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August 6, 2021
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Fourth Circuit Court reaffirms Office of Inspector General jurisdiction

NEW ORLEANS, Louisiana – The Louisiana Fourth Circuit Court of Appeal affirmed the Office of Inspector General (OIG) has the statutory authority to investigate and audit the Orleans Parish Communication District (OPCD). This decision solidified the initial ruling made by the Civil District Court.

During its ongoing oversight and investigation of OPCD, the OIG requested that OPCD produce certain financial records and information. OPCD rejected the request and challenged the OIG's statutory authority. The Civil District Court's judgment ordered OPCD to produce the requested data; however, the OPCD appealed and contended that the OIG had exceeded its statutory authority and suggested the Civil District Court erred in its decision.

The Fourth Circuit Court agreed with the OIG's assessment that the OIG has jurisdiction to investigate OPCD. OPCD is governed by commissioners appointed by the Mayor, several of whom are superintendents or directors of City departments. Further, the Fourth Circuit Court concluded:

The plain wording of the New Orleans Home Rule Charter, the New Orleans City Code, and La. R.S. 33:9613 all authorize the OIG to investigate the OPCD. Therefore, based on the above and foregoing reasons expressed in this opinion, we affirm the judgement of the trial court.

Despite the fact that the OPCD receives more than \$7 million in funding from the city of New Orleans, OPCD still attempted to refute the authority of the OIG's mission to prevent fraud, waste and abuse. The OIG spent \$39,148.26 in legal representation fees as a result of OPCD's appeal of the Civil District Court's judgement affirming the OIG's statutory authority.

Interim Inspector General Edward Michel noted:

This ruling clearly established OIG's authority, which enables our office to review all City entities receiving appropriated funds to ensure the prevention and detection of fraud, waste, and abuse.