



Compliance Status Update

April 27, 2023

Consent Decree Introductory Paragraph

“The parties have a shared recognition that the ability of a Police Department to protect the community it serves is only as strong as the relationship it has with that community. **Public safety, constitutional policing, and the community’s trust in its police force are thus interdependent.** 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.**”

Transparency—The Monitor

“The Monitor shall meet with community stakeholders to explain the Monitor’s reports, to inform the public about the Agreement implementation process, and to hear community perspectives of police interactions.”

-Consent Decree ¶461

“The Monitor may testify as to its observations, findings, and recommendations before the Court”

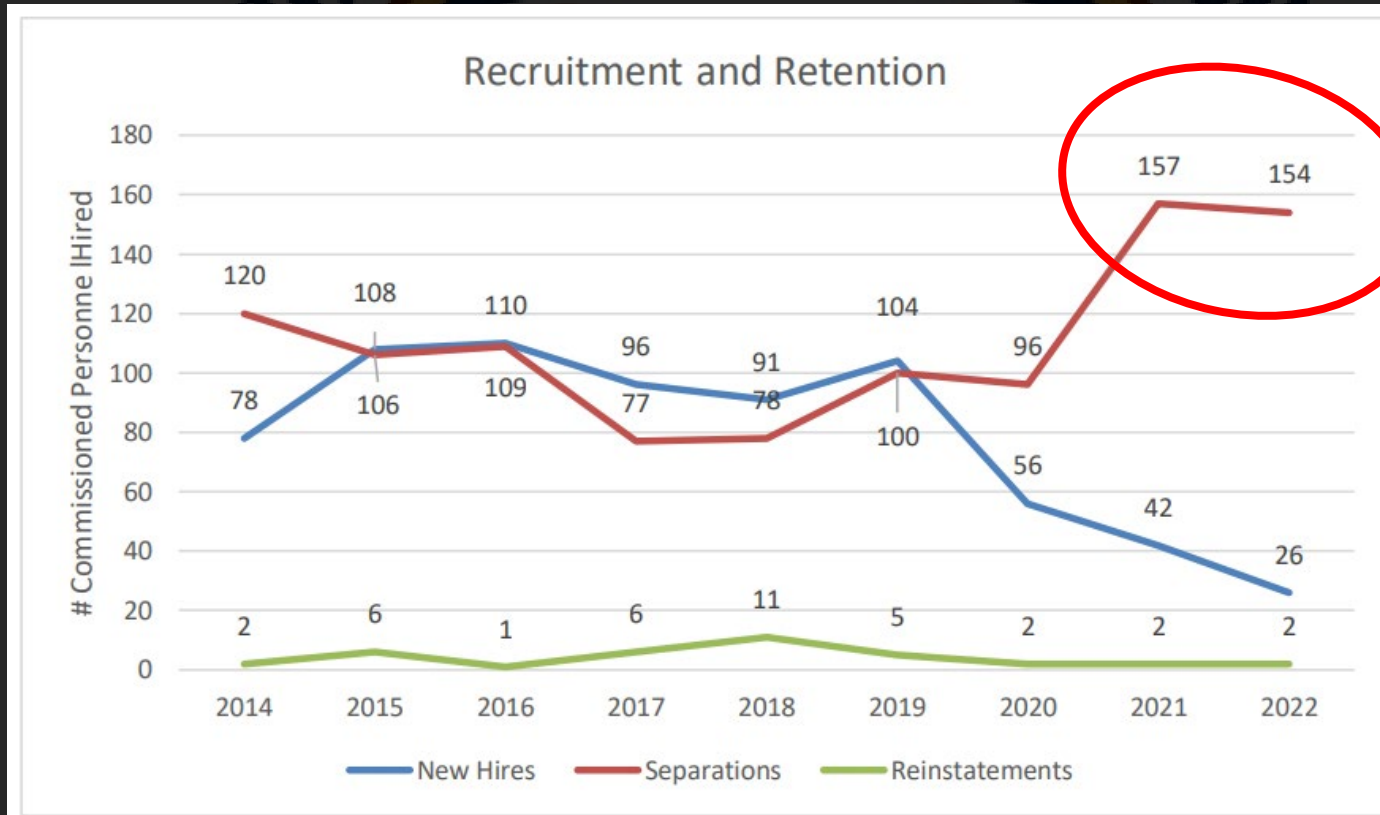
-Consent Decree ¶463

Consent Decree ¶12

“The City is responsible for providing necessary support and resources to NOPD to enable NOPD to fulfill its obligations under this Agreement.”

