

Ethics Review Board  
City of New Orleans  
Monday, November 17, 2014  
3:30pm – 6pm  
Algiers Regional Library | 3014 Holiday Drive | New Orleans, LA 70131

### **Minutes**

Present: Dr. Michael Cowan, Chair; Dr. Joe Ricks, Jr., Secretary; James Brown;  
Howard Rodgers, III; Rev. Dr. Donald Frampton  
Absent: Allen Miller, Vice Chair  
Guests: Ed Quatrevaux, Inspector General  
Simone Levine, Deputy Police Monitor  
Staff: Steve Scheckman, General Counsel  
Felicia R. Brown, Executive Director

A quorum being present, the chair called the meeting to order at 3:30pm. Mr. Rodgers moved to approve the minutes of September 2, 2014; a second was offered by Dr. Ricks. All were in favor and the motion passed unanimously. The chair recognized Inspector General Ed Quatrevaux.

Mr. Quatrevaux referenced the following work products issued by the OIG since the ERB's September meeting: Report of Inquiry in Documentation of Sex Crime Investigations by 5 Detectives of the NOPD; Letter to Mayor Mitchell J. Landrieu Re: The Purchase of Body Cameras for NOPD; Letter to Norman Foster, Chief Financial Officer Re: OIG Audit of Payroll Internal Controls; and A Performance Audit of the Bureau of Revenue's Internal Controls - Compliance Division. Mr. Quatrevaux indicated the cooperative working relationship with Superintendent Harrison and further noted the chief's sincerity addressing issues and concerns.

A discussion ensued between ERB members Frampton, Brown and Ricks and the inspector general, regarding findings of the Report of Inquiry in Documentation of Sex Crime Investigations by 5 Detectives of the NOPD. ERB members Ricks and Brown expressed outrage and/or concern for the findings, especially the falsification of public records as expressed by Mr. Brown and the lack of internal auditing processes (expressed by Dr. Ricks). In response to inquiries posed by Rev. Frampton, the IG indicated that the matter is under investigation by NOPD's internal affairs and that the district attorney is also aware of the report's findings. Mr. Quatrevaux further noted the need for audit personnel within NOPD as well as an internal inspector general for the department. He indicated the need for audit personnel within the OIPM and raised doubts about the effective use of personnel resources by the OIPM in conducting onsite observations at a crime scene and participation in disciplinary hearings, noting the initial police monitor advised against the practice. Mr. Rodgers commended the OIG's reporting in bringing these incidents to the public's attention.

The chair recognized Ms. Simone Levine, Deputy Police Monitor. Ms. Levine reported the following with respect to OIPM activities YTD: 152 complainant contacts, 7 commendations, 19 case monitoring cases, 28 contacts only, 90 complaints, 8 inquiries, 9 officer involved shootings, 12 criminal liaisons, 11 disciplinary hearings, 34 volunteers, with 10-11 current volunteers. She thanked ERB members who attended the recent OIPM retaliation forum. Ms. Levine explained the mediation process, noting positive feedback from various community organizations, as well as

cooperation from NOPD and support of the local police associations. She indicated the LA Public Health Institute will conduct an evaluation of the mediation program. Ms. Levine also provided an overview of the OIPM's funding priorities (at a costs of \$350,000) presented to the City Council during last week's budget hearing, specifically continued funding for the mediation program and hiring of a statistician on a contract basis. She noted enhanced duties and responsibilities of the OIPM's director of external relations without any corresponding increase in salary. She clarified the mediation process and indicated the OIPM's agreement with the IG for audit personnel within the division. Dr. Cowan indicated he would provide to the OIPM the IG's correspondence to Council President Head regarding allocation of funds to the OIPM that the council might designate.

Ms. Levine raised an inquiry about the status of the ERB's investigation of Susan Hutson's allegation of a hostile work environment. She indicated the OIPM would engage in a strategic planning process in January 2015. In response to observations raised by Mr. Quatrevaux, Ms. Levine indicated the OIPM follows the methodology, protocols and practices as established by NACOLE (National Association for Civilian Oversight of Law Enforcement). In responding to Mr. Brown, she noted the practice of crime scene observation as an accepted practice among police monitor practitioners and an integral function. With regard to the OIPM's participation in disciplinary hearings, she indicated the ordinance and OIPM-NOPD MOU provided specifically for such involvement.

A discussion ensued regarding the FY 2014 budget, with the executive director noting the balance of funds that remain unexpended by the board. Additionally, board members inquired about the transfer of funds to the OIG and/or OIPM, especially for supporting the mediation program. There was discussion regarding implications of a transfer of funds and whether the IG's authority might be perceived as being weakened given the current tensions between the IPM and IG. By consensus, the board agreed that the chair would confer with the inspector general and the issue would be deferred until the next meeting. In response to Mr. Brown's inquiry regarding the IG determining the ERB's budget, the executive director indicated that was a misstatement in the article in which it was reported and the general counsel cited the MOU provisions regarding budget setting, including mediation if necessary.

Dr. Ricks presented the FY 2015 budget on behalf of the budget working group, noting specific changes in budget categories from the previous year and funding specifically for the ethics education program; he acknowledged the assistance of Mr. Brown and Mr. Miller in the budget's preparation. On a motion from Mr. Brown, with a second by Rev. Frampton, the board unanimously approved the FY 2015 budget.

A discussion ensued regarding staff evaluations. Mr. Brown and Dr. Ricks will take the lead in facilitating this process.

A discussion ensued regarding the status of the OIG Quality Assurance Review Advisory Committee, including the delay in the administration's appointment, Councilmember Head's intervention with the administration to facilitate the appointment process, and use of the report for determining the IG's salary by the ERB.

Regarding the IG's salary increase, by consensus the ERB agreed to consider the inspector general's salary increase during its December meeting. The executive director will confirm with the chief

administrative office whether a salary increase approved by the board can be retroactive to Mr. Quatrevaux's anniversary date of hire.

A discussion ensued regarding feedback for the Ethics CLE presented to the Law Department. Mr. Scheckman indicated the format of the presentation and participants.

The executive director reviewed the memoranda of October 14 and November 6, as directed by the board to chair, updating ERB members regarding activities related to the ERB's ethics education efforts. In response to Mr. Brown, the executive director indicated that documentation has been submitted to the state ethics board for review; notification of approval has not been provided at this time. A discussion ensued regarding target audiences, observations and challenges that came to light as a result of meeting with various agencies, boards and commissions, messaging, and training evaluation process. The executive director also noted that as training is implemented it will likely evolve over time.

A discussion ensued regarding the costs proposal submitted by Carla Miller for a consultancy of professional development for the ERB. With regard to price, the executive director was directed to confirm whether the proposal represented the most competitive pricing and availability of further negotiations with regard to pricing. Following the discussion, on a motion by Mr. Brown, and a second by Dr. Ricks, the board unanimously approved the following process for its professional development: a meeting with the executive director and consultant, working breakfast, 3 hour meeting with the board, with a follow-up meeting between the executive director and consultant.

By consensus, the board agreed to meet on December 3, 2014, 2pm-5pm; discussion of the 2015 meeting schedule was deferred.

At 5:44pm, Mr. Brown moved to adjourn into executive session, Mr. Rodgers offered a second. The motion was approved unanimously.

At 5:49, Dr. Ricks moved to resume the open meeting, with a second by Rev. Frampton. The motion carried unanimously.

On a motion by Dr. Ricks, with a second by Mr. Brown, the board unanimously agreed to adjourn the meeting, at 5:49pm.