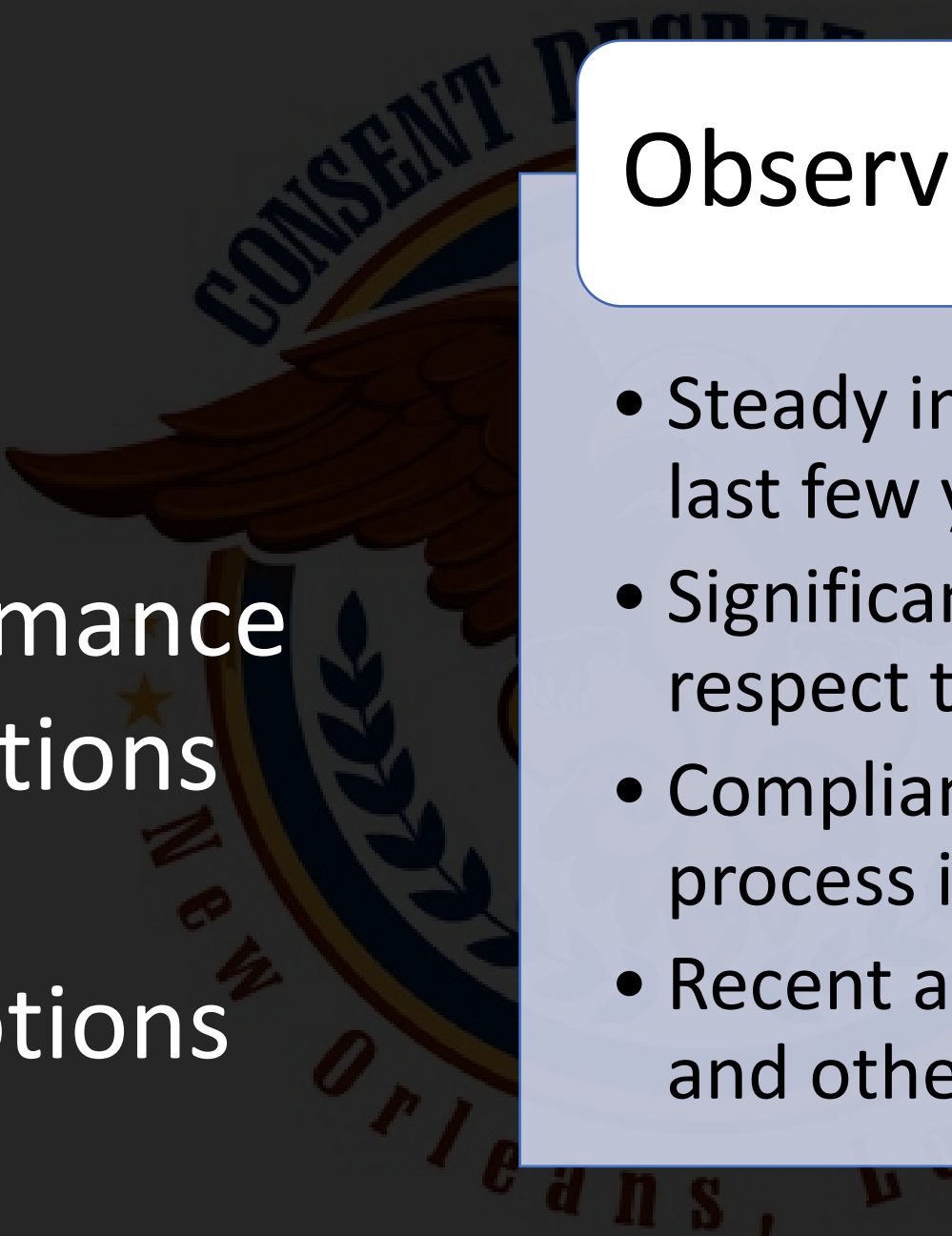
Performance Evaluations & Promotions

DOJ Findings Letter

- “NOPD’s evaluation and promotion practices are deficient to the point that it may be impossible to correct patterns of constitutional misconduct without also correcting the failings of these systems. NOPD’s promotional system does not adequately assess or consistently reward the officers who are best able to police effectively and constitutionally. Promotional decisions do not adequately consider misconduct by officers or their ability to lead with integrity and diligence. Performance evaluations do not sufficiently assess officers’ conduct or value constitutional policing. As they currently function, NOPD’s performance evaluation and promotion systems erode public confidence in the Department, facilitate officers’ unconstitutional conduct, and fail to identify and develop officers with the capacity to lead with integrity.”

Consent Decree

- “NOPD agrees to ensure that officers who police effectively and ethically are recognized through the performance evaluation process, and that officers who lead effectively and ethically are identified and receive appropriate consideration for promotion. NOPD shall further ensure that poor performance or policing that otherwise undermines public safety and community trust is reflected in officer evaluations so that NOPD can identify and effectively respond. . . .”

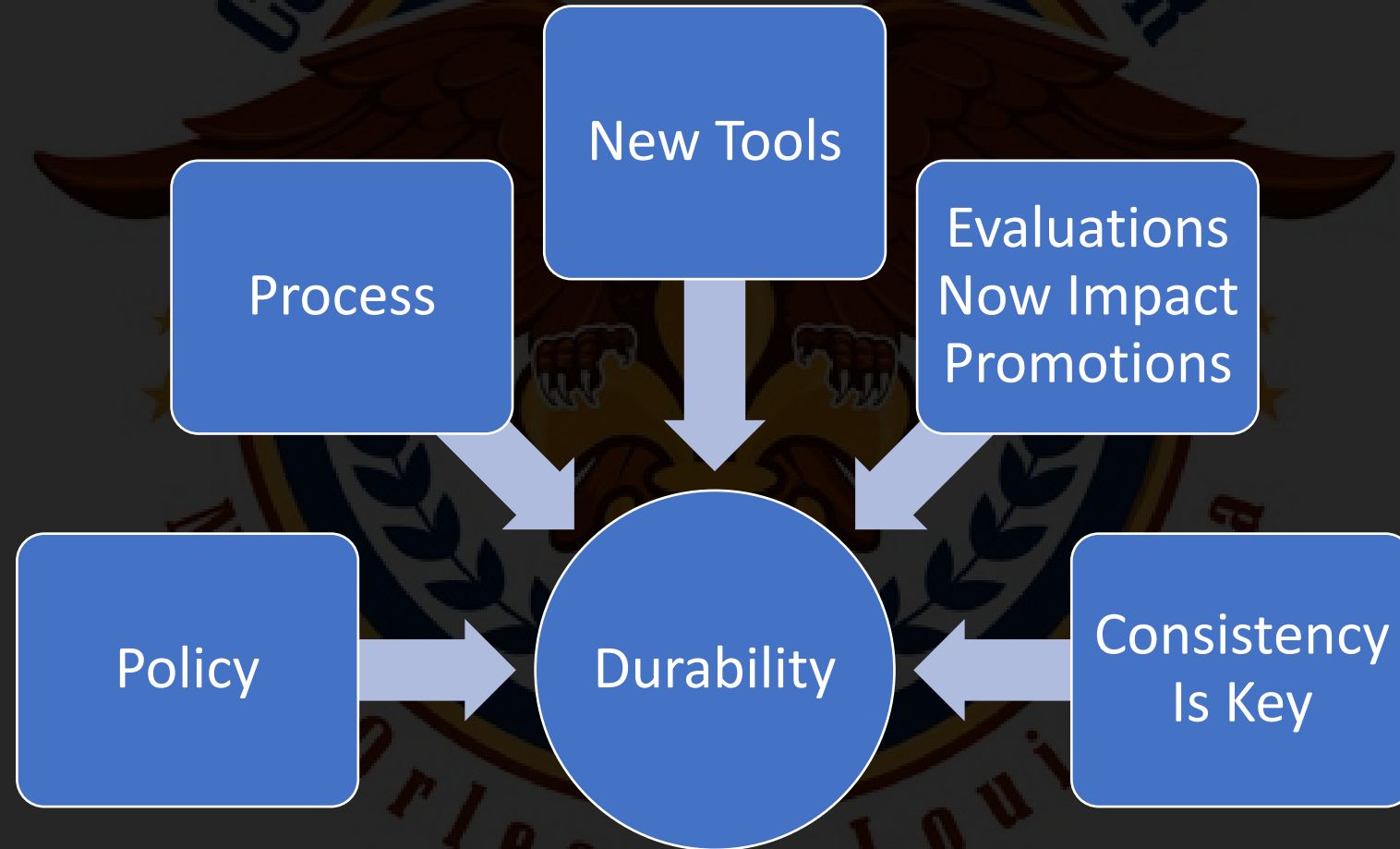
The background features a large, semi-transparent seal of the New Orleans Police Department. The seal includes an eagle with wings spread, a laurel wreath, and the text "NEW ORLEANS, LA" and "POLICE DEPARTMENT".

