



ETHICS REVIEW BOARD
CITY OF NEW ORLEANS

Ethics Review Board
City of New Orleans

Tuesday April 18, 2017
4:00 P.M. – 6:00 P.M.

Norman Mayer Library
3001 Gentilly Boulevard
New Orleans, LA 70122

AGENDA

1. Approval of minutes: March 21, 2017
2. Inspector General's report
3. Independent Police Monitor's report
4. General Counsel's report
5. Training update
6. Protocol for Search for New Orleans Inspector General
7. Executive session pursuant to Louisiana Revised Statutes 42:17(A) (4) to discuss investigative proceedings regarding allegations of misconduct.
8. Adjournment

Ethics Review Board

City of New Orleans

March 21, 2017

4:00 P.M. – 6:00 P.M.

DRAFT

Algiers Regional Library | 3014 Holiday Drive | Orleans, Louisiana 70131

Minutes

Present: Mr. Allen Miller, Chair; Mr. James Brown, Vice Chair; Dr. Joe Ricks; Rev. Boutin; Mr. Howard Rodgers

Absent: Dr. Michael Cowan

Staff: Dane Ciolino, General Counsel

Guest: Erich Caulfield, the Hackett Group, Ethics Education Trainers

At 4:02 p.m., a quorum being present, the Chair called the meeting to order. On a motion by Mr. Brown seconded by Mr. Rodgers, the board unanimously approved the minutes of the February 14, 2017 with corrections.

Inspector General's Report

Assistant Inspector General for Government Performance Nadiene Van Dyke told the board that the Office of Inspector General (OIG) has not issued any reports since the ERB's last meeting.

Mrs. Van Dyke told the board that the OIG plans to issue 1-2 reports in April 2017.

Mrs. Van Dyke told the board that NOPD will implement the enforcement of the false alarm ordinance on May 1, 2017 following a recommendation that the OIG made in a 2014 "NOPD Staffing & Deployment Report".

Mrs. Van Dyke told the board that an OIG can only effectively bring about government improvement and detect fraud and abuse if the citizens for which it works support and assist those efforts.

Mrs. Van Dyke reported the following timeline to the board regarding the OIG's Community and Outreach efforts with the use of grant funding (Original grant, 2013-2016; extension 2016-2017):

- January 2016- Conversations with funder about an extension and additional capacity building funds.
- June 2016- Submitted proposals and drafts for technical assistance for capacity funding.
- September 2016- Received notice that funding would be available for the Public Service Announcement (PSA), the designing and purchasing of bus shelter posters and conducting a professional poll.
- Early 2017- Received additional funding for media buy.

Mrs. Van Dyke told the board that the Poll Findings regarding what citizens knew of the OIG reported that:

- Approximately 40% of New Orleans citizens polled had a favorable opinion of the IG.
- OIG Favorables:
 - 51% white citizens
 - 33% non-white favorable
- Approximately more than 75% of New Orleans citizens knew to report fraud, corruption and waste of tax dollars to the OIG.
- Independent from Mayor and New Orleans City Council:
 - 68% white citizens
 - 53% non-white citizens
- Approximately 41% had No Opinion of the OIG.
- The highest rate of No Opinion was African American women:
 - 52% had no opinion of the OIG
 - 5% never heard of the OIG
- More than 44% of New Orleanians receive their news and information from television.
- For 54% of non-white citizens, television is the leading source of news.
- Poll findings reported that the initiative should focus on reaching African American women, the largest group that responded with “no opinion” and “never heard of.”
- Based on the poll finding the OIG crafted a 30-second Public Service Announcement that will air on WWL, WDSU, News Watch 15, WUPL, and “Bounce TV.”
- 91% of poll respondents said they use private vehicles when travelling in New Orleans.
- Illuminated transit shelter displays in 52 high-traffic areas throughout the City.

In response to Dr. Ricks, Mrs. Van Dyke told the board that the outcome of the campaign was to make the citizens of New Orleans aware of the OIG and its mission.

In response to Dr. Ricks, Mrs. Van Dyke told the board that a follow-up poll will depend on funding.

In response to Mr. Miller, Mrs. Van Dyke told the board that the original Baptist Community Ministries (BCM) Grant was originally received in September 2013.

In response to Mr. Miller, Mrs. Van Dyke told the board that the other functions of the BCM grant consists of:

1. Producing the Funding Report from the Criminal Justice Agency
 - a. 5 reports have been issued, 4 are currently being worked on and 2 reports are left.
2. Developing a strategic messaging communication strategy
3. Redeveloping of the OIG website
4. Funding a Media Consultant
5. Community Engagement
6. Social Media & Communications

In response to Dr. Ricks, Mrs. Van Dyke told the board that the poll results reported that 68% of white citizens and 53% of non-white citizens either agreed or strongly agreed that they were aware that the OIG was independent of the Mayor and New Orleans City Council.