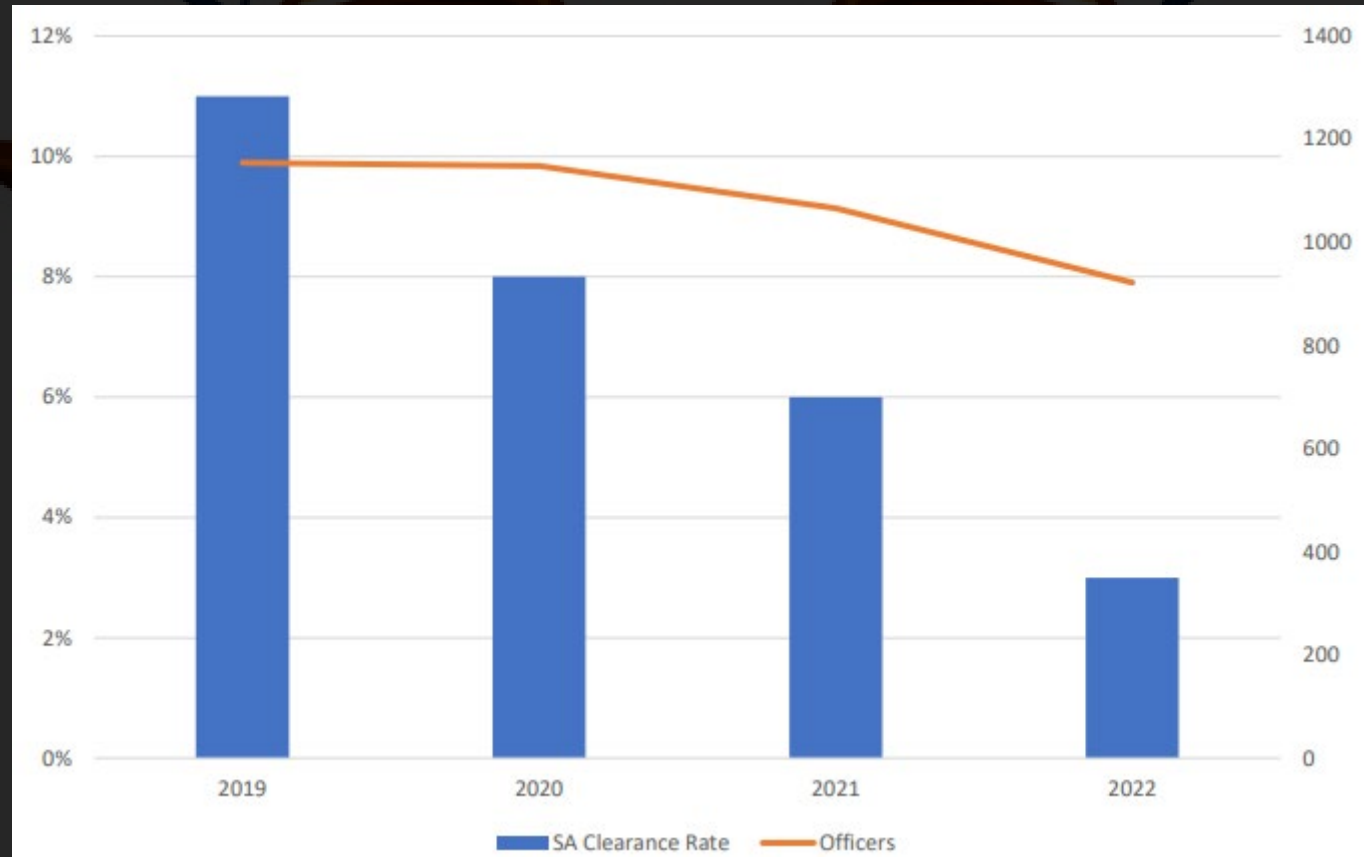
-Consent Decree ¶12

Attrition Challenges



Source: NOPD 2022 Recruitment Annual Report, available at <https://nola.gov/nola/media/NOPD/Consent%20Decree/2022-Recruitment-and-Applicant-Investigations-Annual-Report-Final.pdf>

Sexual Assault Clearance Rates as Compared to Overall Staffing



Source: NOPD MAX Briefings 2019-2022 and City Council Staffing Dashboard.