Performance Evaluations & Promotions

Observations

- Steady improvement over last few years
- Significant progress with respect to evaluations
- Compliant promotions process implemented
- Recent allegations of bias and other improprieties

Driving Sustainment



Supervision

DOJ Findings Letter

- “NOPD fails to provide the supervision necessary to prevent or detect misconduct and ensure effective policing. Supervisors frequently sign off on arrest reports that fail to articulate probable cause, and conduct use of force investigations that are grossly deficient. They also frequently ignore obvious misconduct and poor officer performance in conducting internal investigations.
- Our investigation further showed a lack of accountability throughout the chain of command sufficient to ensure that field sergeants are properly supervising their subordinates. . . .
- A number of systemic deficiencies within NOPD appear to contribute to this poor supervision. Supervisors are poorly trained and poorly guided by policy. The ratio of supervisors to officers (span of control) is too high, and unity of command (allowing for close and knowledgeable supervision by ensuring that each officer has one supervisor to hold them fully accountable) exists on paper only. Supervisory accountability is undermined by NOPD’s practice of broadly assigning supervisory responsibilities and then failing to ensure these responsibilities are carried out by anyone.”

Consent Decree

- “NOPD and the City agree to ensure that an adequate number of qualified first-line supervisors are deployed in the field to allow supervisors to provide the close and effective supervision necessary for officers to improve and grow professionally; to police actively and effectively; and to identify, correct, and prevent misconduct. . . .”

Supervision

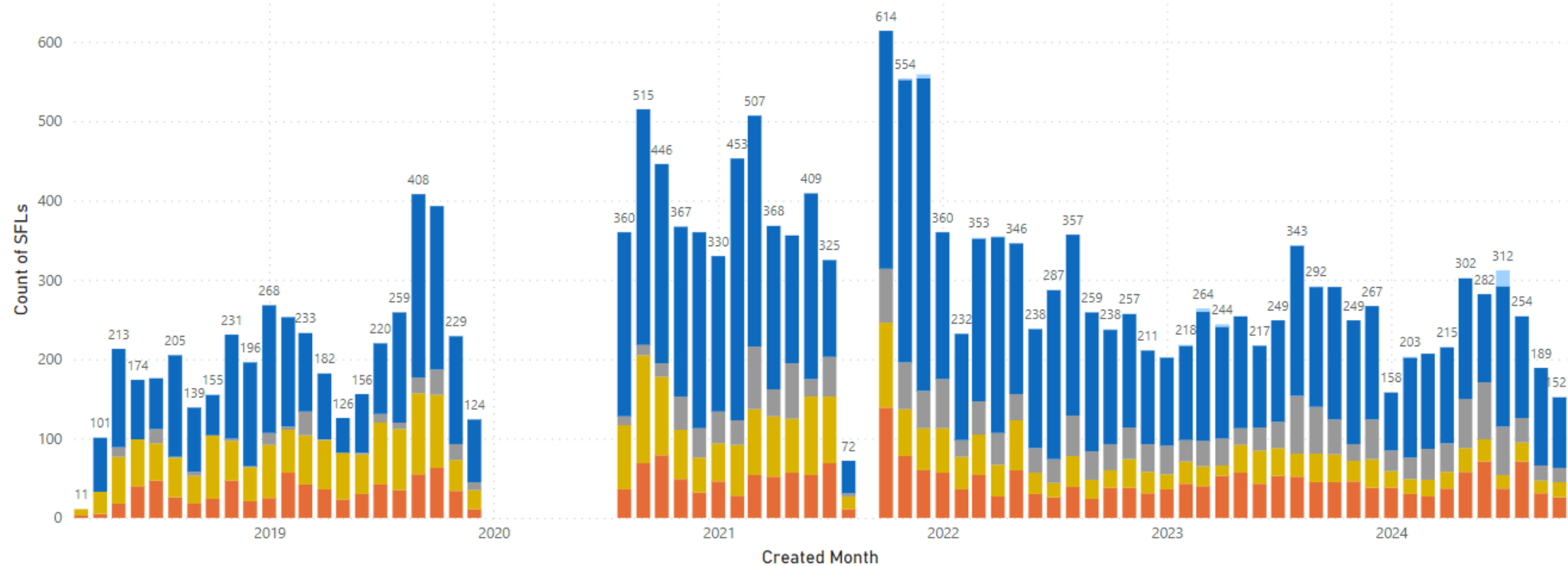
Observations

- Supervision audits (NOPD PSAB and OCDM) are positive
- Use of Insight continues to improve
- Renewed focus on Supervisory Discipline Review Boards needed
- Continuous improvement in Performance Evaluations is key
- Effective promotions process is key