Independent Police Monitor's Report

The Mediation Coordinator, Sister Allison McCrary reported the Office of the Independent Police Monitor's (OIPM) year-to-date activities for 2017: 10 complaints, 5 disciplinary hearings, 5 case monitoring, 4 mediations, 5 uses of force, 1 criminal liaisons, and 2 firearm discharges.

Sister McCrary told the board that the OIPM wrote a letter to New Orleans Police Department (NOPD) Chief Michael Harrison and NOPD Deputy Chief Paul Noel regarding the most recent incident with the New Orleans Mardi Gras Indians.

In response to Mr. Miller, Sister McCrary told the board that the OIPM will submit their Annual Report by the due date.

In response to Mr. Rodgers, the New Orleans Mardi Gras Indians have never had a parade permit. The OIPM is assisting to make sure that public safety issues are addressed.

In response to Mr. Brown, Sister McCrary told the board that there are 3 Super Sundays in New Orleans.

Mr. Miller told the board that all outreach for the OIG and ERB should be in agreement with the agency ordinances.

General Counsel's Report

Mr. Ciolino told the board that New Orleans Councilmember Jared Brossett's version of the ordinance regarding the transitioning of the OIPM into operational independence passed.

Mr. Ciolino told the board that Councilmember Susan Guidry proposed an additional amendment that passed.

In response to Mr. Miller, Mr. Ciolino told the board that the proposed amendment changes the selection process of the IG and the IPM. Her proposal suggests a selection committee that would be comprised of: 1 ERB Member, 1 Appointee of the Mayor, 1 Appointee of the New Orleans City Council Governmental Affairs Committee and 2-3 Citizen Appointees.

Mr. Ciolino told the board that if this amendment passes, the selection committee will be responsible for screening 1 of the 3 candidates.

Mr. Ciolino told the board that he will give the board a written report of Councilmember Guidry's proposal.

In response to Mr. Brown, Mr. Ciolino told the board that the proposed amendment will not affect the allocation of funding for the OIPM and the OIG.

In response to Mr. Brown, Mr. Ciolino told the board the subpoena powers were not included in the ordinance version that passed.

In response to Mr. Brown, Mr. Ciolino told the board that the Mayor needs to sign the ordinance that passed.

In response to Mr. Brown, Mr. Ciolino told the board that the proposed amendment would take away some the ERB's authority and discretion with the OIG and OIPM.

Mr. Ciolino reported to the board as directed that he has contacted Mrs. Courtney Bagneris who is responsible for posting the City of New Orleans unclassified jobs. Mrs. Bagneris reported that the Inspector General posting is listed on the City's website. The City of New Orleans Clerk of Council will have the opening posted to the Times Picayune, and the opening will also be posted on the Association of Inspector General's website.

Mr. Ciolino told the board that the posting asks for all applications to be submitted by August 21, 2017 by email.

Mr. Ciolino told the board that he contacted Slavin Management Consulting Firm out of Georgia. He also told the board that he asked them to provide a proposal that has been given to the ERB Chairman.

Mr. Ciolino told the board that he and the ERB Chair have discussed the ERB constituting a search committee and appointing a Chair. The committee will be responsible for making recommendations to the board regarding which search firm to hire.

Ethics Education Report

Mr. Erich Caulfield of the Hackett Group told the board that since the ERB's March meeting the Hackett Group has May 23, 2017 and June 13, 2017 as tentative dates with the New Orleans City Council for ethics education training.

Mr. Caulfield told the board that the Hackett Group's target is to plan around standing meeting for ethics education training with boards and commissions.

Mr. Caulfield told the board that the Hackett Group will provide the ERB with a status update at its April 2017 meeting regarding new departments being targeted for ethics education training.

In response to Mr. Miller, Mr. Enrich told the board that the Hackett Group will confirm dates with the ERB so that board members can sit in on ethics education trainings.

Mr. Rodgers moved for the ERB appointment of an Inspector General Search Committee with Mr. James Brown as the Chairman and Dr. Joe Ricks as the Vice-Chair with Rev. Boutin seconding. The motion passed.

The chair called for a vote to adjourn to executive session pursuant to Louisiana Revised Statute sections 42:17(A) (4) to discuss investigative proceedings regarding allegations of misconduct. Mr. Brown moved and a second was offered by Mr. Rodgers at 4:46 P.M. and the motion passed.

The board, by an affirmative vote of all members present, held an executive session.

At the conclusion of the executive session, the board reconvened its public meeting. Dr. Ricks moved to reconvene and resume the open session and a second was offered by Mr. Brown and the motion passed.

Mr. Brown moved for the board to defer ERB Matter No. 2017-03 until the ERB's April 2017 meeting. Dr. Ricks seconded the motion and the motion passed unanimously.

At 5:12 P.M., Dr. Ricks moved that the meeting adjourn, Mr. Rodgers seconded. The motion carried unanimously and the meeting adjourned.