The background features a large, semi-transparent seal. At the top, an arc contains the text "CONSENT DECREE MONITOR". In the center is a bald eagle with its wings spread, perched atop a fleur-de-lis. The eagle's talons are visible. Below the eagle is a laurel wreath. At the bottom, an arc contains the text "New Orleans, Louisiana", with two stars on either side.

Tracking Compliance

Tools for Tracking Compliance

INFORMATION CURRENT AS OF APRIL 10, 2023 -- THIS DOCUMENT IS INTENDED SIMPLY AS A TOOL/WORKING DOCUMENT.
IT DOES NOT REFLECT THE OFFICIAL POSITION OF OCDM REGARDING COMPLIANCE STATUS

CD Chapter		Chapter Sub Section	Compliance Status	CD Text
15. SUPERVISION			2	
Supervision	306	Duties of Supervisors	2	NOPD supervisors shall be held accountable for providing the close and effective supervision necessary to direct and guide officers. Close and effective supervision requires that supervisors: respond to the scene of certain arrests; review each arrest report; respond to the scene of uses of force as required by this Agreement; investigate each use of force (except those investigated by FIT); review the accuracy and completeness of officers' Daily Activity Reports; respond to each complaint of misconduct; ensure that officers are working actively to engage the community and increase public trust and safety; and provide counseling,
Supervision	307	Duties of Supervisors	1	Within 270 days of the Effective Date, all Field Operations Bureau District officers (including patrol, task force, district investigative, and narcotics units) shall be assigned to a single, consistent, and clearly-defined supervisor.
Supervision	308	Duties of Supervisors	2	Task force and narcotics supervisors shall actually work the same days and hours as the officers they are assigned to supervise absent unusual circumstance or when the supervisor is on vacation, in training, or ill. Investigative unit supervisors shall work generally the same days and hours as the officers they are assigned to supervise, taking into account that shift differences will not permit complete supervisory overlap.
Supervision	309	Duties of Supervisors	1	District Platoon Patrol supervisors shall be assigned to the same platoon as the officers they supervise and shall actually work the same days and hours as the officers of that platoon absent unusual circumstances or when the supervisor is on vacation, training, or ill.
Supervision	310	Duties of Supervisors	1	Within 270 days of the Effective Date, first-line patrol supervisors shall be assigned to supervise no more than eight officers. On duty patrol supervisors shall be available throughout their shift to respond to the field to provide supervision to officers under their direct command and, as needed, to provide supervisory
Supervision	311	Duties of Supervisors	1	Within 270 days of the Effective Date, NOPD agrees to develop and implement a program to identify and train acting patrol supervisors who can fill-in, on a temporary, as-needed basis, for assigned supervisors who are on vacation, in training, ill, or otherwise temporarily unavailable. NOPD shall ensure consistent supervision by acting supervisors for supervisors who are on extended leave, and shall reassign officers to a new permanent non-acting supervisor when the currently assigned supervisor has been or is expected to be absent for an extended period of over six weeks.
Supervision	312	Duties of Supervisors	2	District commanders and platoon lieutenants shall be responsible for the close and effective supervision of officers under their command. All NOPD commanders and platoon lieutenants shall ensure that all subordinates under their direct command comply with NOPD policy, state and federal law, and the requirements of this Agreement.
Supervision	313	Duties of Supervisors	2	NOPD shall hold commanders and supervisors directly accountable for the quality and effectiveness of their supervision, including whether commanders and supervisors identify and effectively respond to misconduct, as part of their performance evaluations and through non-disciplinary corrective action, or through the initiation of formal investigation and the disciplinary process, as appropriate.
Supervision	314	Supervisor and Command-Level Training	2	NOPD agrees to develop and implement mandatory supervisory training for all new and current supervisors. All current supervisors shall receive 200 hours of mandatory supervisory training within two years of the Effective Date. NOPD shall receive credit for professional police leadership training being provided in 2012 to current NOPD supervisors. All officers becoming supervisors within two years of the Effective Date shall receive 160 hours of initial supervisory training before