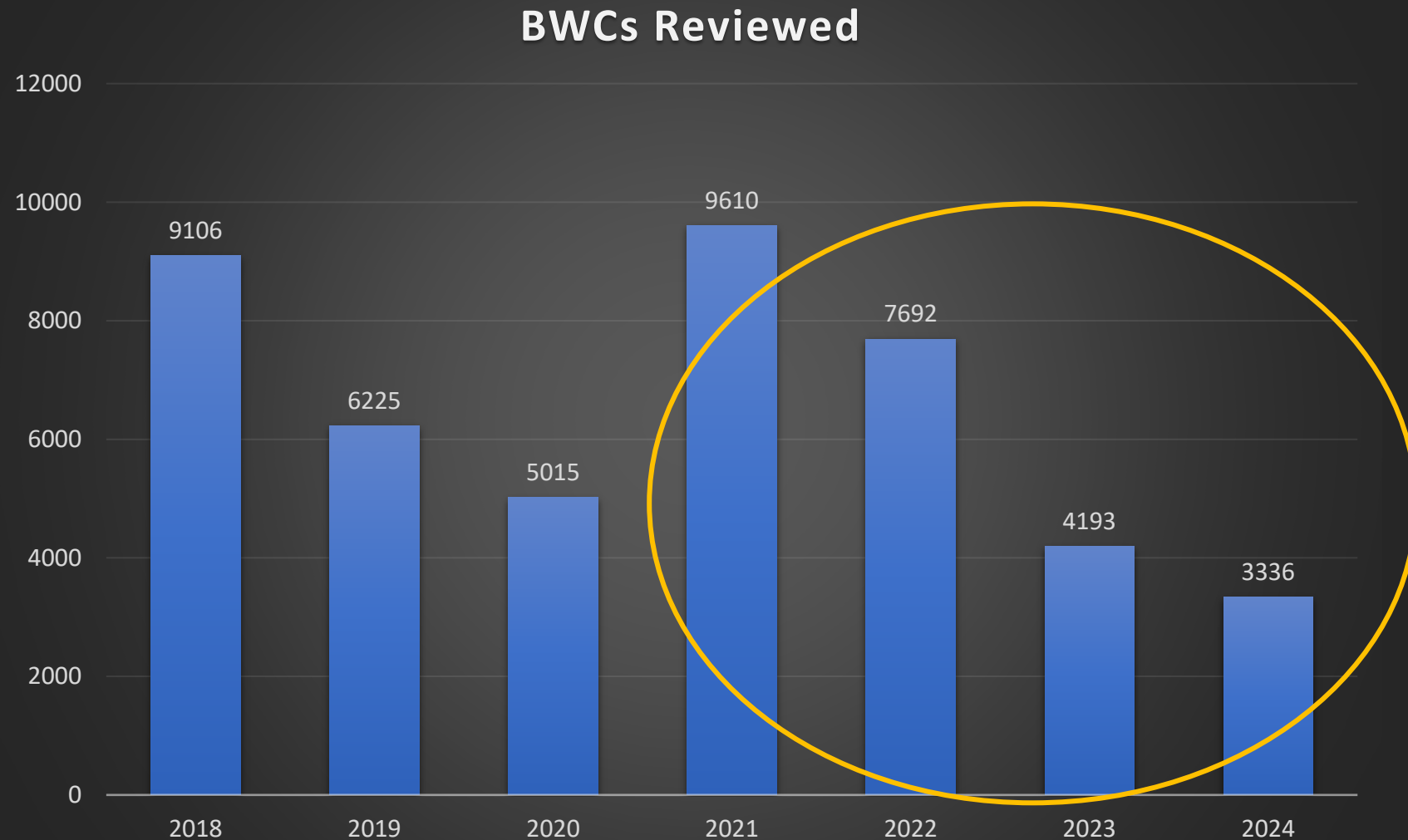
SFL Use Over Time

Count of SFLs by Created Month and Action Type

Action Type ● Counseling ● Redirection ● Note ● Employee Recognition ● Assistance

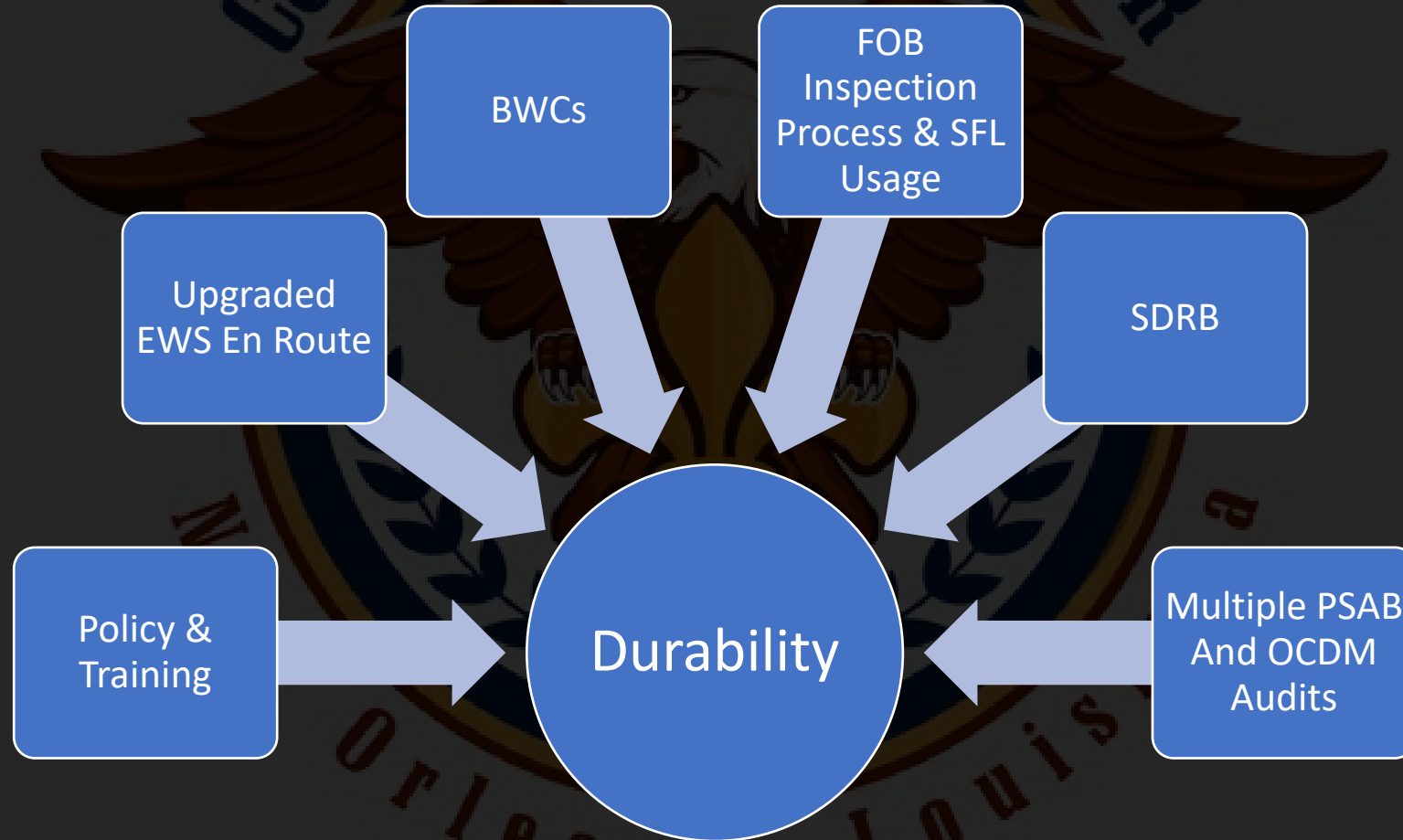


Random BWC Reviews By Year (Logged)



Increase in FOB inspection reviews has led to an expected decrease in random BWC reviews.

Driving Sustainment



Secondary Employment System



DOJ Findings Letter

- There are few aspects of NOPD more broadly troubling than its Paid Detail system. . . . Our interviews with NOPD officers, meetings with other New Orleans-based law enforcement agencies, criminal justice system stakeholders, and the public, revealed that NOPD's Detail system was a significant contributing factor to both the perception and reality of NOPD as a dysfunctional organization. . . .

Consent Decree

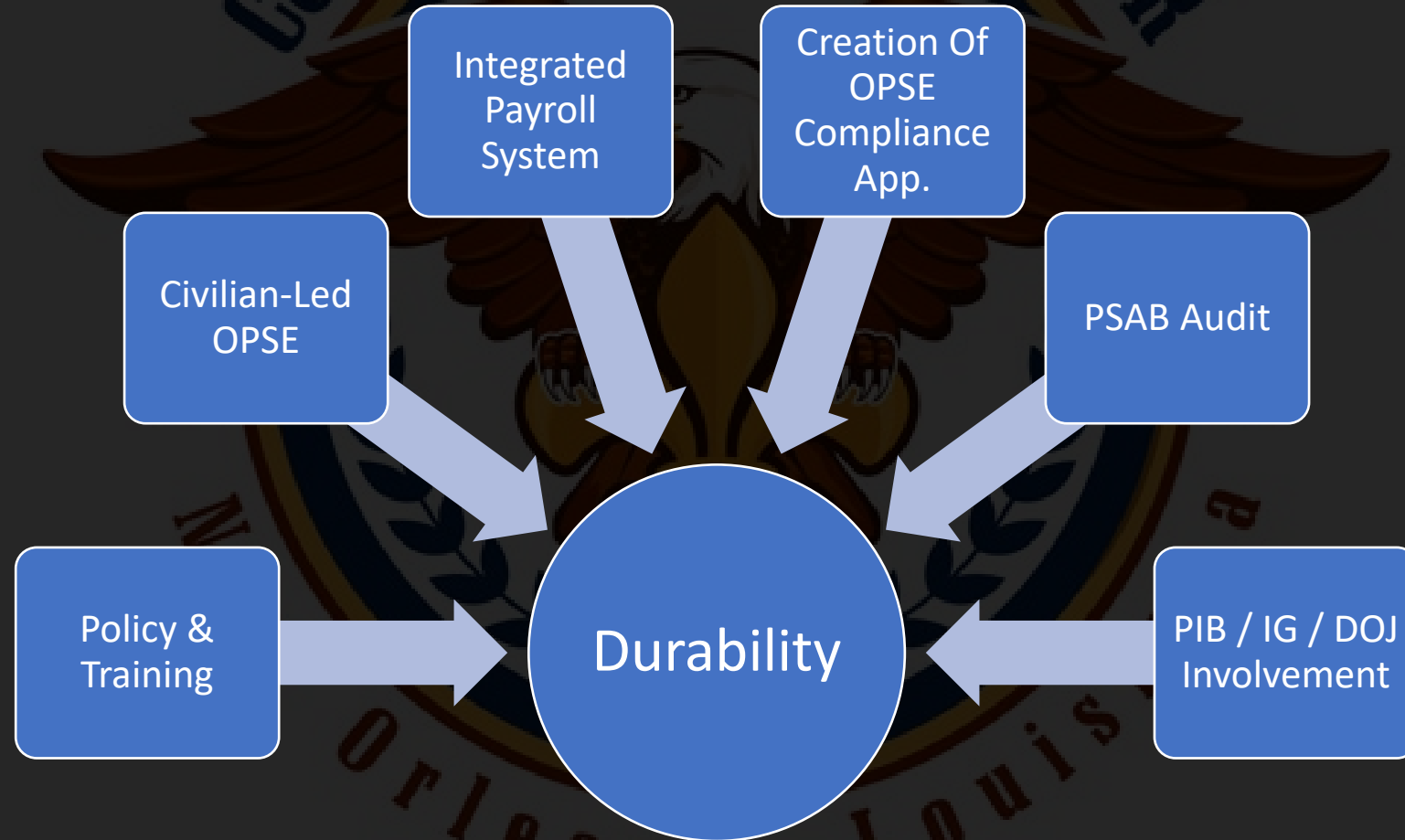
- “The City shall completely restructure what is currently known as its Paid Detail system to ensure that officers’ and other NOPD employees’ off-duty secondary employment does not compromise or interfere with the integrity and effectiveness of NOPD employees’ primary work as sworn police officers serving the entire New Orleans community. To achieve this outcome, the City shall develop and implement an off-duty secondary employment system that comports with applicable law and current professional standards, and which shall include the requirements set out below.”

Secondary Employment

Observations

- Operational Office of Police Secondary Employment
- Ongoing investigations into double-dipping, hours, and other violations
- New systems and controls implemented
- Enhanced integration of payroll systems to be implemented
- Updated audit protocol in development

Driving Sustainment



Misconduct Complaint Intake, Investigation, and Adjudication

DOJ Findings Letter

- “NOPD’s system for receiving, investigating, and resolving misconduct complaints, despite many strengths and recent improvements, does not function as an effective accountability measure. Policies and practices for complaint intake do not ensure that complaints are complete and accurate, systematically exclude investigation of certain types of misconduct, and fail to track allegations of discriminatory policing. Field supervisors are not sufficiently trained or supported in conducting misconduct investigations. Deficiencies in policies, resources, training, and oversight weaken investigations and result in findings that are unsupported by the evidence.
- Discipline and corrective action are meted out inconsistently and, too often, without sufficient consideration of the seriousness of the offense and its impact on the police-community relationship. Louisiana State law requiring that internal administrative investigations be completed within 60 days is laudable in intent, but in practice has allowed officers to commit egregious misconduct and get away with it. Apparent criminal misconduct by officers is inadequately investigated and has in the past too rarely been prosecuted.”

Consent Decree

- “NOPD and the City agree to ensure that all allegations of officer misconduct are received and are fully and fairly investigated; that all investigative findings are supported using the preponderance of the evidence standard and documented in writing; and that all officers who commit misconduct are held accountable pursuant to a disciplinary system that is fair and consistent. . .”

Misconduct

Observations

- Significant non-compliance led to extensive remedial measures plan
- Extensive remedial measures now in place
- New enhanced audit protocols in place
- Proposed Sustainment Plan incorporates ongoing PIB obligations
- Ongoing concerns regarding City Hall non-cooperation

Complaints By Type

Table 1: Allegations Counts by Type 2017-2022 (Part 1)

Rule	Paragraph	2017	2018	2019	2020	2021	2022
RULE 2: MORAL CONDUCT	PARAGRAPH 01 - ADHERENCE TO LAW	89	82	77	90	128	59
	PARAGRAPH 02 - COURTESY	19	16	27	24	19	12
	PARAGRAPH 03 - HONESTY AND TRUTHFULNESS	13	6	15	11	11	2
	PARAGRAPH 04 - DISCRIMINATION	13	11	1	3	3	0
	PARAGRAPH 05 - VERBAL INTIMIDATION	17	9	3	2	6	4
	PARAGRAPH 06 - UNAUTHORIZED FORCE	39	18	24	166	66	45
	PARAGRAPH 08 - FAILURE TO REPORT MISCONDUCT	1	0	7	1	2	6
	PARAGRAPH 09 - FAILURE TO COOPERATE/WITHHOLDING INFORMATION	3	1	0	1	3	0

Table 1: Allegations Counts by Type 2016-2021 (Part 2)

Rule	Paragraph	2017	2018	2019	2020	2021	2022
RULE 3: PROF- SSIONAL CONDUCT	PARAGRAPH 01 - ADHERENCE TO LAW	0	1	0	0	0	0
	PARAGRAPH 01 - PROFESSIONALISM	289	313	336	260	297	272
	PARAGRAPH 02 - ABUSE OF POSITION	2	3	4	5	3	0
	PARAGRAPH 03 - NEATNESS AND ATTIRE	1	0	0	1	0	0
	PARAGRAPH 04 - ACCEPTING, GIVING ANYTHING OF VALUE	0	1	1	2	0	1
	PARAGRAPH 06 - COMMERCIAL ENDORSEMENT	0	0	0	0	1	0
	PARAGRAPH 07 - USE OF DRUGS/SUBSTANCE ABUSE TESTING	1	1	1	0	1	2
	PARAGRAPH 08 - USE OF ALCOHOL/DRUGS ON DUTY	3	4	2	0	3	3
	PARAGRAPH 09 - USE OF ALCOHOL/DRUGS OFF-DUTY	2	5	5	4	5	2
	PARAGRAPH 10 - ALCOHOL/DRUGS INFLUENCE TEST	0	0	2	0	0	0
	PARAGRAPH 11 - USE OF TABACCO	3	0	0	1	0	0
	PARAGRAPH 12 - RETALIATION	2	4	5	0	1	4
RULE 4: PERF- ORMANCE OF DUTY	PARAGRAPH 13 - SOCIAL NETWORKING WEBSITES ETC.	6	8	5	5	14	0
	PARAGRAPH 01 - REPORTING FOR DUTY	7	12	12	5	14	6
	PARAGRAPH 02 - INSTRUCTIONS FROM AUTHORITATIVE SOURCE	100	54	133	58	133	52
	PARAGRAPH 03 - DEVOTING ENTIRE TIME TO DUTY	14	9	3	1	6	8
	PARAGRAPH 04 - NEGLECT OF DUTY	798	703	751	647	684	398
	PARAGRAPH 05 - CEASING TO PERFORM BEFORE END OF SHIFT	1	3	0	1	2	3
	PARAGRAPH 06 - LEAVING ASSIGNED AREA	5	8	5	2	5	0
PARAGRAPH 07 - LEAVING CITY ON DUTY	4	1	0	0	2	1	

Complaints By Type

Table 1: Allegations Counts by Type 2016-2021 (Part 3)