Tools for Tracking Compliance

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1	<p style="text-align: center;">INFORMATION CURRENT AS OF MARCH 31, 2023 -- THIS DOCUMENT IS INTENDED SIMPLY AS A TOOL/WORKING DOCUMENT. IT DOES NOT REFLECT THE OFFICIAL POSITION OF OCDM REGARDING COMPLIANCE STATUS</p>					
2	CD Chapter	Compliance Status	OCDM's Determination on Info Needed to Prove Compliance	Target Deadline:	CD Text	
138	Stops, Searches, and Arrests	2	see ¶1122		As part of the supervisory review, the supervisor shall document in an auditable format those arrests that are unsupported by probable cause, are in violation of NOPD policy or this Agreement, or that indicate a need for corrective action or review of agency policy, strategy, tactics, or training. The supervisor shall take appropriate action to address violations or deficiencies in making arrests, including recommending non-disciplinary corrective action for the involved officer, and/or referring the incident for administrative or criminal investigation. For each subordinate, the supervisor shall track each violation or deficiency and the corrective action taken, to identify officers needing repeated corrective action. The supervisor shall ensure that each violation or deficiency is noted in the officer's performance evaluations. The quality of these supervisory reviews shall be taken into account in the supervisor's own performance evaluations. NOPD shall take appropriate corrective or disciplinary action against supervisors who fail to conduct reviews of adequate and consistent quality.	
139	Stops, Searches, and Arrests	2	see ¶1122		A command-level official shall review, in writing, all supervisory reviews related to arrests that are unsupported by probable cause, are in violation of NOPD policy, or that indicate a need for corrective action or review of agency policy, strategy, tactics, or training. The commander's review shall be completed within seven days of receiving the document reporting the event. The commander shall evaluate the corrective action and recommendations in the supervisor's written report and ensure that all appropriate corrective action is taken, including referring the incident to PIB for investigation, if appropriate.	
140	Stops, Searches, and Arrests	2	see ¶1122		NOPD shall track centrally and at the District level the DA's acceptance and refusal rates of arrests made by NOPD and reasons for refusals, when made available by the DA, including those factors and information indicating that a failure to prosecute was due to the quality of officer arrests or concerns regarding officer conduct. Each District Commander shall be held accountable for referring to PIB for investigation any information regarding specific incidents of possible officer misconduct related to officer arrests noted in the DA's refusal reasons.	
	Stops, Searches, and Arrests	2	see ¶1122		<p>Within 270 days of the Effective Date, NOPD shall develop a written or electronic report format to collect data on all investigatory stops and searches, whether or not they result in an arrest or issuance of a citation. This system shall allow for summarization and searches and also shall be integrated into the EWS. NOPD's stop and search data collection system shall be subject to the review and approval of the Monitor and DOJ, and shall require officers to document the following:</p> <ul style="list-style-type: none"> a) officer's name and badge number; b) date and time of the stop; c) location of the stop; d) duration of the stop; e) subject's apparent race, ethnicity, gender, and apparent age; f) if a vehicle stop, presence and number of any passengers and the apparent race, ethnicity, gender, and age of each passenger; if a non-vehicle stop (e.g., pedestrian or bicycle), number of individuals stopped and the apparent race, ethnicity, gender, and age of each person; g) reason for the stop, including a description of the facts creating reasonable suspicion; h) if a vehicle stop, whether the driver or any passenger was required to exit the vehicle, and reason; i) whether any individual was asked to consent to a search and whether such consent was given; j) whether a probable cause search was performed on any individual, including a brief description of the facts creating probable cause; k) whether a pat-and-frisk or other search was performed on any individual, including a description of the facts justifying the pat-and-frisk or other search; 	

THANK YOU

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<http://consentdecreemonitor.com/>

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Comments for Judge Morgan:

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