Rule	Paragraph	2017	2018	2019	2020	2021	2022
RULE 5: REST ACTIVITIES	PARAGRAPH 01 - FICTITIOUS ILLNESS OR INJURY	3	1	2	1	2	0
	PARAGRAPH 02 - ASSOCIATIONS	2	0	2	0	7	7
	PARAGRAPH 03 - VISITING PROHIBITED ESTABLISHMENTS	4	0	0	0	0	0
	PARAGRAPH 06 - ACTING IN CIVIL MATTERS	1	3	0	5	5	2
	PARAGRAPH 07 - ACTING IMPARTIALLY	16	11	9	5	11	2
	PARAGRAPH 08 - CIVIL SUITS BY MEMBER	0	0	0	1	0	0
	PARAGRAPH 09 - CRIMINAL PROCEEDING AGAINST MEMBER(S)	2	2	5	1	1	0
	PARAGRAPH 10 - TESTIFYING ON BEHALF OF DEFENDENT(S)	0	0	1	0	0	0
	PARAGRAPH 11 - INTERFERING WITH INVESTIGATIONS	1	3	0	0	1	3

RULE 6: OFFICIAL INFO	PARAGRAPH 01 - SECURITY OF RECORDS	5	0	4	0	4	4
	PARAGRAPH 02 - FALSE OR INACCURATE REPORTS	10	17	9	5	10	2
	PARAGRAPH 03 - PUBLIC STATEMENT AND APPEARANCES	0	0	0	0	1	0
	PARAGRAPH 04 - CITIZENS REPORT COMPLAINT	0	1	0	0	1	0
	PARAGRAPH 06 - CONFIDENTIALITY OF INTERNAL INVESTIGATIONS	1	0	0	0	0	0
	RULE 7: DEPT PROPERTY	PARAGRAPH 01 - USE OF DEPARTMENT EQUIPMENT	3	3	6	1	0
PARAGRAPH 02 - AUTHORIZED OPERATOR OF DEPARTMENT EQUIPMENT		3	0	0	0	0	0
PARAGRAPH 03 - CLEANLINESS OF DEPARTMENT EQUIPMENT		1	0	0	0	0	0

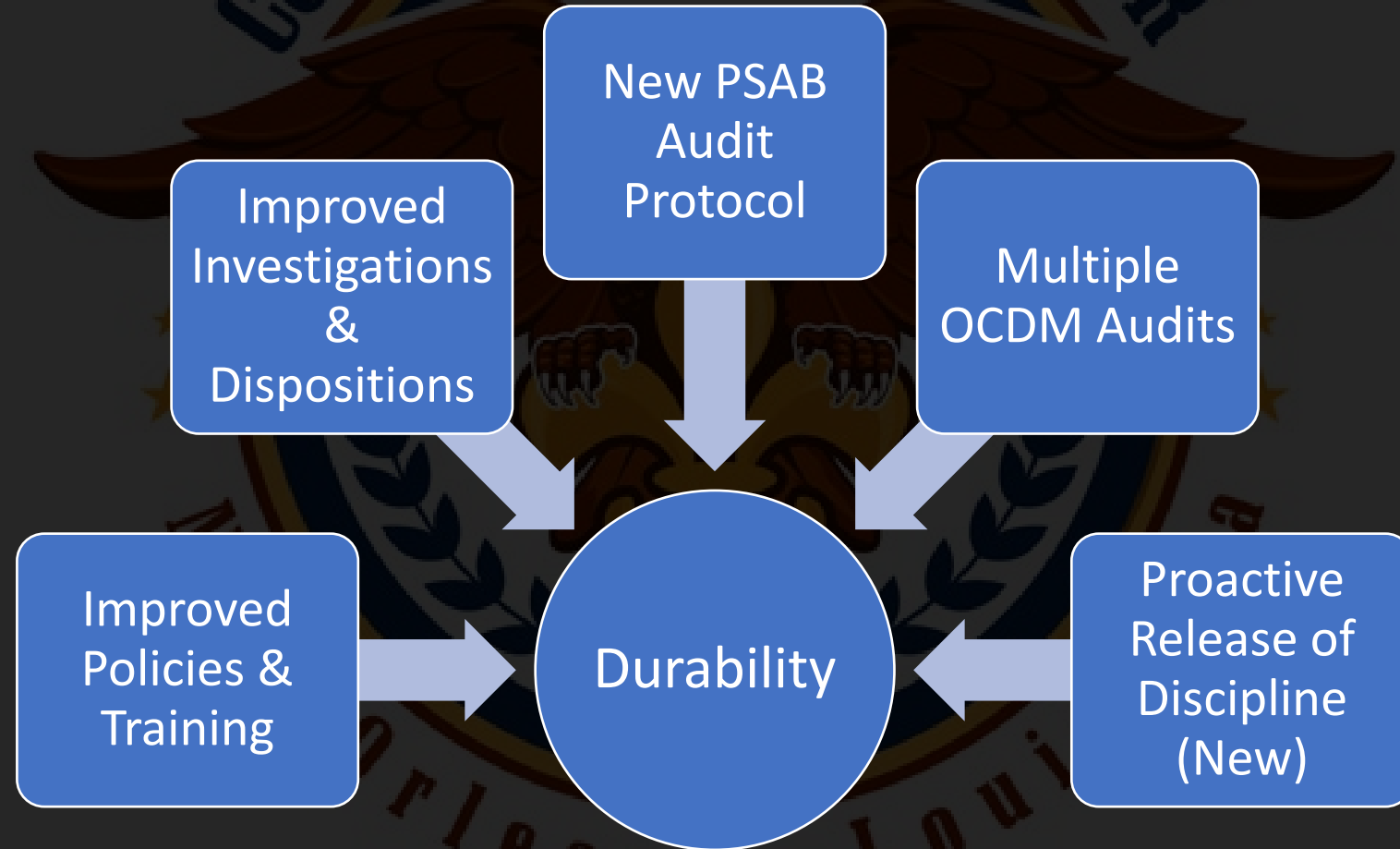
Differences In Analytical Techniques

Subjects of Force by sex and race 2023					Percentages				
	African American	White	Hispanic	Other		African American	White	Hispanic	Other
Male	457	39	8	10	Male	76%	6%	1%	2%
Female	64	9	2	1	Female	11%	1%	0%	0%
Not Specified	1	0	0	14	Not Specified	0%	0%	0%	2%

Subjects of Force by sex and race 2022					Percentages				
	African American	White	Hispanic	Other		African American	White	Hispanic	Other
Male	379	51	8	15	Male	71%	10%	1%	3%
Female	57	15	1	1	Female	11%	3%	0%	0%
Not Specified	0	0	0	7	Not Specified	0%	0%	0%	1%

NOPD data (including pointings).

Driving Sustainment



Use Of Force

DOJ Findings Letter

- “The patterns of unreasonable force we observed are rooted in a number of longstanding systemic deficiencies within NOPD, including a failure to implement adequate: 1) use of force policies; 2) use of force training; 3) force reporting and investigation; 4) use of force review, including reviews of officer-involved shootings; and 5) tracking, analysis, and response to use of force data and trends, including use of an early warning system.”

Consent Decree

- “NOPD agrees to develop and implement force policies, training, and review mechanisms that ensure that force by NOPD officers is used in accordance with the rights secured or protected by the Constitution and laws of the United States, and that any unreasonable uses of force are identified and responded to appropriately. NOPD agrees to ensure that officers use non-force techniques to affect compliance with police orders whenever feasible; use force only when necessary, and in a manner that avoids unnecessary injury to officers and civilians; and deescalate the use of force at the earliest possible moment. . . .”

Use of Force

Observations

- Improved policies and training
- All levels of force reviewed at multiple levels
- PSAB audits
- Data reveal no pattern / practice of unconstitutional conduct
- Certain disparities are being evaluated
- Some areas require continued improvement as reflected in PSAB and OCDM audits

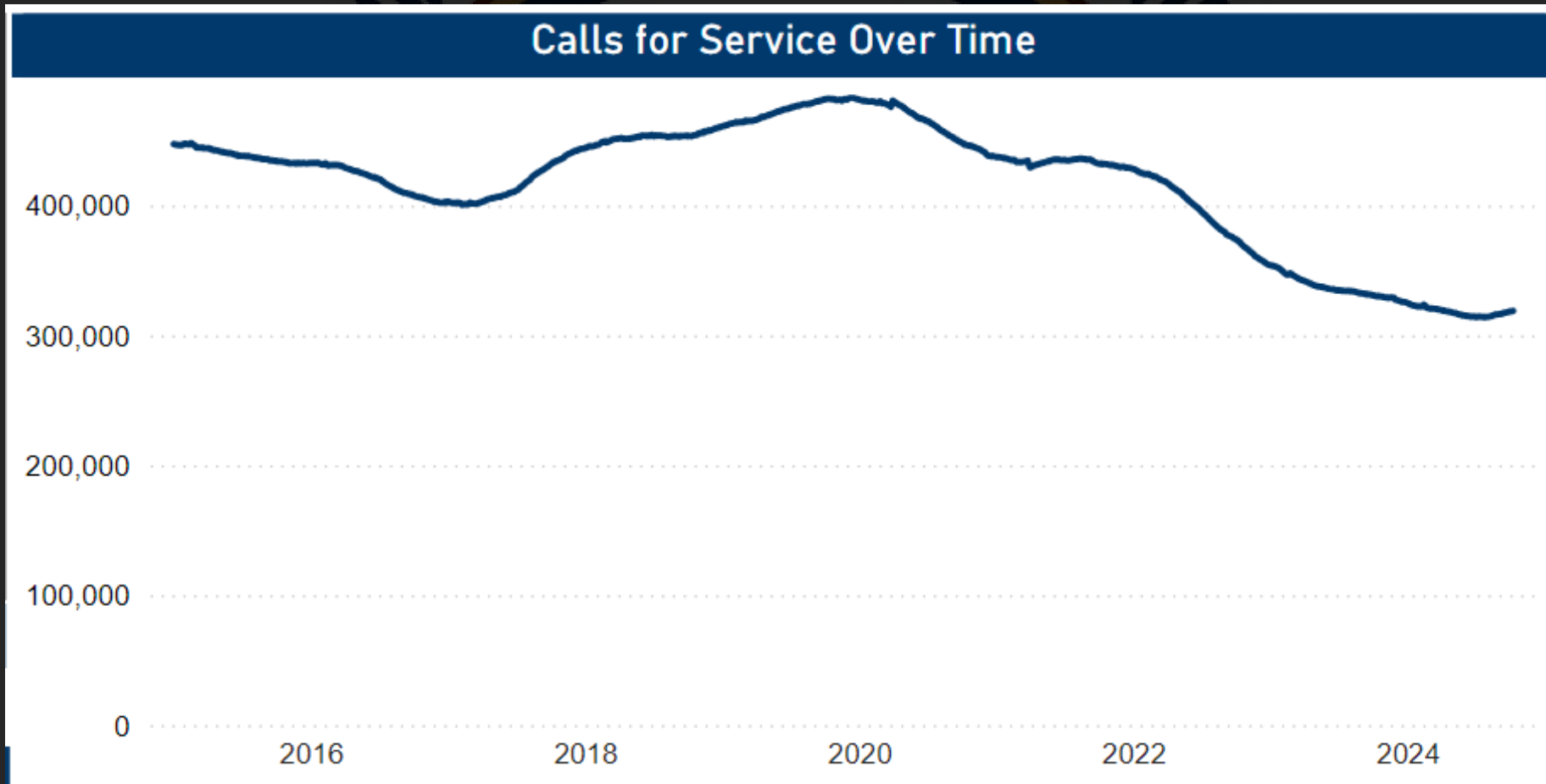
How NOPD and OCDDM Test The Completeness Of UOF Data

- Compare UOF reports to BWCs
- Compare arrest reports to UOF reports
- Give special attention to
 - Reports where an officer is injured
 - Reports of resisting arrest
 - Reports of injuries in custody
 - Reports of suspect injured
- Review BWCs for unreported uses of force

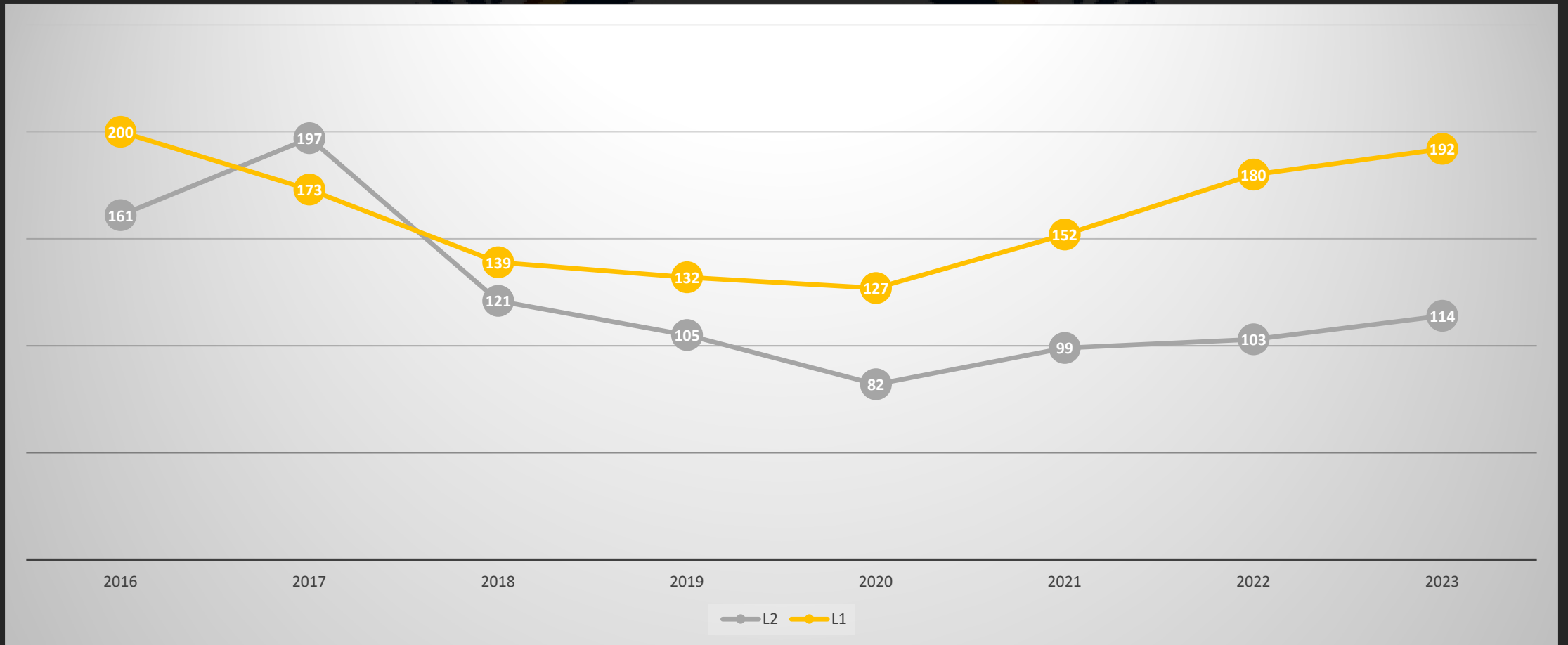


Use Of Force Data

Context Matters

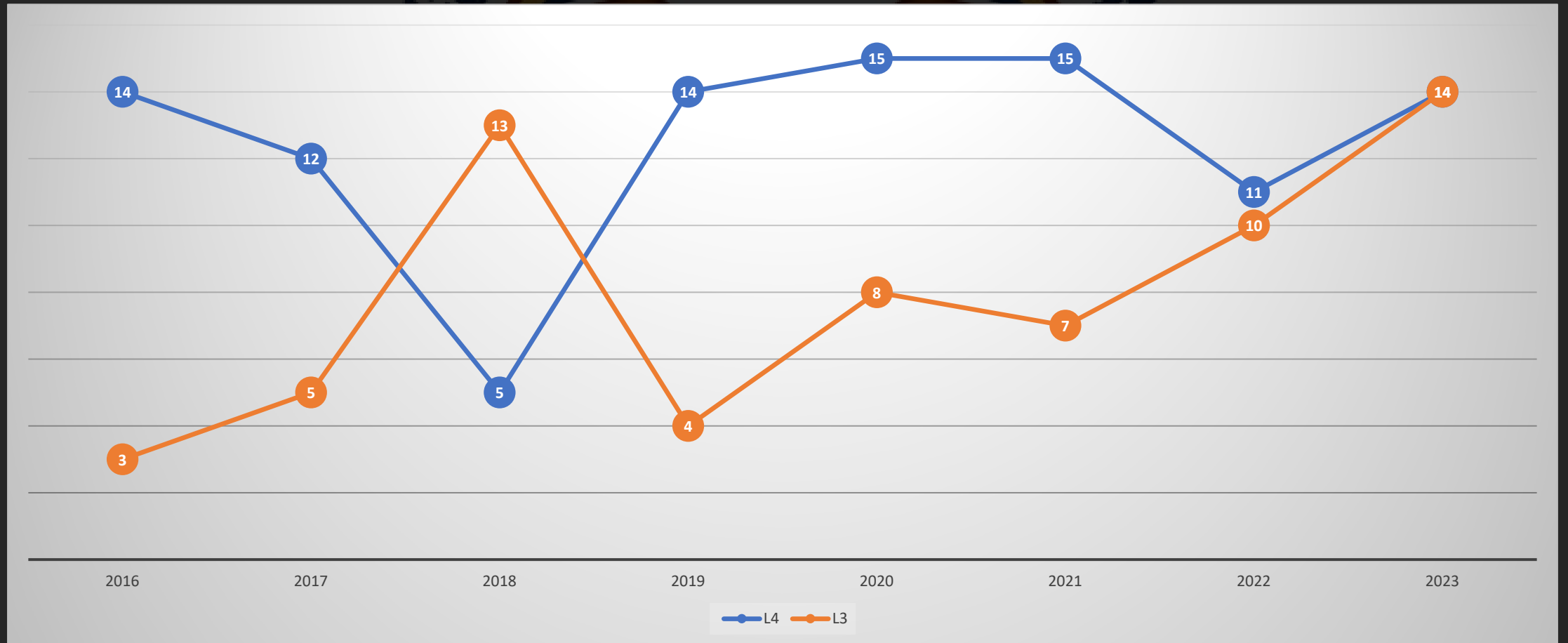


Total Use of Force By Level By Year (L1/L2)



NOPD data (excluding pointings)

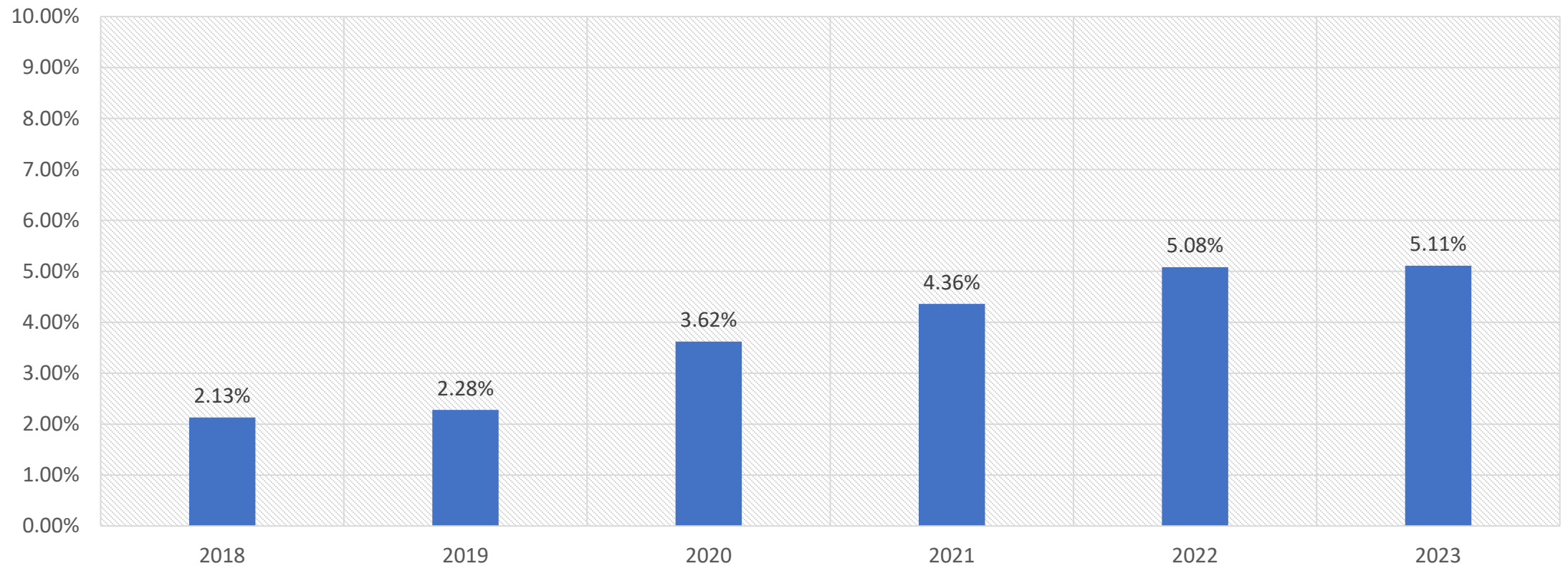
Total Use of Force By Level By Year (L3/L4)



NOPD data (excluding pointings)

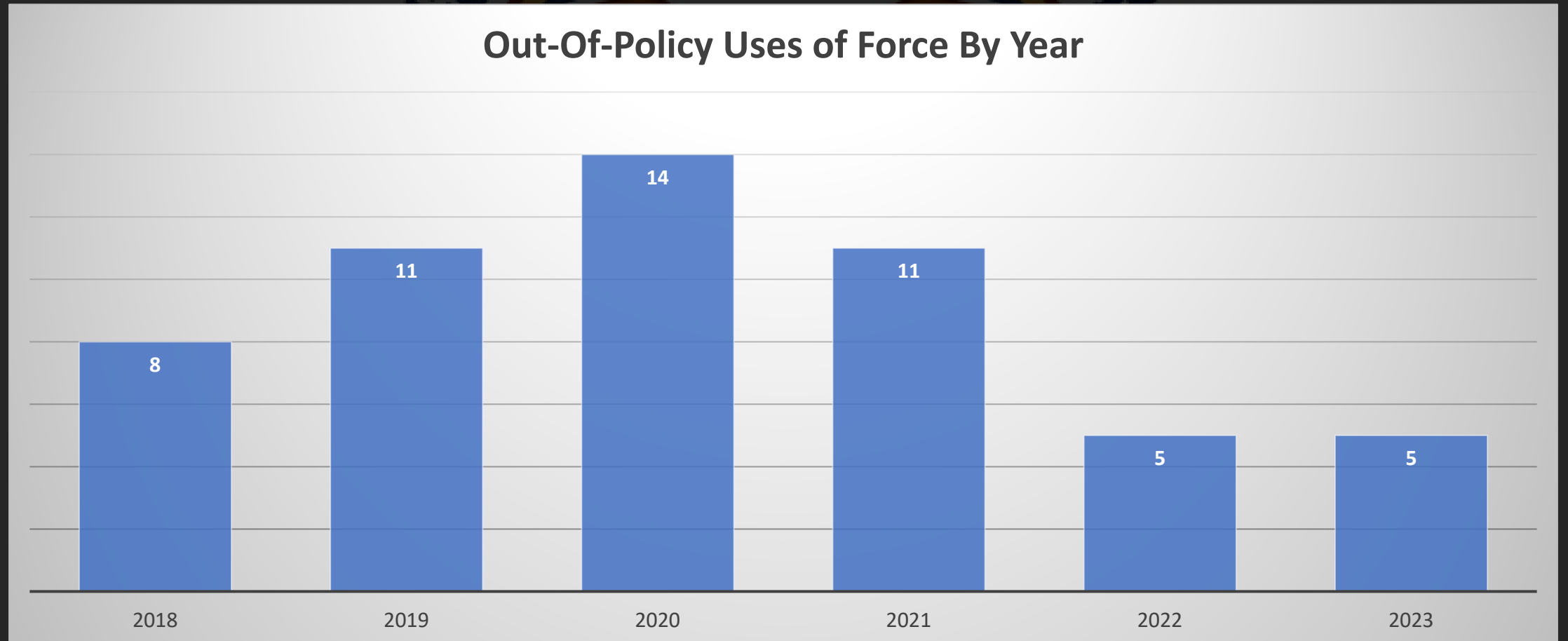
% Use of Force / Arrest

% UOF / Arrest



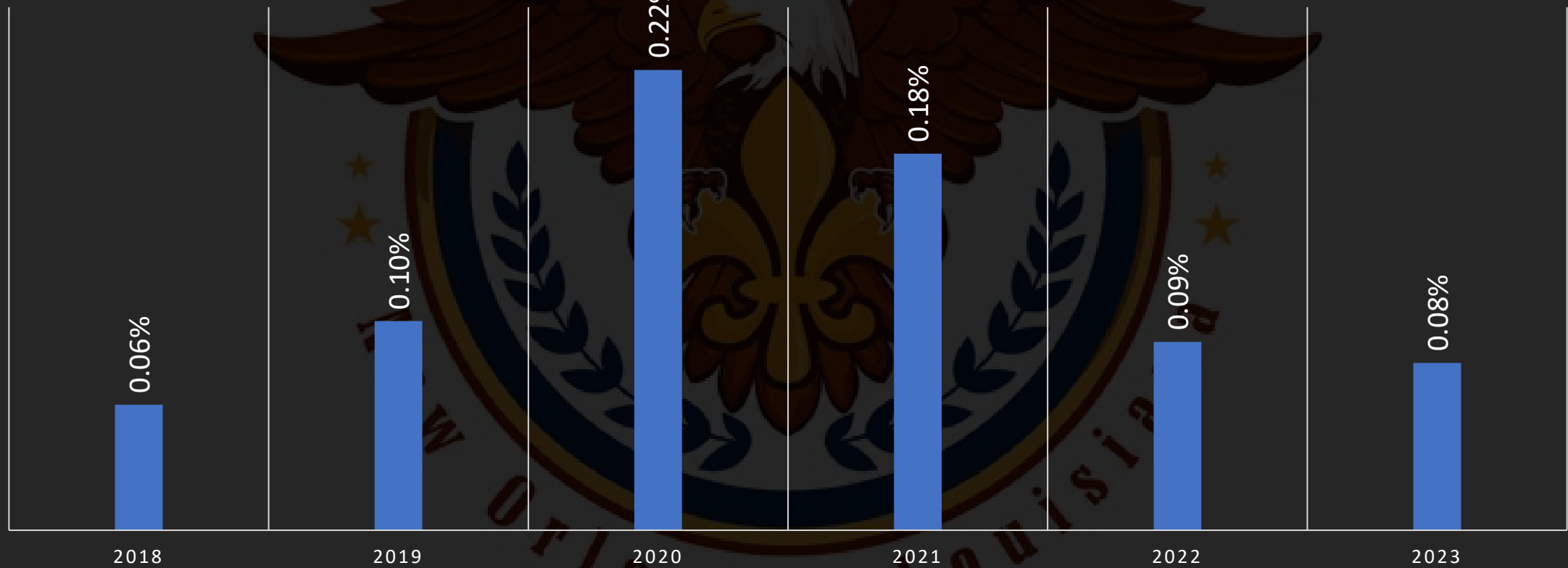
NOPD data (excluding pointings)

Out-Of-Policy Force By Year



% Out-Of-Policy UOF / Arrests

% OUT-OF-POLICY UOF / ARREST



We look at police shootings against whether the subject was armed

Year	Police Shootings*	Armed	Unarmed
2015	8	7	1
2016	2	2	0
2017	3	3	0
2018	0	0	0
2019	7	7	0
2020	6	5	1
2021	4	3	1
2022	3	3	0
2023	2	1	1

* Number does not include unintentional firearm discharges, warning shots, or firearm discharges at animals.

NOPD data

UOF Fatalities

NOPD data

Year	UOF Fatalities
2015	4
2016	0
2017	1
2018	0
2019	6*
2020	0
2021	0
2022	0
2023	0

Washington Post data

<u>Year</u>	<u>No. Fatal NOPD Shootings</u>
2015	4
2016	0
2017	1
2018	0
2019	3
2020	0
2021	0
2022	1

- 2019 Note: Three fatalities resulted from police shootings; three fatalities resulted from the vehicle pursuit that ended with the pursued vehicle crashing into the Unity One salon.

Drivers Of Use Of Force Improvements

- New policies
- Enhanced training
- Highly trained FIT investigators
- Wide adoption of Body Worn Cameras
- Implementation of best practice EPIC/ABLE active bystandership program
- Early Warning System (Insight)
- Meaningful review of ALL uses of force
- Meaningful Use of Force Review Board process
- CIT program
- Improved Officer Health & Wellness programs
- Robust PSAB audit process

The Monitoring Team Drills Down Into Specific Use Of Force Areas

- Use of Force Review Boards
 - Our reviews identified some UFRB backsliding prior to 2024
 - More recent reviews show a return to a meaningful process
- K9
 - Strong policies in place
 - Strong training in place
- Vehicle Pursuits
 - Strong policies in place
 - Our reviews identified a pattern of misconduct in 2020 that prompted a deep dive by the OCDM
 - More recent reviews show a high level of compliance by officers and supervisors
 - 100% PSAB review

National Contributors To Police Uses of Force

- Crime rates
- Violent crime rates
- Availability of guns
- Economics
- Municipal focus/lack of focus on mental health
- Training and policies
- Personal / institutional bias
- Hiring / Force Size
- Seniority of officers / supervisors

The high number of mental health calls in New Orleans also impacts NOPD UOF

Year	CFS Involving Individuals in Mental Health Crisis
2013	1139
2014	4015
2015	4571
2016	5270
2017	5296
2018	5695
2019	5716
2020	5486
2021	5960
2022	5478
2023	5074
2024	3682 (YTD)



Sustaining Reform

CONSENT DECREE MONITOR

... The full and sustained implementation of this Agreement is intended to protect the constitutional rights of all members of the community, improve the safety and security of the people of New Orleans, and increase public confidence in the New Orleans Police Department. . . .

NEW ORLEANS, Louisiana

What Is The “Sustainment Period”?

Paragraph 491 of the Consent Decree contemplates a 2-year period during which NOPD and the City must demonstrate the durability/sustainability of their achievements before being released from the Consent Decree.

What Happens During The Sustainment Period?

- NOPD must continue to comply with the Consent Decree and its commitments under the *Sustainment Plan*
- The Court retains complete jurisdiction and oversight
- The Monitoring Team stays in place
- Active monitoring continues, but more reliance is placed on NOPD's internal systems
- The Court has the power to suspend or terminate the Sustainment Period at any time

Ensuring Sustainability In The Sustainment Period And Beyond

- Complete suite of new policies
- PSAB Audit Protocols
- City Counsel Regulations
- Department-wide SOPs
- Pro-Active Video Release Policy
- New Promotions Process
- Regularly updated Academy training
- Academy Academic Director
- Transformative Active Bystandership Program (EPIC/ABLE)



Conclusion

Monitoring Team Path Forward



Continue reviewing ALL serious uses of force



Continue audits and assessments in areas not yet in full and effective compliance



Continue leveraging internal NOPD PSAB audits to the maximum extent possible



Continue providing technical assistance as requested



Work with DOJ and NOPD to conduct additional outcome assessments as appropriate



Ensure compliance with Sustainment Plan, if approved

Summary

- The Department has made great progress since 2013
- The current NOPD leadership team deserves significant recognition for restoring a meaningful partnership with DOJ and the Monitoring Team
- The number of subsections not yet in full and effective compliance is small



Thank you!